



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, Hon. John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Ellice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODICK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	NDP
DOLIN, Hon. Mary Beth	Kildonan	NDP
DOWNNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virten	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
MCKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Walseley	NDP
PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 3 June, 1983.

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions
... Reading and Receiving Petitions ...

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Member for Wolseley, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports ... Notices of Motion ...

INTRODUCTION OF BILLS

HON. J. STORIE introduced Bill No. 89, An Act to amend The Landlord and Tenant Act.

MR. P. EYLER introduced Bill No. 58, The Occupational Therapists Act; Loi sur les ergothérapeutes.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Questions, may I direct the attention of honourable members to the gallery where we have 25 students of Grade 5 standing from the Robert Andrews School. These students are under the direction of Mrs. Cameron. The school is in the constituency of the Honourable Member for Springfield.

There are 20 students of Grade 5 standing from the Wabowden School under the direction of Mr. Mihalyk. The school is in the constituency of the Honourable Minister of Housing.

On behalf of all of the members, I welcome you here this morning.

ORAL QUESTIONS

Anti-noise by-law violations

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

MR. G. MERCIER: Mr. Speaker, my question is to the Attorney-General, responsible for the administration of justice in this province.

Mr. Speaker, in view of the fundamental rights of Canadians to freedom of expression, and to freedom

on speech possessed by Canadians both before and after the Charter of Rights; and in view of the historic rights of Manitobans to picket and demonstrate on the grounds of this Legislature, my question to the Attorney-General is what action is he prepared to take with respect to an alleged order of a provincial judge against Mr. Kehler not to demonstrate on the grounds of this Legislature until his case has been concluded?

MR. SPEAKER: I'll just caution members that when a matter is before the courts questions before this House concerning that case are really not appropriate and are probably out of order.

The Honourable Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker. I will conform with your ruling, which I think is correct, and merely state that under the law judges, in granting bail, have the right to impose conditions; whether a condition imposed is within, or without, the law is not for me to decide or for this House to decide, but may be raised by any person in the appropriate forum.

MR. G. MERCIER: Mr. Speaker, in view of the fact that this order would appear to put in jeopardy the fundamental right of a person to demonstrate and picket on the grounds of this Legislature, in a peaceful fashion, does the Attorney-General not intend to at least review this matter with the individual Crown Attorney responsible for the case, in order to determine what, if any, action or appeal can be taken with respect to such an order?

HON. R. PENNER: I don't think I can usefully add anything to that which I've already said in this matter, other than to assure the House, and the honourable member, that I have this matter under review and will be discussing it with the Deputy Attorney-General later today, and again on Monday. I can say no more than that.

Salter Street Bridge - funding

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

MR. G. MERCIER: Mr. Speaker, a supplementary question to the Minister of Urban Affairs. Could he advise this House if he has had any negotiations or discussions, or made any representations to the Federal Government, with respect to the seeking of financial assistance from the Federal Government by the City of Winnipeg for the construction of the Salter Street Bridge and if, as a result of any discussions or negotiations he has had with the Federal Government, can he give any indication as to whether or not any federal funding will be available?

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. E. KOSTRYA: Thank you, Mr. Speaker. Yes, I can confirm that I have had direct discussions with the Regional Federal Minister, Mr. Axworthy, in regard to the funding for the Salter Street Bridge crossing. I have also written to the Federal Minister of Transportation, responsible for transportation, Mr. Pepin, on a number of occasions over the past four or five months dealing with this question; and also the general concern with respect to the expansion extension of the UTAP Program, and I will continue to press on the Federal Government that they ought to make early decisions with respect to the Financial Assistance Program under the Urban Transportation Program, so that the Salter Street Bridge project would be eligible for financial assistance. Or, in the alternative, if they cannot make that decision in the near future, that they would agree that project can proceed and will receive funding if, and when, that project is concluded.

Crown Corporations - conflict of interest

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, my question is to the First Minister. The First Minister has frequently expressed his concern, over the years, about the possible conflict-of-interest situations relating to people in public life, and indeed, the First Minister, or his government, has introduced legislation this Session which deals with members of this Legislature and with municipal councillors; there are also guidelines in place which deal with civil servants. There does not appear to be anything in place with respect to Crown corporations.

My question to the First Minister would be, by this omission with respect to Crown corporations, does this indicate that the government has no concern about the possible conflict-of-interest situations involving persons working for Crown corporations?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: I do thank the honourable member for raising this matter with me. We are quite concerned in respect to matters pertaining to conflict of interest pertaining to Crown corporations, officials in Crown corporations. I think it certainly is incumbent upon us to further peruse this matter and pursue it to ascertain whether or not any measures can be and should be introduced in the future in order to deal with what indeed can be serious conflict-of-interest situations pertaining to Crown corporations. We've been fortunate in Manitoba to have had basically few instances of such abuse, but the potential for same certainly does exist and for that reason we're mindful and mindful of the need to examine provisions of conflict of interest re Crown corporations.

MR. B. RANSOM: A supplementary question to the First Minister, Mr. Speaker. How are situations of conflict of interest in Crown corporations presently being handled?

HON. H. PAWLEY: Mr. Speaker, I would prefer to take that question under advisement. There are various

policies that are dealt with on individual levels in various Crown corporations. I would prefer, in order to give the honourable member a more accurate and comprehensive answer, to take that under advisement.

McKenzie Seeds - conflict of interest

MR. B. RANSOM: A question to the Minister responsible for McKenzie Seeds. Mr. William Moore, the Chief Executive Officer of McKenzie Seeds, informed the Standing Committee on Economic Development when it met last week that McKenzie Seeds Ltd. leases an IBM system, 38 computer, from a company called Vantage Western Data Limited. Information filed under The Corporations Act shows that the same William Moore, Chief Executive Officer of McKenzie Seeds, is the president and majority shareholder of Vantage Western Data Limited. My question to the Minister responsible for McKenzie Seeds is did he have knowledge of this information prior to this morning?

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Did I have knowledge of the information that the honourable member is giving me before this morning? I can advise the honourable member that some days subsequent to him asking a question in the committee that Mr. Moore explained to me that he facilitated the acquisition of computer equipment for the company. I expect to get some details of this. It was done in a way as I understand it, that actually saved the company some money. He is not associated with this whatsoever. But I frankly don't have those details and I'm not aware of that information that the member is giving me so I'll have to take it as notice because I am really not in a position to answer because I'm not familiar with those details.

MR. B. RANSOM: A supplementary question to the Minister then, Mr. Speaker. Is the Minister aware that Vantage Western Data is being paid \$8,000 a month by McKenzie Seeds for the lease of an IBM System 38 Computer and the majority shareholder of that corporation, and the president of that corporation, is William Alexander Moore, of 443-22nd Street, Brandon?

HON. L. EVANS: Yes, Mr. Speaker, I'd like to take it as notice and get a report for the honourable member.

MR. B. RANSOM: Mr. Speaker, Mr. William Moore, Chief Executive Officer of McKenzie Seeds is also a minority shareholder in a company which leases two buildings, the Scott National Building and what is known as the Massey-Ferguson Building, to McKenzie Seeds. My question to the Minister responsible for McKenzie Seeds, did he have knowledge of this situation prior to this morning?

HON. L. EVANS: On this particular item, Mr. Speaker, I can advise that Mr. Moore advised me verbally that when he was serving as President of McKenzie's during the Conservative administration, the opportunity to rent a particular facility was presented to McKenzie Seeds, and for whatever reason the board at that time decided

not to rent it directly; but the board appointed by the previous government approved of a rental arrangement to a company with which Mr. Moore was associated.

However, I'm also advised, and this was with full discussion by the board at that time, full knowledge, full discussion of the board that was appointed by my honourable friend's government, the government with which he was associated. I had no knowledge, of course, of that at that time whatsoever, not being a Minister and not being involved.

But I'm also informed verbally by Mr. Moore that he has no association with the company that is leasing that particular facility to the company. I have no documentation, it's strictly of a verbal nature.

MR. B. RANSOM: Mr. Speaker, McKenzie Seeds does business with a company called Agassiz Packaging Ltd. Information filed under The Corporations Act shows that Agassiz Packaging Ltd. is owned by one Mr. Charles McEachern, a controller for McKenzie Seeds; and one Mr. Louis Joseph Boisjoli, who is the assistant controller for McKenzie Seeds.

The question to the Minister responsible for McKenzie Seeds, did he have knowledge of this arrangement prior to this morning?

HON. L. EVANS: Mr. Speaker, I have, as I indicated, no knowledge of anything with regard to any arrangements on computers. The honourable member asked a general question along these lines at the committee hearings and I subsequently wanted to get some information, and when I get the details straight I will endeavour to obtain them and provide them to the honourable members of the Legislature.

MR. B. RANSOM: Mr. Speaker, is the Minister responsible for McKenzie Seeds satisfied that there is no conflict of interest in this situation with senior management people of the corporation doing business with the corporation? Is he satisfied that there is no conflict of interest?

HON. L. EVANS: Well, Mr. Speaker, when I get all the information that I believe I should obtain, in view of the nature of the member's questions and satisfy myself as to the actual situation, I will make the information available and at that time make a comment. But it's ridiculous for me - all these details are being put on the table now. I would like to look into them and make a report as soon as possible.

MR. B. RANSOM: Mr. Speaker, my question is to the First Minister. There was a bill distributed in the House yesterday concerning conflict of interest dealing with municipal councillors. One of the sections in that bill says: "No councillor shall use, for personal gain or the gain of any other person, information which is not available to the public and which the councillor acquires in the performance of his official powers, duties and functions." For the councillor who violates that provision, Sir, he would be "disqualified from office, and his seat on council is vacant."

My question to the First Minister, does he believe that any lesser standard should apply to senior management of Crown corporations?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I would think that indeed, as I indicated a few moments ago, that we are in need of a conflict-of-interest provision pertaining to those engaged in Crown corporation activities. I would certainly be prepared to seriously look at the insertion of such provisions pertaining to those engaged in Crown corporation activities.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, a situation exists in McKenzie Seeds, whereby senior members of management in the Crown corporation are doing business with corporations, three different corporations, that are doing business with McKenzie Seeds. What action is the First Minister going to take to put an end to this kind of incestuous relationship?

