

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, June 8, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the gallery, where we have 30 students of Grade 7 standing from the Sisler Junior High School, under the direction of Mr. Shtatleman. This school is in the constituency of the Honourable Member for Inkster.

We have 31 students of Grade 4 and 5 standing from Robertson School under the direction of Ms. Schroeder. This school is in the constituency of the Honourable Member for Inkster.

We have 30 students of Grade 12 standing from St. Boniface Collegiate. This school is in the constituency of the Honourable Member for St. Boniface.

And we have 25 students of Grade 4 standing from St. Norbert School under the direction of Mr. Wash. This school is in the constituency of the Honourable Member for Fort Garry, the Minister of Health and Community Services.

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

Presenting Petitions . . . Reading and Receiving Petitions.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

MR. D. JAMES WALDING: Mr. Speaker, I beg to present the Second Report of the Standing Committee on Public Accounts.

MR. CLERK: Your committee met on Tuesday, June 5; Wednesday, June 6; Thursday June 7 and Friday, June 8, 1979, and considered the following Bill:

No. 2— An Act to amend The Financial Administration Act, and has agreed to report the same with certain amendments.

MR. WALDING: Mr. Speaker, I move, seconded by the Honourable Member for Wellington that the report of the committee be received.

MOTION presented and carried.

MR. SPEAKER: It has been brought to my attention that there is a group of students from Sacre-Coeur School in St. Boniface in the gallery this afternoon. I'm sorry we were not aware that you were here. We also welcome you here this afternoon.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON, Premier (Charleswood): Mr. Speaker, I have a copy of a telex which I have received, to which reference was made yesterday, a telex emanating from the Premier of British Columbia to the Prime Minister, wherein the Premier of British Columbia, as Chairman of the Western Premiers' Conference, sent the following telex to Prime Minister Clark:

"As Chairman of the Western Premiers' Conference, I would like to express the sense of urgency that we share on the matter of resolving the west coast ports dispute as soon as possible. We ask that your government take steps to resolve this matter as it is critical to the performance of the entire western economy. As well, the commodity shipments through western ports represent a vital part of our international trading commitments as a nation."

There's a second portion to the telex, Mr. Speaker, which refers to comments which the Premier of British Columbia made on behalf of that province, but I tabled the document as I undertook

to do, as soon as I'd received copies of it.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I thank the First Minister for tabling the document, and I note with some enthusiasm that the document expresses a feeling that all of us would be in accord with, mainly, that hopefully, the parties in the dispute would resolve their differences, and hopefully resume normal employer-employee relationships. I am satisfied, Mr. Speaker, that the telegram as sent, doesn't subjectively take any position, vis-a-vis whether the public interest would not be served by the maintenance of the most steady form of stable industrial relations ever achieved, mainly through free collective bargaining. And I'm glad that there is no suggestion in the telegram that something other than a free labour force and free employers is the best of achieving industrial stable relations, and is entirely in the public interest.

MR. SPEAKER: Notices of Motion . . . Introduction of Bills.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question is to the Minister of Finance. Can the Minister of Finance confirm that, in fact, construction in respect to Hydro will be recommenced shortly in order to meet the anticipated demand for the export of Hydro?

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, the only reconstruction that's scheduled this year is the Great Falls structure on the Winnipeg River. I presume the member may not be referring to that but is probably referring to the Nelson River. There's nothing scheduled for reconstruction or new construction for this year on the Nelson River.

MR. PAWLEY: A further supplementary. Can the minister confirm that, in fact, discussions are presently under way within government toward anticipated further construction along the Nelson River, in order to meet the demands for Hydro for export?

MR. CRAIK: Well, Mr. Speaker, as I indicated in the Budget Speech, and I have indicated earlier in the Session, that the prime objective of the government has been to establish the markets, and that phase of our negotiations is not yet complete.

The timing of construction would be somewhat premature at this time because of the time schedules required for southern connections in particular to go through the hurdles of, not only Canadian regulator authorities but the American as well, and in the sequence of things it will take just as long for those procedures to take place as it will for the construction itself. So in other words, Mr. Speaker, there will be plenty of advance warning when construction restarts on the Nelson River.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, then a further supplementary to the Minister of Finance. Is the Minister of Finance then in a position to deny statements that were made by the former Minister of Government Services in this House, that in fact construction would be commenced soon by Manitoba Hydro in order to meet the anticipated demands for further Hydro export?

MR. CRAIK: Well, Mr. Speaker, it depends on how you define soon. The normal construction period is about four to five years, and the problem that Manitoba faces at this time is that we do not have adequate interconnections to export the power we could develop, and that has to be established first.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: Thank you, Mr. Speaker. My question is directed to the Minister responsible for the Rent Stabilization Board. Some three months ago the Minister undertook to provide to members of the House the report of the activities of the Rent Stabilization Board, with

respect to the questions, such as, the number of units decontrolled, the number of appeals from units decontrolled, the number of investigations carried out into alleged rent gouging by members of his Rent Stabilization Board. I'm wondering if, in the waning moments of this Legislative Session, if the Minister's in a position to honour the undertaking he gave us some three months ago.

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSEN (Morris): Mr. Speaker, the situation changes, if not rapidly, at least regularly. I can give my honourable friend the latest information that I have. It includes those units that have been released from restrictions, which total 5,322, and there are 3,000 — I don't have the breakdown as to whether or not they are occupancy, or whether they're voluntary vacancies, or what. I can get that for my honourable friend — but then there are 3,162 applications now in process, and I have the breakdown for those. There's 68 apartments that are in the \$400.00 a month rent and over, 859 occupancy after 1973, and 2,235 voluntary vacancies.

MR. PARASIUK: Yes. I asked some other parts to that question, Mr. Speaker, namely, have there been appeals from people who have been decontrolled as to drastic rent increases imposed by their landlords, and how many of these appeals to the Rent Stabilization Board have been investigated by staff of the Rent Stabilization Board to determine whether the appeals are valid or not?

MR. JORGENSEN: I'm not sure that I have figures on that particular question, Mr. Speaker. I know that there are continued representations made to the Rentalsman's office in those areas that are outside the areas of Winnipeg and Brandon, and we have been mediating and attempting to settle, and I think with some degree of success, those appeals and disputes that arise from time to time. There are not that many, but there are a number of them from time to time.

MR. PARASIUK: Yes. I'm wondering if the Minister could provide specifics to me, not necessarily through the Question Period, but afterwards, on that, and I'm wondering if he is going to provide information of that detailed nature if he would indicate whether the average increases for decontrolled apartments have been something in the order of the 4 ½ to 5 ½ percent allowable increase that the Rent Stabilization Board is allowing for apartments in the low priced rental range that are presently being allowed for the upcoming year. I just want to see if the market is operating in the same manner that the Rent Stabilization Board hopes that those apartments which will remain controlled will operate.

MR. SPEAKER: The Honourable Minister.

MR. JORGENSEN: In answer to the first part of my honourable friend's question, I'll get that information for him. The second part of the question, I can tell him that one of the basis upon which the decision was made was a review of the rent increases that had been taking place in the past year, when the allowable increases were 5, 5 ½ and 6 percent, and it was demonstrated that the increases that were actually taken was somewhat less than that allowable increase and it provided us with the opportunity to reduce that amount and still provide somewhat of a margin.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Yes, Mr. Speaker. I have a question directed to the Minister responsible for the publication of an ad in the name of the now extinct department of Tourism, Recreation and Cultural Affairs calling for tenders for the purchase of cabins at Ironwood Point, and my question is, is it now government policy to state the reserve bid in an advertisement calling for tenders?

MR. SPEAKER: The Honourable Minister of Fitness and Amateur Sport.

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, I believe the member is asking the question of the Minister in charge of Parks, which is the gentleman who is not in the House at the present time. I will refer the question to my honourable colleague and he can answer the Member for Burrows.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I'd like to direct a question to the Minister of Tourism and ask her whether Ross House, which is near the old CPR, the first post office west of the Great Lakes, is operated by the provincial government or the federal government?

MR. SPEAKER: The Honourable Minister of Tourism.

HON. NORMA L. PRICE (Assiniboia): Mr. Speaker, I believe it's operated by the federal government.

MR. DOERN: Mr. Speaker, I'd ask the Minister if she could check with the appropriate authorities because there is a plaque at the facility which indicates that it's open to the public between June the 1st and September 15th, during the day from 10:00 to 6:00 and on Sundays, but the building is now closed. And I wonder if the Minister could see whether it could be appropriately open to the public.

MRS. PRICE: Yes, Mr. Speaker, I'll get an answer back at the beginning of the week.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Yes, thank you, Mr. Speaker. My question is to the Minister of Labour. In relation to the explosion occurring at Bell Foundry on April 27th, can the Minister indicate when official notification of that explosion by the company to his department took place, and can he further indicate by what means that notification took place?

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): Mr. Speaker, our department was notified the following work day, which happened to be the Monday, not the Friday. The company has been made aware of the fact that that is not the proper procedure to follow, and we've been assured by that particular company that they'll certainly if, and let's hope that it never happens again, such an incident did, that certainly legislation provides that the Workplace Safety Division are to be notified immediately to further assure ourselves that companies are in fact aware of this provision, and I understand that industries and companies in the province have been previously notified but we are going to renotify them to assure ourselves they are all aware of the provisions.

MR. COWAN: Yes, thank you, Mr. Speaker. The first question was a two part question which I asked the Minister to indicate by what means that notification took place. I'd ask him if he could do so and if he could also indicate if any attempt was made by his department to contact either the union representing the workers at the Bell Foundry or the Workplace, Safety and Health Committee for information as to the cause and the effect of that explosion.

MR. MacMASTER: It's my information, Mr. Speaker, that the Workplace Safety Committee, in that particular plant, has been made aware of the recommendations, made aware of the conclusions that are reached, and that they concurred with inclusions that our Workplace Safety Committee has suggested to them.

MR. SPEAKER: The Honourable Member for Churchill with a final supplementary.

MR. COWAN: Yes, thank you, Mr. Speaker. Well, again I'll ask the Minister to indicate by which means Bell Foundry notified his department that the explosion had taken place on the Monday? And I would also ask the Minister if he can indicate by what means they are going to pursue their objective of renotifying or in many instances notifying for the first time, companies of their obligations and responsibilities under the Act? Will they be sending a letter to each of the registered companies; will they be sending inspectors around? By which means are they going to accomplish that very worthy goal?

MR. MacMASTER: Mr. Speaker, I don't accept the suggested implication that some companies would be notified for the first time. I suggested to you, Mr. Speaker, that companies have been notified and that we are going to renotify them. Monday was the day that we were made aware, and I can only suspect that it was a phone call; I haven't inquired as to exactly how our people were made aware of the particular problem that occurred on Friday.

MR. SPEAKER: The Honourable Member for Swan River.

MR. DOUG GOURLAY: Mr. Speaker, I'd like to direct a question to the Attorney-General, to see if he has been able to obtain any recent information with respect to the files or ledger that went missing from the Manitoba Land Titles Office several months ago.

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker the Title book has not yet been found. I believe the Land Titles Office are very close to completing reconstituting the approximately 80 titles that were in that book from an examination of the microfilm records back to 1964 in the Caveat record books and the Day books and other records, which they have in the Land Titles Office. I would expect in due course to get a report in the number of man hours that have been required to reconstitute the 80 titles.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question is to the Minister of Northern Affairs and is following a question which I put to him a week or so ago regarding the Berens River Road. Originally he had claimed that the road project would be retendered and then he came back on his comments in the House and said that the project would go ahead with the original tenderer. But I'd ask him if he can confirm that he made the commitment to me in the House that day, that the local people in the Community of Berens River would have the opportunity to gain employment through this project, that this is one of the conditions of the contract, and that people in the community that had equipment to make available for employment on the project would be given a first opportunity to do so. I ask him if he had made that commitment to me, and if so, if he will assure the House that he will make double sure that that commitment will be honoured.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. MacMASTER: Mr. Speaker, the commitment is written into the contract that the local people will be contacted to the availability of themselves and their equipment. There may be something here that I'm not aware of, but I can suggest to the Honourable Member for Rupertsland that because we make that commitment to contact local people and because we believe that's the efforts that should be made, if somebody locally is deciding to charge an exorbitant amount for the piece of equipment, then maybe that particular piece of equipment won't be used.

MR. BOSTROM: Mr. Speaker, I bring to his attention and ask him if he could check out this case where a local person in Berens River that has a truck which would be available for gravelling, a semi-trailer unit, had contacted the general contractor and was informed that the general contractor would be bringing his own equipment in. I ask the Minister if would check that situation out and ensure that the commitment he made to the House is honoured in this individual case and also in the case of other people in the community who desire to employ their equipment at the going rates, whatever they may be.

MR. MacMASTER: Mr. Speaker, I certainly will. I didn't only make that commitment to the Member for Rupertsland in the House, I made that commitment to the Member for St. George in my office. We discussed this very thoroughly and the wording is such, and I concur with it, in this particular contract of the local people to be contacted. Efforts are to be made to employ them and their machinery and I shall certainly follow up and see what's happened here.

MR. SPEAKER: The Honourable Member for Rupertsland with a final supplementary.

