

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 23 July, 1980

Time — 10:00 a.m.

### OPENING PRAYER by Mr. Speaker.

**MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell):** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills

### ORAL QUESTIONS

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. HOWARD PAWLEY (Selkirk):** Mr. Speaker, my question to the Minister of Agriculture, since the chairman of the Manitoba Hog Marketing Board indicated this morning that unless some form of assistance was provided by way of support to the Manitoba hog producers that there would be a closure of the second packing plant in St. Boniface, I'd ask the Minister if he would comment as to whether or not he views the closure of another packinghouse as a likelihood if there is a failure on the part of this government to provide assistance to the Manitoba hog producers.

**MR. SPEAKER:** The Honourable Minister of Agriculture.

**HON. JIM DOWNEY (Arthur):** No, Mr. Speaker, I don't consider the lack of action by the province of Manitoba in introducing the hog program to be responsible for the closing of a packing plant which I would say is totally speculation as far as the chairman of the Hog Producers Marketing Commission would be at this particular time.

**MR. PAWLEY:** Mr. Speaker, I'm not sure whether the Minister misunderstood my question or not. I wasn't referring to the existing closure of Swifts, but Mr. Vaags' reference was to a second packinghouse that would be likely closed if there was no further assistance provided on the part of the province to the hog producers. He is not referring to Swifts, but to another packinghouse.

**MR. DOWNEY:** Mr. Speaker, I would think that as far as any estimation of what effect a government program would have on encouraging the hog producers to stay in business to produce more hogs, or whether or not they did in fact remain in business, would have very little impact on the closure of a major packing plant, whether or not they would continue in business. I think that the strength of the hog industry, the strength of the livestock industry, comes from a long-term commitment from hog producers and the livestock producers in the province and not just short-term measures that, in fact, I don't think would make long-term decisions for the packing plants to remain open or closed.

**MR. PAWLEY:** A further supplementary to the Minister. Mr. Vaags has also indicated that the Minister of Agriculture would like to provide assistance to the hog producers of Manitoba, but is only prevented from doing so because of the urban members in this government that have prevented him from providing assistance despite the Minister's sympathies for the plight of the hog producers. I would ask the Minister if he can confirm whether or not Mr. Vaags' statement is correct?

**MR. DOWNEY:** Mr. Speaker, I would like to indicate to the Honourable Leader of the Opposition that I think the farming community in general understands what our government is doing to support the total farm community through our drought programs and through our transportation programs, through our leasing of hopper cars for the grain industry, for the dairy industry, Mr. Speaker. I think that the hog producers, we have had good discussions with them. We have indicated our concern of the difficulties that we have as a province in deviating from our basic principle as far as whose responsibility it is, as far as stabilizing nationally produced commodities, we feel it is the federal government responsibility. There is a federal government in place, even though they're not happy with that, Mr. Speaker, I cannot indicate at this particular time that there is reason to suggest that we, as a province, should move in the direction that is being suggested, on the strength that other provinces are doing it. We have to do it, Mr. Speaker, using a total government decision and when that decision is made it would be announced.

**MR. SPEAKER:** The Honourable Member for Rossmere.

**MR. VIC SCHROEDER:** Thank you, Mr. Speaker. A question for the Acting Minister of Urban Affairs. Can he or she advise as to whether the river bank acquisition program which had been in effect under the previous government is still in effect and are there still applications being made to the government under that program, especially by the city of Winnipeg, to acquire river bank property?

**MR. SPEAKER:** The Honourable Minister of Tourism.

**HON. J. FRANK JOHNSTON (Sturgeon Creek):** Mr. Speaker, I will answer briefly that there is a commission involved at the present time looking at the river banks in the city of Winnipeg, but I will take the question as notice for the Minister of Urban Affairs as to the number of acquisitions, etc., and provide the honourable member with an answer.

**MR. SCHROEDER:** Thank you. A further question to the Acting Minister of Urban Affairs. Could he advise as to whether the city of Winnipeg has requested funding from the government of Manitoba in order that it may acquire the property from the Canadian Pacific Railway, known as the Bergen cut-off?

**MR. JOHNSTON:** I'll take that question as notice also, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member for Transcona.

**MR. WILSON PARASIUK:** Thank you, Mr. Speaker. My question is directed to the Minister of Health. I wonder if he would inform members of the House that which he has apparently indicated outside the House, namely that the government budgetary ceiling on financing to hospitals has been increased from an 8 percent increase this fiscal year to a 9.5 percent increase. I would like to ask the Minister if that, in fact, is the case and how much this will be aggregate dollar terms?

**HON. L. R. (Bud) SHERMAN (Fort Garry):** Mr. Speaker, it is the case, essentially speaking, as the Honourable Member for Transcona knows. I had been asked about the situation with respect to hospitals and hospital budgets on many occasions in the House during the past month, month-and-a-half. I've indicated on each occasion that hospital budget appeals would be handled in the usual way and that budgets would be adjusted upwards and that we recognize the wage settlement increases and the impact that they were going to have on the budgets. That process is now being carried out with the hospitals and the assurance that has been given to them, has been given on my instructions so that they can make their planning for the coming fall and winter accordingly. In general terms, we're talking about a median budgetary increase of 9.5 percent as against the 8 percent target, but that will vary from institution to institution. I can't give the honourable member or the House an estimate at this point in time in precise dollars as to what it may cost because the budgets haven't been finalized. It could cost, Mr. Speaker, several million dollars.

**MR. PARASIUK:** Supplementary to the Minister. In view of the fact that many of the appeals that the government is dealing with in fact deal with last year's fiscal year deficits rather than this year's projected fiscal year deficits, I'd like to ask the Minister why, despite all evidence to the contrary, did the government under, clearly under-finance hospitals at the beginning of this fiscal year and wait for four months into the fiscal year before making any adjustments, leading therefore to a decrease in services, a cut-back in services and frankly leading to a situation where a strike in a vital, essential service was in fact somewhat inevitable because of the under-financing of hospitals by government in the first place? Why did they wait four months into the fiscal year before providing decent and appropriate financing for hospitals?

**MR. SHERMAN:** Mr. Speaker, I reject completely the honourable member's suggestion of any cut-backs and reductions in services relative to this situation or any other situation insofar as the health budget of the province of Manitoba is concerned. The budgets we're talking about that are being looked at right now are the budgets struck for the coming year — naturally there'll be a reconciliation at the end of the year, as there always is — the

budgets struck for the coming year, based on the target increase that was authorized for the facilities at the beginning of the fiscal year. So what we're looking at is their capacity to operate during the next eight to ten months, within that targetted increase of eight percent, and the recognition that that is not going to be possible despite every effort that has been made, largely due to events in the last two months and as a consequence the budgets will be adjusted upward.

Mr. Speaker, it is a process that is not related to anything that has taken place at the hospitals along the lines that the honourable member suggests, because there have been no cut-backs or reductions in services. If the budgets that they require to maintain normal services and add the expanded programs that were announced in the estimates this year were not to be increased and they were not to be so advised of that now, they might well have to be looking at reductions in service later in the year. That is what we want to avoid.

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

**MR. PARASIUK:** Mr. Speaker, to the Minister. In view of the fact that five months ago, most hospital administrators in Manitoba said that 8 percent would be insufficient and it would lead to cut-backs in services, and in view of the fact that at that time the government categorically stated that 8 percent was sufficient, is their decision now to go from 8 percent to 9.5 percent an admission of their failure to properly estimate the cost and the accuracy of the hospital administrators, five months ago when they said that 8 percent would be insufficient? Has the government failed in this respect?

**MR. SHERMAN:** Mr. Speaker, I don't think it's anything other than normal management, administrative practice. What would the Member for Transcona have had us do? Set a 15 percent target increase? We set an increase target, and asked people to aim for that.

**MR. SPEAKER:** Order please. Order please. I don't think it's proper for members of the Treasury Bench to ask questions of members of the Opposition.

**MR. SHERMAN:** Mr. Speaker, perhaps I can rephrase my answer. It was a rhetorical question in the course of my answer. I suggest, Mr. Speaker, that one has to have targets to aim for, budget targets to shoot for, that is precisely what we did, we sought a target in the area of 8 percent. We were prepared to face events and adjust and adjudicate the budgets accordingly on the basis of the way in which those events unfolded. I don't know what the Honourable Member for Transcona is suggesting, that was the reason for my rhetorical question. We feel it is better to set a target and have everyone exert every effort to meet it, than just allow some parameter to be established, that is so wide that there cannot be the kind of close fiscal accountability in management that is required throughout the system.

**MR. SPEAKER:** The Honourable Member for Fort Rouge.

**MRS. JUNE WESTBURY:** Thank you, Mr. Speaker. My question is addressed to the Honourable Minister responsible for Flyer Industries. Can the Minister tell us where the missing Flyer Industries 1979 Annual Report is and why it was not circulated to members of the Legislature?

**MR. SPEAKER:** The Honourable Minister.

**HON. ROBERT (Bob) BANMAN (La Verendrye):** Mr. Speaker, the annual report is a public document that anybody can get a hold of. At the Economic Development Committee meeting is where these things are discussed, that's where this particular issue was discussed, and if the member requires a report and doesn't have one, there's no problem, we can get her one.

**MRS. WESTBURY:** Mr. Speaker. Will the Minister comment to the House on the high deficit that was reported for 1979, higher apparently than was anticipated at the end of last year?

**MR. SPEAKER:** The Honourable Member of Fitness and Amateur Sport.

**MR. BANMAN:** Well, Speaker, without precisely getting into all the different details, let me tell the Member for Fort Rouge that that's why we have an Economic Development Committee, to ask precisely these questions of the chairman of the board of Flyer, and also of the Minister responsible. Let me just say, that due to some problems experienced at Flyer, with a lack of contracts the year before and several other inventory control problems and things like that, the deficit was about 3.5 million; there has also been provisions of about 1 million for the completion of contracts which Flyer felt they could not produce at the costs that were bid on, so the total loss for the year 1979 was about 4.5 million.

**MRS. WESTBURY:** Mr. Speaker, I wonder if the Minister would tell us what, at this time, the anticipated deficit is for 1980.

**MR. BANMAN:** Well, Mr. Speaker, we have done several things which will hopefully turn the company around, and we are hopeful that we can at least come to a close break-even point this year. I think one of the major problems, and I've said it before, and I guess I'll repeat it, one of the major problems that we've had out at Flyer is the feast and famine of the contracts. One of the problems that the company has experienced, is that one year they might have a backlog of 500, 600 orders and the next year it looked as though every month they were going along, they would be having to close the doors. This causes great problems with regard to inventory control, and the biggest problem I guess that happens, is among the personnel. It's very hard to maintain a good skilled workforce, a good assembly line workforce, a good engineering workforce and good management when it looks as though the company is going to close. The objective of the Board of Directors and of the government is to

maintain a level flow of orders, in other words, to try and produce something between the neighbourhood of 350 to 400 buses a year to try and block-off every year on a quarterly basis and try and get contracts for that basis.

Up to this point, we have been fairly successful. I understand, in speaking to the board, that the order book looks pretty good until the summer of '81. We are pretty optimistic that a number of the larger contracts which we are bidding on should be able to be bid on very competitively by Flyer and would mean that the order book would look pretty good in the years to come. That is what we're working for. We're trying to find a level where we can complete these buses on an orderly basis without the peaks and the valleys that we have been experiencing in the past.

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

**MR. SAMUEL USKIW:** Mr. Speaker, given the fact that the Minister of Agriculture only a day or two ago indicated that there was doubt as to whether there will be any additional federal assistance to pork producers in Manitoba, and given the fact, Mr. Speaker, that other provinces are providing assistance on their own initiative without federal involvement, I wish to ask the Minister of Agriculture why the province of Manitoba is odd-man-out on this issue?