HON. H. PAWLEY: Mr. Speaker, you can be ensured that the situation is as the honourable member has described it to be, that an end will be put to it.

MR. B. RANSOM: Mr. Speaker, the record is quite clear from information given by Mr. Moore to the Committee on Economic Development, from information available filed under The Corporations Act. Will the First Minister assure this House that because of the fact that Mr. Moore was the NDP candidate in the Brandon-Souris by-election, that he will not receive any special consideration from this First Minister, from his government, but that he will act immediately to put an end to this type of business relationship, which the public must surely find unacceptable?

HON. H. PAWLEY: Mr. Speaker, we will be first examining carefully all the detail pertaining to the information which the Minister has obliged himself to provide, in response to the questions that have been posed. Mr. Speaker, you can rest assured that this government will not differentiate, whether a person is a Communist, a Social Creditor, a Liberal or Conservative, or a New Democrat, insofar as any improper use of that individual's responsibilities.

MR. B. RANSOM: A final supplementary to the First Minister, Mr. Speaker. In view of the fact that the Minister responsible for McKenzie Seeds has clearly had evidence of this type of relationship for some period of time, and has not bothered to bring it to the attention of the First Minister, or to take immediate action to put an end to it, will the First Minister ask for the resignation of the Minister responsible for McKenzie Seeds, or at very least, remove the responsibility for McKenzie Seeds from that Minister?

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, the honourable member is wallowing in the mud and mire. — (Interjection) — Mr. Speaker, as I indicated to the member, I want to get the details clear, but I'll tell the member this, if he

chooses to listen, that I made some inquiries after the committee meeting and what I have found out, that whatever arrangements that the member refers to - and I don't know, these names are new to me and these specific arrangements are new to me - but whatever, all of these items, all of these arrangements were made during a period of time when that party was in government. — (Interjection) — And furthermore, Mr. Speaker, I think there's a lot of allegations that are made here that cannot be substantiated, but I want to get the details. I want to get this clear because . . . — (Interjection) —

MR. SPEAKER: Order please.

HON. L. EVANS: . . . Mr. Speaker, because as I indicated after the committee meeting, I had a very brief conversation and made some verbal enquiries and that's the first time I had ever heard of any computer arrangement. But I have been assured that the conflict of interest that the member is alleging, does not seem to be what it looks upon at first sight and at first blush. So, in fairness to all the individuals involved, I'd like to get a precise report, look at the details, look at the facts, and then advise the honourable member.

MR. B. RANSOM: A question to the Minister responsible for McKenzie Seeds, Mr. Speaker. Mr. William Moore, the Chief Executive Officer of McKenzie Seeds, is the person who is majority shareholder and president of Vantage Western Data Limited. Is the Minister responsible for McKenzie Seeds telling us that the person who is involved in this type of relationship is the person to whom he went to seek information?

HON. L. EVANS: Mr. Speaker, I've never even heard of that name before, that the honourable member is referring to. I'm not familiar with those details. But I want to say this, Mr. Speaker, that we will look at the facts and I believe that knowing the individual involved, who is a very very competent person and under which the company's made a great deal of progress, that when we get the information - and as I indicated, Mr. Speaker, what little information I do have and it's very very sparse - indicates that some of these allegations that the honourable member referred to are items that were discussed by the previous board appointed by the government with which he was associated.

MR. B. RANSOM: Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds. When he learned of these possible conflict-of-interest situations, where inside information might be being used by the Chief Executive Officer and other senior management, did the Minister responsible for McKenzie Seeds immediately contact the auditors to find out what knowledge they had of this situation?

HON. L. EVANS: Mr. Speaker, as I indicated, we only discussed this very briefly and incidentally, yes, and I've been in my Estimates, and frankly, we will do the investigation. We will take whatever steps are necessary, but I believe, from what little information I had from a brief verbal conversation following our committee meeting, as I indicated, I hope there is not the problem

that the member alleges. But I have to find out myself, Mr. Speaker.

MR. B. RANSOM: A further question to the First Minister, Mr. Speaker. In view of the fact that the Minister responsible for McKenzie Seeds has been aware of this situation now for some time, and has not seen fit to seek out further information from independent people, from the auditors; and in view of this Minister's close relationship with some of the people involved, will the First Minister appoint someone else responsible for McKenzie Seeds, to immediately terminate these types of incestuous business relationships and investigate thoroughly for any possibility of the use of insider information?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, first we must, indeed, find out who knew what. Apparently there is some indication that honourable members across the way may have known of some of these kinds of relationships. I want to find out, indeed, who knew what. Mr. Speaker, I think this is a type of situation that ought to be referred to the auditor for the auditor to give a full and complete report as to whether there be any conflict of interest on the party of any party. We'll be making arrangements accordingly.

Life insurance industry - government entry

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker, my question is for the Honourable Minister of Consumer and Corporate Affairs in his capacity as Minister responsible for the administration of The Insurance Act.

Earlier this Session the Minister indicated that the government had decided not to proceed this Session with legislation that would empower MPIC to go into the life insurance business. I'm wondering if the government has established a committee to study the feasibility of their entering into this field in the future in accordance with the Throne Speech proposal?

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. J. BUCKLASCHUK: Yes, Mr. Speaker, I can confirm that in fact there is a committee studying the feasibility of MPIC becoming involved with the life insurance sector.

MR. G. FILMON: Mr. Speaker, I wonder if the Minister can indicate who is on that committee please?

HON. J. BUCKLASCHUK: The study is being undertaken by staff at the Manitoba Public Insurance Corporation. There is a steering committee of which I am the Chairman.

MR. G. FILMON: Mr. Speaker, will the committee be utilizing any outside expertise or is it just an internal committee made up of people who are not currently

involved in life insurance in this province or in the country?

HON. J. BUCKLASCHUK: It's my understanding that MPIC will be utilizing the knowledge of staff within MPIC and that they will also be calling on consultants from the private sector to assist them with their study.

MTS - satellite dishes

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker, my question is for the Minister responsible for the Manitoba Telephone System.

Could the Minister indicate how many TVRO earth receiving satellite dishes are currently owned by the Manitoba Telephone System, and of the number owned by the Manitoba Telephone System, how many of those TVROs are in active service now?

MR. SPEAKER: The Honourable Minister of Government Services.

HON. J. PLOHMAN: Mr. Speaker, I'll take that question as notice.

Nightlighting ban at Peguis Reserve

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, my question is to the Minister of Natural Resources.

Some time ago, two or three weeks ago I believe, the Chief of the Peguis Band had indicated his people's revulsion at nightlighting of big game and had taken steps to put an end to it as far as his band members were concerned. He indicated at the time that he would be co-operating with the staff of the Department of Natural Resources and with the RCMP I believe. Can the Minister of Natural Resources inform the House whether or not there is any formal arrangement in place between his department and the band at Peguis?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I'm happy to confirm what the honourable member has said, that pursuant to discussions we have had with other Treaty Indian Bands, the concept of consultation, the idea that we can share management concerns and understandings about wildlife is bearing some fruit. The Peguis Band and the Chief of that band, I think has shown considerable leadership in that respect. We have written to the Chief commending him on the decision of the band and indicating our willingness to meet and discuss shared information to assist in progressing the concept of Native people taking an active interest in the responsibility for adequate management of our wildlife resource.

MR. B. RANSOM: Mr. Speaker, have there been any arrangements made as to how this ban might be enforced on a co-operative basis?

HON. A. MACKLING: Mr. Speaker, the decision and the resolution of the band has been relatively recent. It's been made in the last several weeks. I have personally communicated to the Chief. There may have been, as is likely a direct communication with other staff but certainly we are wanting to meet and develop formal arrangements in respect to our understandings.

MR. B. RANSOM: A final supplementary, Mr. Speaker. The Minister refers to formal arrangements. Does he indeed anticipate then that there will be a legal mechanism for the enforcement of this ban?

HON. A. MACKLING: Mr. Speaker, when I talk about formal arrangements I think that I want to clearly indicate that what I'm talking about is formal arrangements for communicating information and many other aspects of the basic data that we need in order to ensure adequate management of our wildlife. I have no concept yet as to formal policing arrangements or anything like that. I don't know how that can be encompassed. Certainly we're going to have to look at that.

Pumping of Assiniboine into La Salle

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Mr. Speaker, some 10 days ago I believe the Minister of Natural Resources took as notice a question regarding the pumping of Assiniboine water into the La Salle River. I'm wondering if he could report to the House today as to the status of that project?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I did take it as notice. I know that the project was approved. I'm sorry I don't have the details today. I certainly will on Monday give that information to the honourable gentleman.

Atikaki Wilderness Park proposal

MR. SPEAKER: The Honourable Member for Radisson.

MR. G. LECUYER: Mr. Speaker, I have a question for the Minister of Natural Resources.

Given that the Province of Ontario announced yesterday that they are intending to proceed with the development of the Atikaki proposal as a wilderness park on the Ontario side, is the Minister considering developing a complementary wilderness park on the Manitoba side of the border in the area of the Bloodvein and Poplar Rivers?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I think honourable members who attended at the review of the Natural Resources Estimates will recall by indicating at that time that it is my expectation that a proposed wilderness

park called Atikaki or certainly covering the Atikaki concept in the Bloodvein and Pigeon Rivers would be coming forward fairly soon. I've asked staff to give some priority to that. There are problems attached to the declaration of a wilderness park. Other users, other interests have to be considered. The land mass that would be covered has to be carefully prepared, thought out and planned for and certainly that does take time, but I have given an indication to my department to give relatively high priority to the bringing forward of plans for the establishment of such a park.

The Mental Health Act - confinement

MR. SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Mr. Speaker, in the absence of the Minister of Health, I'd like to direct my question to the Attorney-General. In the recent past there have been some cases whereby under The Mental Health Act some old people had been compulsorily confined without any due process of law, will there be any kind of changes in that legislation?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, The Mental Health Act does not come within the jurisdiction of the Department of the Attorney-General. However, there have been some concerns raised in recent months about provisions in The Mental Health Act by people in the field both with myself, with the Minister of Health and with the Minister of Community Services. I have, in fact, recently been in touch with the other two Ministers and suggested that when we have the opportunity after the end of this Session that we should consider provisions of The Mental Health Act. The Act hasn't been updated for some time, and certainly one of the questions we will be looking at very specifically is the whole question of due process, that is, the procedural rights of people who are committed involuntarily. That is a matter of great concern and a matter that will be addressed, I can assure the honourable member and the members of this House, at the earliest opportunity.