MR. BOSTROM: Well, my third question, Mr. Speaker, is directed at the First Minister, and I refer to comments which are reported to have been made yesterday afternoon regarding the government's dealing with strike situations, and I ask the First Minister if it is a policy of his government in dealing with strike situations that the Cabinet should have the power to empower the employees to go back to the job without his or any government being able to bring the matter before a parliamentary session, whether it be in this province, if it's a matter concerning workers in this province or in the case of the Canadian parliament if it's concerning workers who are under the jurisdiction of the federal government. Mr. Speaker, I ask that question because it is reported that he made such

a comment, that the Cabinet should have the power to do this unilaterally without referring it to parliament.

MR. SPEAKER: Order please. May I suggest to the honourable member that I brought it to the attention of the members of the House yesterday, if they are talking and asking questions on reported facts or that, that it is the obligation of the member to check out the authenticity before he asks questions.

The Honourable First Minister.

MR. LYON: Mr. Speaker, even though the question is somewhat hypothetical, I think the honourable member is entitled to seek a general opinion, and the answer that I was giving at a press conference yesterday was in a general context, that a parliament, in a general context, should confer upon the Executive Branch of government, be it federal or provincial, the right to deal immediately with such matters where essential services to the public are involved and where the public interest takes primacy over all other situations. That was a generalized statement. I agree with that approach, yes.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. BOSTROM: Mr. Speaker, could the Honourable First Minister indicate to this Legislature and to the people of Manitoba, so that there is no misunderstanding of the intent of his government in this regard, what exactly he means by essential services because I believe, Mr. Speaker, that the general statement he makes is somewhat ambiguous and could, in fact, indicate that his government is intending to subvert the democratic process.

MR. LYON: Mr. Speaker, it may come as a shock to the honourable member but this government is here to protect the democratic process from some of the ravages that it underwent in eight years under my honourable friend. But to get to the point of his question, which is purely hypothetical, I would say this: That as and when, if ever, legislation of that nature were brought before the House, my honourable friend would be able to participate in such a debate.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Chairman, my question is to the Minister of Northern Affairs. I wonder if the Minister — or Manpower, I guess, would be his title in this capacity — the Minister of Manpower, whether he could indicate whether or not the contracts that were let and will be let on the Easterville Road contain a provision similar to the one he described to my colleague for Rupertsland that local people and local equipment will be given some preference in hiring in that contract.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. MacMASTER: Mr. Speaker, I would have to assume that the one particular contract which is of concern to the Member for The Pas, the one we have talked about before, I am assuming, because I don't know, that that particular contract did not have that clause in it. I can't assure him what other clauses are in other contracts. I just can't answer that question. I have said to the Member for The Pas before that I am looking into the situation in the Easterville area.

MR. McBRYDE: Mr. Speaker, then I wonder if the Minister could tell us whether or not — to the Minister of Manpower — it is his policy and the policy of his government that contracts that are in the area of remote northern communities will contain such a provision, whether that is the policy of this government or not the policy of this government.

MR. MacMASTER: Well, it's exactly that, Mr. Speaker; it's a policy decision and that will be derived amongst my colleagues. It certainly wasn't, in all cases, the policy decision of the previous administration of this province.

MR. SPEAKER: The Honourable Member for The Pas with a final supplementary.

MR. McBRYDE: Yes, Mr. Speaker. It is, of course, very disappointing that a practice that had been followed in the past is not being continued.

My final question, though, Mr. Speaker, is to the Minister of Highways. I wonder if he could

indicate when the contract will be let and the work will begin for the gravelling and completion of the Moose Lake road and whether it is his intention to have in that contract a provision to employ local labour.

MR. SPEAKER: The Honourable Minister of Highways.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, the honourable member asked that question earlier, I believe, and contractual tenders are still being drawn up. I haven't got a date for the actual letting of that contract for the honourable member at that time.

Mr. Speaker, I wonder if I could refer, by leave, to make a brief ministerial statement at this time, having to do with Highways. I have some copies . . . Do I have the leave?

MR. SPEAKER: Order, order please. At the end of the Question Period.

MR. ENNS: At the end of the Question Period, that's fine.

MR. SPEAKER: The Honourable Member for Wellington.

MR. BRIAN CORRIN: Mr. Speaker, my question is for the Minister of Health and Social Services. Has the Minister's department yet assessed the position of Manitoba to the proposed Social Service block funding scheme endorsed Tuesday by the Honourable Mr. Heward Grafftey, the new Federal Minister responsible for Social Services, and can he tell us what position Manitoba will be taking at the upcoming conference announced by Mr. Grafftey on Tuesday?

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, we have not received any notification from Mr. Grafftey as yet, nor any official indication of his endorsement of the concept, although I know what the honourable member is referring to. There was a newspaper report to that effect. We did participate, as the honourable member knows, a year and a half ago, in discussions on the proposed Social Services Financing Act under the former federal administration. Our position, at that time, was one of reluctant acceptance.

MR. CORRIN: Yes, in view of the fact that Mr. Grafftey, Mr. Speaker, has conceptually endorsed the specific terms of that former Act and would be bringing it back, I would ask the Minister specifically whether he can confirm whether Manitoba will fare worse in terms of federal transfer payments, if such legislation is enacted.

MR. SPEAKER: Order please. I would suggest to the honourable member the question is hypothetical. The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, on a point of order. I would indicate that it is not hypothetical because Mr. . . .

MR. SPEAKER: Order please, order please. Has the honourable member a point of order?

MR. CORRIN: Yes, Mr. Speaker. I would indicate that, as the Minister has indicated to you and to the other members of the Assembly, Mr. Grafftey has announced that he will be endorsing the legislation that was brought in under the former Trudeau government and that will be the same legislation that he will be proposing to parliament in its next session. So it's not hypothetical to ask whether the Minister can confirm that Manitoba will fare worse under that particular legislation. Manitoba had a position with respect to that legislation. It has already been stated, and we would want to know whether the position will be consistent and stated, as it was then, to the new Minister and the new government. That's my point of order, Mr. Speaker.

MR. SPEAKER: Order please. I have to say that the honourable member had no point of order. The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, reverting back to the questions which were posed to the First Minister a few moments ago by the Member for Rupertsland, in the First Minister's answers he referred to essential services. Could the First Minister advise us as to what services included under the term "essential"?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, my honourable friend is dealing with a hypothetical matter because, of course, we do not as yet have any such legislation in Manitoba. If we did have it, there would then be a debate in this Legislature as to what this Legislature deemed to be essential services. But I do not think it takes any wild rampage of the mind to make a determination that services that are essential for the health of the people are essential services, to name only one group.

MR. PAWLEY: Mr. Speaker, further to the First Minister. Can the First Minister advise whether legislation is presently in process of preparation in respect to collective bargaining in regard to essential services in the province?

MR. LYON: No, Mr. Speaker. So as not to confuse my honourable friend, I can't advise him. If and when legislation is to be brought before the House, it will be brought before the House.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Yes, Mr. Speaker. In view of the fact that the Minister of Public Works appears to be involved in the sale of cottages at Ironwood Point via the Land Acquisition Branch, I would direct my question to him. Is it government policy to publish the reserve bids in advertisements advertising for sale by tender of government property?

MR. SPEAKER: The Honourable Member for Burrows with another question?

MR. HANUSCHAK: Yes, Mr. Speaker. Perhaps the Minister did not hear my question.

Mr. Speaker, on a point of order, for the benefit of the First Minister. The Honourable the First Minister's reference to the question being taken as notice, was directed to another Minister who is absent from this House, but this advertisement also involves another Minister and I'm asking him whether it is the Minister responsible for the Land Acquisition Branch; whether it is government policy to publish reserve bids in advertisements advertising for sale by tender of government property?

MR. SPEAKER: The Honourable Minister of Government Services.

MR. ENNS: I'm more than happy to take that question as notice, Mr. Speaker, again.

MR. SPEAKER: The Honourable Minister of Fitness and Amateur Sport.

MR. BANMAN: Mr. Speaker, I took that question as notice for my colleague, the Minister of Mines, but let me just tell the gentleman opposite, when he was Minister in charge of Tourism he followed exactly the same procedure when he advertised cottage lots for sale. So there has been no change, I'm sure they people are following the same. . .

MR. SPEAKER: Order, please. Order please. The Honourable Member for Swan River.

MR. GOURLAY: Thanks, Mr. Speaker. My question is to the Minister of Highways.
—(Interjection)—

MR. SPEAKER: Order, please. Order please. The Honourable Member for Swan River.

MR. GOURLAY: Thank you, Mr. Speaker. My question is directed to the Minister of Highways. I wonder if he can inform the House if the Steep Rock-Bell Lake forestry road will become the responsibility of his department this year?

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, that was one of those roads or part of the road system that has come over to the responsibility of the Department of Highways from Mines and Resources. We are aware that there has been some delay in some of the maintenance as has been the case in so many of the roads, but instructions have been given to my department officials to see that adequate maintenance levels be applied to these roads that were previously under the responsibility of the

Department of Mines and Natural Resources.

MR. SPEAKER: The Honourable Member for Swan River with a supplementary.

MR. GOURLAY: Yes, I was wondering if the Minister of Highways could advise whether this road will eventually be designated as a provincial road?

MR. ENNS: Well, Mr. Speaker, there is always a kind of a natural evolution of what in some instances becomes, in the first instance, a resource road, a forestry road, then because of greater public demand and public access to it, subject to availability of funds, roads of that nature do eventually become provincial roads.

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

MR. WALDING: Mr. Speaker, my question is to the Honourable Minister of Finance. I'd like to ask the Minister if provision has been made for the payment of Manitoba Data Services indebtedness to the Manitoba Telephone System this year?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I'll have to give that question some thought and quite frankly I can't remember where it is, but there is provision and we'll perhaps discuss it at the time the Bill is before the House.

MR. WALDING: A supplementary, Mr. Speaker. It was particularly to get that information before the introduction of that particular Bill that I ask the Minister at this time if he could take as notice what amount he expects the government to pay to the Telephone System, and whereabouts within the government spending intentions would I find that amount?

MR. CRAIK: Again, Mr. Speaker, I think that's part of the discussion on the Bill itself,

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Mr. Speaker, the Minister of Fitness and Recreation took a question as notice yesterday, I wonder if he is able to respond to that question today.

MR. SPEAKER: The Honourable Minister of Fitness and Amateur Sport.

MR. BANMAN: Well, Mr. Speaker, the member sent over a copy of The Beaver yesterday, in which the Mayor of Beausejour is quoted as saying that I had made certain threats, I guess you might say, and I think the article speaks for itself very clearly that he starts off saying that I denied that there would be a wholesale move-out and that that particular facility would be left empty. I had a friendly discussion at an urban association meeting with the Mayor and if he interpreted some of my remarks as meaning that, I feel sorry for that because that is not the impression that I had when I parted company with him, because it was on a handshake and we assured each other we'd keep in touch with each other. The article also intimates that we left on rather hostile terms. Mr. Speaker, that's far from being the truth. I've always considered even in municipal politics to have a good relationship with the Mayor, but I can understand, Mr. Speaker, that the Mayor is probably doing his job; he's a politician like we are. There have been some rumours circulated by people who I won't want to mention here today, and he's probably just reacting to some of the concerns expressed to him as Mayor of the town, in order to try and keep as many things for the Town of Beausejour as he can.

MR. USKIW: Well yes, Mr. Speaker, two further questions. Is the Minister aware that those rumours emanated from the Minister of Agriculture in a statement that he gave to the Carillon News some months ago, and that it was the reaction of the Mayor to his statements that has brought about this kind of confrontation?

MR. BANMAN: Mr. Speaker, I think one of the things I did mention to the Mayor at the time is that there are other government services located within the City of Winnipeg that can be decentralized, and without going into detail, I think that some of those can be moved. And if it means that it's going to provide better services by moving some more people in the Eastman region

or in the Westman region to bring the people closer to the people that they're serving, I think this government is intent on doing that; to bring the government closer to the people. I will not apologize for any moves in that field, but we are not going to go ahead and have office space sitting around and have people concentrated in certain areas when they can be moved around to more efficiently serve the people of the province.

MR. USKIW: Well, Mr. Speaker, I want to further ask the Minister whether he can confirm or deny that he had threatened the Mayor of Beausejour with the closing down of that building. He did not respond to that question. —(Interjection)—

MR. SPEAKER: Order. The Honourable Minister of Fitness and Amateur Sport.

MR. BANMAN: Well, Mr. Speaker, I would ask that the member opposite read the newspaper article very carefully. It starts off saying that the Minister had given the assurance or given the indication that there was not going to be a wholesale moving out of that particular office, but that there would be some changes, and that was the discussion I had with the Mayor. He mentioned a lot of things to me in the conversation, in a social conversation, which I don't intend to talk to the press about but if that's the indication that is left, after I spoke with him, I can't account for those particular feelings because that wasn't the intent.

MR. SPEAKER: The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, my question is addressed to the Minister of Municipal and Urban Affairs. Can the Minister confirm reports by his Executive Assistant that the government is considering reducing the number of city councillors to 18 or even a more drastic reduction to 12?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I thank the honourable member for raising that particular matter and I would like to indicate that my Executive Assistant advised me that he made some personal observations to a newspaper reporter for the Winnipeg Tribune, and advised him that they were off-the-record comments.