**MR. SPEAKER:** The Honourable Minister of Agriculture.

**MR. DOWNEY:** Mr. Speaker, I believe I answered that the other day and earlier this morning.

**MR. SPEAKER:** The Honourable Member for Lac du Bonnet with a supplementary.

**MR. USKIW:** Mr. Speaker, yes, the Minister did indicate that he was discussing the matter with producers, but as I understand it this morning, he said that discussions are at an end and that there is no support available from the province of Manitoba.

**MR. DOWNEY:** Mr. Speaker, the question that I was asked this morning was in reference to some of my colleagues representing urban ridings, whether in fact there was some difficulty with those, and I did not indicate one way or the other, but I said that the matter would be dealt with if and when a decision was made.

**MR. SPEAKER:** The Honourable Member for Lac du Bonnet with a final supplementary.

**MR. USKIW:** Mr. Speaker, I'm sure the Minister appreciates that pork producers will have to be making some very serious decisions in Manitoba, and that that may have some very severe long-term impacts on the economy of Manitoba. Would the Minister give any indication as to when a decision might be made and whether or not Manitoba will join in with the other provinces who have already announced programs to alleviate the hopefully temporary downfall in pork prices in Manitoba?

**MR. DOWNEY:** Mr. Speaker, I'm sure the Member for Lac du Bonnet understands how government decisions are made and the process that they have to go through. I would also like to indicate, Mr. Speaker, we have seen an increase in hog prices over the past few weeks, something that I think has helped alleviate some of the difficulties that the hog producers are now going through.

**MR. SPEAKER:** The Honourable Minister of Ste. Rose.

**MR. A. R. (Pete) ADAM:** Thank you. To the Minister of Agriculture, Mr. Speaker. In view of the fact that the Minister of Agriculture was advising hog producers to raise hogs a couple of years ago, encouraging them to produce more hogs, I ask the Minister now, what does he intend to do to insulate producers from the mercy of the free marketplace, which is not returning a fair return to keep them in business?

**MR. DOWNEY:** Mr. Speaker, I really wouldn't have any other recommendations for the hog producers other than to produce hogs. I think it's a matter of clarifying what really has been suggested and that is, that there was an opportunity, a long-term opportunity for the production of hogs. I think that the past 10-year pricing of the hog industry has indicated that it has been a fairly stable industry where we've seen a fair and adequate returns, I would consider, over probably the last 8 to 10 years, something like 1971 has been the last real depressed price in hogs. I appreciate the difficulties that the hog producers are going through in the past few months, with increased grain prices and with the lower returns and, Mr. Speaker, I indicated many times in this House that we've looked at alternatives and if and when there's a decision to be made, it will be made.

**MR. SPEAKER:** The Honourable Member for Transcona.

**MR. PARASIUK:** Thank you, Mr. Speaker, my question is directed to the Minister of Highways. There seems to be some confusion within the city regarding the licencing requirements for both the vehicle and the driver for electronic outdoor wheelchairs and electric tricycles which are used by physically handicapped people and elderly people to get them around the city. As I said, there seems to be some confusion regarding the licencing requirements and I am wondering if the Minister can inform us what the licencing requirements are for both the vehicle and the driver of electronic wheelchairs or electrical tricycles?

**HON. DON ORCHARD (Pembina):** Mr. Speaker, I'll take that question as notice and try to provide the member with information tomorrow.

**MR. PARASIUK:** Yes, I'd also like the Minister to, since he's taken that question as notice, to investigate whether in fact, in lieu of any type of rigorous licencing requirements, which might act as an impediment to people using these vehicles to aid them to get around, whether in fact the government

would investigate establishing or developing some type of orientation course for these people, geared to really allow these people to use these vehicles to get them around the city and that otherwise they are very severely restricted.

**MR. ORCHARD:** Mr. Speaker, I will provide as much information as I can to the Member for Transcona.

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

**MR. PARASIUK:** Yes, to the same Minister. Some weeks ago the Minister took as notice a question of mine whereby I enquired how motorcyclists involved in accidents had died as a result of their not wearing helmets. The Minister took that as notice some weeks ago. I'm wondering if he has an answer for that question. I was asking how many motorcyclists had died over the last two years when they were involved in accidents where they weren't wearing helmets.

**MR. ORCHARD:** Mr. Speaker, I have had my registrar working on developing those kinds of statistics and I think it would be fair to say, at this stage of the information process, that determining whether a person died as a result of a motorcycle accident, not wearing a helmet, whether that person would have died in any event, is a judgment determination which, to date, I haven't got the kind of figures that I can give him a two-pro and a three-against type of a breakdown in statistics. I will be getting more information on that. The file is not complete, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member for Transcona with a fourth question.

**MR. PARASIUK:** Thank you, Mr. Speaker. To the Minister, in this respect, I know that's difficult. I'm wondering if the Minister could get us quite easy information, namely, how many people involved in motorcycle accidents where deaths resulted weren't in fact wearing helmets, and how many were? And I think that would be quite easy to ascertain, just that kind of factual data without determining caused the fatality.

**MR. ORCHARD:** Well, Mr. Speaker, that information is available from each accident report where a fatality is involved.

**MR. SPEAKER:** The Honourable Member for Churchill.

**MR. JAY COWAN:** Thank you, Mr. Speaker, my question is to the Minister of Labour. I would ask the Minister responsible for the Workplace, Safety and Health Division if he can indicate what action his department is taking in regard to a boiler exchange at the Selkirk Mental Hospital and an asbestos contamination problem that resulted from that work?

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. KEN MacMASTER (Thompson):** Mr. Speaker, our Workplace Safety people have been in touch with those involved in that particular operation

and we're satisfied that appropriate clothing and protective clothing is being worn by those that are doing the work on that project.

**MR. COWAN:** Thank you, Mr. Speaker. I would ask the Minister if he can indicate if it was necessary for his department to issue a stop work order in order to have that work stopped a few days ago because of contamination problems for workers involved?

**MR. MacMASTER:** Yes, it was, Mr. Speaker.

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

**MR. COWAN:** Thank you, Mr. Speaker. I would ask the Minister of Labour then, what information was provided to the contractor that was doing the work in the first place, in order to advise him of the fact that an asbestos contamination problem might result from their work and also to provide them with instructions for proper procedures in regard to handling asbestos in that sort of a situation?

**MR. MacMASTER:** Our Workplace Safety people dealt with that particular contractor and dealt with the workers and they were informed of the possible dangers of working on that project in the manner in which they were, and corrective measures were taken and we're satisfied now that the work is being done in an appropriate manner.

**MR. SPEAKER:** The Honourable Member for Ste. Rose.

**MR. ADAM:** Yes, thank you, Mr. Speaker. In the absence of the Minister responsible for Energy, I direct my question to the First Minister to ask him if, in view of Bill 114 that's before the Legislature at this time, if the government has obtained a copy of a report that was undertaken by the federal government, the Liberal government, and was not made available during the Clark administration, is that report available to this government, in view of Bill 114 that's before us today?

**MR. SPEAKER:** The Honourable First Minister.

**HON. STERLING R. LYON (Charleswood):** Mr. Speaker, I'll be happy to take that as notice on behalf of the Minister.

**MR. SPEAKER:** The Honourable Member for Transcona.

**MR. PARASIUK:** Yes, Mr. Speaker, my question is directed to, I guess, the Minister responsible for Public Housing. I guess over a month ago I asked both the Minister responsible for Manitoba Housing Renewal Corporation and the Minister of Community Services to explain why the government was now adding to residents of this housing, the foster parent payments that they were receiving from the community service. What that was doing was increasing the rents these people had to pay when, in fact, they weren't really taking in foster children for purposes of increasing income but rather to provide to care, and the Minister was going to look

into that. Can he give us an answer to that question now?

**MR. SPEAKER:** The Honourable Minister of Economic Development.

**MR. JOHNSTON:** Yes, Mr. Speaker. I presented that to the board of the Manitoba Housing and Renewal Corporation and they passed a resolution stating that funds going to people for the keep of foster children would not be taken into account when adding up their total income, so it is not being taken into account as of, I believe, a month or three weeks ago I think that resolution was passed.

**MR. PARASIUK:** Mr. Speaker, I thank the Minister for that answer and I commend the government for making that change in that policy which was clearly injurious to those people who in fact were trying to provide humanitarian help to other people by taking in foster children.

I'd like to ask a supplementary to the Minister of Health, again some time ago I asked the Minister if the Manitoba Health Services Commission and presumably the College of Physicians and Surgeons was investigating complaints by a chiropractor that patients had been refused admission or treatment at a particular hospital for broken bones because in fact they had been referred to that hospital by a chiropractor. Have those investigations been completed?

**MR. SPEAKER:** The Honourable Minister of Health.

**MR. SHERMAN:** Mr. Speaker, interestingly enough I had a communication from the Manitoba Health Services Commission yesterday on that subject, containing no further information that they have obtained as yet from that particular hospital to which the honourable member refers and they are resuming and reinforcing that effort. I think it has to do with the fact that vacation period has overtaken some of the people who were being pursued for answers, but I am pursuing that, Mr. Speaker, and I'll get the information for the honourable member as quickly as possible. They just have not been able to provide me with the report yet.

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

**MR. PARASIUK:** Yes, to the Minister of Health, agains some time ago I asked the Minister of Health whether in fact the Manitoba Health Services Commission had resolved their difference with the Souris Hospital Board regarding an outstanding deficit of some 17,000 which has been carried on for about three years now and which refers to, in fact, surgery taking place at Souris Hospital or surgical referrals taking place from Souris Hospital, as far as I can tell. Is the Minister in a position now to answer whether in fact that dispute between the government and the Souris Hospital Board has been resolved?

**MR. SHERMAN:** I'm only in a position to answer the honourable member to the effect that the dispute is continuing to be examined and the solution to it is continuing to be pursued, Mr. Speaker. The difficulty

arises over the commission's insistence that a professional assessment be carried out by the College of Physicians and Surgeons. The hospital has some particular objection to that. They have agreed to an inspection of administrative and management affairs at their facility, but they have not acquiesced in the suggestion that there be a professional assessment carried out. That is not resolved yet.

**MR. SPEAKER:** The Honourable Member for Ste. Rose.

**MR. ADAM:** Thank you, Mr. Speaker. I want to clarify my question to the First Minister in regard to a report that I requested that he undertake to obtain. My understanding is that there has been an in-depth study made on the oil industry, and I wanted to clarify that point so as not to confuse any of the members.

**MR. SPEAKER:** The Honourable Member for Rossmere.

**MR. SCHROEDER:** Mr. Speaker, a further question to the Acting Minister of Urban Affairs, although he had indicated previously that there is a study into riverbank acquisition currently ongoing, can he advise as to whether there is specific funding currently available should an appropriate application be made to the province and, if so, what are the criteria under which the city of Winnipeg could obtain funding for riverbank property acquisition?

**MR. SPEAKER:** The Honourable Minister of Economic Development.

**MR. JOHNSTON:** Mr. Speaker, I will take that question as notice for the Minister of Urban Affairs.

**MR. SCHROEDER:** Mr. Speaker, I'm somewhat concerned about the fact that members of Cabinet don't appear to know what the criteria of this type of program are, although that program should have been, or was in effect for the last four years. I would ask the Minister specifically whether there is specific funding available and earmarked for riverbank acquisition.

**MR. SPEAKER:** The question is repetitive.

## ORDERS OF THE DAY

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. EDWARD MCGILL (Brandon West):** Mr. Speaker, would you call the adjourned debates on second reading, beginning at the top of Page 5 and beginning with No. 96?