McKenzie Seeds - conflict of interest

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds. In view of the indication of possible knowledge by members on this side of arrangements with McKenzie Seeds, is the Minister aware that Agassiz Packaging Ltd. was incorporated on October 30, 1981, and that Vantage Western Data Limited was incorporated on October 16, 1981?

HON. L. EVANS: Mr. Speaker, not only was I not aware of that, but I never heard of those companies before.

INTRODUCTION OF GUESTS

MR. SPEAKER: If I might direct the attention of honourable members to the gallery, we have 21 students

of Grade 8 standing from the Cornerbrook School in Devlin, Ontario under the direction of Mr. O'Leary.

On behalf of all of the members, I welcome you here this morning.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debates on second reading in the following order, Bills 14, 18, 23, 3, 60 and 55.

ADJOURNED DEBATES ON SECOND READING - PUBLIC BILLS

BILL NO. 14 - THE ELECTIONS ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 14, standing in the name of the Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. I was having a little side discussion with my honourable friend, the Minister responsible for MTS, giving him some sound advice. I know it won't be taken because sound advice is something that obviously the government seldom takes.

Now, Mr. Speaker, Bill 14, on the surface would propose some relatively modest changes in the process by which Manitobans can exercise their franchise on election day, but I, along with others on this side of the House, want to point out to members opposite some fundamental problems with what they are proposing to do, and that we will find these amendments unacceptable unless they make modifications and accept some of the advice that has been offered to them, particularly on the area of vouching.

The oath is not acceptable as a method, even though one can use examples that it is used in other areas of Canada. The provisions here do not give greater freedom, they give greater opportunity for abuse. They must be tightened up by requiring some identification, and if you wish to get the ideal situation the vouching should still be left in place, because that is truly the best method of preventing a roving group of voters going poll to poll.

You know, my honourable friend over there twists up his nose, he talks about making access to the voting process more available through this amendment. We want to protect the integrity of those who voted and voted once. This provision does not ensure that is there and it must be accompanied by identification or further modifications.

I have another objection to a clause contained in this bill and that being the removal from the ballot of the occupation of the candidates. The reason for that is quite simple. The New Democratic Party often has to use parachute candidates in some of the constituencies in rural Manitoba and, for instance, they've parachuted in a miner into one constituency last election - a miner, I believe, that was in Thompson - to run in southern Manitoba in a constituency. I think it's incumbent that the information that's put on the

ballot include the person's occupation. It is important to the voters, it is important to the community to know what the occupation is of their candidates.

Some of the parachute candidates that have come in on behalf of the New Democratic Party into southern Manitoba constituencies have been union organizers and those types of people who are philosophically and politically in bed with the New Democratic Party, and they're looking for their just rewards after the election, there's no question about that, Mr. Speaker.

But people in rural Manitoba, and I don't want to attach any particular favour to it, they are comfortable in rural Manitoba knowing that a local businessman is running for election, or a local farmer is running for election, and they are equally as interested in knowing when a non-local union organizer is running, or a non-local miner is running. The inclusion of one's occupation on the ballot gives them that kind of information and reinforces it for them when they come to mark their ballot in the ballot box. That is not a difficult requirement, it is a very easy requirement to make.

Now I know that my honourable friends when they have to parachute candidates in to some of the ridings that they have no representation in, find it difficult to attract candidates — (Interjection)—

Well, you know, the Attorney-General says, be nice. I am being terribly nice to him this morning. The Attorney-General, being a newcomer to this House, and a newcomer in running for the election on behalf of the New Democratic Party - he's run in other elections but not for the New Democratic Party - he doesn't appreciate the political savvy and the political desires in rural Manitoba. The majority of citizens, if the Attorney-General would take the time to find out, the majority of citizens in rural Manitoba would like to have the occupation placed on the ballot of those candidates that are running.

Now the Attorney-General is proponent of freedom of information but yet this is one piece of information that he wants to deprive from the voter on the ballot. It's sort of another one of his interesting conundrums and divergence of opinions, he speaks one thing and does another thing, and that's what he's doing in this particular provision. There is no freedom of information when he's removing the occupation of the candidate from the ballot. There is no freedom of information there. But yet the Attorney-General claims to be an adherent of freedom of information.

Well, obviously my honourable friends opposite are a little sensitive. They know that they're wrong in this, they know that they're out of tune with rural Manitoba so they have to make obtuse comments to anyone who points out the error in their ways. Well, I accept that. I suppose people don't like to be told when they're wrong. That's a human nature reaction that we're hearing from them right now. So I urge the Attorney-General to delete the section in the bill which is going to allow him to deprive information on the ballot as to the occupation of the candidate.

I think it is an incorrect direction to take. It's an incorrect direction to take and the Attorney-General— (Interjection)—Well, the Attorney-General just said, well should we put race, should we put a salary, should we put his assets. You're going to require that with another bill of any successful candidate and the next step maybe should be to have it for all candidates running in

elections, so that the voters in Pembina constituency can find out what the asset and what the share structure of Bill Moore might be before he runs for the New Democratic Party in the next provincial election. So we can find out that he's got an interest in a company and is doing business with McKenzie Seeds via that company. Maybe the Attorney-General might want to do that seeing as how he's so wont to have freedom of information and full disclosure.

It just goes entirely against what he is proposing in other pieces of legislation to remove the persons occupation, a traditional piece of information that has been available for a long long time in the Province of Manitoba, until this Attorney-General comes along and removes it. This newcomer to the New Democratic Party and to the Legislative Assembly is now removing traditional information. At the same time that he wants disclosure of MLAs, disclosure of the wives of MLAs, disclosure of the children of MLAs, and yet one simple thing, the occupation, no, that's not important to the voter to know.

It doesn't make clear thinking sense and I think the Attorney-General prides himself on being an intellectual capable of good reasoning. Well he hasn't demonstrated it in this bill and I would urge him simply to demonstrate his wisdom, this intellectual capacity that he claims he has, and remove the clause from this bill which will delete the occupation from the ballot.

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

MR. C. MANNES: I move, seconded by the Member for Gladstone, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: On the proposed motion of the the Honourable Attorney-General, Bill No. 18, standing in the name of the Honourable Member for Tuxedo.

HON. R. PENNER: I wonder if you could just wait a minute. The Member for Tuxedo wanted to speak on this bill and wonder if we could give you an opportunity to find him.

Could you call Bill 23 please, Mr. Speaker?

BILL NO. 18 - THE LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL CONFLICT OF INTEREST ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 18, standing in the name of the Honourable Member for Tuxedo.
The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. In discussing the legislation that's before us, there are a number of areas that we on this side are particularly concerned about and interested in.

Firstly, I don't believe that we, or I personally, am opposed to the principle of legislation that would diminish the tendency towards, or the opportunity for conflict of interest to occur in the performance of duties by an MLA or a Cabinet Minister. However, I'm not

sure that this bill accomplishes that objective. However, in going beyond the reasonable means for working towards this goal, I think it will be very damaging to the relationship between elected representatives and the public which they serve.

In looking at the main points that are before us in this bill, Mr. Speaker, the Act requires each member of the Legislature and/or Cabinet Minister to file with the Clerk of the Assembly a statement of assets and interests which they hold, or which are held by their spouses, or any dependents including children who are still resident at home.

Included in the definition of financial interest, which must be disclosed in the statement of assets and interests, are any gifts which are received by any of the aforementioned people, that is, the member, or the dependents, or spouse, regardless of the source. It's my view that these gifts, under the interpretation, may include gifts received from friends and I don't understand why that should be a part of the disclosure of interests when we're talking about something that happens normally in the course of everyone's day-to-day living, that gifts are exchanged amongst friends, why should that be a subject of concern or interest for the general public, or even a suspicion of conflict of interest?

Mr. Speaker, I'm also concerned about the area of filing a statement of assets and interests with respect to the circumstances under which they would be made public or available to the public. I believe that the Attorney-General or members opposite in speaking to the bill have said that the statement of assets and interests - which, incidentally, must be updated within a month of any change - should be open to the general public or the media at all times. I believe that's the intent. I hope it isn't, but I believe that's what is being proposed. I think that this goes much too far, Mr. Speaker.

I don't believe that the statement and the listing of the assets and interests of a member or a Cabinet Minister should be available to the public unless they can show reasonable and probable cause for believing there to be a conflict of interest in the actions of the member. It shouldn't just be a sort of laundry list to be displayed before everybody to impute some sort of conflict in a person's actions.

I believe, Mr. Speaker, that this ought to be, as I say, subject to very stringent criteria, that the ability to show reasonable or probable cause for a belief of a conflict-of-interest action should at least be one of the criteria. — (Interjection) — Further to that, Mr. Speaker - I'm sorry, the Member for Springfield keeps interrupting me and I would appreciate the opportunity to carry out my remarks. — (Interjection) — Well, now the Member for Natural Resources is feeling put upon and believes that he, too, ought to enter into the debate, Mr. Speaker.

MR. D. SCOTT: Come on.

MR. G. FILMON: Now, the Member for Inkster believes that he, too, is being put upon, by my request simply to be allowed to speak.

HON. A. ADAM: Okay, go ahead.

MR. G. FILMON: Thank you. The Minister for Municipal Affairs is showing the true gentlemanly spirit that I know

he always shows in this House in inviting me to carry on without interruption. He's going to control the members on his side, so that I may continue.

MR. A. ANSTETT: . . . what has he got to hide?

MR. G. FILMON: Well, you see, there we have it, the Member for Springfield says that I have something to hide and that's why I don't want to have a statement of assets and interests put forward in front of the Legislature. He made the statement, what have you got to hide?

MR. SPEAKER: Order please. The Honourable Member for Springfield on a point of order.

MR. A. ANSTETT: Mr. Speaker, the Member for Tuxedo is deliberately distorting what I said from my seat. I asked a question. I made no "statement" that the member had anything to hide.

MR. SPEAKER: I thank the honourable member for that clarification. The Honourable Member for Tuxedo may proceed.