When he saw those remarks, Mr. Speaker, published in the daily edition of the Winnipeg Tribune today, he phoned the particular reporter in question and asked him if he didn't realize that those remarks were off-the-record, and the reporter said, "Yes, I realized they were off-the-record, but I didn't know why I couldn't print them."

So I expect, Mr. Premier, that my Executive Assistant has learned his lesson in speaking to that particular reporter.

MR. SPEAKER: The Honourable Member for Transcona.

MR. PARASIUK: I'd like to ask a supplementary. Could the Minister inform us, on-the-record or off-the-record — I would prefer on-the-record — whether this government is considering reducing the number of city councillor seats from 29 to 18, or even to 12? Is that a policy that is being considered by this particular government?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the answer is clearly and unequivocally no.

MR. SPEAKER: The Honourable Member for Transcona with a final supplementary.

MR. PARASIUK: Yes, I would like to ask the Minister if he can indicate whether negotiations have been concluded between the province and the City of Winnipeg with respect to Category 2, Grants from the Province, relating to regional library grants, the ambulance services grant, the Dutch elm disease grant, the weed control grant, the development plan review grant, and the community services grant and the federal urban transportation grant, the latter two of which are funneled to the city via the province, and will affect the city's budget operations and require a conclusion of negotiation. Has the Province concluded those negotiations, which apparently have been dragging on for some six months now?

MR. SPEAKER: I suggest to the honourable member that he file an Order for Return if he wants

detailed information of that nature. The Honourable Member for Transcona.

MR. PARASIUK: Thank you, Mr. Speaker. Seeing as how the Session is coming to an end very shortly, I was wondering if the Minister would care to answer the question I posed to him, in that the budgetary position of the city will be drastically affected if these negotiations between the province and the city aren't concluded.

MR. SPEAKER: The Honourable Minister of Municipal and Urban Affairs.

MR. MERCIER: Mr. Speaker, the question related to funding from a number of other departments, and therefore I'll take the question as notice and respond in detail and at length in a Question Period prior to the expiration of this Session.

MR. SPEAKER: Order please. The time for Question Period having expired, we'll proceed with Orders of the Day.

MINISTERIAL STATEMENT

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: If now by leave, I may make that brief statement, I believe I distributed copies having to do with the operation of vehicles on highways in the Province of Manitoba. Special restrictions on all highways are lifted as of Monday, June 11, 1979 at 6:00 a.m. Daylight Savings Time. Normal loadings as per The Highway Traffic Act will apply, of course.

In addition, it should be noted that the overload permits may not be issued on all treated roads for an additional week.

Thank you, Mr. Speaker, for your indulgence, and the indulgence of the House.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, before calling the Orders of the Day, I should like to remind all of our members that Public Accounts will be sitting tonight; Public Utilities will be receiving the report of the Manitoba Hydro-Electric Board tomorrow; and on Monday at 10:00, the House will meet to give consideration to the business before it.

A MEMBER: 10:00 o'clock?

MR. JORGENSON: 10:00 o'clock, yes.

ORDERS OF THE DAY — SECOND READING

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, would you call Bill No. 54, standing in the name of the Honourable Minister of Highways; and then call Adjourned Debates on Second Reading, beginning with Bill No. 36.

BILL NO. 54 — THE MANITOBA DATA SERVICES ACT

MR. ENNS presented Bill No. 54, The Manitoba Data Services Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, this is a straightforward piece of legislation. The question itself may not be all that straightforward in the minds of some of the honourable members opposite, but I want to assure them that the Bill before us, Bill 54, is simply a matter of setting up the Manitoba Data Services as a Crown Corporation, reporting to the Minister of Government Services.

The reason for the Bill being introduced comes about because of our feeling that it's appropriate

to divest the Manitoba Data Services from the Manitoba Telephone Systems, as a separate Crown corporation, and we feel that the day-to-day business of Manitoba Data Services, both its operations with government and its agencies, and outside of government in the private sector, that it will enable government and the agency itself to build a clear financial picture for representation to the people, and to the Crown, in terms of its operations.

The melding of their operations with the larger Crown corporation, namely Manitoba Telephone Systems, has caused us some concern in the past. The recommendation that this be done was, of course, among those recommendations that was made by the Task Force earlier; and Bill 54 represents this request for change in policy, and a policy that we intend to follow with respect to Manitoba Data Services.

Dealing just briefly with some of the items in the Bill; it sets out that the specific responsibilities of the Board, its officers and employees, indicates directly the individuals indirectly and directly accountable to the Crown; and includes those institutions which rely on government's operational funds.

There will be a companion bill coming later on by the Minister of Finance that has to do with substantial loan, or transfer of funds, taking out the equity dollars that Manitoba Data Services currently has with MTS. A substantial payment has to be made to MTS for the setting up as a separate entity, the Data Service Corporation. The details of those particular financial matters would be more appropriately discussed under that Bill. The Bill before us, Bill 54, strictly sets out the mechanics of setting up a Crown corporation. How that Crown corporation will operate, what its policies will be, those are all legitimate questions that I would expect to answer in due course.

I can indicate to the honourable members some broad guidelines, and perhaps, Mr. Speaker, that would be in keeping, in the sense that the Bill in itself doesn't allow me much scope in discussing even in a very general way, the future that we envisage for Manitoba Data Services. As you know, Mr. Speaker, it's not provided under our rules that we discuss section by section the make-up, the particular aspects of a bill, and very quick perusal of Bill 54 indicated that that's all that the Bill does. It indicates that the corporation will have authority for temporary borrowings; it indicates that the manner and means, the mechanical manner and means, that temporary advances may be made to it by government. It indicates how loans can be secured by Manitoba Data Service from government. It sets out the declarations or the proof that issue required for purposes of the corporation — all very mechanical clauses that are required in setting up a Crown corporation. It indicates how the corporation is to be audited; it indicates when special audits may be called for. It sets out its special privileges, such as grant in lieu of municipal and school taxes. It indicates the nature of the annual reports, contracts, acquisition to other computer facilities. Those are the mechanical terms of Bill 54, in setting up the necessary piece of machinery that sets up Manitoba Data Services as a Crown corporation. Thank you, Mr. Speaker.

I would be quite prepared at this time to indicate that we envisage the Manitoba Data Services to maintain its present monopoly position vis-a-vis its supply and delivery of computer services to government agencies and government services that it now enjoys.

Indeed, one major change, of course, that is currently taking place at the instruction of this government has been the migration of computer service from Hydro to Manitoba Data Services. That is proceeding in full tilt, I understand and I believe the Minister speaking for Hydro, can perhaps indicate more clearly than I, but in fact, deadlines have been issued I think within a period of months, where the total migration of computer services from Manitoba Hydro are expected to be completed to Manitoba Data Services Commission.

We have also indicated to Manitoba Data Services and to the provisional Board of Directors — there will be a Board of Directors established for Manitoba Data Services — that in the first instance they will carry on and maintain the private business that Manitoba Data Services and/or now the new corporation currently enjoys. However, they will be specifically directed not to search out and seek out new and additional private business. That is a policy decision of the government that is being reflected by the corporation.

The concern still is with respect to the investment that we have in place, and its optimum utilization as to whether or not Manitoba Data Services can be put on a sound, financial footing within the next year or two. We are still looking at a deficit position in the coming year; it is hoped that by setting it up more clearly and more precisely as a separate entity that a closer accounting, a greater degree of accountability, a truer reflection of costs and/or revenues earned by the corporation will enable the directors of this corporation to hopefully put it on a self-sustaining basis, whereby it provides to government those necessary computer services — necessary, and in some cases desirable that they are, if you wish to say, in-house to some extent, because of the growing dependence on computer services, the growing amounts of data material and processing material that modern governments and/or private corporations require in this day and age to function. There

is, of course, an additional concern about the growing amounts of data material information that governments collect on their citizens, that the confidentiality of that information be a matter of constant concern, and that is certainly among the reasons why this government has chosen to continue the monopoly position of Manitoba Data Services with respect to providing those computer services, having to do with our health, for instance our health cards, having to do with some of our insurance matters through MPIC, having to do with our driving records, for instance, through the Motor Vehicle Branch; all who are, of course, among the principal and major users of the Manitoba Data Services.

Mr. Speaker, I don't really know that I can add a great deal more to the discussion on the second reading of this Bill at this time. I will be in a position and will have additional technical people available to me at the time the Bill is before us in Committee, to answer more specifically any questions that honourable members may have. I also point out again, Mr. Speaker, as I already have done, merely perhaps in anticipation of some questions that a companion piece of legislation, or it may not even be legislation, it may simply be included in the Minister of Finance's Loan Act. We'll deal with the actual transfer and amounts of dollars that are involved in the — taken out of Manitoba Telephone System 's Manitoba Data Services. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Are you ready for the question the Honourable Member for St. Vital.

MR. WALDING: Mr. Speaker, I wonder if I might ask the Minister a question for clarification.

MR. DEPUTY SPEAKER: Would the Minister be prepared to answer a question?

MR. ENNS: I'll try.

MR. DEPUTY SPEAKER: The Honourable Member for St. Vital.

MR. WALDING: Mr. Speaker, the Minister has said that Bill 54 contains a number of mechanical facts continuing MDS as a Crown corporation. I would like to ask him whether he sees MDS continuing in the same form as present or does Bill 54 change the structure in some way?

MR. ENNS: Mr. Speaker, I do not see it changing. If anything, I suppose it will have a somewhat greater degree of autonomy, if you like. It operated, as I have understood it to operate in the past, as a separate division of MTS and attained all its corporate powers under The Manitoba Telephone System Act. It will now have, and they are set out in Bill 54, its own legislation and I imagine that it will require amendment from time to time as all other corporate entities do require.

I do not see any fundamental change in its physical being. The change perhaps again, but more so of form than of substance is that rather than reporting to this House, for instance, through the Minister responsible for the Manitoba Telephone System, it will be responding to this House through the Minister of Government Services. This is part of the overall policy or philosophy, if you like, of developing the Department of Government Services as the true department of government that is providing the very wide broad nature of services to all sister departments and agencies of government.

I don't see this Bill in any way changing the current situation with MDS, perhaps strengthening it.

MR. SPEAKER: Are you ready for the question. The Honourable Member for St. Vital.

MR. WALDING: Mr. Speaker, I move, seconded by the Honourable Member for Kildonan that the debate be adjourned.

MOTION presented and carried.

BILL NO. 36 — AN ACT TO AMEND THE REAL ESTATE BROKERS ACT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: I adjourned this Bill for the Honourable Member for Wellington.

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: I thank the Honourable Member for Kildonan for adjourning this Bill in my favour,

Mr. Speaker, and I would indicate that we have perused the contents of this particular Bill and are satisfied that it should be sent on to the Law Amendments Committee. We would add the caveat that we may well be making representations respecting various items therein at that particular junction, but as for this afternoon and purposes of debate today we have no official positions to put forward and will be supportive of this Bill passing on to Law Amendments Committee for further discussion.

QUESTION put, MOTION carried.

BILL NO. 38 — AN ACT TO AMEND THE TRUSTEE ACT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: I adjourned this Bill for the Honourable Member for Wellington.

t004**MR. SPEAKER:** The Honourable Member for Wellington.

MR. CORRIN: Yes, Mr. Speaker, with respect to this Bill, my comments are in essence the same as those addressed to The Real Estate Brokers Act. I would indicate that any reservations we may have would be of a relatively technical nature and therefore further debate or discussion in this regard would have to prevail before the Law Amendments Committee and we will in this regard be most interested to hear representations made by concerned members of the public and citizenry at large.

So this Bill, Mr. Speaker, although we do not necessarily commend it for Second Reading or to be presented to Law Amendments Committee, we would certainly indicate that we will not oppose it and will be supportive of its moving forward.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 39, The Statute Laws Amendment Act (1979). (Stand)

BILL NO. 47 — AN ACT TO AMEND THE PERSONAL PROPERTY SECURITY ACT

MR. SPEAKER: The Honorable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this Bill for the Honourable Member for Wellington.

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: Thank you, Mr. Speaker.

We regard this particular Bill as being of an essentially technical nature. We regard it as having the appearance of being of an enhancing nature with respect to the administration of The Security Act and the Registry.

We would indicate at this time that we have been pleased at the efficient performance of the Registry Office and staff therein and can confirm that we on this side continue to endorse the scheme established through the legislation to be amended by this Bill.

So we would send this Bill, Mr. Speaker, as well, on for further discussion at Law Amendments Committee.

QUESTION put, MOTION carried.

BILL No. 51 — AN ACT TO AMEND THE COUNTY COURTS ACT.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this Bill for the Member for Wellington.

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, this Bill again would be of a technical nature and we regard it as seemingly able to enhance the administration of the Small Debts Section of the County Courts.

We are of the opinion that this Bill should proceed and be dealt with before Law Amendments and given second reading as soon as possible.

QUESTION put, MOTION carried.