## ADJOURNED DEBATES ON SECOND READING

### BILL NO. 96 THE ELECTIONS FINANCES ACT

**MR. SPEAKER:** Bill No. 96, The Elections Finances Act, standing in the name of the Honourable Member for Logan.

**MR. WILLIAM JENKINS:** Thank you, Mr. Speaker, I adjourned this debate on behalf of my leader, the Honourable Member for Selkirk.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. PAWLEY:** Mr. Speaker, this bill, although I was not here to 2:30 this morning, I was elsewhere until that time, and you'll have to have patience with my voice this morning — too much shouting. Mr. Speaker, this is a bill which is of fundamental importance to the entire political process in Manitoba. It is a bill which, as I mentioned the other day, ought to develop and grow as a result of as general a political consensus as is possible. Mr. Speaker, my concern is that three or four days may not be sufficient in order to deal with the many problems that are inherent in this piece of legislation.

I want to deal with a number of concerns, first, Mr. Speaker, that opposition would like to express. First, dealing with the entire question of registration. Mr. Speaker, what I am worried about here, we are appearing to be establishing two sets of parties, a party that is recognized, that is entitled to receive credits in regard to contributions, and other parties that may indeed be minor or insignificant at this point, but are not entitled to receive the same advantages as the government party, the opposition party, and indeed the Liberal Party in this Chamber.

Mr. Speaker, I think that the general philosophy of the democratic process is that we ought to encourage new ideas, and if new ideas must be expressed through the organization and development of new political parties, so may it be. I know, for example, in Manitoba there are many people of Social Credit belief. I don't know what the membership of the Social Credit Party is, but I do not know why, Mr. Speaker, a member of the Social Credit Party should not receive the same advantage as myself if he is prepared to contribute to the party of his particular conviction. He ought to receive a credit in the same way as a Conservative or a New Democratic or a Liberal Party member, or any other particular persuasion that is organized in a political manner and is legal within the general Canadian context.

So, Mr. Speaker, why are we not permitting 1,000 flowers to bloom? Why are we trying to restrict those political persuasions to only those that exist at the present time through legislation that we are attempting to process through this Chamber? — (Interjection)— Mr. Speaker, the Member for Sturgeon Creek says, like the Rhinoceros Party. What the Minister wishes us to do is to express some sort of judgment in this House, that some parties that make sufficient sense, have sufficient political know-how, have reasonable enough programs, that we ought to recognize them, but others because we consider them to be ridiculous or without any foundation, that we ignore those political parties. If the Minister is concerned about so-called nuisance candidates, I would be prepared to look at some percentage of the vote being required, but I

would not want to see it so restrictive that we would prevent the birth and the development of new parties if indeed the existing parties in the future fail to reflect the ideas that ought to be translated into legislation in order to develop the type of government that people desire.

Mr. Speaker, in 1933, the Co-operative Commonwealth Federation was formed from only a few individuals out in Regina. At that time members would probably, if living at that time, say, well, they're just a small little group, but they organized and worked together to form the party that they are today. The same thing in Alberta with Social Credit, the same with other political parties. We may detest the views of other parties outside of our own political party, but that does not mean that we should rate them as second-class parties; that we should give them inferior privileges to ourselves when we're dealing with what are contributions, tax benefits under the public financing system, which indeed this is. Members may deny that, but moneys that are credited in respect to the provisions of this legislation do not flow to the provincial treasury. The provincial treasury is less well off as a result of the credits that are granted. So we are dealing with public financing, though indirectly, and if that be the case, then we ought surely, Mr. Speaker, to treat all legal political parties in a similar manner. I think, despite the Minister of Economic Development's interruptions, I think there probably are sufficient numbers of democratic-minded individuals across the way that would be in sympathy with fair treatment to all political persuasions, Mr. Speaker.

Secondly, and I want to give the government the benefit of the doubt here, this legislation would appear to unfairly deal with my own political party. Now it may have been inadvertence, and I would hope that if it was inadvertence that we can obtain proper amendments so that that unfairness can be removed from the legislation.

For example, Mr. Speaker, the Member for Churchill dealt with union contributions. The bill states that any union in which the members contribute more than 10 cents per member in the space of any one year that the members must receive a receipt, 1.20 per year, must receive a receipt.

Mr. Speaker, in other provisions it states if any individual contributes more than 10, then indeed a receipt must be issued.

Mr. Speaker, the simple thing to do is simply to require receipts to be given in any case where any individual anywhere contributes more than 10 per year, whether it is a member of a union, whether it is a small businessman, whether it is a farmer, whatever form it is.

Mr. Speaker, if this provision is to remain, then if the government wishes to ensure that this legislation is balanced and fair and will deal with their supporters in the same manner as it deals with the acknowledged general support of the New Democratic Party, then shareholders of Inco, and Royal Bank of Canada, ought to receive receipts for the moneys that are contributed by the Royal Bank of Canada, the Canadian Imperial Bank of Canada, Inco and all the other companies, to the Progress Conservative Party.

If you are going to demand that it be one way, Mr. Speaker, let's have it another way. Now I'm not proposing that that's the direction that we proceed. I am simply suggesting that if a individual directly or indirectly contributes more than 10 per year, then that individual must receive a receipt, as simple as that. And I believe as fair as that, Mr. Speaker, not differentiating between coporation donations, union donations; not differentiating between the trade union member who through vote, democratic vote through his trade union, decides that they wish to make a contribution to the party of their choice. It doesn't necessarily even have to be the New Democratic Party. Or whether it is through the corporation. The only problem, I'm not sure, Mr. Speaker, whether the corporations, through their board of directors and through their shareholders, actually every vote that — shareholders, I don't believe, ever through a democratic vote decide what contributions are to be made by the corporation. So there is some difference, but the difference certainly reflects not to the prejudice of the trade union manner of dealing, but let us be fair.

Thirdly, Mr. Speaker, there is a provision in this legislation which prevents contributions by candidates to political campaigns in other provinces. Mr. Speaker, my colleague the Member for Wellington has already been nominated by his party in his constituency, as defined in the legislation. Why should the Member for Wellington be prevented from making a contribution, Mr. Speaker, to the New Democratic Party in Nova Scotia, or in Saskatchewan, or in British Columbia in the next election? Why should we intrude upon the freedom of any individual to make contributions to his political party, the political party of his persuasion in another party, why, Mr. Speaker? I don't care whether it's a Conservative candidate, Social Credit candidate, Communist candidate, whatever it be, permit them to make the contributions to the party of their particular conviction and persuasion. Let us not balkanize this country. I am interested, Mr. Speaker, and I tell you, Mr. Deputy Speaker, I am interested in seeing a New Democratic Party government in Nova Scotia, in British Columbia, in Ontario, and be damned, Mr. Speaker, am I going to be prevented from making donations to the party of my political persuasion in other parts of this country, because I don't believe that this country can be balkanized.

Mr. Speaker, I would like to feel, and I don't want to unnecessarily attempt to polarize debate, but I hope, Mr. Speaker, that this has been an oversight simply in the drafting of the legislation. I want to give the Attorney-General the benefit of the doubt, because I know he has been overworked. He has heavy portfolios. He's involved in conferences at the present time; that some of these provisions have gone by unnoticed by him, as a result of the drafting, and I would hope that suitable amendments could be made in order to permit that freedom. Why are we trying to restrict freedom in Manitoba? Why don't we want to remove the limitations upon freedoms. If we truly and surely believe in the democratic process, let us not be afraid. Let us contribute within our country to any political party, to any political thought, to any candidate, anywhere, without restrictions. And if the answer be from members across the way, but why

should it be with a tax credit from the province of Manitoba, then fine, I will buy that. Simply insert a provision in this legislation, that if I contribute 100 to my sister party in Nova Scotia to assist them in their political campaign, then I am not entitled to any tax credit on that 100. That's fine. That can be easily handled. That can be easily handled, Mr. Speaker.

I am also worried about the fact that those outside Manitoba, and we know that in the past three years, and before that, through the space of our government as well, many people have left the province of Manitoba because they found opportunity elsewhere. They hope some day to return to Manitoba I have friends and relatives in other provinces. They still look upon themselves as Manitobans. They want to return to Manitoba some day. They are still interested in the political process in Manitoba. Why do we want to prevent those individuals to contribute? But you are putting them in exile, Mr. Speaker. This Minister, this government, is placing them in exile by telling them that they are permitted to participate directly or indirectly in the political process in their home province. That's what you are doing. You are the one that is putting so many of our people in exile by way of this legislation, and I hope it's inadvertent again, Mr. Speaker. I want to give the Minister of Government Services the benefit of the doubt, that it's been inadvertent, and let all those that live in other parts of this country contribute, if they so desire, to the Conservative Party of Manitoba, to the Liberal Party of Manitoba, to the New Democratic Party, to the Social Credit Party, to whatever party they wish. Let them contribute and Mr. Speaker, if the Member for Seven Oaks — well the Royal Bank is taken care of here, even if they only get a dollar's worth of business in the province of Manitoba, you are permitting the Royal Bank to contribute. There's no problem for the Royal Bank. I hear the Member for Minnedosa continue to mutter about the Royal Bank. We know where the Royal Bank stands.

The Member for Seven Oaks, I believe, has a daughter that lives outside the province, and the Member for Seven Oaks has spoken to me about his daughter. She is an A-1 campaigner, Mr. Deputy Speaker. She has helped the Member for Seven Oaks in previous elections and has done an admirable job. She believe in her father and father's capacity to continue to represent Manitobans in this Chamber. Now if she can take two or three weeks holiday during the next provincial campaign, why can't Saul Miller's daughter be permitted to return to Manitoba in order to participate in the campaign. She can't under the basis of this legislation — contributions in kind. All you have to do is reword your legislation, Mr. Speaker, if you want — and this is where I am hoping that much of this is inadvertent, sloppiness in the drafting of the legislation and not deliberate intent on the part of the government. If you do desire that people from outside Manitoba be permitted to participate in our election campaign, assist us in removing those provisions from this Bill, so that we will encourage freedom in the democratic process, not impose limitations upon freedom in the democratic process. That is all we are asking, Mr. Speaker.

There may be some that will want to return to this province because they dislike the Conservative Party,

they dislike the New Democratic Party for one reason or another, and they may want to contribute a week or two of their time. Let it be, let it be, Mr. Speaker. Let the democratic process take its proper form and process.

Mr. Speaker, I am encourage by the Minister of Natural Resources indicating from his seat that he felt that was possible under the legislation. We say it is not possible the way it is worded now, and if it is the intent of the government that that be allowed, then I am encouraged. It indicates that the government is prepared to amend the legislation to allow that.

Mr. Speaker, another area that I am concerned about, deeply concerned about, is the entire question of transfers, provincial sections of a party to other provincial sections; from the federal party to the provincial party; from the provincial party to the federal party. Mr. Speaker, I know the government is interested in the formation of a Conservative government in Ottawa. We are interested in the eventual formation of a New Democratic Party government in Canada. We want to contribute to the federal offices of our party. The more money we can contribute, the more likely we will be able to assist in the construction of a New Democratic Party government in Canada. We want to be part of that process. We do not want to be limited, Mr. Speaker, from being able to do that, and we want the Conservative Party in Manitoba to have the same right; Liberal Party; Social Credit Party; whatever it may be. We don't want to impose restrictions.

Mr. Speaker, it may be that there will be some critical election in some other province, maybe British Columbia, we may want to contribute money from our Manitoba party, though that is another story, Mr. Speaker. At the moment I don't see that as a likelihood, because we are fighting to raise sufficient moneys for our own purposes, but we may in the future wish to help out the party in British Columbia. Why can't we do that? Why do we want to balkanize this country into ten little nation states?

