

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
9:30 o'clock, Friday, July 17, 1970

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Member for Logan.

REPORTS BY STANDING COMMITTEES

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to present the Twelfth Report of the Standing Committee on Law Amendments.

MR. CLERK: Your Standing Committee on Law Amendments begs leave to present the following as their Twelfth Report.

Your Committee has considered BILLS:

No. 105 - An Act to amend The Education Department Act.

No. 126 - An Act to amend The Real Property Act.

No. 127 - The Age of Majority Act.

No. 134 - An Act to amend The Election Act (2).

No. 138 - The Development Corporation Act.

And has agreed to report the same without amendment.

Your Committee has also considered BILLS:

No. 109 - The Dental Mechanics Act.

No. 111 - An Act to amend The Child Welfare Act (3).

No. 121 - The Human Rights Act.

No. 140 - The Law Reform Commission Act.

And has agreed to report the same with certain amendments.

All of which is respectfully submitted.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Gimli, that the report of the Committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I beg to present the Second Report of the Standing Committee on Private Bills, Standing Orders, Printing and Library.

MR. CLERK: Your Standing Committee on Private Bills, Standing Orders, Printing and Library begs leave to present the following as their Second Report.

Your Committee has considered BILLS:

No. 36 - An Act to incorporate The Manitoba Sports Federation - La Federation Manitobaine des Sports.

No. 64 - An Act consenting to the merger and amalgamation of the Manitoba Farmers Union with the National Farmers Union and others.

And has agreed to report the same without amendment. All of which is respectfully submitted.

MR. EINARSON: Mr. Speaker, I beg to move, seconded by the Honourable Member for Wolseley, that the report of the Committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Notices of Motion. Introduction of Bills. Orders of the Day. The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines and Natural Resources)(Inkster): Mr. Speaker, would you call Bill No. 148? I wonder if the Member for St. Vital wanted to speak.

MR. WALTER WEIR (Leader of the Opposition)(Minnedosa): Mr. Speaker, before the Orders of the Day, might I enquire if he has any notice for us about committees. Mr. Speaker, might I say that as we suspended the rules of the House, I didn't know that it was to have the calling of committees at 25 minutes to 12 at night without any formal notice in the House when we had asked in the House for the operations of the committees, and I'm speaking not on a question of the Orders of the Day but on a question of the order of the business of the House, Mr. Speaker, which I think that we have every right to express when we ask questions before the Orders of the Day about what the business of the House is going to be, to be given some kind of an indication of what that will be, and I think the suspension of the rules, Mr. Speaker, was never intended to cover the suspension of the notification given in this House for bills that are considered in the calling of various committees that are called. Just because Law

(MR. WEIR cont'd.) . . . . Amendments Committee is made up of all the members of the House doesn't say they're all there, and a search for a chairman to call another committee at 25 minutes to 12 with no reference to the House when request has been made in the House as to the order of business, in my view, Mr. Speaker, is just completely unacceptable in terms of the operation of the House.

MR. GREEN: Mr. Speaker, if this arises, it arises out of misunderstanding, not for any other reason. When I first announced that Law Amendments Committee would be called, I spoke to the honourable gentleman and he said would it be a wise thing to refer all bills to Law Amendments Committee, which has been the practice in the past when things are in the stage of being closed, and I advised him and I advised all honourable members on the first occasion, that since all members of Law Amendments Committee sit on the other committees as well, that I thought we would proceed by calling Law Amendments Committee so that everybody would be there, that when we finished Law Amendments Committee we would go into the next committee. Now I did announce that on the first occasion, and I thought that that announcement was understood by everyone to follow whenever we go back to committee, because we have heard representations on that basis and we have heard Agricultural Committee on that basis, and although people were complaining about the hour, they knew that that's exactly how Agricultural Committee would be called, so I have been proceeding on the assumption, and Mr. Speaker, whether I'm right or wrong, I felt that that assumption was understood by everybody and I have mentioned it to many members on several occasions that when we finish Law Amendments we're going into the next committee, and Mr. Speaker, since everybody is on Law Amendments Committee, nobody then loses notice because everybody is presumably there.

However, I see that there has been a misunderstanding because the Leader of the Opposition tells me, but I say, Mr. Speaker, with all deference, that I intended no misunderstanding, I intended no suspension of the rules. I am sure that if the Leader of the Opposition will go back to the original date when I announced it, it was indicated that Law Amendments Committee would meet and that when we were through at Law Amendments Committee we would automatically go into the next committees because we would all be there.