BILL NO. 55 — AN ACT TO AMEND THE INSURANCE ACT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this Bill on behalf of the Honourable Member for Burrows.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Yes, Mr. Speaker. We are prepared to let this Bill go to Law Amendments Committee and be guided by any representations that may be made to it by delegations appearing before the Committee.

I have one concern about the Bill. It appears to shorten the term of liability of an insurance company for certain types of claims, claims arising out of injuries and particularly injuries which may appear to have been cured and full health recovered and then at a subsequent point in time some certain repercussions occur. Now it would seem, Mr. Speaker, that that really is not in the interest of consumer or the policyholder, but more in the interest of the insurance company, although I suppose the insurance company may argue that this provision in the Bill may lead to a reduction in the insurance premiums. But nevertheless I think that we would want to hear from certain consumer groups that may have an interest in this particular aspect of life insurance and hear their comments on it, but with that reservation, and others that may arise in going through the bill section by section, we're prepared to let it go to Law Amendments Committee.

QUESTION put, MOTION carried.

BILL NO. 56 — AN ACT TO AMEND THE FAMILY MAINTENANCE ACT

MR. SPEAKER: Bill No. 56, an Act to Amend the Family Maintenance Act. The Honourable Member for Wellington.

MR. CORRIN: Thank you, Mr. Speaker. Could you indicate how much time I have left, Mr. Speaker?

MR. SPEAKER: Thirty minutes.

MR. CORRIN: Thank you, Mr. Speaker. I don't expect that I'll be using all my time, and I expect that my remarks in this regard will be quite brief.

Mr. Speaker, yesterday I was indicating my desire to work toward a universal maintenance insurance scheme that would be of effect throughout this country and would make uniform the entitlement to benefits of deserted spouses across all ten provinces of this nation. Mr. Speaker, I would indicate that it's a view that I have held for some time and I feel quite strongly that it's absolutely imperative that we assess and evaluate the potential of this particular concept as it may apply to effectuating redress with respect to wives and children who are put in the very very difficult circumstances attendant upon being deserted or upon separation.

Mr. Speaker, welfare statistics in this province and across this country tell a not very eloquent tale relative to the numbers of women and children who are forced to live at what I would regard, and I think most of us in fairness would regard at bare subsistence levels because of deficiencies with respect to not only enforcement procedures across this entire country, but also very specific deficiencies with respect to welfare rates as they apply to these individuals.

Mr. Speaker, it's a travesty that persons can be forced to live on such limited incomes simply because of the confusing legal jungle that currently exists across the length and breadth of this country and in this regard it's a manifest injustice, Mr. Speaker, and one that can only effectively be redressed by our friends in the national, in the federal parliament. Mr. Speaker, I would invoke the Honourable Attorney-General to make his best efforts to try and quite literally evacuate provincial responsibility with respect to the enforcement of Maintenance Orders and Family Maintenance law. I would strenuously invoke him incite him to argue forcibly at future Constitutional Conferences for a substantial revision of power in this regard. I would suggest, Mr. Speaker, that this may not

be altogether unprecedented or neither may it be found by academics, constitutional scholars to be at all out of line with topical current interpretations of the British North America Act.

It seems to me, Mr. Speaker, that any powers with respect to Family Law that have been given or delegated to the provincial jurisdictions have been given willingly and knowingly by the federal parliament and it's my argument and submission, Mr. Speaker, that those delegations or those responsibilities that have been so transferred have been transferred erroneously from a policy point of view, and I would suggest not only from a policy point of view but from a strictly legal point of view, those transfers are irresponsible and may be ultra vires. I would suggest that an argument should and could be made by a provincial Attorney-General that the federal government should not have been allowed to evacuate responsibility with respect to Family Law and this entire matter.

Mr. Speaker, if the day comes to pass when it is recognized that the federal government must assume its responsibility, the burden of its responsibility and jurisdiction with respect to these matters, I will suggest that a great step forward will have been made in that I think we can wholly expect, reasonably expect that many of the current inequities with respect to this area of law and human conflict will be reformed.

Mr. Speaker, it is inane, insane and simply ludicrous that a woman living in the Maritimes should be treated differently for the purposes of Family Law than a woman living in Manitoba or British Columbia or Saskatchewan. It is crazy, Mr. Speaker. There is no rationale for a woman to be denied basic maintenance and coverage in one province wherein she could go to another province if she had had her domicile there and the court having jurisdiction in that province, having been given the same facts, could make a ruling that would provide her with sustenance and maintenance for herself and her family.

Mr. Speaker, it is a fundamental inequity, it is unjust, it is one of . . .

MR. SPEAKER: Order please. I have listened for quite some time to the Member for Wellington, and again I would like to refer him to Citation 739 of Beauséne, where it states: "On the second reading of an amending bill, it is the principle of the amending bill, not the principle of the Act which is the business under consideration. Debates and proposed amendments must therefore relate exclusively to the principle of the amending bill." I realize that it is rather difficult for the honourable member to make the kind of speech that he wants to make in this particular case. If it was a bill, an entire new Act, then there is much more latitude, but when we're in a bill — an Act to amend an Act, there is that rather narrow field where we are expected to confine our remarks to the areas that are involved in the Act to amend. The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, as I have been trying to forcibly argue, enforcement procedures with respect to maintenance cannot, in my submission, be dealt with unilaterally by any one province. I have been labouring to try and make you understand that, Mr. Speaker, and I do so because I feel so strongly about the need for national jurisdiction to be resumed in this regard. Now Mr. Speaker, I am not speaking against the provisions of this bill, but I suggest that this is nothing but a paltry half-measure. This, Mr. Speaker, does nothing to protect the interests of women across this country, nor, quite frankly, Mr. Speaker, does it do a lot to protect the interests of women within this province. As I have suggested, Mr. Speaker, I view the only ideal situation as being one where there are of least minimal ceiling levels on maintenance insurance provided through a federal insurance scheme that would guarantee women who have been abandoned with their children very often, that would guarantee that those persons would have redress under the law.

This amendment, Mr. Speaker, simply does not go far enough. This amendment is a step in the right direction, by all means. We do not argue or submit that this amendment is not a progressive step. It's one that, as I told you yesterday, Mr. Speaker, we initiated. We began the experimentation with the enforcement office; we retained the seven staff people who currently work therein. We found, as I'm sure my honourable friend has now confirmed, that it was an acceptable mode and means of redressing difficulties in this particular regard. But, Mr. Speaker, it's only a very small step forward. It does nothing, in terms of the rights of women to be protected against the deprivations of irresponsible negligent spouses.

Now, Mr. Speaker, I suggested to you yesterday and I would again suggest, respectfully submit to you that we are already in this country spending a substantial amount of money through our Social Allowance Programming to maintain women who are left neglected as a result of spousal failure to honour Family Court orders.

Mr. Speaker, it seems to me that we should afford these women and these children a measure of human dignity. It seems to me that it is simply wrong to force somebody to accept — not to accept but to force somebody to take welfare and to bear the stigma of being a welfare recipient, to live at subsistence levels, when we have the wherewithal within this country to provide an efficient

scheme of insurance.

MR. SPEAKER: Order please. Again, may I suggest to the honourable member that he stay within the confines of the bill before the Chamber. I realize that he wants to make a very important contribution, but I suggest that he find another avenue than this bill to do it, if that is the area in which he persists in carrying on. I believe he can make a very important contribution to the contents of this bill, and I would hope that he would do that. The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, I just want to say to your point of order that it seems to me that the member is dealing within the confines of enforcement procedure, and certainly this particular bill deals with various amendments involving enforcement and various procedures.

So, to that extent, Mr. Speaker, it does seem to me that the member is not ranging far afield into areas that are not — if that were to be your ruling, that we must restrict ourselves strictly to the bill, that in fact in this case the member is restricting himself to the question of enforcement procedures. He is attacking the weaknesses, as he perceives the proposed enforcement procedures. He is indicating that they are sufficiently strong, that other steps should not be undertaken and I cannot see, Mr. Speaker, how it would be possible for the member to carry on any meaningful debate if he was not able to rise in his place and say, this particular proposal is not strong enough; it doesn't go far enough; it involves the involvement of other jurisdictions. I would ask, Mr. Speaker, that you take that into consideration.

MR. SPEAKER: I want to thank the honourable member for his point of order, and I should point out again that the member is perfectly at liberty to talk about proposed amendments but those amendments must be within the jurisdiction of this province and the jurisdiction of this bill. The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, as I was indicating, it would be well within the jurisdiction of this province to make forceable submissions to the federal government respecting an insurance scheme. It would be well within the jurisdiction of this province to have a comprehensive enforcement scheme of this sort enacted federally, and we could support that, Mr. Speaker, and I am sure that we would continue to assist the funding under this legislation in our province. But, Mr. Speaker, to suggest that there should be differentiation as between women living in this province and in other provinces of this country is simply wrong. We will not, on this side, tolerate those inequities or injustices, Mr. Speaker.

And, Mr. Speaker, it's imperative that a woman coming from the maritimes to Manitoba not find that because she is forced on to the welfare rolls because of lack of enforcement of maintenance, she should not find herself having to accept fewer welfare allowance dollars, fewer social allowance dollars, simply because she has been forced to move from one province to another. And that, Mr. Speaker, is exactly what happens everyday. We have a highly mobile society and people come to this province from other provinces and, as a result, they are deprived of their essential right to human dignity. And it's just simply irrational that in a country with this sort of wealth that a person, just because a woman is forced to make a move with her children, she is put in the position.

And it happened to me recently. A woman came to live with her parents. She had lived in an area where she was entitled to get higher welfare benefits, being in this sort of situation. She came to Manitoba and she found that she had to suffer a decrease in her income as a result of being forced onto welfare in this province.

Now, I suggest, Mr. Speaker, if there was a corehensive maintenance insurance scheme — and I'm not suggesting a scheme, Mr. speaker, that would entitle an applicant to any amount of assistance. I am cognizant of the fact that a lady, perhaps, who was married to a millionaire, for instance, might be entitled to maintenance, as is commonly the case, in excess of \$3,000 a month. Mr. Speaker, I wouldn't suggest that the public purse should subsidize such an individual to that extent, but there are reasonable subsistence levels, Mr. Speaker, far beyond what welfare will provide a family in our province. And, Mr. Speaker, I would argue in my submission that it is only reasonable that we allow people the dignity to have some assurance that they will not suddenly, simply because they have been a dutiful wife and have lived, perhaps, within an abysmal marriage, perhaps with an individual who has many deficiencies and who has been neglectful of his responsibilities, I would suggest that it's simply unjust to ask that person, when that individual walks out, deserts her and the children, to go on welfare, whilst in some provinces she might have an enforcement officer assisting her but in others she won't. So it depends where she lives.

If she was forced to go visit her parents in some of the eastern provinces, she would find that there was no comparable enforcement office, Mr. Speaker. She would find that she would have

to retain a lawyer. She would have to retain a lawyer, and since their legal aid isn't even generalized in this country, in some provinces she wouldn't even be entitled to have subsidized legal services in that respect. So she would have to go out and pay a lawyer, perhaps \$50 an hour, to seek out the bouncer who may have deserted her and headed for the west coast, whilst she lives with her parents somewhere in eastern Canada.

Now, Mr. Speaker, it's a jungle. It's a morass. It bespeaks inhumanity that we, in this part of the twentieth century, should allow it to continue. I mean, we provide who have accidents at work with workers' compensation; people who are unemployed get minimum levels of subsidy through Unemployment Insurance. We provide people, who are in the modest sector of the socioeconomic spectrum with Social Allowance but, Mr. Speaker, what do we do for people who do nothing except serve and love, and work within the family? Mr. Speaker, we do nothing; we do very little. We heap praise on ourselves for all the reforms and innovations but, as we found out last summer and the summer before that at Law Amendments Committee, Mr. Speaker, having heard the submissions of literally hundreds of women who have been in these situations, there has been little progress. There are countless thousands of women across this land with children who are suffering, who are suffering real neglect, women who one day are living with their families in middle class situations with husbands earning \$22,000, \$23,000, \$25,000 a year, who the very next day are living on welfare, on bare subsistence. And it's simply unjust. It can't be allowed to progress any further, Mr. Speaker. We have the wherewithal to provide a universal insurance scheme. If we have to, we could simply divert money from the Social Allowance scheme and probably fund half of it, but there has to be a way that we can set up an insurance scheme that will give some minimal guarantees, so that this sort of isk . . .

And you know, Mr. Speaker, in this regard I have to cite to you the statistics that just emanated from Calgary. I couldn't believe it. Mr. Speaker, in Calgary last year it was found on a survey of marriages over the course of a decade that one out of every two marriages in that city, over a decade, have fallen apart. And, Mr. Speaker, the survey went on to point out that in many cases the spouses were not living together in that city any more. There is such high mobility in some of our urban centres that this has become a plaguing problem. Enforcement is a real problem. And, by the way, I don't think they have enforcement officers in Alberta. I don't know what a woman does, who gets into this bind in Alberta; it must be a real predicament.

But, Mr. Speaker, there has to be a better way, and the only way, I submit, is to fight forceably at Constitutional Conferences. It's time to dig in our heels, to simply mark the territory, mark the ground beyond which we're willing to fight, and simply demand that the federal government assume the burden of its responsibility. It's not passing the buck, Mr. Speaker.