Mr. Deputy Speaker, the greatest fear that I have at the present time for the future of Canada, and from what I see taking place at the federal-provincial conference and some of the expressions of view by provincial Attorneys-General is that there is what appears to be an irreversible trend setting in to balkanize Canada into ten parts. It is a threat to the future direction of this country and I would trust, Mr. Speaker, that we would not contribute to that future balkanization of this country by the type of legislation that we have on our desks at the present time.

We are one country, one country, Mr. Speaker, let us participate, if we so wish, as individuals and as parties in that process, whether it be in Newfoundland, whether it be in British Columbia, whether it be Ontario. I am interested, Mr. Speaker, quite bluntly, in the formation of New Democratic Party governments in all ten provinces and in Canada. I am sure honourable members across the way are interested in the formation of the Conservative governments. Let us encourage people to be involved in that process, let us not discourage or restrict people, or fine people or jail people, because they wish to be involved and engaged in that process. Let ideas develop, let thoughts flow, let parties organize, let them organize freely within a

free society, let us not impose limitations and restrictions upon political parties.

Now, Mr. Speaker, I hope that there has been inadvertence in the drafting of the legislation. I am really looking forward to hearing the Attorney-General in closing debate on Bill 96, and I am assuming that this Bill will not go to Committee without the Attorney-General's presence. It is too important a Bill, too important a Bill in our democratic process to be dealt with in the absence of the Attorney-General. I would like to assume, I am a little uneasy, but assuming that in view of some things that have happened in the past few days, but I just assume that we would not deal with this legislation without the Minister responsible, without the Attorney-General present in order to provide us with explanation.

**MR. USKIW:** Maybe we would be better off.

**MR. PAWLEY:** The Member for Lac du Bonnet says, maybe we would be better off without the Attorney-General present. I don't want to comment on that. I would like to see him present, because I suspect much of this is drafting error. Maybe the Premier should be there. Maybe we could accept the Premier in place of the Attorney-General if this bill is to go to Committee, to assist in guiding it through. In fact, Mr. Speaker, if we are to see this Bill go to Committee prior to the return of the Attorney-General, and I understand he is not going to return until Friday afternoon; Mr. Speaker, I would have to, as Leader of the Opposition, insist that the Premier and only the Premier be there to take the place of the Attorney-General at that Committee if it is to proceed. I would have to insist upon the Premier's presence in guiding this legislation through the Committee, and to provide some leadership to this important bill. If I sounded too strong, Mr. Speaker, and again I don't want to polarize the thinking in this bill, I would simply request that the Premier be present.

I am just wondering, Mr. Speaker, if there has not been a mistake in the drafting to the extent that all these limitations and restrictions were intended only to relate to moneys for tax purposes. If that be the case, we can live with many of these restrictions. For instance, if I want to contribute money to a party outside of Manitoba, fine, I could receive no tax benefit. If the Manitoba Party wants to contribute to the Prince Edward Island Party, so fine, let it be, but it is to be understood that that money that is donated will not be the subject of tax credit. If that be the case, Mr. Speaker, I would think that in Committee we could amend this legislation in order to permit that to take place. So on one hand we have the tax credit, which appears to be desired, and on the other hand we have unlimited free exchange.

Mr. Speaker, I would also like to say, in conclusion, that there are many provisions that we don't like. Why should assets and liabilities of any political party, why ought that be mandatory that that be tabled and filed? Surely that ought to be something that is a party's affair. Why would we want to interfere in a party's affairs to that extent? Again, I trust that it has been oversight in the preparation of the bill.

Mr. Speaker, I think that the best approach in respect to this legislation, and I could go to speak about the limitations as well that have been imposed, they have been released insofar as some expenditures, continued insofar as other expenditures for election purposes. I don't know, Mr. Speaker, whether the Attorney-General has examined carefully the federal legislation. I would have thought that if we were going to proceed with this legislation, we should try to be as consistent with the federal Act as much as we can be. I think the federal Act, Mr. Speaker, is working reasonably well. I was somewhat skeptical of it back in early 1979, but I've heard few complaints about the workings of the federal Act. Why don't we be consistent with the federal Act insofar as advertising expenses, other election expenses, with the provisions in the federal Act?

Mr. Speaker, I want to suggest in conclusion that this bill, as I mentioned the other day, is so important and so fundamental to the democratic process in Manitoba that it should only be given birth into legislation if there is a reasonable level of consensus amongst parties expressing political thought in the province. It is somewhat like the preparation of boundaries, Mr. Speaker. We attempt to do that in as independent a manner as is possible, and we are pleased with the work that the Chief Election Officer and his Committee did pertaining to the Boundaries Commission, but it was done in such a way that there was no suggestion, certainly from our side, and I don't believe there was from the government's side either, that there was any political favour. It was done in a fair and objective manner.

(Interjection)— I know the Minister of Education and the Minister of Government Services have second thoughts. We have some thoughts too, Mr. Speaker. The Member for Point Douglas, the Member for Winnipeg Centre, I think are somewhat skeptical of my statement as well.

Mr. Speaker, we have no criticism, we have basically no criticism. We feel that maybe some mistakes were made, but if there were mistakes made they were made in good faith. They were not done because of any partisan motive. I am proud of that system that we have, Mr. Speaker, on the preparation of constituency boundaries. We want that continued in Manitoba, wish it was in place in all provinces in Canada, but it is just as important when we proceed to make as fundamental changes in our democratic system as we have done in Bill 86, that we have that same sort of objective, fair, non-partisan approach. Now I know we haven't established a special commission to deal with this. I think the Law Reform Commission may have done some looking, but these recommendations basically don't flow from the Law Reform Commission.

I think the next best thing we can do, Mr. Speaker, is to refer this bill to a committee intersessionally, so there can be representatives of the government, the opposition, the Liberal member, sit in, review this legislation very very carefully, ensure that it is fair and balanced to all political forces in Manitoba so that all political forces can be enthusiastic about the legislation and all peoples in Manitoba will know, as they know in respect to the Boundary Commission, that there is fairness and there is equity being displayed. And, Mr. Speaker, so that we can also

give more time to those other so-called minor political forces that are not represented in this Chamber, to have a closer look at this legislation, so that they too may come forward to an intersessional committee, and say to us in an intersessional committee, we want to grow into a stronger party in this province, but this legislation curtails that sort of free growth and development, and we as a minor party would like to recommend certain changes to this legislation.

Mr. Speaker, why don't we do that, why don't we ensure? The Member for Inkster keeps saying, throw it out. I am inclined to agree, but I am prepared to see this bill go to a committee to be looked at. I would throw this bill out as is, if we are insisting going ahead as it's being presently written, Mr. Speaker, I don't want to see this bill go through. I think it may be that the only party that might end up being registered under the provisions of this Bill would be the Progressive Conservative Party of Manitoba, and I don't that is what the First Minister wants. I think the First Minister wants — I hope, I trust, I want to give him the benefit of the doubt — he wants this bill to be fair to all political forces in Manitoba. He doesn't want the Conservative Party to be the only party that registers under the provisions of this bill.

So, Mr. Speaker, if the government is going to insist on this Bill going through as it is, yes, I say, let's defeat it now and, Mr. Speaker, we will be voting against this Bill as it is presently worded. But, Mr. Speaker, I know the government is going to insist on some form of legislation.

I don't know, maybe the First Minister has more thoughts than we might have thought of an election this fall. I had thought that while the First Minister may have been enthusiastic a few months ago, that he has lost some enthusiasm for an early fall election. If there is not to be any fall election, then what does the First Minister have to lose by having an intersessional committee deal with this legislation between this summer and next session, bring this bill in in a new form, fully supported by all — and I believe it can be — by all the political parties in this House, Bill No. 1 in the 1981 Session. I think all Manitobans would appreciate that sort of gesture, regardless of political persuasion.

So I leave it to the First Minister, you can ram this bill through as it presently is; you may very well be the only party that will end up registering under the provisions of this bill. I will give the First Minister and the Progressive Conservative Party the benefit of the doubt, I don't believe that is what they want, they desire. On the other hand, you can ensure that the bill receives the widest degree of public support by involving all political forces inside this House, to some extent outside this House through public submissions, intersessional committee, so we can really develop legislation that will be fair, equitable, and we can really be proud of as contributing to the democratic process in Manitoba.

**MR. SPEAKER:** The Honourable First Minister will be closing debate. The Honourable First Minister.

**MR. LYON:** Mr. Speaker, if I could, on behalf of the Attorney-General, briefly . . .

**MR. GREEN:** Mr. Speaker, I . . .

**MR. SPEAKER:** Order. I apologize, I thought it was . . .

**MR. GREEN:** I hope he will be, but it is not legally so, that's right.

**MR. SPEAKER:** The Honourable First Minister.

**MR. LYON:** Because this bill does stand in the name of the Attorney-General, I would hope that I would be closing debate in his name, because we would like to move the bill along to committee to engage in precisely that kind of detailed discussion about which the Leader of the Opposition has just been speaking.

My remarks this morning, Mr. Speaker, will be very brief and I do not intend at this stage to deal with all of the arguments and with all of the suggestions that have been made in the course of the debate, some of which I think have been extremely helpful. Let me say at the outset, Mr. Speaker, that I agree that there are improvements that can be made in this bill and I think they should be made at the committee stage, and we would like to move it along to the committee stage and engage in that discussion during the session and clear the bill out of the road.

The council of perfection of course, with respect to bills of this sort, I think comes perhaps closer to the comments made yesterday by the Member for Inkster. The best kind of election expenses' law is no law at all. The party of which the Leader of the Opposition is leader was elected to the government of Manitoba for the first time in the history of this province without any election expenses' law, without any curtailment on the amount that they could collect, without any money, as the Member for Lac du Bonnet perhaps indicates, and to those perhaps a little younger in the business of politics than some of us. I think I heard one or two speakers to this effect last night saying that money wins elections. Money doesn't win elections, Mr. Speaker. I have seen some of the candidates with the best funding in the world run second, third, fourth, and sometimes fifth. Money doesn't win elections for parties. There is an expression of course, Mr. Speaker, that it helps, but it certainly doesn't win any elections, and I am glad to have that confirmation from someone who's been around as long as the Member for Burrows, the Member for Lac du Bonnet, the Member for Inkster and others on this side of the House who know it equally well.

To disagree mildly with what the Leader of the Opposition began his remarks by saying that this was of fundamental importance to the electoral system and so on, I beg to disagree in a friendly way. I don't think it's that important at all. The fundamental importance of this bill is this, that under this bill, similar to what is now being done at the federal level, in the province of Alberta, the province of Ontario, the Legislature of Manitoba, if it enacts the bill in this form or in an amended form as it comes out of committee, will be saying to the citizens of Manitoba, you may make political donations to the political party of your choice subject to the provisions of the statute, and for that purpose you may now receive a tax deduction. And that very

very simply, Mr. Speaker, is why there are a number of the provisions that all of us find not completely to our satisfaction, because there is going to be issued a tax certificate which will permit people to deduct the amount of their donation to any political party, to deduct that from the income tax payable. And indeed, when the Minister of Finance was introducing his budget this year, I think there was a figure shown anticipating that this bill would be in effect sometime in the calendar year of 1980, a figure of some 200,000 shown as an indicator — that's only a rough guess I'm sure by the treasury people — that that amount would be forgiven by way of taxation because of the receipts that are given pursuant to the provisions of this act.

Let's not try to make something out of this bill that is not intended by the government, or in fact by any member of the House. Very shortly and simply that's the crux of it. The government - not the government - but the Legislature of Manitoba, if the bill receives the approval of the House, will enable the Department of Finance in Manitoba to issue the same kind of a tax receipt as is now issued in Alberta, Ontario, and through the federal government. We've all used it, and it's found to be a reasonable way of encouraging people at the grassroots to contribute to political parties, and I don't know of any political party that's opposed to that. I think it's a good idea.

