



**Legislative Assembly of Manitoba**

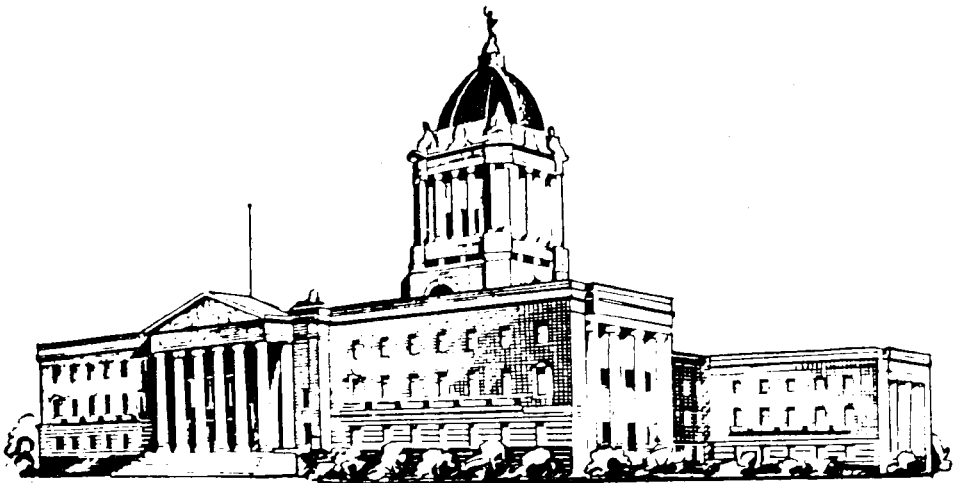
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**HEARINGS OF THE STANDING COMMITTEE**

**ON**

**LAW AMENDMENTS**

**Chairman  
Mr. William Jenkins, M.L.A.  
Constituency of Logan**



**10:00 a.m., Tuesday, May 18, 1976.**

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
 STANDING COMMITTEE ON LAW AMENDMENTS  
 10 a.m., Tuesday, May 18, 1976

Chairman: Mr. William Jenkins

MR. CHAIRMAN: Order please. Are we ready to proceed with the bills. Bill No. 2, an Act to Amend the Criminal Injuries Compensation Act. What is the will of the committee? Page by page? Mr. Bilton.

MR. JAMES H. BILTON: It was my understanding when we last met that we would deal with 21, 17 and 18 in view of the petitions we had received. Have you changed your mind?

MR. CHAIRMAN: No, that was not my understanding. My understanding was that those are the only bills that we had representation on and we would just deal with the other bills if there was no representation. Bill No. 2, Page 1--pass; Page 2--pass; Page 3--pass.

MR. GREEN: Mr. Chairman, I'm sorry . . .

MR. CHAIRMAN: There are some amendments I believe to Page 2.

MR. GREEN: The Legislative Counsel has indicated that the Attorney-General

. . .

MR. CHAIRMAN: Oh, on Page 3 there will be an addition.

MR. GREEN: . . . wishes to have an amendment. It's just been handed to me, that's the reason for my reticence.

THAT Bill 2 be amended by numbering, section 4, as printed, as section 5 and by adding thereto immediately after section 3 thereof, the following section:

So if you will go to the last page, immediately after 27(11) we would have 27.1 added.

4. The Act is further amended by adding thereto, immediately after section 27 thereof, the following section:  
 Annual Report.

27.1 Not later than 90 days after the end of each fiscal year of the board, the board shall make a report to the Minister on the administration of this Act during the fiscal year and the Minister shall forthwith lay the report before the Assembly if the Legislature is then in session and, if the Legislature is not then in session he shall lay the report before the Assembly within 15 days of the beginning of the next ensuing session.

So my understanding being that the desire is that the Attorney-General present this, I do so. I have no enthusiasm for it, Mr. Chairman.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, that's exactly a question I was going to ask. I can remember the Honourable Minister for Fort Rouge. I indicated that I believed that that kind of thing was not necessary. The Minister who is administering the Act did not want it. In this case the Minister administering the Act wants it. It is neither necessary nor required. I indicated that I presented without any enthusiasm. If the members wish to reject the suggestion they may find some support.

MR. GREEN: Yes. Mr. Chairman, I don't recall anybody being impassioned except the Honourable Member for Fort Rouge. I indicated that I believed that that kind of thing was not necessary. The Minister who is administering the Act did not want it. In this case the Minister administering the Act wants it. It is neither necessary nor required. I indicated that I presented without any enthusiasm. If the members wish to reject the suggestion they may find some support.

MR. CHAIRMAN: Any further discussion on the amendment? Section 4, the Annual Report as presented--pass. Page 3 as amended--pass. Preamble--pass; Title--pass; Bill be reported.

Bill No. 3 An Act to amend the Garage Keepers Act. There's only one page. What's your will and pleasure? Page--pass; Preamble--pass; Title--pass; Bill be reported.

(MR. CHAIRMAN cont'd)

Bill No. 4 An Act to amend the Mental Health Act. Page 1--pass; Page 2--pass; Page 3--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 5 An Act to amend the Condominium Act. Page 1--pass; Page 2--pass; Page 3--pass; Preamble--pass; Title--pass. Bill be reported.

MR. GREEN: Mr. Chairman, I wonder if you'd go by Bill No. 6; the reason being that I had some answers for some of the questions raised by honourable members and I don't appear to have them handy. I'll go and get them and then we'll come back to it.