I know there are going to be people in the federal arena who are going to come back and say, "The Member for Wellington, in Manitoba, wants to pass the buck. He doesn't want to assume provincial responsibility, which we delegated to him and his Assembly years ago."

It's not so, Mr. Speaker. I want to assume the burden of that responsibility and I'm willing to see this province assume its share of fiscal responsibility for that sort of programming, just as we have assumed a share of fiscal responsibility for Social Service programming, which is being destroyed just as we have assumed; the burden of responsibility in this province for health care funding and health care programs, which is being destroyed. And, Mr. Speaker, I will tell you that people on this side are ready to stand and fight to the death on the further decentralization of this country, the bifurcation and subdivision of valuable national programming. We will not tolerate any more. There have been sufficient depredations made.

So, Mr. Speaker, it's time for those who care to be counted. This legislation, Mr. Speaker, although it's a step in the right direction, is nothing but a temporary measure. It's a palliative. It will do nothing to cure the disease. We have to recognize that we live within a highly mobile society; we have to recognize the nature of industrialized western society. We have to realize that the pressures on the family are such that we can expect, realistically expect, that the divorce rate in Calgary is probably a precursor of what's going to go on right across Canada in the next decade.

It happened in California. The same statistics that prevail in the City of Calgary are now prevailing in the State of California, with 22 million people, the population of Canada. Califor

And, Mr. Speaker, I think that the day will soon be at hand when statistics such as those that prevail in those two areas are prevailing right here in Manitoba. And I would indicate, for those who feel that the situation is not already reaching draconian proportions, I would indicate that one out of three marriages, by our own statistical analysis, are already falling into that category of breakdown, either by virtue of separation or divorce.

So, Mr. Speaker, there is absolutely no utility in hiding our heads and pretending that it's a minor problem affecting a few people and that it can be dealt with on an ad hoc band-aid basis, province by province. It's not going to work, Mr. Speaker. It's a question of bucks and policy, and

in order for something to be done to redress the problem, ten provincial Attorneys-General are going to have to stand up in unison and be counted and they're going to have to be willing to stand up toe to toe with some very strong, very able federal counterparts and be able to make the case incisively for reform. They are going to have to be able to argue forcefully in the public forum at Constitutional Conferences and other places that the time has come for a change, a change is now required within our system.

Mr. Speaker, I would also, in dealing with a technical aspect of this particular bill during the allotment of my time, I do have one, what now is a minor criticism which may prove to be a major criticism in a year's time. The new enforcement provisions require a change with respect to the former practice of the Enforcement Office, formerly maintenance cheques were to be mailed in Central Enforcement Registry. favour of the Now, Mr. Speaker, the legislation requires that the cheques be made payable to the recipient's spouse.

Now, Mr. Speaker, the Attorney-General in his remarks introducing the Bill, indicated that the main virtue and I'm quoting: "The virtue of the proposed system lies in the fact that the appropriate authorities become aware of non-payment immediately, thereby allowing for prompt action to be taken". Mr. Speaker, I can assure you that most non-payment is by way of NSF cheques. I can assure you, in my experience as a family court lawyer, that that is how most situations evolve. Very few spouses have the gall to simply stop remittances, particularly when they know that they're going to the court enforcement offices. But, Mr. Speaker, there are many of them who will make sure that there are a few dollars short in their account without overdraft privileges when the cheques are returned for payment.

So, Mr. Speaker, I don't think that realistically that particular provision is going to enhance the efficiency of enforcement. I think what we're going to find is, we're going to have each week, scores of women phoning the enforcement officer to say: "Did you know that that cheque that you routed to me went NSF a week after I got it", and, Mr. Speaker, I think it's far more efficient if the court officer puts the cheque in as soon as he or she gets it, and finds out whether that's going to be the case and takes immediate action. That to me makes sense, and I like the old system. I thought the old system, which by the way, Mr. Speaker, was endorsed by all the judges. I haven't been to court in at least three years, Mr. Speaker, where the judge, if I represented the applicant, where the judge didn't at the end of the case, if we were successful, ask the lady in question whether or not she wouldn't prefer — and there would always be a strong emphasis on the preference — whether she wouldn't prefer to have the moneys remitted to the enforcement officer as opposed to herself. And virtually always, the major reason was that the enforcement officer would then know whether the cheque was NSF. He'd know whether there was any hanky-panky and be able to take immediate steps to help her.

So' Mr. Speaker, in this regard I think that the Attorney-General should confer with the enforcement office and with the judiciary and find out whether they wouldn't prefer the former system so that there would be a more immediate recall of delinquent payers.

Those, Mr. Speaker, are my remarks relative to this Bill. I would indicate, since we're dealing with The Family Maintenance Act, Mr. Speaker, that I have been perusing the Western Law Reports for the past year and can indicate that I know that I am doing that in conjunction — not officially, but unofficially with I suppose scores of interested lawyers, who are awaiting decisions relative to the family maintenance legislation passed at our last spring session.

Mr. Speaker, I think I can report categorically, there has been to date, no reported cases cited in legal digests in this province, particularly I might add that we are awaiting a decision regarding the no-fault concept so-called. Presumably, there are cases before the courts today wherein this particular concept is being argued. Hopefully, we will have a definitive interpretation, that would be one by the Manitoba Court of Appeal, before next spring session, and at that time, Mr. Speaker, we will be in a position to indicate our satisfaction or dissatisfaction with the state of the legislation that was brought before this Assembly and proclaimed last year. So we are maintaining our holding pattern, Mr. Speaker, we are not yet satisfied that the Attorney-General's representations as to the no-fault aspect are indeed to be borne out, but we would indicate that pending final judicial disposition, we will be holding this matter in high interest. We will be carefully scrutinizing all the reports that are published and having this monitoring process ongoing, we will be undoubtedly reporting in one fashion or another back to the Legislature next spring. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, I move, seconded by the Honourable Member for St. Johns that debate be adjourned.

MOTION presented and carried.

BILL NO. 57 — AN ACT TO AMEND THE METALLIC MINERALS ROYALTY ACT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourn this Bill on behalf of my leader.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, this Bill that is before us I believe to be one of the Bills which is most important insofar as Manitobans are concerned. A perusal of this Bill does demand the answering of a number of questions. Why is this Bill felt necessary? Is it suggested in effect that this Bill will bring about, once passed into legislation, a greater development of mining exploration in the Province of Manitoba?

Mr. Speaker, I believe that to be absolutely wrong and folly that the Minister of Mines and Natural Resources should for one moment, attempt to suggest to this Legislature and to Manitobans in general, that the measures which he is undertaking in this Bill will bring about greater exploration. In fact, Mr. Speaker, all that is contained within this Bill is more gravy insofar as the mining companies are concerned. Mr. Speaker, what we do have now insofar as the world situation, is an ever increasing tightening of the supply of nickel and copper. Various Third World countries are finding it increasingly difficult in order to provide that supply of copper and nickel and other various minerals. And for instance, I could refer briefly to the situation in both Zaire, or Zambia, and to other mineral producing countries. Those mineral producing countries are finding it increasingly difficult in order to provide a reasonable supply.

At the same time, Mr. Speaker, as that is occurring, we find that the demand for a consumption is ever increasing. We have less supply in order to meet ever increasing consumption. So the end result, Mr. Speaker, is that we do find that prices, because of the world situation, are increasing in both nickel and in copper. And, Mr. Speaker, therefore, taxes are not the issue despite the efforts — and I regret that the Minister of Mines and Resources, who, I understand, is at a Ministers' conference, is not present today — but despite what he has said, taxes will not contribute one iota insofar as the increased exploration in this province of mineral resources.

What we are in fact facing, Mr. Speaker, is a situation by which concessions are being made — concessions which are not necessary — due to the fact that exploration and further development of mineral resources in this province would take place in the future regardless. So that, and I might again suggest, Mr. Speaker, by way of interest, that in fact if the taxation level in Manitoba was so high and was so prohibitive, it is indeed interesting that insofar as the situation in Sudbury is concerned as compared to the situation in Thompson, both involving Inco, both involving the United Steel Workers of Canada, both involving Conservative governments, that in fact in Sudbury, a strike raged for months in Sudbury. But at the same time, a settlement was arrived at very quickly insofar as Thompson is concerned. The company was prepared to settle, it was prepared to settle quickly in Thompson during the same period that a strike went on with that lack of production in Sudbury for months.

Now, Mr. Speaker, if in fact the taxes and taxation level in Manitoba had been so prohibitive and had been so steep, had restrained in fact mineral activity, then I believe that one can reasonably ask the Minister of Mines and Natural Resources; how is it that the situation involving labour management and settlement of wages was settled so quickly, so easily, in Thompson, when in Sudbury, the dispute raged on for months? I believe that clearly indicates that the industry itself was not concerned about the taxation level in the Province of Manitoba. Otherwise, there would have been much more difficulty insofar as arriving at a settlement of the dispute in Thompson.

Mr. Speaker, I believe that it is also important to point out to honourable members, that in 1978, the value of mineral output in the Province of Manitoba decreased by some \$90 million from 1977, so that in effect, in order to catch up to the levels of 1977, the last year of New Democratic Party government in Manitoba, this government across the way will be required this year to demonstrate that they have increased mineral production in 1979 by at least \$90 million. And, Mr. Speaker, if that mineral production is increased in Manitoba this year, it will not be because of any actions by this government or as a result of any effort that results from the legislation before us, but will be entirely due to the world situation involving supply and demand for minerals within the world context.

So we do have a situation, Mr. Speaker, where I do believe that we are being presented with a question which must be answered: why this Bill at this time? Mr. Speaker, I believe that there

are two explanations which must be considered. One; I believe that this government, knowing very well the supply and demand situation involving the world activity in mineral production, is expecting and is hoping that mineral exploration and development will increase in this province. And when that occurs, the Minister of Mines and Natural Resources will say: "Ah, that was as a result, a result of our free enterprise entrepreneurship, insofar as taxation in the Province of Manitoba. Good riddance" he will say, "we got away from Socialist taxation in the Province of Manitoba". Mr. Speaker, that will be a phony argument and I believe it will be an argument that will be recognized as being one which is phony by Manitobans.

Mr. Speaker, the second explanation I believe, insofar as the movement on the part of this government towards reduced taxation, mineral production, is that the government across the way, I believe, to be in close relationship and is supported by the mining industry in this province.

In 1975, the former Minister of Government Services in this House, while he was still leader of the party across the way, indicated that large corporate interests were backing the present Premier of this province in his efforts to obtain the leadership of the Progressive Conservative Party. And it was then, Mr. Speaker, the former leader of the party, not the New Democratic Party leader of the province, but the former Conservative Party leader of the province, that said it was in return for future favours. And the former leader, Mr. Speaker, of the Conservative Party at that time also said that those business interests would take control of the Party if the present Premier does become leader. He demanded that his challenger make public immediately the names of the financial contributors.

Mr. Speaker, I believe that this is another instance as to what forces, what groups, are in fact controlling the strings of the Conservative Party and in return, the government across the way. Mr. Speaker, I hear some mutterings across the way which is just as well to ignore, although they do provide a little entertainment, I must suggest, Mr. Speaker, from time-to-time, which I wish to congratulate the Member for Sturgeon Creek for repeatedly providing to members of the House.

Mr. Speaker, in addition I believe that this government is left with no alternative but to proceed in this direction of reducing mineral taxation in the Province of Manitoba, due to the fact that they have abandoned, abandoned the joint venture and expansion of the public sector insofar as mining activity is concerned in the Province of Manitoba.

They have knowingly surrendered an important and valuable tool that can be utilized, insofar as the development of the natural resources of this jurisdiction, in the interests of all Manitobans, not in the interests of only a few — particularly a few outside the confines of this province.

Mr. Speaker, they have seen fit to surrender that tool. They have surrendered that tool in favour of absentee ownership. They have surrendered that tool as a development path that could have been pursued by the people of this province through their elected representatives, so that, Mr. Speaker, we will have decisions not dictated by the people of this province through their duly elected representatives; but those decisions will be dictated by those that control the multinationals that will be involved in mining activity in this province, Mr. Speaker, so that we do, in fact, have a situation now where we have surrendered a tool. The result of that, the result of that is concessions by way of taxation to the mining companies; and the end result, Mr. Speaker, is when those concessions do not bring about the development and the exploration that this government expects, they will be compelled to provide further concessions, further concessions to the mining industry. So that in fact, Mr. Speaker, we shall return to the days of prior to 1969, when it cost more, cost more on the part of the people of the Province of Manitoba to provide services to the mining industry than in fact the people of the Province of Manitoba received by way of benefit from the mining industry.

And yet, Mr. Speaker, the present Premier of this province on December 8, 1975, is reported in the Winnipeg Free Press as saying, and I quote, "Let there be no mistake. There will be no return of resource companies to the low tax days of the '50s and '60s. The people of this province will receive a fair share for their resources."

That's what the present Premier of this province said back in 1975. That's what he said, among many other representations which he made during the course of that year, 1976.