MR. G. FILMON: Mr. Speaker, I have nothing to hide and should the Legislature decide and choose to pass this bill, I will do as I did on City Council and, that is, gladly file whatever is required of me under the Act. I am suggesting, Mr. Speaker, that this kind of intimidation tactic is exactly what prevents good people from running, because the suggestion is that because somebody is opposed in principle and has rational and logical reasons for opposing something that they therefore have something to hide. It is nothing of the sort and it only leads to people on the other side being in a position where they choose what type of person will run for the Legislature and it only fits within the parameters of the sort of person that they believe is qualified and capable of running for public office.

Mr. Speaker, I believe that there should be a prima facie case put forward, or reasonable and probable grounds, before this sort of thing is made available to public scrutiny. I believe that there should be at least some reason for believing a conflict-of-interest situation to prevail before it is necessary to make it public; otherwise, I'm quite happy with having that sort of thing. I don't believe it should exist at all but, if so, it should exist under the control of the Clerk of the Assembly and go no further unless reasonable and probable grounds are presented.

Mr. Speaker, the bill calls for any MLA or Cabinet Minister to declare an interest publicly if a matter involving their interest is being discussed at a meeting and then to remove themselves from that meeting so that they don't participate in any discussion or vote. That is the sort of practice which does prevail, I believe, in most government jurisdictions. I know it prevails, for instance, on City Council. I know it prevailed when we were in government, and I believe that it prevails in all areas of elected representation in government that, if there is something being discussed in which you believe that you may have a conflict, you stand up and orally disclose the belief that you have that you may be in conflict and you remove yourself from the discussion

and the meeting at which a decision is taken. That I have no quarrel with, that I have no qualms about, and that I believe exists today. If the members opposite want to confirm that in legislation, again I don't oppose that, because I believe that sort of thing should be agreed upon by most people, if not all.

However, having said that, Mr. Speaker, I believe that the legislation will infringe on elected people's right to privacy, as well as that of the immediate family members of the elected representatives. It will discourage some people from seeking elected office, particularly those who live in small communities in which the knowledge of other people's interest seems to be much more heightened and much more easily a topic of communication, because you live in that much smaller domain and everybody therefore knows everybody else's business. I believe that will be of greater concern there.

I'm surprised that members opposite want to take this particular position because they have always been champions of so-called human rights. But I believe that they're willing to trample on human rights when it would suit their purpose, and the right to people's privacy is a fundamental right which they support in their human rights legislation. They are offended when people on this side talk about somebody who is a new Assistant Deputy Minister in the Department of Community Services and Corrections being the wife of a former MLA and Cabinet Minister in the NDP administration in the '70s. They say that we have no right to ask for that information, that that is irrelevant and she has a right to have her own private life and not be put up to that sort of scrutiny. Yet they say that a member of the Legislature has no right to that privacy even with respect to any interests that they have, any financial interest whatsoever, and I disagree with that, Mr. Speaker, in fundamental terms, because I agree with their other position about the person's right to privacy.

Much of the information which is asked to be filed, Mr. Speaker, in this legislation, will never be relevant to the normal duties of a member of the Legislature in the course of his or her carrying out their responsibilities. So I see many problems with it although as I said, initially, I don't think that we are opposed to it in principle. I certainly am not and I'm not opposed to putting in that aspect of oral disclosure into some form of legislation, because as I say I believe it exists and it has been carried out certainly by our government. Municipal governments and people in the City of Winnipeg Council, and so on, are constantly doing this sort of thing.

I believe that all of us similarly agree that the opportunities for and the situations of active conflict of interest should be covered and eliminated to whatever extent possible - and I'm talking about the use of influence or involvement in transactions that may lead to pecuniary gain either for the individual member or his immediate family - and I'm talking about contracts with governments or agencies of governments, bribes and influence peddling and all those sorts of things that all of us abhor and want to ensure do not exist. If you can restrict yourself to discussing and dealing with that sort of situation I have no problems with legislation that leads to that kind of control.

What has the listing of the Canada Savings Bonds or bonds in the Bell Telephone System by a dependent

member or a member of the Legislature, what does the listing of those bonds have to do with curtailing conflict of interest for instance? What does the exchange of gifts among friends with a member of the Legislature have to do with conflict of interest? I believe that is absurd, quite honestly, Mr. Speaker.

Mr. Speaker, besides having infringed on the right to privacy of individuals, besides the discouragement of people from seeking public office - and what I believe is interesting is that those who will be discouraged will be those who have been successful and have achieved things throughout their careers and their working lives - those are the ones who are particularly being pointed out and singled out in this legislation.

I believe that most people, despite some obvious examples to the contrary, are modest about their achievements, are modest about their accomplishments. They prefer not to be ostentatious about the financial things that they've achieved and perhaps the possessions which they have and the assets that they have. I don't think that most people want to display that and shout about it from the rooftops. I believe most people are modest about those things and prefer to keep those things to themselves and their immediate families, because it doesn't serve any point. But by this legislation they'll have to show all and tell all for public display, despite the fact that it has virtually nothing to do with a potential Conflict of Interest.

Another point, Mr. Speaker, that I think should be raised, is that this legislation will introduce a new form of bureaucracy for keeping track of, for reviewing, for regulating the listing of and the updating of this kind of information. That is the only area that I believe there will be some bureaucratic involvement because if we maintained it or kept it in the area of oral disclosure and the kind of necessity not to have dealings with government or a government agency that would lead to personal financial gain by members of the Legislature or Cabinet, if we kept it in that area there wouldn't be a bureaucratic structure that had to be developed in order to keep track of this. But it's that listing of assets and interests that will cause some bureaucratic structure to be formed.

I believe further, Mr. Speaker, and I think that this has been said before and it bears repeating, that you cannot legislate honesty. You won't make a dishonest man or woman honest because of this legislation, — (Interjection) — not simply because you pass this law and require them to list — (Interjection) —

MR. H. ENNS: It won't change the morality.

MR. G. FILMON: It won't change the morality of the individuals that are being dealt with one iota, Mr. Speaker. — (Interjection) —

MR. C. MANNES: Well, the laws have to change the morality of the nation, so how is it supposed to change the one person.

MR. G. FILMON: I believe further that if somebody wanted to get around this legislation there would be a way. We've heard about buying trusts and shell corporations and other mechanisms. I'm not a lawyer. There are several on the other side who are and I'm

sure that they will confirm that when you set up a law, the lawyer's job is to find a way that gets you around the law. You obey the letter but you don't have to necessarily have to go by the principle of what you're attempting to achieve.

As I say, all of this really doesn't give you the desired result of bearing upon what will be relevant to the potential of a conflict of interest occurring, or to the potential of a conflict of interest resulting in individual gain to someone who ought not to achieve that because of their position.

The greatest weakness or inconsistency of this legislation however, Mr. Speaker, is that it leaves out civil servants. It leaves out those who work for Crown corporations and agencies of government. In many cases, Mr. Speaker, as we saw this morning in question period as a result of the line of questioning that occurred between the Member for Turtle Mountain and the Minister responsible for McKenzie Seeds, and the Premier, in many cases those civil servants have a much greater opportunity for conflict of interest and financial gain than do members of the Legislature.

MR. H. ENNS: We've had recent court cases involving Government Services.

MR. G. FILMON: We've had recent court cases, the Member for Lakeside says, and here it is. This is the headline from the Winnipeg Sun, "Tax Case Uncovers Alleged Kickbacks." — (Interjection) — That has to do with a former civil servant, a member of the Department of Government Services — (Interjection) — My colleague for St. Norbert says I'd better be careful what I say, I may get arrested, because the member on the other side don't like that kind of open discussion of problems that they have within their government in Civil Service.

They choose to bring in a bill that, in essence, intimidates people of means, people who have achieved things in their lives from running for office, but they're anxious to cover up, sweep under the carpet all of the sorts of things that are happening in their administration with former civil servants, present civil servants involved in incestuous relationships; involved in relationships that bring them direct financial gain; illegal situations that will never be covered by this conflict of interest legislation. That to me, Mr. Speaker, is an incredible inconsistency to suggest that you're going to publicly attempt to, in some way, intimidate or crucify or prevent for running for office, people of good character and people who have achieved things in their life, but you're willing to keep out of it the very people who I think have the greatest possibility of achieving conflict of interest and personal gain, and that is civil servants who are not covered whatsoever by this legislation, Mr. Speaker. I think that's a tremendous inconsistency.

When you look at it civil servants remain in place for great lengths of time.— (Interjection) — Governments change, elected representatives move along and the difficulty with any relationships that might grow up over the years are that they're terminated instantly after an election and somebody new walks into the position and it's very difficult to get into any situation that would not be open to scrutiny as soon as the next administration came in, but civil servants remain in

place for years and years and years, and their relationships can be built up and never scrutinized by anybody because they remain in place and in a position to keep them under wraps. Look, I'm not tying all civil servants with it, but I'm telling you that the very real possibility exists far more there than it does among elected people, and the government opposite chooses not to deal with it whatsoever, to ignore it and sweep it under the carpet. I think that is a very very major inconsistency of this type of legislation, and I think it tells something about the government that introduces it, Mr. Speaker. — (Interjection) — That's right.

Well, Mr. Speaker, you know, I've heard of situations and members opposite probably have as well, where illegal and illicit relationships grow up between individuals, and what brings them to light is when a new person walks into the scene and takes over that job.

You know, I heard of an arrangement at one time in which people in a cash business - and I think it happened to be with vending machines - were cashing out together a representative of the vending machine and a representative of the business in which it was located. This was just a person who worked for the business and that person was away on holidays for a couple of weeks and a new person walked in to take his job. The vending machine representative came in and he began to cash out the machines and he said, do you want the same arrangement as the other fellow has with me? Of course, the question was what was the arrangement? The arrangement was that they creamed off a little off the top and they split it so they didn't pay taxes and nobody knew about it.

But those situations come to light when people change, and when new people are put into the position. That's what happens with governments. So elected people and new government representatives on the elected side could not as easily get into these relationships because it's far too likely that they'll come to light. But civil servants, who remain in place in the same job for decades in some cases, could be subject to that kind of thing and could be in a position to get away with it, Mr. Speaker.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. G. FILMON: No, I'm not, and I'm just saying that these situations could exist, and yet this government chooses not to deal with them in its legislation. Instead, it chooses to try and hold up for ridicule or, you know, just for observation the affairs of individual elected members in a laundry-list kind of exposure of their assets and holdings, and yet it will do nothing to deal with the potential for conflict of interest in the Civil Service. I say that's a very telling comment on this legislation, and it's a very telling criticism of this government that is introducing it.