No, what happened yesterday is past. What I now wish to say with regard to committees is the same thing that I said yesterday, that we would go into the House, that we would deal with the work of the House, when we finish the work of the House we would go into Law Amendments Committee, and that is my intention again this morning, but to take up that committee work which has been delegated now to Municipal Affairs Committee, -- (Interjection) -- not Agricultural Committee, we've dealt with that - the Professional Associations, and Public Utilities for bills except Bill No. 56 which of course we're still hearing delegations on.

Now, Mr. Speaker, I want to indicate that although my honourable friend on the basis of his misunderstanding has a problem, that the procedure that we are following is not only as detailed but offers more room for discussion than the procedure that was followed in the past, because in the past they simply said all bills to Law Amendments Committee. Now, we are continuing with the committee structure. All that we are doing is suggesting that when Municipal Affairs Committee is meeting that those members of the House who are not involved needn't stay at that particular time.

So I regret the misunderstanding; I ask the honourable member to accept my suggestion that it was not intended, that we did not intend not to give notice, that I thought that we were all proceeding on that basis and I'm certain that I mentioned it to people privately; I am positive that I mentioned it in the House on the first day when I announced how committees would be proceeding. So I'd rather that we don't spend a great deal of time arguing about it. If the honourable member feels that I have erred, then I'll accept his admonition in that respect, tell him that I didn't think that that's what I was doing, that I thought that the understanding was well made; if not, then obviously I have failed to communicate. My intention today is that as soon as we are finished with the Orders of the Day we go back into Committee, and the committees that I have mentioned are the ones that I mentioned a few moments ago, that those committees hear the bills that have been referred to them, that we come back then into the House when we are ready to deal in Committee of the Whole House with the bills that are completed and sent back by the respective committees.

Now, Mr. Speaker, what I have said is not intended to be an absolution of myself. If the honourable member feels that I have erred then I will accept that, but there was no intention to so err.

MR. WEIR: Mr. Speaker, I have no desire and hadn't really desired to prompt the kind of debate where we went into history over the last number of years on the orders. I was more concerned about what's happening today than what happened yesterday or the day before; but having said that, may I just say, Mr. Speaker, that at the time we considered the committee work it was specifically for a Friday, a Friday and a Saturday, and at which time I made some objections because of the delay that there would be for people making representation, and that privately the House Leader came to me and agreed at least with some of the objections that I had raised, and the rules of the game were changed at that stage of the game, and it had been my understanding that that was an arrangement to get the heavy load of bills that we had essentially before Law Amendments Committee and the other committees dealt with because of essentially the large number of representations that were being made. It becomes very difficult, Mr. Speaker, to have -- it isn't every member that can be associated with every bill in the House and we do have people who are concerned with a variety of bills on this side of the House as I'm sure they are on the other side of the House, and it's much more helpful to us in trying to determine that we have the right members in the right committee at the right time so that the bills can be processed and that they can receive the proper consideration in the manner in which, in my view, they should receive it. All I ask is, and I think that we're drawing to the end of them in Committee anyway, that for future occasions and in future years, all I ask is a little notice so that we can attempt to schedule our membership of our people in the committee so that (a) we don't fail to give the consideration that the legislation deserves; and (b) that we don't have to ask the committee to postpone the consideration of the bill because our right people aren't here. We're as interested in the efficient operation of the committees as the government is.

MR. GREEN: Mr. Speaker, it's the intention of the House, as I have understood it, following the short work that will be involved this morning, to go back into the committees that I have mentioned to deal with the work and then come back into committee to deal with Committee of the Whole House.

#### ORDERS OF THE DAY - GOVERNMENT BILLS

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: I was asking, Mr. Speaker, whether somebody, whether possibly the Member for St. Vital had adjourned the Tax Deferral debate for somebody else. If not, then we'll just ask the Speaker to leave the Chair and proceed to Committee.

MR. WEIR: Mr. Speaker, he didn't adjourn it for me but I'd like to say a few words on Bill 148 and I'm prepared to do so now and have it stand in the Member for St. Vital when I'm finished.