Mr. Speaker, we are satisfied that, as a result of the tax changes that are being proposed by the Minister of Mines and Natural Resources, that the people of Manitoba will not receive a fair share. We are satisfied that there will be no benefit to the people of the Province of Manitoba as a result of this invasion, insofar as taxation is concerned, by the Minister of Mines and Natural Resources; that I assert, Mr. Speaker, is representing the mining interests in this province and not the people of the Province of Manitoba.

Mr. Speaker, what we do, in fact, find as well is that we are prepared to surrender the pace of our development of natural resources in this province. We are openly and deliberately surrendering the pace of development of natural resources in this province. And I believe that is important; that

the people of Manitoba determine at what pace natural resources are to be developed; at what stage; and by what way that pace ought to benefit the people, the people of the province.

But we are surrendering that pace. We are surrendering the determination as to the pace to the outside multinational mining companies. And the result of that, Mr. Speaker, is that we lose an element of control insofar as how we can control the rate of unemployment in this province, for instance. We lose a certain element of control insofar as inflation is concerned in this province. We lose, Mr. Speaker, the ability to control whether or not there will be waste and environmental damage done in this province.

We surrender that to a few outside the Province of Manitoba. Mr. Speaker, I believe that to be one of the most fundamental differences between those of us that sit on this side of the Chamber, and those that sit on that side of the Chamber. We believe, Mr. Speaker, that the people ought to control, the people ought to be the ones that will make the decision insofar as the development of the natural resources of this province, and that it should not fall into the realm of a few, of a few outside this province, to dictate, to dictate the development of the natural resources of this province.

I believe that to be one of the most fundamental and meaningful differences that exist between the Conservative Party and the New Democratic Party. I believe that, Mr. Speaker, come the next election, in 1981, I believe the entire issue of the development and control of natural resources in Manitoba will be one of the most paramount issues in this province.

I serve notice, I serve notice, therefore, on the Minister of Mines and Natural Resources, on the First Minister, on his colleagues, that they can expect it to be a matter of fundamental importance insofar as the opposition is concerned. That, Mr. Speaker, we will insist that there be a fair share to Manitobans, and that we shall not hesitate to ensure that there is greater rather than less control of those natural resources, insofar as the people of the Province of Manitoba are concerned.

Mr. Speaker, what we are really, unfortunately, confronted with, is a government that, due to its expectation that in fact mineral development exploration is going to increase anyway as a result of the world situation, is trying to dive in, to dive in on this expected increase in mining exploration — exploration that would have taken place anyway — and will suggest, because of some efforts on their part in this jurisdiction involving taxation, that that development occurred.

Mr. Speaker, the mining activity that occurred during the period 1969-1977, under the stewardship of the New Democratic Party government of that year, I believe went unrivalled insofar as the history of this province is concerned. I believe it went unrivalled, because there was a reasonable arrangement that had been developed and there was an involvement insofar as joint venture and public participation in the development of those natural resources.

And this government has chosen fit to abandon, this government has chosen fit to abandon the people of Manitoba insofar as ensuring a reasonable and fair share of their own natural resources. This government has seen fit, Mr. Speaker, to take from the people of Manitoba some of their decision-making, some of their opportunity to make fundamental decisions involving the resources that really belong to all, all the people of Manitoba.

So that, Mr. Speaker, we are faced with legislation that lessens, does not increase, the share for Manitobans; legislation that reduces and diminishes the benefits to Manitobans rather than increase the benefits to Manitobans.

And in conclusion, Mr. Speaker, we have, we have a Minister that defines this legislation as being "reform legislation". This is the first time, Mr. Speaker, that I have ever heard legislation, legislation of this nature — a regressive nature — turning back the clock to a period some 20 years back, 15 years back, as being reform legislation.

To define legislation which was fair, and which benefited the people of the Province of Manitoba as being oppressive — Mr. Speaker, I hear muttering across the way that, "look at Saskatchewan." Saskatchewan, Mr. Speaker, had the guts and the initiative to ensure that the people of the Province of Manitoba gained an interest in the potash industry in the Province of Manitoba.

This group across the way have no such interest, no such desire, in order to ensure that fair and proper return. —(Interjections)— We're prepared to debate Saskatchewan with you any day, any day, and I wish to, Mr. Speaker, pay tribute to the people of Saskatchewan and their government for ensuring that there is not a sell-out to the mining industries as is taking place presently in the Province of Manitoba.

MR. SPEAKER: The Member for St. James.

MR. GEORGE MINAKER: Mr. Speaker, I beg to move, seconded by the Honourable Member for Rhineland, that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 58. The Honourable Member for Inkster.

MR. GREEN: I request the indulgence of the House to have this matter stand. I am expecting that the Minister of Mines will be back shortly, and I want him to be in the House, Mr. Speaker.

MR. SPEAKER: Is it agreed to let Bill 58 stand? (Agreed)

BILL NO. 61 — AN ACT TO AMEND THE RETAIL SALES TAX ACT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this for the Honourable Member for St. Johns.

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

MR. SAUL CHERNIACK: Thank you, Mr. Speaker. There are comments I would like to make in connection with sales tax. In a general way, Mr. Speaker, the sales tax is a very important and substantial method of revenue for the province, and has a history within the province of a great deal of debate, and a great deal of concern when it was enacted and subsequent thereto. And sales tax is an Act which enables little bits and pieces of it to be chipped away, and indeed pieces that ought to be chipped away as one adapts to changes that take place, and particularly inflation having its impact on society; because, in the main, the principle of a sales tax is a tax which is a proportional tax, it is not a progressive tax, it does not relate to the ability to pay principle as much as it relates to the ability to spend principle.

A person who has a very large income, and doesn't spend it, but invests it, is the person who does not contribute to sales tax in the way that a person whose total income must be spent. So that, it's an interesting tax, and in order to keep it more progressive than regressive, it is necessary to constantly review aspects of retail sales taxation to determine whether or not a government, an administration, is keeping abreast of changing times, changing needs, and, as I say, in case of inflation, changing inflation.

At the same time, I believe that because it has so many ramifications, that there area always efforts being made on behalf of certain interest groups to persuade government to relieve one or another form of sales tax, and thus make changes, not only to the government's income, but to the principle of the Act itself.

And therefore, Mr. Speaker, a government must annually review sales tax imposition and sales tax exemption, and by the same token must be very alert to the consequences of increasing exemptions, because the simple matter would be, if sales tax applied to all retail sales, then without exemptions there would not be any problem of enforcement, without exemptions there would be a continuation of the proportionality of it. But I believe a deterioration of the principle of making it progressive. For example, there are few jurisdictions — I think I know of only one jurisdiction which taxes just about everything. Food for example, shelter for example. And the government that introduced retail sales tax in Manitoba avoided from the very beginning the taxation of the essential of food and of housing, and I suspect it learned its lesson when it decided to tax heating and discovered to its great dismay that the public was not prepared to permit it to tax fuel, heating fuel for residential housing. And it backed away pretty rapidly back around 1965, I believe.

So governments must be sensitive, but the only thing about exemptions when you study them annually is that one exemption invites another; another exemption invites still another, and the more people can point at some new exemption, people can draw a corollary and say, "Well, then you really ought to exempt one or the other." And exemptions not only invite other exemptions, but they also undermine enforcibility of the tax itself because, as one tries to serve the demands that are being made for variations, then one endangers the enforcibility of tax. Mr. Speaker, I have to tell you that, in my time in government I found that the pressures that are put for increasing exemptions carried with them the need to study carefully whether they endanger firstly the principle of one inviting the other, but more important, attack the principle of enforcibility.

Now many of the matters that are being dealt with in this Act are matters which appear — well, they appeal, they are matters that have appeared time and again and in our government, early in the government, we set up a small taxation committee within our caucus which would meet and deal with and discuss with departmental personnel the various proposals to study these various questions. Does one invite another, does one endanger enforcibility? And I will tell you, Mr. Speaker, that I have very grave doubts, in my experience with administration, that the proposals that are being made in this year's bill have actually passed or received the approval of department, only

because people who collect taxes have a great responsibility to make sure that they carry out the intent of legislation and become nervous when they find that the ability to collect is endangered in some way.

More specifically, Mr. Speaker, there is certainly no problem in connection with increasing the exemption for restaurant meals. There is the exetion now — it's only a measure of recognition of the inflationary trend, and therefore is only a change, the administration only changes the amount but not the method of enforcibility. I don't suppose any money is saved in administration, but by the same token I don't think it costs any more and there is, of course, a reduction in revenue, the amount of which at the moment I don't quite remember, but I think it's shown as \$800,000, which is a substantial exetion, but still the impact of meals at that price range is pretty broad.

The provision for including employer purchases of safety equipment under tax exetion I think is negligible. I don't know the extent to which it might broaden the enforcibility problems. I suspect not. On the other hand I suspect, Mr. Speaker, that it's a very minor item in the eyes of the employers themselves. As a matter of fact, Mr. Speaker, I suspect that it's the sellers of safety equipment who think that by reducing, being able to offer safety equipment to an employer at a 5 percent reduction or slightly less than 5 percent reduction because the 5 percent is normally added on rather than reduced, I think they think that it'll make it more saleable, Mr. Speaker. I doubt that very much, because employers pay, if they are corporations, they must pay 27 or so percent of their profits in Income Tax at the least and 51 percent of their profit at the most, and if they're incorporated the saving is even greater so that if an employer has to decide whether or not to purchase safety equipment, he has to bear in mind that he will save 5 percent or almost 5 percent and, at the same time, will thus increase his profit and therefore increases the tax on the profit by 25 to 50-odd percent and therefore I don't think it's meaningful. I don't think employers will be more inclined to buy safety equipment for their employees and therefore I think this is just a lip service to whatever vested interest group lobbied for that change.

Other features that are covered are of course the change again, recognition of the inflationary trend, but substantially more than that, and that's all right, for used clothing. I think that's okay. I must comment, Mr. Speaker, that I never treated very seriously, I guess the same way I don't treat safety equipment purchased by employers very seriously, the request that had been made in the past by various municipalities asking for exemption of fire fighting equipment. As I recall it, there are some questions of enforcibility and really, Mr. Speaker, when we were on the government side of the House, we heard people on the opposition side declaiming that you're taking from out of one pocket and putting into another when you're dealing with tax moneys and certainly when you're dealing with municipal moneys and provincial moneys, you are dealing, generally speaking, with the same taxpayer. The argument I always used to have with progressive taxation was that if you relieve a low income tax payer of tax at the expense of a high income taxpayer then that's progressive taxation which most people subscribe to, but many people cry about. But in this case, when you're talking about the municipal taxpayer and you're talking about the taxpayer that normally contributes to sales taxation, you're talking more about the same kind of people and the trend that our present government has of reverting back to less progressive taxation as indicated by various of their Acts, would enforce or support my contention that it's not very meaningful to say to a municipal taxpayer, "We will relieve you of the burden of paying through your municipal taxes 5 percent of fire fighting equipment and at the same time make you aware of the fact that we will now go out and borrow the equivalent sum of money from bond holders to finance the deficit which is to some extent helped by the fact that we're giving up revenue from fire fighting equipment."

Mr. Speaker, it's nonsensical and is really indicative of the whole thrust of this bit of legislation we have before us, which is hardly anything, really hardly anything, Mr. Speaker.

I come now to the decision to exclude from taxation, exempt from taxation, and I quote: "Bags designed and purchased for use as sandbags for the purpose of flood control." Mr. Speaker, that's a very fine principle. Why, if somebody suffers the ravages of flood and has to go out and fill sandbags to build a dike, why, it's unreasonable for government to profit by a tax on bags. And that's a hardship, but Mr. Speaker, certainly the cost of the bag itself is a hardship, the cost of the sand itself is a hardship. The entire cost of flood fighting is a hardship, both physical, mental, emotional and is one that governments recognize and try to compensate. So you know, it's a fine principle. We will give up 5 percent of the cost of a bag to the person who is suffering drastically and heavily from flood control.

The reason I stopped to read this, Mr. Speaker, is that I want you to imagine how that is going to be carried out, because I'm not sure just when a bag is a sandbag. I don't know very much about bags, especially of the cloth material type, Mr. —(Interjection)— Or jute or any other kind of a bag, really, Mr. Speaker, but I assume that we could look at a bag lying in a retail store of

a certain dimension —(Interjection)— I'll skirt around it. And then, Mr. Speaker, say, "Now, is that a sandbag or is that a potato bag or whatever?" Anything else, for gravel. And we go back to the exemption and we go to the enforcers of sales tax and we say to them, "Now remember, you've got to charge a tax on bags but not a bag designed" — I don't know how you design a bag for use in flood control, but I guess you do. There must be way of doing it, and purchased — well certainly purchased, Mr. Speaker, but it's for use as a sandbag, but not just any ordinary use of a sandbag, Mr. Speaker. It has to be used as a sandbag for the purpose of flood control. The reason I'm spelling this out, Mr. Speaker, is that we go back to what I said earlier. Every exemption invites another exemption, every exemption endangers the principle of enforceability, and I think what will happen, Mr. Speaker, is that there will have to be a regulation passed which will say that in order to determine whether a bag will be used as a sandbag but not only used as a sandbag but used as a sandbag for the purpose of flood control, is that it will, of necessity have to carry with it a certification, an affidavit, a declaration enforceable in law in some way, that the bag that was purchased as a sandbag is indeed purchased as a sandbag for the purpose of flood control.