The other principle that's in the bill, I think is open to real debate, is accountability, because every nickel that is given is required now to be stated or to be revealed. You can arguments both ways on that, and I am sure that Members on the other side would say, well, if somebody wants to make an anonymous donation why shouldn't he or she be able to do it, and I think you can make a good argument. The Member for Inkster agrees. I think you can make a good argument for that.

Mr. Speaker, far from being married in a philosophic or an ideological way to the provisions of the bill as it is before us, I think it is precisely that kind of a bill that deserves to be looked at carefully, clause by clause, as we move into committee with the bill, and I give the Leader of the Opposition the assurance, Mr. Speaker, that we would like to see the bill passed this morning. We will not call the committee on this bill until the Attorney-General is back, because he's got the carriage of the bill and has the detail, has worked with the staff on the bill, and certainly we are not going to try to ram it through or anything like that at all. My honourable friends will have another two or three days of a relaxed period in which they can carefully consider all of the provisions of the bill before we go into committee.

And may I make the further comment, Mr. Speaker, that when we get into the committee that the government will be indeed receptive to constructive suggestions, amendments, improvements, some deletions that may have to be made, because I would be the last to claim - I've been in this House too long, Mr. Speaker, I would be the last to claim that that's a perfect piece of legislation. The drafters, I think, have tried to put together some of the better points that they have seen in the Alberta, the Ontario and the federal legislation, and to try to keep the legislation from

being too over-weening and too prescriptive with respect to, you can't do this and you can't do that. I think, Mr. Speaker, myself, that there are perhaps some provisions in there that do go a little bit far in terms of what you can do and what you can't do, but let's always remember that the reason for that is because this now becomes a matter of taxation and you are giving out a tax certificate to people, and for that reason you have to certain controls in place, it's just that simple.

Now I think we can use the —(Interjection)— the Leader of the Opposition raises a perfectly valid point. He says if he doesn't wish to have a tax receipt, why should he be subject to accountability or for any other reason? I think that's a very valid point to be discussed; a very valid point. I say that when we get into committee I hope that we can apply the collective wisdom of the members of the House to this bill and see if we can improve it, section by section. That's the way we'll go through it. We'll have the Attorney-General here with the staff who have worked with him on it, and I think that working in that spirit we can perhaps come up with a better piece of legislation than we have here.

I have never seen a bill yet in this House, and I don't care what bill you want to look at, what government brought it in, that couldn't be improved if you went at it in a workmanlike fashion. It is not a partisan bill, as the Leader of the Opposition was trying to suggest. This is a bill that we indicated a year or two ago that we would be bringing in. It's now before the House. We welcome constructive suggestions from all sides of the House as to how it can be improved, and I think that if we approach it in that light, that out of the discussions a better bill will emerge. With that thought in mind, Mr. Speaker, I'm happy to commend the bill to the House with the idea that we will look forward to working with all Honourable Members of the House trying to improve the sections when we get into committee.

**QUESTION put, MOTION carried.**

**MR. GREEN:** Yeas and Nays, Mr. Speaker.

**MR. SPEAKER:** Has the honourable member support? I declare the motion carried.

The Honourable Government House Leader.

**MR. MCGILL:** Mr. Speaker, would you call Bill No 112.

### **BILL NO. 112 AN ACT TO AMEND THE INCOME TAX ACT**

**MR. SPEAKER:** Bill No. 112, on the proposed motion of the Honourable Minister of Finance, An Act to amend The Income Tax Act (Manitoba), standing in the name of the Honourable Member for Logan.

**MR. WILLIAM JENKINS:** Thank you, Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for Lac du Bonnet.

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

**MR. SAM USKIW:** Mr. Speaker, there is really nothing in here that was not covered in other debates and therefore I do not intend to take the time of the House this morning to further prolong the things that were talked about and discussed on other occasions. I am prepared to let this bill go through.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** The Honourable Government House Leader.

**MR. MCGILL:** Mr. Speaker, would you call Bill No. 113.

### **BILL NO. 113 — THE MANITOBA ENERGY COUNCIL ACT**

**MR. SPEAKER:** Bill No. 113, The Manitoba Energy Council Act, standing in the name of the Honourable Member for Logan. The Honourable Member for Logan.

**MR. JENKINS:** Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for Brandon East. He just stepped out for a moment, he'll be back. Can we just . . .

**MR. SPEAKER:** Is it all right to wait for . . .

**MR. JENKINS:** Well could we call Bill No. 115 then, Mr. Speaker, while we're waiting?

**MR. SPEAKER:** Is that agreeable?

**MR. MCGILL:** Yes, Mr. Speaker.

### **BILL NO. 115 — AN ACT TO AMEND THE HOMEOWNERS TAX AND INSULATION ASSISTANCE ACT**

**MR. SPEAKER:** Bill No. 115, An Act to amend The Homeowners Tax and Insulation Assistance Act, standing in the name of the Honourable Member for Logan.

**MR. JENKINS:** Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for Lac du Bonnet.

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

**MR. USKIW:** Mr. Speaker, there is only one significant point that I wish to make on Bill No. 115, and that is the contradiction as between this legislation with respect to tax credit benefits to pensioners and other legislation with respect to tax credit benefits for other people. The Minister of Finance in his Budget Address, and on many occasions subsequent, indicated that he wanted to take away, remove some of the anomalies and loopholes in the tax credit program so that people would not in essence, according to his thoughts anyway, abuse the basic intent of the tax credit program, and therefore he moved in favour of changing the basis of calculation for the ordinary

taxpayer. With respect to pensioners however, Mr. Speaker, he has not done so. He is providing in this legislation benefits notwithstanding the income position of the pensioner, and this is a basic contradiction to the philosophy that he has enunciated in the major part of his Budget Address, where some 19 million is being shifted away from one group of taxpayers in order that the government might finance a new program that might be of benefit to other groups in society.

Mr. Speaker, it seems to me that the inconsistency is obvious and unwarranted in that a person, because a person is a pensioner, doesn't necessarily require added relief. If the pensioner is wealthy in his own right, if the pensioner has huge incomes on a monthly or annual basis, there seems to me no logic in providing for flat increases regardless of one's needs, regardless of one's income. Mr. Speaker, while I don't intend to oppose the legislation, I merely want to take a moment to point out that the government is extremely inconsistent in its philosophy on this issue. On the one hand with respect to working people who have not accumulated a tremendous amount of wealth but who have taxable income, they are taking away 19 million from those working people in order that they may finance other programs for other groups in society. But where you have pensioners, Mr. Speaker, that might be millionaires in their own right, according to this legislation they are going to have added benefits, whether they need them or not. That is a contradiction that I can't understand. The government hasn't been able to explain why it's there. I don't know whether it's — I suppose it's part of their rhetoric in the election campaign or whatever that brings them to this stage, Mr. Speaker, that they want to show in such an overwhelming way that they want to do something for pensioners.

Mr. Speaker, this legislation will benefit very few pensioners who are in need but mainly will be of substantive — not substantive, proportionately speaking, benefit to those that have millions of dollars but certainly it's there for them and it's not necessary. Those are the only points that I wish to draw to the attention of the government, Mr. Speaker.

Thank you.

**QUESTION put, MOTION carried.**

### **BILL NO. 113 THE MANITOBA ENERGY COUNCIL ACT**

**MR. SPEAKER:** Bill No. 113, standing in the name of the Honourable Member for Logan.

**MR. JENKINS:** Thank you, Mr. Speaker. I adjourned this debate on behalf of the Honourable Member for Brandon East.

**MR. SPEAKER:** The Honourable Member for Brandon East.

**MR. LEONARD S. EVANS:** Thank you, Mr. Speaker. Bill No. 113, Mr. Speaker, is really what I would describe as a nothing piece of legislation. In fact, it doesn't even have to be before us, and I consider

really it's wasting our time because there is nothing in this bill that the government cannot do already. The government can set up an advisory council to give it information, give it suggestions with regard to conservation programs of energy. The object of conservation, obviously, is very admirable. We are not knocking a facility for the citizenry, for the public to stand up or come together in a committee or a council to assist government. But the point is, Mr. Speaker, and I really draw this to the First Minister's attention, the government of Manitoba can set up this council right now. It is not necessary to have this legislation. We are not opposed to the legislation, it's just not necessary. I mean, we are wasting paper, we are wasting our time, and I really wonder why it's before us — so I won't waste any more time in the Legislature.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** The Honourable Government House Leader.

**MR. MCGILL:** Mr. Speaker, would call Bill No. 114, please?

### **BILL NO. 114 — THE MANITOBA ENERGY AUTHORITY ACT**

**MR. SPEAKER:** Bill No. 114, The Manitoba Energy Authority Act, standing in the name of the Honourable Member for Logan.

**MR. JENKINS:** Thank you, Mr. Speaker. I adjourned this debate on behalf of the Honourable Member for Brandon East.

**MR. SPEAKER:** The Honourable Member for Brandon East.

**MR. EVANS:** Mr. Speaker, this is a much more serious piece of legislation, but I would also say it's unwanted, or not unwanted but unnecessary legislation as the other one was, but unlike the other one this one, in my view, should be unwanted by the members of the Legislature. I would think if the people of Manitoba only appreciated what was in the bill, or could appreciate what was in the bill, they too would not wish to see this type of legislation.

I suppose there are two aspects of the bill in particular that I am concerned with. One aspect affects the operation of Manitoba Hydro, and the other aspect was with regard to the emergency powers that this Manitoba Energy Authority will obtain.

Mr. Speaker, what this bill does is to set up what I consider to be a bureaucratic monster which is more fitting of a police state. We are told that it is necessary to have this board, this authority, because there may be an energy crisis at some time and we should be ready. Mr. Speaker, first of all I want to make the point that we are blessed in Canada and in western Canada with a very large, rich supply of energy. We have coal supplies in abundance, in fact we have surplus supplies of coal if you wish because we are exporting millions of tons every year to Japan, to other countries. Saskatchewan, I understand, has hundreds of years of supply of soft

coal alone and we know that Nova Scotia has coal, we know that Alberta, British Columbia have a lot of coal.

We have natural gas in abundance. So much so that the federal government is prepared seemingly to permit even greater exports of natural gas to the United States, and we know that there are significant finds in the northern part of our country and we know that there are possibilities of gas off the Atlantic coast. So another very major component of energy is not in any scarcity. And certainly we are blessed with hydro-electric power in various parts of Canada, but particularly in Manitoba we have abundant supply and abundant future potential of hydro electricity. So really we are only talking about, as I can understand it, one element of energy and that is, Mr. Speaker, oil. And it is possible that at some time there could be a crisis in the middle east which is still a major supplier of oil which would affect the availability of petroleum products in Canada and Manitoba and this would be a very serious matter. But, Mr. Speaker, I would submit that that sort of thing just will not happen overnight. I mean, if it does happen, I can appreciate that we will be —(Interjection)— yes, well the Member for Seven Oaks reminds me that there is such a thing as a 90-days storage provision anyway, and I would suggest, Mr. Speaker, that if there was a crisis there would be a period of time before we would feel the impact of a cut-off in the supply of oil. And furthermore, there would be evidence from the news wire about a pending crisis and so on.