The Attorney-General says that this is not a listing of wealth. That was his comment, that this is not listing of wealth, because no value has to be placed on the assets that are listed or the number of shares that are held in the corporation, and that's exactly the point that the Member for Morris is making, that this is far worse because it opens it up to destructive speculation.

I'll give you an example of what occurred while I was a member of Winnipeg City Council, and I sat next to

a member of the NDP Party, Alan Wade, a familiar name to members opposite, I'm sure. For the first year that I was on City Council, every time a matter came up that involved a rezoning or a land transaction in the Westdale area, one particular member of council rose on his feet and said: "I'm rising, Mr. Chairman, to say that I will be abstaining from the vote on this matter because of a potential conflict of interest." That must have happened because Westdale was a growing burgeoning area and so there were subdivisions taking place, lots being rezoned, almost every meeting of City Council, every second week. So this must have happened 50 times in the course of a year that I heard it and I was curious about it.

A MEMBER: Where did he live?

MR. G. FILMON: The member lived in Transcona, who was involved in it and who kept getting up and saying that he rose on a potential conflict of interest. So, as a newly elected member, I had not been involved in council, I turned to my esteemed, experienced seat mate, Mr. Alan Wade, a couple of times and I said why does he keep doing that? Oh, he said, that guy has got his finger in every pie. He said that guy, he owns everything out there. I couldn't believe it because this person that I knew from Transcona was a person of modest means. He was an individual who was doing a service for his community, he worked at the CNR Shops, if you can believe it. Now, Alan Wade was a foreman at the CPR Shops. So, I mean, the two should have been of sort of reasonably similar stature and means and so on, but I couldn't believe this.

This got to me for months on end, and Wade would just snicker about how this guy was really into anything and everything. I finally went to the man involved and I said why do you keep doing this? I said do you really have all these landholdings, do you really have all these assets and interests in the Westdale area? He said, no, I have a minor interest in a hotel in that area.

I went to the City Solicitor and I asked him what are the bounds or the limits of disclosure? What should I be concerned about in that area when something happens because of my interest there? Is it something that's just immediately around my hotel? Is it adjacent property? Is it conflicting uses, or what should I be careful of? - because he's an honest man and trying to be fully within the laws and the bounds of morality.

The City Solicitor said I don't really know, that's a difficult question. I suppose that if somebody took it to its ridiculous extreme he could say that every time new people move into that area they are potential customers for that hotel, therefore, you should abstain from involving yourself in a vote of anything that happens in that area. So, he said, that's why I keep doing it, I know it sounds ridiculous, but that's why I keep doing it.

A MEMBER: What happened to the hotel?

MR. G. FILMON: The hotel went into receivership. He lost his entire investment and he works off his income as a person in the CNR Shops in Transcona. Yet that person was being held up to ridicule and I'm sure that the discussion amongst the New Democratic members

and their friends was that this man was a very well-to-do individual who was making a fortune and, as Alan Wade said, had his finger in every pie.

That's what you get into when you don't tell what's on that listing of assets, when you don't have to say what the value is, when you don't have to say what the shares held are. You leave it open to absolute wild-eyed speculation and condemnation of anybody for anything that they might hold.

So, Mr. Speaker, this is far worse than not defining in the assets listing what they are and what they mean. In my view, it's just simply an ideological brush with which they are tarring anybody who has been successful as being not fit to hold public office. That's the kind of motivation that we have behind this legislation, Mr. Speaker.

Besides that, Mr. Speaker, this legislation fails because it does not include so many obvious things, so many obvious things that are open to active conflict of interest.

Now, we're talking about things that have occurred before, even in recent times, as early as today, with respect to potential conflict of interest in the Civil Service. Here's another area that is a gaping hole in this legislation. People could be influential in other people's affairs who are immediately related to or involved with Ministers or members of the government, and have no perceived conflict of interest under this legislation.

Now we talked about this at some length in the Department of Labour's Estimates, and that is, a headline and an article that was written about the potential conflict of interest of the husband of the Minister of Labour, acting as an arbitrator, appointed by a union in situations in this province. Now what happens is that if an arbitration board is struck with one representative from management and one representative from the unions, if they cannot agree mutually on a third party, as their chairman of the arbitration committee, then the decision reverts to the Minister of Labour to appoint the chairman of the arbitration committee.

So what happens is that if the husband of the Minister of Labour is the appointee of one of the parties in the arbitration committee, he doesn't have to agree with the other appointee, because he knows if he disagrees, his wife gets to make the appointment. Therefore, he has the chairman in his pocket; therefore, the people who have appointed him, as arbitrator, get anything and everything they want. Now if that isn't a conflict of interest, I don't now what is, Mr. Speaker. That is an absolute clear, unequivocal conflict of interest situation and it's not covered by this legislation - not covered whatsoever.

Now, wouldn't you go around appointing the husband of the Minister of Labour, or the wife, if it were someone else, as your appointee on a labour arbitration committee? Sure, because you know that automatically, you're also going to make sure that you get the chairman appointed because you've got two out of three and you're going to get everything you want. What a clear conflict of interest. Members opposite say they don't see it as a conflict of interest. The Minister of Labour said she doesn't see it as a conflict of interest, because it's not up to her to tell her husband what to do. He's a free-willed individual and has the right to

his own affairs, and so on, and yet, they make no distinction whatsoever in their legislation.

In fact, your wife has no freedom whatsoever, your husband has no freedom whatsoever, his or her assets have to be listed in the listing of assets and interests. Your children, even if they're 35 years of age and living at home, have to list their assets and they could be involved in any numbers of things. This clearly is just an attempt to try and paint people of means, people who have achieved things, as being not fit to hold public office and it has nothing to do, in my view, with achieving what they say they're going to achieve, and that is, to prevent conflict of interest taking place amongst the elected representatives and the Provincial Government of this province. And that is a supportable aim. That is something that we could go along with, but they won't achieve it, and in fact, they'll do the opposite. They'll leave all the gaping holes open and they'll just succeed in trying to intimidate certain people from running for public office.

Mr. Speaker, there are opportunities through the employment of relatives, of family, in businesses that have relationships with the government, of getting them jobs in Crown corporations and all sorts of things that lead to financial gain for the immediate family of the member, that are not covered in this legislation, whatsoever. Members have left that open purposely, I'm sure, and yet, they choose to try and get at people of certain accomplishments and certain successes and making them unfit or unable to run for public office. I can't believe it, Mr. Speaker. I can't believe that this is the way that they deal with conflict of interest.

Mr. Speaker, dishonesty knows no economic bounds. Nobody can convince me that illegal or illicit acts are common only to one economic group in society. You can't suggest to me or prove to me, and I know history, and everything else, all the facts will never demonstrate that those of greater means have a greater tendency towards dishonesty, or conflict of interest, or a desire for ill-gotten gain. Absolutely not, and yet that's the way your legislation is set up and I believe that it's wrong. Totally wrong.

In this particular case — (Interjection) — that's right. People opposite are obviously assuming that anyone who has achieved anything and has anything of value, has achieved it by some illicit or ill-gotten means — (Interjection) — and that's the kind of principle that lies behind this kind of disclosure legislations.

So, Mr. Speaker, if I may summarize the points that I'd like to make on this legislation. Firstly, a listing of assets does not define conflict of interest in any way, shape or form. Secondly, a persons's wealth . . .

MR. DEPUTY SPEAKER: Order please, order please. Order. The Member for Tuxedo.

MR. G. FILMON: Secondly, Mr. Speaker, a person's wealth or lack of wealth, should not be a matter of public concern or a criteria for election and it certainly is not a matter of conflict of interest.

Thirdly, oral disclosure should be adequate and if you want to enact legislation that requires it, fine and dandy. Do that, but leave out the other reprehensible aspects of the legislation.

Fourthly, Mr. Speaker, it applies only to members of the Legislature. Why not to civil servants, or to senior

members of Crown corporations and agencies that are involved directly with and under the jurisdiction and control of the Legislature? Why not?

Fifthly, it does not cover so many matters of obvious conflict of interest in the trading of influence and the ability to get personal gain through relationships with members of the government, totally not covered by this legislation.

Another point, Mr. Speaker, I believe that the worst part of this legislation, and the one that should be eliminated, is the listing of assets. But if you must include that in the legislation, if it must be filed, then limit the access to it. Require a court order. Require people to show reasonable and probable grounds for a suspicion of conflict of interest and make a penalty for those who wrongfully accuse a person, and make them present a prima facie case, at least to the Clerk of the Legislature, or to some court, to say why they should be able to snoop into a person's personal affairs.

MR. A. ANSTETT: Where would they get the grounds?

MR. G. FILMON: The Member for Springfield says, where do they get the grounds? I'll tell you where they get the grounds. Just as the Member for Turtle Mountain did today. Facts that become apparent and available through the Corporations Branch and other manners, in which conflicts of interest can be demonstrated and there are grounds and if that isn't grounds that he presented to the Legislature today, that ought to be looked into by this government, I don't know what is.

I tell you that these things are not able to be swept under the carpet. These things are available to people and everyone knows other people and the information becomes readily apparent. If conflicts of interest are going to exist, they will become public, if you have the means to exposing them and the means are there, Mr. Speaker, and we don't need this kind of bill to give us the means. We don't need this bill to give us the means, Mr. Speaker.

So with all of these problems that I see in the legislation, with all of these loopholes that you can drive trucks through, with all of these inconsistencies, Mr. Speaker, I say that this legislation ought not to be passed in the form it is. It should be either scrapped or very very greatly changed, so that it does accomplish the purpose that all of us support, and that is to eliminate the possibility of conflict of interest; to eliminate the opportunity of conflict of interest, but not to damn people and discredit them because they are people who have achieved things in their lives.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER, P. EYLER: Are you ready for the question?

The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Rhineland, that debate be adjourned.

MR. C. SANTOS: I'd like to speak, Mr. Speaker.

MR. W. MCKENZIE: Oh, I'm sorry.

MR. DEPUTY SPEAKER: The Member for Burrows.