Now Mr. Speaker, I've had experience with that problem, and not with bags, Mr. Speaker, nor even with sandbags, nor even with sandbags used for flood control, Mr. Speaker, but yet rather I've had experience in discussing how one enforces or monitors or polices the sale of certain articles where the exemption is not clear and where the exemption in itself is one that has to be confirmed by statement, by declaration, by oath of something. Mr. Speaker, now I'm going to speak about this aspect and relate it to probably the largest or what appears to be the largest exemption proposed in the Budget Speech and by the Minister and discussed by the Minister in introduction of this bill, and that is the proposed additional exemption of children's clothing for children who are purchasing articles that are beyond the size or oversize of the age groups which are exempt as children's clothing.

So Mr. Speaker, I say I have experience because I've debated the question in this House and I've debated the question in the office of the Minister of Finance and I've debated this question with people who have to enforce or police the taxation, the sales taxation and therefore, Mr. Speaker, I'm very much concerned, concerned about the method of collection.

En passant, Mr. Speaker, I did say that I marvel and I still cannot understand the calculation of the Honourable Minister or of his department which suggests that this change is going to be a reduction of \$1 million in sales tax. Mr. Speaker, I mean it seriously — I was sitting here talking to the Member for Seven Oaks some time ago about the various sales tax provision and I suddenly said, "It seems that a million dollars is one whopping loss." The reason I said that, is that I was worried that this could be an estimate based on the unenforceability of the provision, which would invite so much abuse that it could amount to a million dollars. And then I thought, even that is tremendous; it means \$20 million of purchase of new clothing garments on behalf of or by children under age 15, whose size is beyond that of a 14-year old size. You know, Mr. Speaker, we're happy to know that we are growing our children bigger year by year and they mature more rapidly but it still seems to me a fantastic amount of money.

So, I enquired from a clothing manufacturer in Winnipeg as to what was the knowledge and we find in his opinion that girls have sizes ranging from 3 to 14 and that most girls of age under 15 are purchasing clothes of sizes up to and including 14, but there are a fair number — and I'm happy again to say, Mr. Speaker, that our children are maturing more rapidly, that girls have a very happy knack, not the knack but the happy circumstance of maturing to the extent where they require the purchase of garments that are more mature-looking, and I'm glad about that.

Boys, however, seem to be in a different category and according to this manufacturer, he finds that boys of ages 14 and 15 are to a large extent accommodated in boys' sizes 3 to 6x and sizes 7 to 18, and therefore this manufacturer finds that in most cases, boys are able to purchase garments that are tax exempt now.

I find further, Mr. Speaker, that Statistics Canada has reported that there were some 244,725 children of ages under 14, and that nt \$37 million in Winnipeg; that there were 20,380 they spe children, by calculation, age 14 and that therefore, by computation of the figure that I have already given you, it would be assumed that each child of 14, back in 1976 purchased some \$3 million worth of clothing, an average of \$152 per child. Mr. Speaker, if you put in an inflation factor from 1976 to now, even at 10 percent per annum, which it has not been, you could increase the average cost to \$200 per child. Well, then, what percentage of 14-year old children are oversize and have to purchase garments that are beyond the children's size? Would you say 10 percent, would you say 20 percent? I think the Minister — well, I better not put words in the mouth of the Minister of Transportation, but I'd be happy if he gave me an opinion as to whether 20 percent of 14-year old boys are oversize — well, let's assume for my purposes that they are — this to me means that they would be purchasing at an average of \$200 per month; that those 20 percent would be

buying \$800,000 of clothing in a year. And if we add on say 10 percent of 12-year olds and 10 percent of 13-year olds as being oversized, we come to a figure of some \$1.6 million of purchases, which to me means at 5 percent, about \$80,000 in sales tax. And I think I've leaned over the wrong way, and that's so far away from the \$1 million in sales tax, that the Member for Inkster made some comment, that if that's the way the Conservatives assess their figures, going to \$1 million when \$100,000 is probably more correct and by moving a digit might do it, would mean, Mr. Speaker, that we can no longer rely on the when it comes to this kind of calculation or estimates of the Minister guess. He said it's a guess, but, Mr. Speaker, if he misses a decimal here, where else did he miss a decimal or is likely to miss a decimal.

And I would hope and I must say, Mr. Speaker, that it seems to me so apparent, that I'm anxious to hear the Minister make some sort of a withdrawal of the statement and say, "No, it's not a million, it's \$100,000 or it's \$10,000 or it's in between \$10,000 and \$100,000," but at least not say, "well, it's guesswork." Because, Mr. Speaker, this Minister who has pointed to other jurisdictions, who have this system and therefore, must have some greater knowledge than I could have, is the same Minister who is about to charge Hydro retroactively for a number of years past, an interest rate based on a Canadian rate of years ago. So, I have to be careful with the Minister.

But let's get back to the certification which is going to be required, Mr. Speaker, and let's look at Hansard of April the 6th, 1967 at Page 2336, when I find the then Minister of Finance, Mr. Gurney Evans, saying that he does not agree with a proposal that was made that related to certificates being given to students to permit them to buy tax exempt articles. He said, "I must offer an explanation as to why I can't agree with it," and that is the impossibility of administering such an arrangement as my honourable friend proposes, because how do you determine at a retail sales counter, who is a child and who is a student? And he said — he quoted from an article of April the 6th of the Globe and Mail, which came to hand on that day, and I quote again, "I don't whether my honourable friends can see that, across the page are the figures of four girls." Well, Mr. Speaker, it's good that the then Minister of Finance could show the figures of four girls and they're all of the age 11, and you can see that the first one is 60 inches in height; the second, 63; the third, 57; the fourth is 55; illustrating the difficulty of trying to establish an age designation for children, or children for whom an exemption should be provided for the sales tax. Thus, "The former Minister of Finance, the Honourable Gurney Evans," who sat almost side by side with the present Minister of Finance, the present Minister of Transportation, and he says, "when you think of the administrative difficulty there would be in requiring a parent, or whoever is making the purchase to provide either a signed statement or affidavit or whatever at a retail counter endeavouring to buy clothes for someone who is described as a student. Well, how many students do we have these days?" And then he goes into calculations, Mr. Speaker.

So you see, the Minister of Finance, in 1967 foresaw serious problems based on certification and I suspect, Mr. Speaker, that just as in the case of his successors of the New Democratic government, that his speeches were probably, if not written, then at least to some extent suggested, by the same administration as is now advising this Minister on collectability of taxation.

I move now two more years, Mr. Speaker, April 15, 1969, when Mr. Gurney Evans is again speaking, on Page 1298 of 1969, and he says, "Dealing with a similar kind of proposal" — this, I think, has to do with school supplies — "perhaps the main reason for not being able to consider a special class of exemption of this kind is administrative. I freely admit that it's not the best way to adjust the law to suit the administrative machine, but at the same time, we have to be practical." Later on, he says, "For that reason, we designed the tax to apply to certain classes of goods, not to certain classes of users, or the use to which the goods are put, because at the time of the sale, one can recognize a class of goods as either being taxable or not taxable, and anybody who buys it pays the tax if it is a taxable item, or does not pay the tax if it's an exempt."

He goes on to say, and I quote again, "There are 27,000 retail outlets in the province selling goods. Some of these retail outlets have quite a number of sales clerks, many part-time, some even being school children who take Saturday evening employment in stores, and to be able to acquaint as large a sales force as that with any complicated rules for ensuring either documentary proof or a documentary statement that the goods were being bought for a certain purpose, and to retain sufficient proof for an audit afterwards becomes an administrative problem so difficult that it would not be wise to undertake it."

I must tell the Minister of Finance of 1979 that the words of his predecessor of 1967-69 will come back to haunt him.

I have one more quotation to make, and that's in the year 1968, when I quote from Page 455 of Hansard of March 22, 1968, where I will read again — and read rapidly, Mr. Speaker — the following quotation: "My honourable friend thinks that the examples that he has given are quite shocking, that it's inconsistent, for instance, that children's clothing is not taxed, and that overalls

are taxed. But my honourable friend knows full well, Mr. Speaker, that it's extremely difficult in some of these cases to make administrative decisions, or for the retailer to make the administrative decision. For instance, if here I walked into the Timothy Eaton Store downtown and bought a pair of overalls, what discerning clerk is supposed to know that my honourable friend and I are workmen, or if we're members of the Legislative Assembly? How do you determine? Do you sign an affidavit every time you buy a suit of overalls? These are some of the practical reasons why it is difficult to exempt items such as workmen's clothing, or work boots, or whatever. I own work boots, but I don't work in the work boots. I don't work in the work boots, so why shouldn't I pay tax when I buy them? How is a retail clerk supposed to know this, when somebody walks in and buys a pair of work boots.

"So" — and I continue to quote — "So, my honourable friend, these arguments are so old that they have moths on them. Because we went through all of them last year. There are administrative reasons for some of the non-exemptions. Some of the non-exemptions that appear in the Sales Tax Legislation where I agree, the Minister agrees, and every one else agrees, it would be better if we could devise, perhaps, some system to create an exemption. It might be better, but so far it has escaped the intelligence of those charged with the administration of the tax as to how you do this equitably and fairly for all people, and at the same time maintain the degree of revenue that you wish to have from this taxation source in order to support the public services that all of us generate from this House."

That statement was made by, I guess he was then the Attorney General; Mr. Sterling Lyon made that statement on March 22, 1968. And that statement will come back to haunt this government.

But, having said that, Mr. Speaker, I'm all in favour of the concept that children should not be taxed because they have grown to a size beyond that. But, Mr. Speaker, I point out that year after year, efforts have been made to persuade governments to do it, and they have resisted it, as was done by Gurney Evans, as was done by Sterling Lyon, as was done by Gurney Evans, and as was done by New Democratic Finance Ministers.

Mr. Speaker, I believe that the Minister of Finance was going to say, "But you agreed to that when I brought in the resolution." And I want to tell him that it's not so. I expect he's going to say that. I'm looking for the reference, but I do recall that the Minister of Finance brought this very resolution into the House in 1970, and said why we should and . . . I guess that was a pledge to himself, that his first chance or second chance he would come into the House and carry out what he had in mind.

And, Mr. Speaker, I believe that when I spoke in response to the motion at that time dealing with this kind of change, that I pointed out the problems. I also said — and I'm doing this because I think under the recent debate the Minister called across the room, "But you supported the proposal" — so let's get it clear.

I indicated the problems, and I guess I could quote no one better to the belief of the Honourable the Finance Minister than Gurney Evans and Sterling Lyon, who talked about the difficulties of administration, having indicated the problems, I said that some of our thinking — and we are making a study and will continue to make a study in the hope we will come to some conclusions of definite proposals at the next Session on various tax measures — I then moved, Mr. Speaker, that the proposed resolution, which I'm quite sure was that of the present Minister of Finance, be amended by striking out all the words after the words "dependent children" in the third clause, and substituting therefore the following words, "and whereas there are other anomalies in the application of the present Sales Tax legislation and its regulations, therefore be it resolved that consideration be given to the advisability of allowing sales tax exemption on clothing on the basis of proof of age, at or below a designated maximum in place of size qualification, or that sales tax generally be applied so as to conform more closely to the principle of ability to pay."

Mr. Speaker, I am proud . . .

MR. SPEAKER: The Honourable Member has five minutes.

MR. CHERNIACK: Thank you, Mr. Speaker. I am proud to say that when we brought in our Tax Credit legislation, we definitely dealt with the problem of ability to pay, confirmation of ability to pay. I am proud to say that in the eight years that we were in government, we brought in more progressive legislation than many other governments, and this Conservative government in one year has wiped out a considerable amount of our progressive legislation, to its shame.

So, Mr. Speaker, I say if this government has stated, as it has, that it is prepared to eliminate a form of taxation by exempting certain children by size rather than age, and takes on the responsibility of enforcement, in spite of what I assert must be the experience and the concern of the people charged with collection, and if this government is prepared to wipe out \$1 million

in revenue for this purpose, where it means to me that the enforcement will be so loose and the abuse will be so great that they will lose \$1 million, where according to my calculations, \$50,000 would be excessive; even \$100,000 is much less than \$1 million; then I say that I will support the legislation on the basis of putting this burden on this Minister to make it work.

And I say to this Minister, who is talking from his seat and can't wait to get up to speak I suppose, that I will give him that opportunity, because I would like to be able to exempt children on the basis of age; I don't think it can be done, but let's see him do it, Mr. Speaker, because it will be a problem. Mr. Speaker, I wish the Minister would have the — not just the courtesy — but stand up and ask me the questions so I could respond to his remarks that he is making from his seat, rather than be interrupting what I'm saying in such a way that I don't even know what he's talking about. —(Interjection)— Go ahead, say it.

Mr. Speaker, I must say that I have never looked at the Minister of Finance to make complimentary remarks and therefore, whatever he said now from his seat, I will assume, even though I don't understand what he is talking about, that it was intended to be a snide insult, and accepting it that way, I will just ignore what he interrupted me by trying to say. —(Interjection)— Now he's doing it again, Mr. Speaker. What is it?