The point I'm making, Mr. Speaker, is that if there is an emergency, or if an emergency should arise, let us be prepared to deal with it. But, Mr. Speaker, that can be dealt with in true democratic fashion by the calling together of this Legislature at that time to deal with an emergency. The parliaments of Canada, legislatures in this country of ours, have been called together to deal with the strike situation, to order people back to work. Whether you agree or not, the point is somehow or other we can get ourselves together to deal with that. And surely if there is a cut-off of supplies of oil from the middle east, which I said we'll have some notice of anyway, and also because we do have storage, I would submit, Mr. Speaker, it would be far better to call the Legislature in at that time and to deal with the crisis, and I am sure the Legislature would wish to expedite measures that may be necessary at that time.

What we have here, Mr. Speaker, is really as I said a bureaucratic organization — we are setting up a Crown agency, a Crown authority with vast powers, with sweeping powers that are totally uncalled for in this time, and particularly in peace time, and I ask myself, what happened during World War II, indeed an emergency of a vast scale. Did the province of Manitoba, or did other provinces have to pass supplementary, complimentary legislation to federal government powers, to federal legislation? I am asking that question, not in a debating sigh, I'm not sure. I don't believe — from my understanding, I don't believe the provinces were required to pass legislation to supplement the wartime emergency powers and measures of the federal government, and I appreciate that Ottawa may be asking for some sort of backing by the provinces. I believe the Minister of Energy did say, well, Ottawa has passed

something and they are looking for the provinces to pass supplementary legislation. I don't know who in Ottawa is asking for this, but I suggest, Mr. Speaker, that this is a piece of work that comes out of a bureaucratic mind. It doesn't come out of the mind of a legislator or a parliamentarian. That's my view. And I really believe that we are making a mistake in proceeding with this bill, at least with that particular portion which deals with a great portion of it — a great part of the bill.

Certainly if we need staff, if we need an organization to deal with the supply matters — I'm not talking about the emergency situation, I am talking about ordinary technical advice, officials, staff to assist the Minister in carrying out his duties as Minister of Energy, I'm not opposed to that, but the authority of the board in this so-called — to be ready for a so-called emergency meeting which may never happen, is far beyond what I believe the people of Manitoba want.

Mr. Speaker, without getting into a section by section of the bill, I would simply remind members of the very extensive general bureaucratic powers that are being given to this organization. There is a requirement or authority given to the board for everything from requiring returns of information, requiring the issuing of permit and licences, requiring people to obtain identification cards. They can prescribe the location of energy, they can tell people what kind of energy they can use, they can order a substitute-type of energy, they can prescribe kinds and quantities of energy that may be acquired, held, stored, consumed, sold, transported, delivered, to or by any person at any one time or within any specified period of time; they can prescribe records that must be kept, books of account, invoices, documents, including computer records that any person who is using energy happens to maintain.

Mr. Speaker, it goes on and on and on. And furthermore there is provision for the hiring of inspectors to ensure that these regulations are adhered to, and the inspectors have wide powers as well. They can enter without warrant, Mr. Speaker, without warrant into any place or premise and there inspect vehicle, tank, receptacle, installation, plant or machinery, and they can take tests of devices for the measurement of energy. They can demand of production of and inspect books, documents, papers, records, or any part or parts thereof, that in the opinion of the inspector is relevant to that inspection. They can inspect and test any process or production or manufacturer.

As I said, the executive director of the authority has the assistance of inspectors and God knows how many will be hired to carry out these totalitarian-like powers. I am not going to go into all the detail, maybe other members might like to, but there are provisions for seizure of property, chattel or goods, and without limiting that part of the provision the inspector may also seize and remove any books, records, money, writings or documents, and retain them until their production in any court proceedings is required.

Mr. Speaker, if you are guilty of an offence there is provision for a fine up to 50,000 or imprisonment for a term of not more than two years or both the fine and the imprisonment — that's if you're an individual. If you are corporation, you don't go to jail,

you're just fined up to 50,000. But what also bothers me, Mr. Speaker, in this, the bill as part of its authoritarian thrust, says that any prosecution under the — any offence committed under this Act is subject to prosecution anytime within two years from the date that the offence came to the attention of the Minister. So an emergency situation could even pass presumably, or certainly events may have transpired for a period of as much of two years and still this authority can take you to court or prosecute you.

Mr. Speaker, I think that if one wanted to, if one with the legal mind, and we know we have some good legal minds in the House, would like to go through this bill carefully, they would see that I have only touched the surface. I have only scratched the surface of what I consider to be an abominable piece of legislation with respect to giving unwarranted power to a board. Just from an administrative point of view, Mr. Speaker, as I said before, I am not against the hiring of staff for the carrying out of policies that the government may wish with regard to supply, but that's departmental administration. What the government is doing in this legislation is setting up a board between that staff and the Minister. If the Minister wishes to presumably communicate to the staff, I guess he goes through his Deputy and maybe to the chairman of the board, or to the chairman of the board and then to the staff — well, that's an administrative matter but I am just saying I think it's even poor from an administrative point of view, forgetting about the emergency powers part of it.

I would strongly urge the government to withdraw the bill and reconsider it. I truly don't think it's necessary, apart from the emergency measures. If the government wants to now hire staff to advise it on energy supply matters, it can do so. It doesn't need this legislation. It can do so right now. You already have a department of energy. If you need more people to help you in studying and making regulations for supply — I'm not talking about the emergency part of it, I'm just talking about the day-to-day, normal organization of a staff — you don't need this bill.

I would say, Mr. Speaker, even with regard to taking jurisdiction away from Hydro, because this bill takes certain jurisdiction away from Hydro. There are two sections in it which refer to a function of this authority, a function which will be exercised through what will be called The Electrical Energy Marketing Committee, and there is reference to The Manitoba Hydro Act elsewhere in the bill as well. And it seems to me that what the government is desirous of doing is to taking, as I can read it, taking certain authority and jurisdiction in extra provincial market negotiations and I guess the carrying out of such negotiations for the sale and purchase of electrical energy beyond the province's boundaries, that for some reason or other they feel that they should have this in legislation and that they could better carry this out.

I don't necessarily agree with what the government's doing in taking certain jurisdiction away from Hydro, but that again is not the main point I'm making. The main point I'm making is that that can be done without this particular Act. I don't believe that, again, you need to . . . In fact, there is already a committee that's negotiating and has been carrying out discussions, I believe, with Alberta and

Saskatchewan. There is already a committee, there are people at work discussing matters with states south of the border, future potential customers and so on. I really wonder why the government would want to give this Legislature the work of having to deal with this bill. I really think that we would be well advised, the government would be well advised to withdraw it. If they feel that they need some minor amendment to The Hydro Act to carry out some jurisdictional change, well that's another matter. Or if they need some legislation to help them spend money or what have you with regard to adequate organizational ability to advise them on supply matters, so be it. But I really really believe that that can be done now without this bill.

So I suggest, Mr. Speaker, that we have another piece of legislation that need not be before us. It's unfortunate that it is before us. We are setting up another Crown agency with vast powers that are reminiscent of a totalitarian type of state. I say this is bad legislation. It's a bureaucratic Frankenstein-like monster that we are about to create if we pass the legislation. I know the government can say, well, we will be reasonable people, it will only come into force when there is an emergency etc., etc.; that is the part of the legislation dealing with emergency conditions, but I say, Mr. Speaker, again, if it need be, there can be a calling of the legislature and it can be dealt with in a democratic forum. Surely to God we haven't got to that stage yet where we have to set up George Orwellian organizations. Shades of 1984, we're getting near there, but all that that book implied, surely we don't have to in this Legislature help that process along. There have been so many people, particularly on the other side, who say — who I've heard over the years, including the Acting House Leader, saying, why bring in legislation if you don't need to bring in legislation? Good democracy can prevail with the minimum of legislation, and I'm beginning to believe that after 10 or 11 years here. I'm beginning to believe that the less legislation, the better. —(Interjection)— Yes, I learned something from listening to the Member for Inkster. I've learned something from members opposite. I am of the opinion that perhaps the least legislation is the best type of democratic set-up that we could ask for; a government that needs less rather than more legislation.

I ask, and I appreciate that the First Minister's here this morning, and I appreciate that the Minister of Energy isn't here, but I would ask the government to seriously consider withdrawing the whole legislation. I am sure it will not effect them one iota in carrying out what they wish to carry out. I may not agree with it in terms of Hydro negotiations, and certainly on reflection I am sure, they would not want to be accused of setting up a totalitarian organization. I am sure they don't want to be part and party of that. I really wonder if they really appreciate what they are getting themselves into.

Thank you.

**MR. SPEAKER:** The Honourable Member for Burrows.

**MR. BEN HANUSCHAK:** Mr. Speaker, if this government was at all interested in conserving energy, perhaps the most effective contribution they

could make toward the conservation of energy is taking whatever surplus copies they have of this bill across Broadway Avenue over to the powerhouse and burning them.

Mr. Speaker, I want to touch on four points, some of which have been alluded to and referred to by my colleague, the Honourable Member for Brandon East. Firstly, I want to point out to you, Mr. Speaker, that it's another example of a sloppy piece of legislation. Sloppy in the sense, Mr. Speaker, that it does not take into account the existence for many years of other pieces of legislation dealing with similar issues. My colleague, the Honourable Member for Brandon East, mentioned The Hydro Act. The Public Utilities Act also comes to mind, and it deals with the whole question of energy distribution and the sale of energy.

I don't know, Mr. Speaker, how this act, to use the words of the Honourable Minister of Finance, dovetails with The Public Utilities Act. There may be other pieces of legislation. In fact, another one just comes to mind, I've forgotten the title of it, but there is one that deals with the sale of water and the use of water for the transformation of it into energy. I don't know how this piece of legislation squares with it and there may be others, Mr. Speaker.

The dovetailing — and I attach particular emphasis to that term, dovetailing, because the Minister of Finance was very proud of the fact that this piece of legislation dovetails, so he said, with the federal legislation. Mr. Speaker, I don't know in what sense he used the term dovetails, but it dovetails no more with the federal legislation in many respects, and many significant respects, than a tail of a dove dovetails with the tail of an owl, Mr. Speaker. And if it is used in the cabinetmaker's sense then the First Minister has demonstrated his lack of cabinetmaking ability, if that's the best calibre of a Minister that he can come up with, that does a dovetailing job of that kind, as this legislation indicates, and I will come back to that later.

Mr. Speaker, as my colleague, the Honourable Member for Brandon East, had indicated, the great powers granted to this board, if there was ever a piece of legislation brought before this House which echoed and resounded the muffled cadenced sounds of jackboots, this bill certainly does it. This bill does it.

Mr. Speaker, one other concern, and I will deal with that in more detail, this legislation also serves notice to the government's friends that look, there might be an energy shortage, but you are friends, we want you to know that you needn't worry, you needn't worry because you will be able to get an exemption from whatever controls and restrictions that this board may establish.

You know, they say to the owner of the Paddlewheel Queen, who was a former Tory Member of Parliament, a good friend I am sure of the government, look, do you want to continue sailing your boat up and down the Red River, you will be able to get an exemption. You know, they say to Mr. Cholakis, who bought the Lord Selkirk for a song, you want to sail it, you will be able to get an exemption. You know, pursuant to the passage of a bill yesterday which will allow supermarkets to give away milk as a loss leader with the sale of junk foods if the supermarket says, look, we have to light up

this corner of our store to display prominently the junk food that we want to sell, and to encourage people to buy that junk food, to give away the milk. They'll give them an exemption. So those are my concerns, Mr. Speaker.

So getting back to the four points that I have mentioned. The first I have already touched upon, that it is a sloppy piece of legislation, because it does not take into account existing legislation dealing with the question of the control and regulation of the distribution and sale of energy; namely, the two pieces of legislation that I have referred to, the Hydro Board, the Public Utilities Board, and there may be others, and there may be others, Mr. Speaker.