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

MR. WEIR: May I say, Mr. Speaker, that my suggestion to the Minister in terms of this Bill is that he withdraw it; that he ask leave to withdraw it and they have another look at it - I think there's some problems attached to it - but for a stronger reason than that, Mr. Speaker. We have another bill on the Order Paper which I've agreed is reasonable and nothing wrong with it being brought in at this stage of the session, but there is a very different principle, a new principle associated with the bill that is being brought in by the Minister of Municipal Affairs. It really hasn't had a real opportunity of representation and certainly, if it is to go to Committee, Mr. Speaker, I would hope that we wouldn't use the speed-up as a means of getting it into committee because it's a bill that I'm sure that municipalities all over Manitoba may very well have an interest in, and I think that there needs to be enough opportunity for the discussion and the discussion at second reading before it can go up for Law Amendment for the people in Manitoba generally - I mean the people in Northern Manitoba as well as the people in the Metropolitan area.

It's true, Mr. Speaker, that it's related to agricultural lands only but there are agricultural lands in areas outside of Greater Winnipeg. It's true that I think the greatest implication of the bill will be in the area surrounding the large urban areas, but I also think that it's a must, Mr. Speaker, that we leave proper time for consideration by the people that are concerned and an opportunity for them to be able to be at Law Amendments Committee to discuss the principles that are contained within this Act.

Now I don't intend to oppose the principle that's contained within the Bill. I don't really think that the bill does what the Minister would like to do and I agree with what he's trying to do,

(MR. WEIR cont'd.) . . . . Mr. Speaker, although I don't really think that he's achieving it. In essence, what he is providing is a 9 percent loan on the security of the property for a certain segment of taxes for property under given terms and conditions that, carried on through a family for quite a number of years, the interest added on to it could - and I know I'm using an extreme case - could eat up a very large part of the value of the farm supposing it went through two generations and when it had reached the maximum of the tax delay, the tax deferral, there is still 9 percent interest per year being built up year after year in terms of the amount of the outstanding indebtedness that there is on the property. and if you add that up over a 20- or a 30-year period, as it could happen with land being exchanged from one member of a family to another member of a family, it has, I think, Mr. Speaker, some serious implications that I'd like to look at fairly seriously and I'm sure that some municipalities in Manitoba would like to have a look at it very seriously.

My suggestion is - and I don't say it in any mean way - is that I think that the Minister would be well served and that the municipalities in Manitoba would be well served to withdraw the bill and have it introduced early at the next session of the Legislature so that it could receive what, in my view, would be a proper consideration. This isn't new proposal that has been made from this side of the House from time to time. I know what bills and at what stage they should come, and they should be introduced and not introduced is always a matter of question, and it's a matter of their importance and a matter of the consideration that can be given to each and every individual one.

So, Mr. Speaker, if the Minister doesn't see it my way, may I say that again the House Leader, in terms of the operations of this House, I think he should say now, or say very soon on what day he would want to receive representation in Law Amendments Committee after it has passed this House so that adequate notice can be given to the people of Manitoba that are concerned, and I am sure it's not just municipalities - you know, there's possibly people who own land that is in this category that may want to give consideration to this bill, as well as the people who are charged with the responsibility of collecting the taxes for the land that's in question.

So while agreeing with the principle that's contained within the Bill, Mr. Speaker, and what the Minister is attempting to achieve by this legislation, I agree with the principle wholeheartedly. I suggest that I don't think it's going to have the effect that he is desirous of it having and that the delay will not be all that serious. He might very well either send it to a committee that won't report again until the next session so that people can have a look at it; or introduce the same bill - if he is still of the same mind - in the early stages of the next session; or if having given some further thought to it, some improvements in the bill. There are all kinds of options open to him. I would suggest that any one of them would be preferable to trying to deal with this bill, particularly if there is any difficulty in providing the kind of time that is required for notice to concerned people.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I too would like to make a few comments in connection with the bill, Municipal Tax Deferral Act. It's interesting what is being brought forward. I know the previous administration, when the Honourable Mrs. Forbes was Minister of Municipal Affairs, called a meeting on one occasion to discuss the principle that is embodied in this particular Act. I was unavoidably absent - I had a previous commitment, I couldn't attend - but I think the proposal or the principles were discussed at that point, and it came about because we had a number of people making representation to members of the House in connection with what was happening. Farm land was being assessed so high that it meant they were losing their property because of being unable to pay the tax on these high assessed properties surrounding the City of Winnipeg. I think this applied not only to Greater Winnipeg, I think some of the other urban centres had similar trouble where you had subdivisions taking place. I know this happened in the Brandon area; I know it even happened in the Gretna area to one person; and I feel that there is an area here which should receive attention. I certainly do not want to say at this time that I disapprove of what is being tried, or what we are trying to do here, but I think it needs very careful consideration.