MR. CRAIK: I was just wondering whether you like Mackenzie King, or not?

MR. CHERNIACK: You see, Mr. Speaker, I never knew . . . he asked whether it depends on whether or not I like Mackenzie King. I never knew Mr. Mackenzie King, and frankly, Mr. Speaker, he was a human being about whom I would not like to make comment whether he was alive or dead as to what I thought of him. —(Interjection)—

The Member for Inkster asked whether I hear from Mackenzie King, who has certainly asserted the ability he hoped he would have to communicate with others, but I'm apparently not on his wave length, and therefore, I'm not privy to any attempts he might be making.

Mr. Speaker, I have said earlier, I don't believe that this Bill is meaningful to any real extent. There are minor variations made, why, by all means, most of them are logical. Well, I suppose I'd say they're all logical. The ones that create lack of enforceability are in some way dangerous, because I say it again; if the Minister was prepared to wave aside \$1 million and invite abuse or unenforceability, then there will be other people knocking on his door. I know that; I speak from experience. And they will be saying: "Well, if you're doing that, why aren't you doing this other matter which would be something that should be exempted?" And he will find it more and more difficult to maintain the integrity of the legislation the more he agrees to exemptions, especially based on what I think is an unrealistic method of enforceability. With that, okay, he must be guaranteeing to us, and I assume he must be, that there will be no abuse and that he will not say, "Well, the people of Manitoba are honest and I am sure they will do the right thing". Mr. Speaker, if that were the case, we wouldn't need many of the laws we pass here, if you go on the basis that you do it. You need policemen and you need enforceability, you need inspection, and the Minister has to recognize that that is the case.

MR. SPEAKER: The Minister of Finance will be closing debate.

MR. CRAIK: Mr. Speaker, if no one else wishes to speak, I would move, seconded by the Minister of Consumer Affairs that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, I wonder if you would call adjourned debates on second reading on private and public bills.

ADJOURNED DEBATES ON SECOND READING — PRIVATE AND PUBLIC BILLS

MR. SPEAKER: Bill No. 31, An Act to amend An Act to incorporate The Investors Group. The Honourable Member for Kildonan. (Stands)

BEL ACRES GOLF AND COUNTRY CLUB ACT AMENDMENT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: I adjourned this Bill for the Honourable Member for St. Johns.

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

MR. CHERNIACK: Mr. Speaker, since the golfing season, I don't know whether it started or not. I know of one or two days when golf was possible, but I suspect the weather has not been that attractive. Nevertheless, certainly with the season we're having today, one would not like to hold up any Bill which might in some way make it difficult for a golfer to go out and golf. So if my speaking on this Bill today I will make it easier for the golfers to golf, then I would want to do so.

I must say, Mr. Speaker, I wanted to hold this Bill originally because I wanted to compare it with the next Bill that we're going to deal with; Rossmere, and I imagine you might call . . . yes, it's the next Bill on the Order Paper. And one reason I hesitated, is that I felt that the government was holding back on some of the private members' Bills proposed by members on our side, and I hope that that is not the case and that they will be dealt with expeditiously by the government as well as on our side. So without any real desire to hold it up, I would point out, Mr. Speaker, that the efforts of both — and I'm going to mention both Bills — are to make it possible to carry out a better fiscal program. I guess that's the way to word it; to put simply, they need more money to operate their golf courses. And the proposal in Bel Acres, I gather, is to enable Bel Acres to sell more shares to its membership and thus get more money into the coffers for the operation of the Golf Club.

But the important provision that they're bringing in, is that no matter how many shares a shareholder owns, that shareholder is only entitled to have one vote, and that's a principle that is commendable, Mr. Speaker, in a fraternal or social corporation, so that the power of money, power of ownership, should not distort the individual rights of the members. And on that basis, Mr. Speaker, I think that if the point I'm making is just that simple, then by all means, this Bill ought to pass.

I am concerned about the fact that I happened to be talking to a member of Bel Acres, and told him that I might be accused of being guilty of holding up the Bill and — the Member who introduced the Bill is shaking his head and I therefore point out I did not expect to be accused of it but that was what I said to this member — and he didn't know what I was talking about. That distressed me somewhat because I think that when there are changes in the charter of a social or fraternal organization, that members ought to know about it. Now, you know, maybe he didn't read his mail or maybe he didn't attend meetings but I would like to think — and I don't have the Hansard on the introduction of these bills — I would like to think that there was some assurance given to the Honourable the Member for St. James, who introduced the bill, that the membership was adequately informed of the proposal and given adequate notice to attend to meetings and voice any objections. I do think that is rather important, Mr. Speaker, and again I apologize for not having the introduction to the bill before me, and I can't say whether or not the member so stated. But I would think that it is not too late for the honourable the member, at Private Members, to be able to inform the Members of Committee whether or not there has been adequate, sufficient and extensive notice given to the members of the Bel Acres Golf and Country Club of the intended change in the legislation, since they are all shareholders and should have had the opportunity to know about it.

Mr. Speaker, I don't think that the legislation proposed is really that drastically liable to affect members to that extent. Nevertheless, I think they ought to have notice, and I hope that the honourable the member will see to it that the Committee on Private Members will be informed as to the extent to which the general membership, all the shareholders, have received notice and have given approval to this bill.

MR. SPEAKER: Are you ready for the question? The Honourable Member for St. James will be closing debate.

MR. MINAKER: Mr. Speaker, first I'd like to thank the House for sending the bill into committee stage, and I will endeavour to get the information that the Honourable Member for St. Johns has requested.

I can't completely confirm with regard to all the shareholders being duly and properly notified. I was informed that they had followed the proper rules and regulations of their by-laws before a decision was made. So I will check out that specific question that the Honourable Member for St. Johns has raised, and have that information for the committee.

QUESTION put, MOTION carried.

BILL NO. 40, ROSSMERE GOLF AND COUNTRY CLUB ACT

MR. SPEAKER: Bill No. 40, An Act to Grant Additional Powers to Rossmere Golf and Country Club. The Honourable Member for Kildonan.

MR. FOX: This bill I adjourned, as well, for the Honourable Member for St. Johns.

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

MR. CHERNIACK: Thank you, Mr. Chairman. I must say that when I picked up my notes, which have been lying around for quite awhile on this Bill 40, I find that my notes on Bill 33 were with them and that I did indeed have the comments made by the honourable member on Bill 33.

On Bill 40, Mr. Speaker, I have a more serious concern about the intent and yet, Mr. Speaker, I suppose that if they didn't bother to go through the Legislature with this kind of an enactment it would be dealt with in a normal way through the Registrar of Companies.

In this case, Mr. Speaker, the purpose is the same. The purpose is to enable the club to have more money available to it, in order to finance its operations. That seems commendable — not commendable but necessary. But, looking at the bill, one of the preambles says that at a special general meeting, called for the purpose, the shareholders have authorized this bill to be brought and to obtain, and I quote this because it should flag your attention, to obtain, and I quote, "extraordinary powers for the corporation, beyond those powers as granted under the laws of Manitoba." And I'm glad they say that, Mr. Speaker, because that should make people alert, and I'm glad the Minister for Consumer Affairs is listening to me, apparently intently, because I think that the mere statement . . . I am glad they say it; they didn't have to say it. But in saying that, they are drawing something to our attention that they want extraordinary powers, beyond those powers as granted under the laws of Manitoba. And that's really why they have to come to the Legislature, to get us to vary their powers to enable them to have extraordinary powers.

So one should read this a little more carefully, and what we see is the proposal that the directors of the corporation may, by resolution, authorize an assessment or charge in any fiscal year for each share of stock held in the corporation.

Now, firstly, the directors have that authority. They don't even have to go to the shareholders to get that decision passed. Well, that's a pretty important decision. You know, they meet as directors — I don't know how many there are — and they say, hey fellows, we need some money; let's impose an assessment on all the shareholders. You know, I'm not suggesting for a moment that this would be behind their motivation, but the reason, as I said in an earlier bill that the reason we pass laws is that not all people behave in the routinely acceptable way.

All right, they have that power, and then what happens? They send a notice of assessment to the shareholder on record, by a written notice, mailed postage prepaid to his latest address, and then, Mr. Speaker, any assessment remaining unpaid becomes a debt due to the corporation and the corporation acquires a lien on each share for the amount of the unpaid assessment, and the corporation may then refuse to approve the sale or assignment of such share until the assessment has been paid. But even more, the corporation, if any such assessment remains unpaid, the Board of Directors may cancel the share and return it to the corporation, and the corporation may re-issue the share to a new shareholder.

Mr. Speaker, I believe that this is confiscation. I believe that the Board of Directors, in their wisdom, can pass an assessment, send out a notice. They don't even have to make sure that it's received; they just have to send it postage prepaid to the last address known. And if that assessment is not paid, then the Board of Directors — the same board — may cancel the share and resell it. Now that is confiscation, Mr. Speaker.

All right, that's not too serious, but I asked the honourable the member — I'm pretty sure I asked him the question as to whether or not a shareholder would have the right to come down to the corporation and say, "The assessment is a hardship on me. I don't make that much use of the facilities. I want to sell my share; I want my money back." And maybe there's no value, maybe there's no market for the share. I would think that that confiscation power, which I'm not really opposed to, must carry with it the right of the shareholder to get his money back. I think he should have the right to come to the corporation and say, "Okay, I'm not paying my assessment; give me back my money; cancel my share; resell it, do what you like with it."

But I think that that's reasonable, Mr. Speaker, and I would urge, as strongly as I could, that that be incorporated into the obligations of the Board of Directors when imposing an assessment which unpaid means confiscation, that the shareholder should have the right to get his money back. And I think that that is a protection that we as a Legislature owe to people who are not in the room dealing with us. Because if you recall, Mr. Speaker, we are informed that the shareholders

had a special general meeting, called for the purpose, to authorize this application to be made. But we don't know what was discussed, we don't know the attendance, we don't know the vote, and therefore, by coming here, it is clear that they want us to impose a power, to grant a power, which cannot be otherwise granted, and in that way endanger the rights of an individual.

And I think it's our obligation to protect those unnamed but recognizable individuals, and I urge again, without suggesting that I would want to vote against this, because I think the motive is valid, I would urge again that the committee see to it that when the bill is dealt with, they have an amendment brought in, or some provision made that guarantees to that shareholder that that shareholder will not have his share confiscated, but will rather have the right to get his money out if he cannot pay the assessment that has been made.

Mr. Chairman, there is just one other point. One may say, "Well, all he paid was either \$1 or \$100" — I don't know what they paid for a share — and maybe they would say that share is worthless today; I don't know if they would say that. But I think the principle is good, and I think it's right.

Mr. Chairman, the member may well want to close debate, so I will close on that note.

MR. SPEAKER: The Honourable Member for Crescentwood will be closing debate.
The Honourable Member for Crescentwood.

MR. WARREN STEEN: Mr. Speaker, I'd like to, in the next two minutes, try and answer the Member for St. Johns' concern. I am told, in talking to people from Rossmere, and club managers and people involved in other clubs, that they just couldn't write it into their rules that any shareholder who wanted to sell his share back to the club, that the club must buy it at par value at that given time. Because, if 60 or 70 percent of the shareholders said, "We want to go elsewhere; we want to sell our shares back", the club wouldn't have the cash flow in order to buy them back.

But what they will do is if a person, for illness reasons, or has run into financial difficulty and can show some just reason, that the club will make every effort to buy those shares back — and from deceased persons, and so on. But they could just never write it into their Act.

And I know that clubs I've been associated with do buy shares back under those terms. And what we have asked here, in this bill, is that the share assessment be increased from the \$40 to a higher limit, because in 1949, \$40 per share would give them sufficient moneys to make the necessary improvements to golfing facilities, where today they often need more money than that and this is what the club wants is to make their facility a better one for all club members. And as the Member for St. Johns says, they do get notices and so on.

So, I have to just close, Mr. Speaker, by saying that I don't think it would be practical to write it into the Bill, where every shareholder, who wanted to sell his share back to the club, must be repaid for that share on that given year. At some future time maybe the club would be in a financial position to pay back all shareholders, who want to sell their shares back. But to be forced into it, you'd bankrupt most clubs.

So, I would suggest, Mr. Speaker, that perhaps we send the Bill on to Committee now and that membership of the executive of Rossmere will be at Committee and will be more than pleased to discuss this Bill with all members of the Committee and the Legislature at that time.

QUESTION put, MOTION carried.

MR. CHERNIACK: Mr. Speaker, on Division?

MR. SPEAKER: On Division? Is that agreed? (Agreed)
The hour being 5:30, the Honourable Member for Rhineland.

MR. ARNOLD BROWN: Mr. Speaker, I would like to announce some Committee changes on the Public Utilities Committee, Mr. McKenzie for Enns, Mrs. Price for Mr. Ferguson, and Mr. Ransom for Mr. Domino.

MR. SPEAKER: Those three Committee changes, is that agreeable? (Agreed)
The hour being 5:30, the House is adjourned and stands adjourned until 10:00 Monday morning.