The other, the dovetailing with the federal legislation — well, Mr. Speaker, I would like you to examine this bill and see how it dovetails with the federal legislation, and I am referring specifically to an emergency situation, to an emergency situation. Under this government's bill, in the event of an emergency, the Lieutenant-Governor-in-Council, the Cabinet, that is, when the Cabinet is of an opinion that there is an emergency, the Cabinet may by order declare that period of emergency and then take appropriate action, you know, regulating the rationing of power, prescribing regulations for its distribution sale, the prices to be charged, etc. and etc., the Cabinet can do that on its own.

Now that, Mr. Speaker, is supposed to dovetail according to the misleading explanation of the bill that the Minister of Finance gave us the other day. The Minister said that it dovetails with The Energy Supplies Emergency Act, 1979 — and I was careful to make notes of his introduction of the bill for Second Reading to make certain that I am correct in my recollection of what he said, and he said that it dovetails with federal legislation, assented to on March 26th, 1979. I wanted to make absolutely certain that I am not reading a wrong bill, or a bill that may have been approved sometime earlier, subsequently amended and that sort of thing, so I am certain that both he and I are referring to the same piece of federal legislation.

Now, under the federal bill that this provincial bill is designed to dovetail with, and it says, where the Governor-in-Council is of the opinion that a national emergency exists, the Governor-in-Council may, by order, so declare, and by that order authorize the establishment of a program for the mandatory allocation of petroleum products within Canada. All right, so far the two appear to dovetail, Mr. Speaker, except for the one difference that only deals with petroleum products. The Honourable Member for St. Vital is quite correct in drawing that point to my attention. But apart from the range of sources of energy that it deals with, the procedure, the power, the method at which both comparable government bodies can exercise their power are similar.

Let's read on, Mr. Speaker, let's read on. Let's look at the provincial bill. The provincial bill says that is it, when that young fellow over there waving his finger and his colleagues make their decision in the Cabinet room over in the north end of the building, that is signed and sealed, and that becomes law. Under the federal legislation a notice of motion to concur in an order made under this subsection shall be laid on the table of each House of Parliament by

or on behalf of a Minister of the Crown within seven days after the order is made if Parliament is then sitting. There, Mr. Speaker, is the significant difference between this junk and the law that the Minister of Finance misled us into believing that this dovetails with. There is the significant difference, that the federal legislation calls for approval by the Houses of Parliament. Now, Mr. Speaker, you might say, ah, but if Parliament is then sitting, but what if Parliament is not sitting.

I will skip the next one or two subsections because the next two subsections — for the benefit of the Minister of Highways, who obviously doesn't read all that much of comparable legislation, because he was party to the statement made by his colleague, the Minister of Finance — the next two subsections, for his information, Subsection 3 and Subsection 4, outlines the manner in which this notice of motion is then handled with, that it prescribes the time for debate, gives it priority and that sort of thing. So I don't want to take up my 40 minutes reading that.

If the Honourable Minister gives me an opportunity for a further 40 minutes, I will read that to him too, and explain it to him in detail. But I will continue. If Parliament is not in session, if an order under Subsection 1 is made during a prorogation of Parliament, or when Parliament stands adjourned, Parliament shall be called forthwith, shall be called — I underline — shall be called forthwith, to sit when? — within 28, 60 days, 75, 90 — no. All the Members of Parliament of Canada shall be called forthwith to set within 7 days after the order is made under the subsection; within 7 days all the Members of Parliament from Newfoundland to British Columbia shall be called into session.

The Minister of Finance, he is not going to that, he is not going to do that. They are going to make their decision in the Cabinet room and that is it. That is the muffled sound of jackboots that we hear in this legislation, that is the muffled sound of jackboots — the Minister of Government Services recalls very well the first time that expression was used in this House, the first time it was used by the Minister of Health, in 1969. The Minister remembers that time very well, because he is very sensitive to that, he is very sensitive to that. The Minister of Highways, he doesn't know what we are talking about because he was still in high school at that time, or elementary school, but the Minister of Government Services remembers that extremely well.

If Parliament is called to sit, then the Speaker of the House of Commons shall at the instance of a Minister of the Crown cause a notice of motion to adopt an order under the subsection to be published a special order paper, and consideration of this motion shall be set down as the only order of business, and when that order is disposed of the Speaker shall adjourn the House. Then it prescribes a length of time for debate, a length of time if the House is in session, the length of time if it is called back into session. If it is called back into session I think it is from 11 o'clock in the forenoon until 11 o'clock that afternoon, at which time the Speaker shall put the question forthwith without further debate.

But anyway, there is an opportunity for the members of Parliament to discuss the Order-in-Council, to give it full debate, for a full day, twelve

hours, Mr. Speaker. And then it goes on to say, that an order made under subsection 1 is effective on the day that it is made, but if the House of Commons negatives the motion, and this could happen in the event of a minority government, that such an order be concurred in, the order is thereupon revoked, and if it is revoked, Mr. Speaker, any mandatory allocation program instituted as a result of that order immediately terminates, but without prejudice to the previous operation of that program or anything duly done or suffered thereunder, or any offence committed or any punishment incurred.

That is the way — the Minister of Finance says that his bill dovetails with the federal legislation, and that's why I said it dovetails like the tail of a dove and the tail of an owl, because that is the significant and the major difference between the two pieces of legislation. In the one instance, at the federal level there is an opportunity for debate by the elected representatives of the people of Canada, at the provincial level this government says, no, we are not going to let the elected representatives debate a major important issue such as this. We are going to make the decision in the Cabinet room and whatever we freedom fighters decide in the Cabinet room, that is the decision that the people of Manitoba have to live with and suffer with. Mr. Speaker, the dovetailing.

As I had mentioned, this bill also gives notice to their political friends, look, don't be all that frightened that we're going to be all that hard on you, because if we should have to make an order rationing the supply of a form of energy — you know, the sum total of everything that this bill really talks about is a form of rationing if the need should arise, don't you people worry all that much, because we want you to know, and we want you to know now, that where an application to the board by any person affected, it appears to the board that the strict application of this part, or of any of the regulations passed by the Board, in all the circumstances of the case, result in — and listen to this, Mr. Speaker — result in unique and undue hardship to that person. If it will result in unique and undue hardship to that person, Mr. Speaker, I suggest to you that this is the only piece of legislation in the whole world which has a section of this kind, a phrase of this kind, the board may make such order varying the application as it may appear just and as the circumstances may require.

Now, Mr. Speaker, under this section the board is not going to concern itself with the interests of the people of the province. No. Those come secondary, the interests of the people, but if the applicant satisfies the board that an order or a regulation made by it will result in unique or undue hardship to him, then the board may vary the order.

So, Mr. Speaker, if Doctor Slogan comes forth and says, you, the government, are anticipating a fuel, a petroleum shortage, and you are rationing the supply of petroleum to the people of Manitoba, but within your rationing limits I cannot operate my boats successfully, my paddlewheel boats, I have invested "X" hundreds of thousands of millions of dollars into them, I am going to lose money on my investment. Your rationing will result in a unique and undue hardship to me, Dr. Slogan. The board will listen to his case, and if the board should feel, yes, if the

board should be convinced, yes, this will result in a unique and undue hardship to Dr. Slogan, never mind the supply of energy to the rest of the people of Manitoba, or the adequacy of supply, but it is going to cause a unique and undue hardship to Dr. Slogan. Then the board can vary the order, then the board could vary the order. Or to their other friends, Mr. Cholakis and Mr. Arnason, good Tory friends of the government, who picked up the Lord Selkirk for a song shortly after they became the government. If Mr. Cholakis says, you know, I have an asset here worth millions of dollars and I have an asset worth millions of dollars and your rationing scheme will result in a unique and undue hardship to me, Mr. Cholakis. This bill — and the Minister of Economic Development ought to know and maybe ought to read the bill, because you know watching that fiasco on that side really makes one wonder whether any Minister reads any legislation that is presented in this House. The Board will have the right to vary this order. Now the Minister of Economic Development says that I don't . . .

**MR. SPEAKER:** Order please. Order please. If the honourable member would direct his remarks to the Chair, it might cut out some of the problems that I have trying to hear the comments of the honourable member. Likewise, if honourable members ceased from trying to get into the debate at the same time, it would make it much easier.

**MR. SPEAKER:** The Honourable Member for Burrows.

**MR. HANUSCHAK:** Thank you, Mr. Speaker, and I wish to thank you for the assistance offered by the Minister of Economic Development, when he said I don't know what I am talking about because Mr. Cholakis no longer owns the boat. You know, that is really a significant point to the issue that is being debated, that Mr. Cholakis no longer owns the boat. But, Mr. Speaker, the Minister, if he reads this piece of legislation, or if he would have somebody read it to him slowly, word by word, syllable by syllable, explain it to him, he ought to be able to see that orders made by the Board can be varied, and the criterion or the issue on the basis of which the Board will vary the order is if it is made appear to the Board that the order will result in an unique and undue hardship to that person, the order could be varied.

Mr. Speaker, for the benefit of the Minister of Highways, who is a bit slow, the point that I made is that it ought not be the interests or the welfare of a person that ought to reign supreme, but rather the interests and the welfare of the people of the province of Manitoba, that should be the deciding factor, and not the effect that an order may have on one particular user or consumer of an energy product.

Mr. Speaker, I suppose that is also serving notice to their friends, Loblaws — You know, yesterday the Milk Control, no that is not the title of it now, Dairy Products Act moved along its way to committee, and if it passes then Loblaws and Dominion Stores and Safeway will be able to sell milk as a loss leader, will be able to give it away in conjunction with the sale of junk foods, and if Loblaws should come to the Board

and say that the quantity of electricity that you have rationed for our use is inadequate because we will not be able to adequately light that portion of the store where we want to sell our junk foods, and to promote the sale of junk food we are going to give away milk. Hence, we need more electricity, and if you don't allow us to consume more electricity for that purpose, it is going to result in a unique and undue hardship to us, Loblaws, then Board could vary the order, then the Board could give an exemption to them. Again, the interests of that corporation are going to take precedence over the interests and welfare of the people of Manitoba.

Then, Mr. Speaker, the Honourable Member for Minnedosa, he wishes to make his contribution to this debate. I would like to hear from him, I would like to hear from him. In fact, Mr. Speaker, in so many of these bills we have begged and pleaded with the government, with the backbench of the government, please stand up, tell us how you feel, tell us what your views are on the legislation. We asked you, isn't there is any . . .

**MR. SPEAKER:** Order please. Order please. Apparently members have forgotten or have very short memories.

The Honourable Member for Burrows.

**MR. HANUSCHAK:** Yes, Mr. Speaker, I am inclined to agree with the assessment that you made about some members of the House. They have demonstrated their inability to retain what they were told for any length of time, and it has become apparent again.

So I would hope, Mr. Speaker, that the members, that the backbenchers will find some way of removing the muzzles that are placed upon them and stand up and express their views on this bill. And in speaking to this bill, I would like to hear from honourable members, not only their views on this dictatorial piece of legislation, this so-called dovetailing with the federal legislation which allows for parliamentary debate and this which denies it. Not only to hear their views on their serving notice to their friends, that look, if we impose any rationing scheme, we want you to know. We want you to know that you can apply for an exemption if you can show that it will result in a unique and undue hardship to that person.

Mr. Speaker, I will bet you that the Minister's desk today has a stack of applications two feet high from business operations on Portage Avenue, from various other industrial concerns and various shopping centres, who had read this bill, and they said, ah, there is a loophole, we can get out of this thing. So they have instructed their maintenance staff, their engineering staff, and said, well look, the Minister of Finance tells us that if we can show his Board that any rationing scheme will result in a unique and undue hardship to us, the application of the order may be waived as far as we are concerned, so let's find the way, let's not wait until the rationing scheme rolls around. Let's develop a rationale and present it to the Minister and say to the Minister, now look, we understand that under your bill, if we can show that a rationing scheme will impose a unique and undue hardship on us, we want you to know that it will impose a unique and undue

hardship on us, and this is the hardship it will create, so we hope that you will remember that if and when it should become necessary to impose some rationing scheme by your Energy Authority Board.