MR. C. SANTOS: Thank you, Mr. Speaker. I'd like to speak in favour of this legislation. Not because I deprecate self-interest because it is very human and natural to look after your own interest. If you will not look out for your own interests, who will? Indeed the pursuit of self-interest is a very human characteristic imprinted in our nature when we came into this world. It is the animal instinct in us, and a manifestation of the instinct of survival, so we have to assure our basic human needs. According to a very notable psychologist, Abraham Maslow, there is a hierarchy of human needs in every human being - this is just theory - but I'm going to try to put it in layman's language. The highest level of human need is the physiological needs of mankind to eat, to drink, to have sex. These are very physiological human needs. Everybody needs it. Once that need is satisfied then we generate some other higher level of needs.

The next higher level of needs are the so-called safety needs. You want a secure home, you want a secure job, you want protection from threat against your enemies. Once you have satisfied your basic physiological need you want to use safety needs, so you have a secure home, you have your secure job, and you feel a little bit better.

But once you have achieved the second level it will again generate a higher level of need. These are the so-called social needs. You want to have some friends, you want to be recognized in your community. — (Interjection) — Not just anybody, like the Member for Lakeside said, you have to select your friends because who you associate with tells the world who you are. — (Interjection) — That's right. Tell me who your friends are and I'll tell you who you are. That is the need for friendship. It gives us some quality of satisfaction in life, if we can really rely on some people, whom we can consider as friends in the true sense. There are people who will come to us in times of success and progress, they say, we are your friends, we help you, that's when you are at the top, when you are successful. But when you are at the bottom, they will desert you and only the true friends are those who will stay with you, even in times of need. — (Interjection) —

Then we generate the next highest level of need and that's the ego needs. We want self-recognition, we have to have self-confidence, we have to esteem ourselves, respect ourselves. We do not want to feel so inferior in relation to other human beings and this is a matter of cultural upbringing. Some of us have natural limitations and we have to realize that. — (Interjection) — Pardon?

I will come to the Conservatives when I talk about the assets that the Member for Tuxedo was talking about. But the highest level of need though is the need for self-realization. That is the true and meaningful self-actualization and self-development of the individual human being. When you are a painter you want to paint; when you're a poet you want to write poetry; when you're a legislator you want to talk all the time in the Chamber. When it gives you satisfaction, then you have achieved your mission as a human being in this area. So it is very natural to look after oneself.

The question is, is it really contrary to this law, or to any natural law that you should list your assets, what you own?

MR. C. MANNES: Just call it an asset disclosure law.

MR. C. SANTOS: Is there anything wrong with listing ones own possessions? — (Interjection)—I'm asking a rhetorical question, so I do not expect an answer from the Member for Tuxedo. If you're not doing anything wrong in the acquisition of that wealth, it is perfectly legitimate that you list all those assets because you can explain them, you can justify them. The only possible reason I could imagine why anyone should object in listing the assets, is because it has been achieved in a manner and a mode that is probably not immoral. — (Interjection) — I'm not accusing anyone.

MR. DEPUTY SPEAKER: Order please.

MR. C. SANTOS: I'm not accusing anyone. All I'm saying, we don't want to give information when it will be against our own interest. Now, you say that's the right to privacy. Privacy relates to the human being, not to your assets, unless you consider your assets part of your personality. — (Interjection) — No, a man is not a man because he has wealth and possessions.

MR. H. ENNS: My golf clubs are a part of me.

MR. C. SANTOS: The true man is a man who is stripped of all the material possessions in this world and is still respectable as a human being. That is the true gentleman.

When I talk about a man, I include the woman, because when you read Genesis, he said - and he was put into deep sleep, and then the Lord took one of his ribs and made it into a woman. — (Interjection) — No. Let me go and pursue this land of God. The woman is created, not out of the forehead of man, not any part of the forehead of man, so that she may not rule over man. Also, the woman was not taken from one of the toes of our feet, so that men should not trample upon the woman. Why the ribs, why the spare ribs? She was taken from that rib which is closest to the human heart in order that we may love her. That is the reason why she was created out of the ribs nearest the heart of men.

ask the question again: What is man without woman? Man without woman is like the air without the sun. The statistics have shown that married people live much longer than single people whether they be man or woman.

HON. R. PENNER: And if they are married twice, they live twice as long.

MR. C. SANTOS: If you marry twice, according to the Attorney-General, you live twice as long; as long as you live your life in moderation and you don't do it one and at the same time.

But back to the bill. Let me go back to the acquisition of assets. How do we acquire assets in this world? If we spend as much as we earn, do you really think you can make an asset? No. That is the problem. We can only create assets only if we spend a little less than what we make, the difference we accumulate as assets. That is the honest way of creating wealth. You could see then that it is a lifetime of endeavour to create wealth in a very honest way. Some people won't wait; some people won't spend a lifetime creating wealth

honestly. Why should I waste all my lifetime if I can make \$100,000 by holding up a bank? But then the risk is too high. They may get me; I may die. I may get incarcerated. So we do it in other subtle ways. As ingeniously as we could do it, we would like to accumulate wealth as fast as we could, but outside the risks of openly defying ordered society.

It is the desire to get rich quickly that plunges men into ruin and destruction. It is written "The love for money is the root of all evils." It is not money that is evil; it is the love for money. Money's good, wealth is good, if you know how to use it.

A MEMBER: In moderation, but there is nothing wrong with love all by itself.

MR. C. SANTOS: Nothing wrong, nothing wrong. You have seen what wealth can do if you use it in an upright way. There are great foundations in the world; Rockefeller Foundation; Carnegie Foundation. All of these are pouring money to help those who are in need. That's where you put your money when you can share it with your fellow man so that they may not be deprived of the basic necessities in life.

After all, I have not seen anyone who came into this world with a piece of gold in his pocket or a silver spoon in his mouth. — (Interjection) — We came into this world naked with nothing and we will leave this world with nothing. Why should we be greedy and get all the most that we could get and deprive the rest of our fellow-men of their basic right to these resources of this world. So that to me, any wealth which is not being utilized for the good and welfare of his fellow-men, only being used for one's own interests, if there is any slave in the world, the greatest of all the slaves is one who uses his wealth only for himself and for nobody else.

I'd like to quote from a great Conservative, Edmund Burke.

A MEMBER: The great Edmund Burke, a fine man.

MR. C. SANTOS: Yes, fine man, but this is what he said, remember this: "If you command your wealth, you are truly free and rich if you command your wealth; but if your wealth commands you then you are a slave. You have been bought by the treasures that are taken from your own coffers." That's Edmund Burke, the greatest of all Conservatives, perhaps philosophers. Yet, you know the value of wealth, that it is merely a transitory command over a certain portion of the resources of the world, but only to use it for the betterment of humankind. If you use it in a selfish way, it becomes an immoral act on the part of the individual. If you secret it for yourself, nobody knows about it, it becomes an immoral act because you are depriving the rest of humankind of their share to the use of those resources. That is my answer to the gentleman, the Member for Tuxedo.

He is saying that the listing of assets should not be done. I said, it should be done, because if you refuse to list your assets, you generate suspicion on the part of people. Now, who creates suspicion? Well, it is the very secrecy of it, even if you are not doing anything at all. So if your wealth can be explained and can be

justified, it is to your own self-interest that you list it, because then nobody will ever become suspicious about how you acquire your wealth. If you don't have anything, nobody will get suspicious; then you list a lot of nothings. I would rather have nothing than have a lot of things if those lot of things will put my integrity as a human being at the lowest possible level of suspicion; but that's for an ordinary human being.

What about a public servant? Once you choose to run for a public position, you become less of a person in the sense that you surrender voluntarily by that choice a right to certain privacy, just like an actor in the cinema. When you go into public life, that is your own voluntary choice. Nobody forced you to run for public office, but once you chose that particular course of action, you have voluntarily waived a right to certain aspects of your privacy. People then will call you at the weirdest hour of the night. Even after midnight people will disturb you in your home. They will call when they need help, and that is your duty. Are they violating your privacy? To a certain extent, yes, to a certain extent, no, because you have voluntarily assumed that responsibility.

Now, a public office is a position of public trust. One who holds public office holds that office in trust for the entire society - not for oneself. The authority that you exercise in that office is attached to the office. It is agreed to by the conventions of society that it will have certain powers and certain responsibilities, okay, and you are exercising it on behalf of the people, on behalf of the public, on behalf of your voters in your own constituency. So every decision you make is exercised in the position of one who is a trustee of the people. As trustee, you are then subject to the highest standards of responsibility. You are judged not merely as an ordinary citizen, you are judged according to a higher level of standard because a public office is a position of public trust. — (Interjection) — That's right. So life is all an experiment. We are given certain rights, certain responsibilities, certain powers, certain duties. We are being tested how we shall exercise those duties and responsibilities and powers. People who get drunk with power will forget their duties and we have seen that.

Take the Federal Government. Take a Cabinet Minister - I will not name, everybody knows - who had occupied a number of Cabinet positions. Where does he find himself now, in old age? Even if it's not proven ultimately the very accusation itself has destroyed a lifetime of integrity, a lifetime of public service simply because there is that mistake and there is that accusation.

So that a man's honour is what you are. Your honour is indeed more important than your wealth. Wealth may come and go. You are poor today. You may be wealthy tomorrow. But once you give up your integrity as a human being, your honesty, your public honesty as a human being, you have lost your very essence as a human being, you have lost your own very integrity and that is a loss forever.

Honour is like a woman's virginity. Once you have lost it once, you cannot regain it anymore. It is like a mirror in your bedroom; once you have cracked that mirror, you can never have the same mirror again. Therefore, prevention is better than cure and that is precisely what this bill is trying to achieve for us.

A MEMBER: How many times can a man lose his virginity.

MR. C. SANTOS: When I talk about virginity, I also talk about the man. Because a man can also lose his virginity at the instigation of some old woman.

A MEMBER: Explain.

MR. C. SANTOS: Therefore people in high places should all be more careful . . .

MR. H. ENNS: About our virginity.

MR. C. SANTOS: . . . because the greater the power they exercise, the greater is the temptation and that is what we are trying to prevent. Prevention is better than cure.

Some day you will say, it would have been better to have passed that legislation rather than me now being accused of corruption while exercising public office. If there is such a preventive measure I would not have found myself in such a predicament as despicable as this one.