When I first heard that we were going to have a tax deferral bill legislation come in, I was very much in favour because I figured we needed a tax deferral act in Manitoba when situations go bad that farmers do not lose their property in default of taxes. I feel that this should be looked after even at this particular session, because we will have farmers who are facing

(MR. FROESE cont'd.). . . . very severe and serious situations and that we should be protecting the properties of these people. They probably had crop failures for the last two years and this one would be the third one in succession through no fault of their own. I feel that there should be provision made whereby they could carry on for a longer period of time without losing their properties, because they have invested everything in their farms and at the present time they are unable to carry on properly because the high cost of money, and even the tight money situation that we have, and I felt when I first heard that tax deferral legislation was being brought in that this was what they were going to remedy, this is what they were going to look after, and I still feel the Minister should take this into consideration and make sure that we are looking after the farm people who are being hurt in this way.

Now coming back to the bill, I am wondering just on what basis this special assessment would be made, what criteria would be used in case of special assessment. Are you taking into consideration the speculative aspect of these particular lands? Certainly I would like to have a better knowledge of what will be taking place if this legislation is passed at this session. I can see the problem that we are trying to give the people, the farmers surrounding the City of Winnipeg, a chance to still operate their farms and at the same time their neighbours, who are speculating and just buying it up for speculative purposes, that they should not receive the same consideration. I agree with the principle but I am just wondering how this thing will work out, and I would like to hear further from the Minister on what basis the special assessment will be made and how they feature this to operate.

In the meantime, if they are not going to withdraw it, if they are going to proceed with it, I think we should have a much more thorough discussion on this particular bill. I hate to see it coming up this late in the session. I think it should have been brought in much earlier so that we could have given it much greater consideration and have a much freer discussion among members of the House privately.

MR. SPEAKER: Agreed that the adjournment stand in the name of the Honourable Member for St. Vital? (Agreed) The Honourable House Leader.

MR. GREEN: Well, Mr. Speaker, there are bills now pending before several committees and my understanding is that it's agreeable that we now deal with those bills. I'm not certain at what time we'll be through, so my understanding is that Mr. Speaker could just leave the Chair and wait for the return of the Assembly.

MR. SPEAKER: I am now leaving the Chair.

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MR. SPEAKER: The Honourable House Leader.

MR. GREEN: . . . Municipal Affairs and we'd like to be back in the House this afternoon so that in the event that committee is finished we can come back into the Chamber, so I'm suggesting that we meet again at 2:30, go back into the committees that have been meeting and if we are finished in committee come back into the House.

MR. FROESE: Mr. Chairman, does that apply to other committees than the Municipal Affairs Committee?

MR. GREEN: Yes. Mr. Speaker, I thought that that was made quite clear, that we are convening committee meetings seriatim until we finish the bills that are presently before committee, which includes Law Amendments Committee. I think that there's still a bill pending before that committee as well.

MR. WEIR: Mr. Speaker, might I then just as a matter of clarification find out - Landlord and Tenant Act as I understand it is the only bill left before Law Amendments Committee?

HON. SAUL CHERNIACK, Q.C., (Minister of Finance)(St. Johns): If I may Mr. Speaker, there's the Dental Services Association, not the denturists bill but the one for the setting up of a dental insurance plan. Oh I might indicate, it'll take a moment. Mr. Tallin is attempting to work it out with Mr. Swaine who is on vacation. He is in touch with him and if we can work it out in time to bring it in while Law Amendments is still dealing with Landlord and Tenant or at the end of that, then we can bring in our report. If not, Mr. Tallin has suggested that I request Law Amendments Committee to consider forwarding the bill in its present form into Committee of the Whole and then deal with it here when Mr. Tallin will be ready to present his report. There were several technical suggestions that he's exploring.

MR. WEIR: Mr. Speaker, then my next question is I assume that would mean going back into the House following question period this afternoon?

**MR. GREEN:** Yes we would go back into the committees. -- (Interjection) -- Yes. There are some minor matters on the Order Paper that we may proceed with this afternoon just as we did this morning.

I would move, Mr. Speaker, seconded by the Honourable Minister of Cultural Affairs that the House do now adjourn.

**MR. SPEAKER** presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 Friday afternoon.