Those are the people that the Minister is going to hear from, but in the meantime the Board is going to make regulations governing the utilization of power and energy by all, and I suppose if the Minister of Finance some evening on his way to his car from the Carlton Club after dinner with the Editor of the Winnipeg Tribune, should happen to walk past some tenement house or an apartment block, and it might be during the Christmas Season, and find somebody burning Christmas lights, which might be outlawed by this Board, then the Minister of Finance he will, and he has a right, break into that apartment

(Interjection)— No, he will break into that apartment and he can call upon anyone else for assistance to enforce the laws and the regulations, and go in and unplug the lights, and perhaps confiscate them. You know, because those people aren't going to apply for a —(Interjection)— and be fined 50,000.00.

Now, Mr. Speaker, you may think that I am giving a sort of a facetious example, but I am not, because there will be many many cases if it ever comes to the point where energy of one form or another has to be rationed, where the ordinary man on the street might require an exemption. There is an ailing person in the home who requires additional heat, perhaps additional electrical baseboard heat, heating pads, so forth, and which may necessitate in the consumption of electricity in excess of that permitted by this Board. Now that person is going to find it much more difficult to obtain exemptions from this Board than Loblaws will, than Eatons will, than the operator of a shopping mall will, because, Mr. Speaker, the bill places all sorts of stumbling blocks in that person's path. It says that the Board may require before beginning the investigation of a complaint, that is if the complaint is that the order creates a hardship, you know, put up a deposit, put up a deposit, such amount of money as the Board deems necessary. You know, you want a 75 amp circuit in your home instead of 50, which we are allowing you. Well, before we hear your complaint, you know, you put up a deposit of X number of dollars. You haven't got the money, tough luck. The law says that the Board has a right to demand a deposit.

Then, Mr. Speaker, now, you know, government they — it will be interesting to know who the five wise men or women are going to be who are appointed to this Board. They have got, you know, the laying of hands exercise has already occurred, and, you know, the interesting thing is in most cases of legislation of this kind, there is provision for remuneration of Board members, and that is understandable. After all, if a person is going to give up of his time and energy and devote it to government affairs, I have no quarrel with that person being compensated for it. But, you know, let it be the same as it is in the House, all members are paid the same. On the Public Utilities Board all members are paid the same amount; on the Hydro Board all members are paid the same amount; the same is true of the Telephone Board; and so it goes. The only differences there may be is the Chairman is

paid an extra amount for performing his duties as Chairman and in some cases the Vice-Chairman might receive an extra honorarium and so forth. But all Directors, all Board members, are paid the same amount.

In this bill, Mr. Speaker, it says not that the Directors shall be paid such an amount as the Lieutenant-Governor-in-Council may approve, but it says each director shall be paid by the authority such remuneration for his services as may be fixed by the Lieutenant-Governor-in-Council. So of the five wise men and women that are going to be exercising their police state powers that this bill gives them, the Cabinet is going to say to Director 1, we will pay you 5,000; Director 2, we will pay you 10,000; Director 3, we will pay you 15,000 or whatever. It gives the Cabinet the right to negotiate with each Director what they are going to pay him.

**MR. RANSOM:** Does this embarrass you?

**MR. HANUSCHAK:** Does this embarrass me? It should embarrass the government. It should embarrass the government.

**MR. SPEAKER:** Order please. The honourable member has five minutes.

**MR. HANUSCHAK:** And then, Mr. Speaker, continuing with the duties of Directors, it becomes understandable why they want the right to set a different rate of pay for each Director, because with each Director they are going to negotiate individually what he is going to do, because the next section says that the Lieutenant-Governor-in-Council may authorize the Minister. Now it won't be Cabinet that is saying, no, no, no, we don't want to be bothered with the details over here. So they will say to the Minister in charge, you, the Minister, you enter into an agreement with any Director respecting the terms and conditions of his services as a Director, so that means that one Director's job might be to check on electrical panels and residential homes, meters, and so forth, to make sure that nobody is violating the law; another Director's responsibility may be to keep checking your gas tank to make sure that you are not violating the law, and so it goes, and then each will be paid accordingly.

Then, Mr. Speaker, again a rather strange piece of legislation. In the Public Utilities Board there is a section that says loudly and clearly that no member of the Public Utilities Board shall have any financial interest in the corporations that it deals with. Over here, in this junk legislation, the government says, we don't give a damn whether you have a financial interest in the corporations you're dealing with. But if you do, Mr. Speaker, it says, the director — if he has a significant interest — no director shall be present at any portion of a meeting where there is under discussion a matter directly relating to a company in which he has a beneficial interest.

Now, Mr. Speaker, the interesting thing is, it is not the director who's going to say, well, you know fellows, I have a beneficial interest in Company A and that's on the agenda, I'm not going to be present. The director will say, no, no, Mr. Director or Madam Director, this is not for you to decide, it's up to us to decide whether you have a beneficial

interest or not. We must decide by a unanimous vote of the directors whether you have a beneficial interest, and whatever our decision is, it will be final. This unanimous vote, Mr. Speaker, can be a vote by one director. It can be a unanimous vote of the board, it can be a vote of one director. Mr. Speaker, —(Interjection)— the Minister for Highways has just indicated that he's finding it rather difficult to comprehend this, because it's pretty heavy stuff. I didn't expect him to understand. I didn't expect that young whippersnapper to understand. But I was saying this to some of the older fellows.

Mr. Speaker, a board member who has a financial interest in a corporation wishes the board to make a certain decision affecting that corporation. He chooses a time when two board members that he knows, or that he believes may vote against him, are absent. He knows he has one board member on the board that will support him. The chairman is an accommodating person insofar as calling meetings. A majority of the board can call a meeting. He, his friend, the chairman, they agree to call a meeting. There are three out of five. The meeting is called, then the issue of whether this director has a financial interest in a particular matter before the board arises. He, who may have a financial interest, doesn't vote on the issue, because he's the party being involved. Because —(Interjection)— just a minute now. At this point, no, I'm sorry, I'm sorry, Mr. Speaker, at this point because it hasn't yet been decided whether he has a financial interest or not, I think he has the right to vote. I believe at this point he has the right to vote. He has the right to vote, and the other board member —(Interjection)— I would appreciate it greatly, Mr. Speaker, if this government would check their bills with their legislative counsel and with the chief law officer of the Crown to make sure that it says what it appears to say, and the duty is on him, and the duty is on him, not on me to check this out . . .

**MR. SPEAKER:** Order, order please. The honourable member's time has expired.

Order, order please. The honourable member's time has expired, unless he has leave from the House.

The Honourable Member for St. Johns.

**MR. CHERNIACK:** Mr. Speaker, you noticed that I waited to see if someone else would rise to speak on this bill, and since it appears that the government side was prepared to let this bill go without a response from the government or from the Minister himself who, of course, is absent and therefore is unable to close debate, is a moment of regret for me, Mr. Speaker, because there's only five minutes to go and it would have been, I believe, good sense. There are several members opposite, who I believe, listen fairly carefully to the presentations made from this side and could have responded, or I believe at least should have adjourned debate, to give the Minister who introduced this bill an opportunity to respond. Because, Mr. Speaker, may I say that one of the great dangers in Speed-up, and the reason I call it Speed-up rather than extended hours, is that there becomes an atmosphere in the House which says, let's get this bill through. We had that last night on two specific bills and I think that that's the danger

of Speed-up. Because many members, on both sides, have said they don't mind extended hours, they don't mind dealing with the work of the House in such a way as to put a great deal of pressure on members; they don't mind too much long hours, but every assurance is usually given that bills will receive their proper consideration and their proper debate.

Mr. Speaker, to my mind this is one of the most serious bills that has been presented to this House this session. It is one which gives tremendous powers, both at all times and under emergency situations to an authority which is not the government of Manitoba, and that kind of tremendous power may be justified, should certainly get a great deal of consideration and should be debated, Mr. Speaker. My comment about Speed-up is made worse by the fact that the Minister who introduced the bill was not present to hear the debate and is not even responding by closing the debate. It would be bad in my mind, even if he were here to close debate, because that still isn't a debate if there isn't an exchange of opinion.

Mr. Speaker, I want to point out, maybe to accent some of the points made by the previous two speakers, about some of the really serious implications in this bill. The Member for Burrows spoke in detail, and I think that he pointed out certain weaknesses in the drafting of the bill, but he also pointed out certain specific dangers, and with the specific comments he made, I think require a very close review. And the terrible thing might happen, Mr. Speaker, is that this bill, after passing second reading, goes right into a committee of the House without an opportunity for other people to have looked at it — I mean people outside of government — to come and make representations to the committee. It would be terribly serious, Mr. Speaker, because there is an infringement on civil rights here, there is a delegation of authority here, and in emergency situations, it may be justified, but it should be discussed.

I think, Mr. Speaker, one of the criticisms that were levelled from this side of the House was the lateness, the bad management of the government in presenting bills, the lateness of some bills coming in, and Bill 114, which is the second last bill to be brought into the House and therefore indicates that the date — it was spoken to, it was introduced on the, is it the 22nd? I just enquired from the Clerk and confirmed that we don't have Hansard yet. 21st? Thank you. I thank the Member for Inkster. We don't even have Hansard yet on that date, and Mr. Speaker, I recall, and I don't have Hansard before me, that I asked the Honourable Minister of Finance when he introduced the bill, or I should call him the Minister of Energy, when he introduced the bill, whether he could supply us with whatever memoranda he had that was descriptive of the federal legislation and to show how it is expected that this bill will complement federal legislation. And as I recall it, he said that they have some kind of material, but he's not sure of the nature or the form of it and would look into it.

Mr. Speaker, we don't even know if that's still in the works or maybe sitting on his desk, or maybe somewhere ready for distribution or about to be made ready, and as the Member for Burrows said, he had to make his own investigation and brought

out a very serious criticism, that is, that the federal legislation requires the decision of Cabinet declaring an emergency to be reviewed within seven days by the Parliament of Canada. Mr. Speaker, we know very well that calling this Legislature into session is much easier than calling the Parliament of Canada into session, and if parliaments are prepared to call special emergency sessions to deal with a strike of national importance, surely this government should be prepared to — any government should be prepared to call an emergency legislative session to deal with an emergency of the type being described in this bill.

Mr. Speaker, my main purpose in rising, having heard from the Member for Brandon East and the Member for Brandon West, is to invite members opposite to respond and to have a real honest debate bearing in mind the importance of this bill.

**MR. SPEAKER:** Order please. The hour is 12:30. The Honourable Government House Leader.

### BUSINESS OF THE HOUSE

**MR. MCGILL:** Mr. Speaker, just on the House business and procedure, members are already aware that the House will not sit this afternoon, that the two committees will sit. We would like the House to reconvene this evening at 8:00 o'clock. If at that time the committees have not completed their business, the House will adjourn as quickly as possible and revert to the business of the committees.

**MR. SPEAKER:** The Honourable Member for Rock Lake.

**MR. HENRY J. EINARSON:** Mr. Speaker, I have a change in the Agricultural Committee. I wish to submit the name of Mr. McKenzie for that of Mr. Ferguson on the Agricultural Committee.

**MR. SPEAKER:** The hour being 12:30 the House is accordingly adjourned and stands adjourned until 8:00 o'clock tonight.