Therefore, I say it is better to prevent the misfortune rather than say it is not necessary, it is not needed, it violates my privacy, I don't like to list my assets. All of this behaviour is negatively viewed by the public. You should be above suspicion just like Caesar's wife, above suspicion of any kind if you occupy any position of public office. — (Interjection) — Caesar's wife. Because there is always a power behind the throne.

Why are we in such trouble? Because of our nature as human beings. We are subject to all these temptations of the flesh, to acquire wealth; we are subject to the temptation of pride, you know, egotism, boastfulness. All of these are leading us into trouble, and this legislation is precisely trying to prevent that kind of a temptation. It has been said before, the best way to win over temptation is to surrender to it. — (Interjection) — I said it has been said. I do not say that I agree with it. Because, you see, if you are being tempted to do something and it is bothering you all the time, now finally you say, I want to get rid of this temptation, I'm going to surrender to it, I'm going to do the thing.

MR. C. MANNES: It depends what she looks like.

MR. C. SANTOS: That means that you have lost your power of self-discipline, and when a man has lost the power to discipline himself he has lost himself.

Mr. Speaker, I again say, this Conflict of Interest legislation, it will be good for the public perception of not only elected officials at the provincial level but it should be applied to all elected officials so we have also legislation for councillors, where the temptation is the greatest.

MR. C. MANNES: How about church officials?

MR. C. SANTOS: Well, I'm not a chauvinist. I like women. I love them. That's the right to privacy.

MR. H. ENNS: List your assets.

MR. C. SANTOS: Let us compare our assets with - if you do not expose yourself to the light, that means

you live in darkness. The germs thrive in damp, dark places, so that the sunlight of listing your assets will prevent the damp places that leads to the growth of corruption; sub rosa and sub silencio corruption may flourish just like the mushrooms that sprout overnight in the back. If everything is open and subject to the public view, to sunlight, there is nothing better for a man's integrity than to have all his actions, all his behaviours subject to public scrutiny, but that is your choice remember when you run for a position of public trust.

Mr. Speaker, I conclude by saying there is nothing wrong with listing your assets if you can explain and justify its acquisition. It is not a violation of the right to privacy because that is not part of yourself as a human being. It's only an artificial acquisition around the human being. The right to privacy relates to yourself as a human being. — (Interjection) — Well, in the use for good or evil we must always use our wealth for the betterment of human kindness. Those who prove themselves to be good stewards of possessions, the more they give, the more they will have, because if you share the resources at your command, there is someone — (Interjection) — The Member for Lakeside is saying always watching. He said, this is a good man, I'll give him some more because he knows how to use his wealth.

Thank you, Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: The Honourable Member for Morris.

MR. C. MANNES: I'm wondering if the member would receive a question?

MR. C. SANTOS: All the time.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Mr. Speaker, I've enjoyed the member's speech very much. As a matter of fact if it became a regular Friday morning event, I would never miss. I'm wondering if the member can tell me by the definition, if I, as an individual, am a farmer and I live alone and I happen to say I do not spend as much as I earn and I keep it in a mattress, at the end of my life I have a half a million dollars saved, even though I'm a grisly old man, I don't wash and I don't have all the amenities of life, am I a wealthy person?

MR. C. SANTOS: Mr. Speaker, thank you. — (Interjection) — When we analyze the possession of money or wealth or assets, there are certain virtues that looked at from the point of view of the individual is a virtue, but looked at from the point of society is a vice. Like that old miserly man who keeps all cash under the mattress, never use the cash, and probably will be living a Spartan life, not eating all the good things in life; he is, I say, a slave of his wealth. — (Interjection) — No he's a slave.

MR. SPEAKER: Are you ready for the question?
The Honourable Member for Roblin-Russell.

MR. W. McKENZIE: Thank you, Mr. Speaker. I move, seconded by the Honourable Member for Minnedosa, that debate be adjourned.

MOTION presented and carried.

BILL NO. 23 - THE REAL PROPERTY ACT

MR. SPEAKER: On the proposed resolution of the Honourable Attorney-General, Bill No. 23, standing in the name of the Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I don't know whether I can continue the level or maintain the level of the debate that we've heard this morning as my colleague, the Member for Morris, has indicated. Always refreshing, Mr. Speaker, though to hear views honestly expressed, obviously expressed with some feeling, but nonetheless I must say not really - I would challenge the honourable member who spoke to us about that very important bill to really reexamine the positions that he was putting forward as to how the impact applied to the bill. That's all I'm going to say, Mr. Speaker, because I realize we're speaking to Bill No. 23.

Now, Mr. Speaker, Bill No. 23 is here before us, of course, because of another bill; namely, Bill No. 3, which is called The Farm Lands Ownership Bill, and Bill 24 is here because of Bill 23, and Bill 23 is here because of Bill No. 3, The Farm Land Ownership Bill.

Mr. Speaker, I can only make a few very general remarks, but even in these very opening remarks really the main point that I'm trying to make is that when governments, for whatever reasons, are motivated to go out and do something, they seldom fully appreciate and understand just how far the ripples extend from that central action. In this case, they are attempting, Mr. Speaker, and let's keep that firmly in mind, to respond to a perceived problem affecting in some cases 1 percent of our people in municipality; in some cases, no percent; in some cases, 3 percent; in some cases, 6 percent. I'm referring, of course, Mr. Speaker, that the scale of the farmland or the foreign ownership problem in our municipalities is of that scale, where we have demonstrated and other speakers have demonstrated that the problem is really one of that minute proportions, that in many, if not most of our municipalities, the problem doesn't exist. If it doesn't exist, Mr. Speaker, it exists to what I think has been demonstrated to a manageable size; 3, 4, 5, 6 percent perhaps.

Mr. Speaker, because we are persistent in moving ahead with that piece of legislation, Bill 3, we are now going to ask all people, all 95 percent, all 99 percent people that whenever there's any registry, when any transaction taking place involving farm lands, all people are going to have to go through this new regulation group.

Has the government thought that through? Has the government really thought that through? I can't emphasize enough, Mr. Speaker, to put into comparison the problem in the first instance that this government is trying to tackle, bring about some regulation, some form of disclosure with respect to farm land ownership because of that small percentage of farm lands that has been owned or been purchased by foreign interest that is of concern to this government.

The sledgehammer approach that is now becoming evident is enforcing everybody to disclose all nature of interests in land and of all descriptions of land on

all people; people that in most percentages - 96 percent, 97 percent, 98 percent, or 100 percent in some municipalities - would never come in contact with the original instigator of these changes of Bill No. 3, because the Farm Lands Ownership Bill doesn't effect them. But for those people, Mr. Speaker, we are asking them to disclose in an unprecedented way, an uncalled for way, the kind of information that Bill 23 and Bill 24 call for.

Mr. Speaker, let me read them out to you. I appreciate that at second reading we're not to deal with individual clause, but it is worthwhile to understand what everybody that transacts and does business in land has to do when they go to register real property both under The Real Property Act and in the subsequent Bill No. 24, An Act to amend The Registry Act; every transfer of land, Mr. Speaker, every transfer of land. We're not just talking about that transaction of land that involves the problem, the foreign land, or the land that's being purchased by a foreign interest.

Every transfer of land, every memorandum of lease, every caveat claiming an interest on land pursuant to an agreement to purchase an option, a lease or a loan, transmission or application or a final order for foreclosure in respect to the farm lands, in this section, collectively called farm instruments tendered for registration, shall be accompanied by a statutory declaration of the person claiming the interest, or of a person acting on behalf of the person claiming the interest . . .

Well, Mr. Speaker, honourable members opposite should know, but obviously have no concern of the many different kinds of individual private and personal ways that land is owned for as many different and individual and private reasons. In some cases, they are very personal family reasons; some cases, they are financial reasons of different natures, and there's all kinds of agreements that have been drawn up and the people have been able to work with very satisfactorily: Private loans, private lease arrangements, arrangements that spell out specific interests of that person who has the initial interest in the land, but is prepared to transfer it under certain circumstances to other people if they, in turn, carry out certain conditions; wants them back, if they don't want them to come back. Now, all of this, and I remind you, Mr. Speaker, in 96 percent of the cases, 97 percent of the cases, it has nothing to do with the cause, why we're asking them to do this with Bill 3, The Farm Lands Ownership Act. These are people just doing normal transactions of property in rural Manitoba. All of that has to go through this regulation hoop, Mr. Speaker, and I just don't think that honourable members have given that the kind of consideration they ought to. The kind of massive addition of red tape that's involved to an already cumbersome procedure that many people say takes too long, the whole business of land, transfer of land, registry, often the very length of dealing with it makes it difficult to do business in land. People get tired; they have deadlines to meet; they have obligations to meet.

All this, of course, is a bother for our legal brothers. I say this kindly to them. They keep turning out the man-hours involved in meeting the ever addition of red tape, the ever addition of new statutory regulations that you people pass to every land transfer and every

land transaction that adds, I don't know, another 50, another \$100 bill just in legal time to get the necessary declarations, and it could be a lot more. It could be a lot more, because it's now law that every person with an interest has to disclose, and a very substantial deal could be subject to be called null and void. It could be declared illegal if a declared interest or an actual interest in land unwittingly was not disclosed, and there are those instances, Mr. Deputy Speaker, where not all information is necessarily available immediately to the purchaser. He isn't purchasing land very often in good faith, and he knows what the circumstances are. He is using legal help to assure him that the registry of land can be properly and legally made as the present statutes call for it, but, Mr. Speaker, we are just adding to that.

As I said, Mr. Speaker, all this we're doing. We're passing two accompanying pieces of legislation, Bill 23, An Act to amend The Real Property Act; and the subsequent bill, another Act, an Act to amend The Registry Act, all because of the bill that's been already debated at some length in this Chamber, Bill 3, which has yet to see the light of day in terms of passage, and we, of course, hope that it will not see the light of day in its present form with some of the owner's clauses in that bill.

This is the ripple effect from that one bill, Mr. Deputy Speaker, and individual people, when they start to realize how they are going to be affected by this bill, they're going to wake up, scratching their head someday in their lawyer's office and wondering, now, why is all this necessary? I'm not a foreigner; I'm a Manitoban. I'm just selling my land to my neighbour, or across the road. Why do I have to search out these kind and make these kind of statutory regulations? I'm not breaking any law in Manitoba. I'm just one Manitoban buying another Manitoban's land, but I have to be subject to Bill 23 and Bill 24, heretofore, if we pass them in this House. I have to pay a lawyer hard cash to make sure that I abide by the regulations called for in these two bills. Mr. Speaker, I'm doing that not because anything I'm doing is possibly in contravention of The Farm Lands Ownership Act; as a Manitoban, I can buy any property I want as a farmer.

We are trying to get at that perceived problem which I, of course, maintain is not of the scale that calls for this kind of action with a sledgehammer, Mr. Speaker. Really, if honourable members opposite were listening and really stepped back and reassessed their position on Bill No. 3 - and, Mr. Speaker, I cannot speak about Bill 23, the bill that I'm on, without references to Bill 3 and without references to the further companion bill, Bill 24. All of these are before us, indeed as a package, brought about by this government's determination to move Bill 3 through the Chamber. I think, if they really sat back right now and did an assessment, checked their mail - you know, who is writing them about the need for all of this right now? If they went back and checked the records of the great public hearings that we've had on this matter, where was the heat really generating from? Was there any heat, Mr. Deputy Speaker? Now, why don't they at least sit back and take that hard-nosed political assessment?

They can look a short 25 feet across the Chamber at most of the farm representatives sitting on this side. If it was of pressing concern to us, do you not believe

for a moment, Mr. Deputy Speaker, that we wouldn't be standing up on our feet and expressing it? Do you not for a moment think, as we do on all other farm issues, whether it's concern for a lack of moisture for alfalfa and hay crops; whether it's concern for a new and updated transportation system to move our grain; whether it's concern for the cattlemen's plights or problems; you name it; interest rates, credits. Do we not every day get up in the House and reflect the legitimate agricultural interest, farm interest, farmers' concerns, Mr. Speaker?

Now, Mr. Deputy Speaker, why not just sit back and reflect for a little moment on these facts. Why not recognize that it's not just a farm land's ownership bill that you're passing, but you're asking all other people every time they want to register a land transfer under these two Acts, to jump through another regulatory hoop. People that are in no way touched by the original instigator of this action, The Farm Lands Ownership Bill, and people will just be wondering, why are we doing this, you know, to enhance legal fraternity through legal fees?

Mr. Deputy Speaker, I said at the outset that I suppose my comments fall on deaf ears because this government just simply doesn't have too much concern about how difficult, or how much more difficult they make it for Manitoba citizens to enjoy and to maintain private ownership of land. Mr. Speaker, all of this, of course, ideologically and philosophically, they regard as a bother too. They really would like it all to be government land and then we wouldn't have to bother with any of this. Then we wouldn't have to bother with any of the real property acts or registry acts, it would all be registered in the Crown, with one lease arrangement by which we would work the land, and we'd have the land commissar running this show.

I must remind some of the newer members of the House, we sometimes look at our friend, the Member from Brokenhead, the Minister of Transportation as being one of the more reasonable members in this House, but he stood right in the chair where the Honourable Member for Inkster is now sitting in and made the statement that all farm land should be owned by the public, by the government and treated as a public utility. — (Interjection) — Sam remembers that speech. But you see that expression, even from one of the more what we would call centre or even right of centre New Democrats, if that can spring from that well, can you imagine as you sweep around to the left a little bit what their true feelings are about ownership of land?

We can understand why their national colleagues keep defeating any attempts to enshrine property rights in the Charter of Rights. They don't like the idea of people owning property, Mr. Deputy Speaker, and that's why it doesn't bother you to add unnecessary amounts of red tape, unnecessary regulations, to make the registry, to make the ownership of private lands that much more difficult.

We see a classic example of it, Mr. Deputy Speaker, in the two companion pieces of legislation now before us, Bills 23 and 24, all here for the reason because Bill 3 is here before us, all here, wouldn't be necessary if this government just listened, just listened to the farm community. If we simply made some of the changes that have been suggested, not just by us but by a

responsible organization like the Farm Bureau, made a few changes to the Farm Lands Ownership Bill, then most of this nonsense wouldn't be necessary, Mr. Deputy Speaker.

Mr. Deputy Speaker, I remind you, the original problem of course is all one of scale, one that the Minister of Agriculture has in my judgment grossly misrepresented to his own Cabinet colleagues and to his own caucus. First of all, by using outrageously outdated figures of a questionable report done some six or seven years ago at the University of Manitoba — (Interjection) — Oh, yes we are - reacting to a situation that did give cause of concern within the farm community, that brought us about to take some action in those years.

But, Mr. Deputy Speaker, the times have changed. Nobody is knocking down their doors to pass Bill 3, and if we didn't pass Bill 3 for the Minister of Natural Resource's benefit, we wouldn't be having to talk about Bill 23, which is the bill before us, and the companion Bill 24.

So, Mr. Deputy Speaker, use your influence in caucus when you're not in that Chair. Talk to them. Make these boys listen to some reason and help us all, and maybe shorten the Session by a week. Instead of August 18th, we'll be out of here August 11th, if you get your colleagues to say, look, really what are we doing?

I mean you guys have got all kinds of ideological bills that you want to get through this House, we know that. — (Interjection) — Let's get on to the rush of passing the seat belt legislation and the helmet legislation and some of the more popular legislation that's going to get you more votes out there in the country. But back off from this particular piece of legislation. There's isn't a vote in a boxcar for you on this issue. All it means is that you're going to ask a lot of people to pay out more money because of a more cumbersome way of registering lands, and you're going to make a few lawyers more money. Nobody wants it. Nobody wants it. Check your mail.

Mr. Deputy Speaker, I'm going to challenge you and the Member for Burrows who I know will, in his persuasive style, engage in serious debate when next year caucus meets to see whether or not you really want to go forward with this package. For instance, have you really been told by your Minister of Agriculture or are you just finding it out for the first time, that Bill 3 does include two more bills? Did you know that's it's not just people that are buying foreign land that are involved in this whole register business? Everybody now, everybody has to be involved. If you've made a little arrangement whereby you leased from an uncle five acres of land, or you had an interest of five acres of land to put a little summer cottage on or something like that, that's got to be registered now, and you're not touched by Bill 3 at all.

In other words, we're making in some cases 97 percent of the people to jump through the hoop, or in some case 100 percent in some municipalities; in some municipalities 96 percent, because we want to register, we want some information of those 2 percent, those 3 percent people, that have contact or have to come under the regulation of the proposed Bill 3, Farm Lands Ownership Bill, that have to disclose, for reasons of the regulations of that bill, all their interests in the land so that they in fact comply with the proposed clauses of the bill

Mr. Deputy Speaker, who else? Maybe the Member for Concordia, maybe even the Minister of Education would support this call. The Minister of Natural Resources is hard to move when he gets stubborn about something like that. The Member for Burrows will help. I'd enlist support from the Member for Elmwood . . .

MR. C. MANNES: His support we don't want.

MR. H. ENNS: . . . but we have to weigh this carefully, Mr. Deputy Speaker, because that could be counter-productive. But I do enlist the support of these honourable members that I've just named, and we will be watching because it's an interesting observation always to see how power wains and waxes within a political group. For instance, if you should accomplish what I have suggested to you, namely the killing of these three bills, hey, we'd take a second look at these people, wouldn't we? We'd recognize comers, you betcha. — (Interjection) —

So, Mr. Deputy Speaker, I say it very seriously, you know not what you're doing. You really don't know what you're doing because the Minister of Agriculture has not told you what you're doing and that's a tragedy, hasn't told you what you're doing and he has not also told you the scale of the problem. This is a reaction to a problem that no longer exists and that comes right from rural Manitoba. That comes the Manitoba Farm Bureau, and that comes from the 23 members here which represents 80 percent, 90 percent of the farm in rural Manitoba.

So why not accept a bit of advice? We will make it as graceful as possible for you to withdraw the legislation but, Mr. Speaker, it's simply not worthwhile to proceed with this package of three bills, you know, to get at 2 percent or 3 percent of a problem that farm people say is no longer a problem.

Well, Mr. Speaker, there's that word. Honourable members opposite, of course, they cringe and shudder when they hear words like "speculation." The other word that even frightens them more is "profit." If speculation makes them shiver, profit makes them just jump right out of their boots.

Well, Mr. Deputy Speaker, I've given honourable members the best advice I can on this bill. It's a bill that will benefit nobody but the legal fraternity in higher fees. It's a bill that will cost every person transacting land more money. It's a bill, Bill 23 now that I'm speaking to, and its companion Bill 24, bills that are entirely unnecessary for 97 percent, 98 percent of the people that are transferring or registering land in the province. I just think it's poor business to pass law because you're trying to get at 2 percent, why are you passing legislation that'll effect 98 percent, it's poor business?

MR. DEPUTY SPEAKER, P. EYLER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker, I move, seconded by the Member for Emerson, that debate be adjourned.

MOTION presented and carried.

MR. DEPUTY SPEAKER: The Honourable Acting House Leader.

HON. A. MACKLING: Yes, Mr. Deputy Speaker. I assume that there's common consensus that despite the fact there's probably a minute to go, we call it 12:30.

MR. DEPUTY SPEAKER: 12:30? The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Yes, Mr. Speaker, I move, seconded by the Minister of Natural Resources, that the House do now adjourn.

MR. DEPUTY SPEAKER: The Honourable Member for Springfield on a point of order.

MR. A. ANSTETT: Seeing as how the House has agreed, Mr. Speaker, on a point of order to call it 12:30, there's no motion required. The motion by the Member for Turtle Mountain is not necessary.

MR. DEPUTY SPEAKER: The Member for Turtle Mountain on the same point of order.

MR. B. RANSOM: On the same point of order, Mr. Speaker. Private Members' Hour normally starts at 12:30.

MR. DEPUTY SPEAKER: Honourable Acting House Leader on the same point of order.

HON. A. MACKLING: Mr. Deputy Speaker, I was going to rise and indicate that by common agreement with the members opposite that there would be no Private Members' Hour. I had not been given that opportunity, but I certainly accept the motion and I'm happy to second the motion that we adjourn.

MOTION presented and carried.

MR. DEPUTY SPEAKER: The House is adjourned and will stay adjourned until 2:00 p.m. (Monday).