MR. CHAIRMAN: Bill No. 9 An Act to amend the Snowmobile Act. Page by page? (Agreed) Page 1--pass; Page 2--pass; Page 3--pass; Page 4--pass; Preamble--pass; Title--pass; Bill to be reported.

Bill No. 11 An Act to amend the Queen's Bench Act. Page 1--pass; Page 2--pass; Page 3--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 12 An amendment to Bill No. 12.

HON. J.R. (Bud) BOYCE: Mr. Chairman, I have an amendment and distributed it.

THAT Bill No. 12 be amended by renumbering sections 1 to 10 thereof as sections 2 to 11 respectively and by adding thereto, immediately after the preamble thereof, the following section:

Clause 2(d). What does that mean? --(Interjection)-- But does that 'rep' mean? . . . repealed and substituted.

1. Clause 2(d) of The County Courts Act, being chapter C260 of the Revised Statutes, is repealed and the following clause is substituted therefor:

(d) "inspector" means the Administrator of the Court Services in the Department of the Attorney-General.

MR. CHAIRMAN: The amendment as moved. Any discussion--pass.

MR. BOYCE: There's a further amendment, Mr. Chairman.

THAT section 10 of Bill 12, as printed, and as renumbered as section 11, be struck out and the following section substituted therefor:  
Commencement of the Act.

11. This Act, except this section and section 1, comes into force on a day fixed by proclamation and this section and section 1, come into force on the day this Act receives the Royal Assent.

MR. CHAIRMAN: The amendment as moved--pass. Page 1, as amended--pass; Page 2--pass; Page 3 as amended--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 13 An Act to amend the Surrogate Courts Act. Page 1--pass; Page 2--pass; Page 3--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 17 An Act to amend the Liquor Control Act. Page 1--pass; Page 2--pass; Page 3--pass; Page 4--pass; Page 5--pass; Page 6--pass; Page 7--pass; Preamble--pass; Title--pass. Bill be reported.

Bill No. 18 An Act to amend the Clean Environment Act.

MR. GREEN: There are amendments to this.

MR. CHAIRMAN: The amendments have all been distributed. Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I wonder if it would be possible to delay consideration of these so we'd have a chance to look at them; there seems to be a fair number of extensive amendments. Perhaps the Minister would like to speak to them, but I, Sir, for one member of the committee would like to have a chance to read them more carefully to see how, in what way they may change the intent or act of the Bill.

MR. ENNS: Point of Order. Might I invite the Minister to give us an opening explanation of the nature of the amendments, just run through them, it would help us in that delivery if we then still felt we wanted to check back with the parent Bill. It's rather difficult to check the amendments without the parent Bill before us.

MR. CHAIRMAN: Are we agreeable?

MR. GREEN: Mr. Chairman, first of all I would like to indicate that they are not extensive amendments, they are mostly technical amendments, the Bill is being proceeded with in principle exactly as it started. But I'd be prepared to have this considered at the end of the day, in the meantime the members can review the amendments and I'll

(MR. GREEN cont'd) . . . . deal with them when we come to them. Go on to the next Bill?

MR. CHAIRMAN: Agreed?

MR. ENNS: Mr. Chairman, just on that, the Minister says they're mostly technical or housekeeping amendments. Can the Minister indicate any substantive changes that he wishes to draw our attention to that weren't debated at time of second reading of the Bill in the House.

MR. GREEN: Mr. Chairman, on the second page of the amendments, there is a question of how an appeal is dealt with, and I have been asking the Municipal Board to give me advice on particular questions rather than on the broad issue. Under the old, when the Municipal Board was the body of appeal rather than the Minister it required a hearing de novo. Now the Municipal Board is no longer hearing the appeal, it is giving advice to the Minister on particular questions. Each time this has happened I've asked for a limited hearing, and the board has felt that because the Act requires a hearing de novo, they require a hearing with all the evidence again, and it is not as deciding a question, so I'm asking that the words de novo be taken out so that there be no misunderstanding and they hold a hearing on the matter that is referred to them by the Minister. That is on the second page.

On the first page I do not feel that the amendments are substantive but that's always a dangerous thing to say. The honourable member will review them, and I say that we'll discuss them . . . we'll consider this Bill at the tail end, so the members will have an opportunity to look at them, or else we can deal with them as they come up, as we have always done.

MR. CHAIRMAN: What is the will of the committee? Proceed?

MR. JORGENSEN: Mr. Chairman. I would be satisfied if the Minister, when we come to those amendments, since we do not have the original Bill before us, it is difficult to know, just by looking at the amendments, just in what context they change any clause. If the Minister would just give us an explanation as to what the purpose of that amendment is, I think I would be satisfied.

MR. GREEN: Mr. Chairman, that's satisfactory with me and in most cases I'm going to be asking Legislative Counsel to deal with this because they are, in the most part, technical in nature. I remember that one had to do with existing orders, there are existing orders of the Clean Environment Commission relative to waste disposal, etc., whether they have to be complied with or the municipality continues. Yes, if we can proceed, Mr. Chairman.

MR. CHAIRMAN: Mr. Boyce, would you move the amendments please.

MR. BOYCE: I would move, Mr. Chairman, that the proposed subsection 14.1(1) of The Clean Environment Act, as set out in section 3 of Bill 18, be amended.

(a) by striking out the words "and no limits, procedures or conditions have been prescribed by the regulations respecting such a discharge of contaminant" in the 3rd, 4th and 5th lines thereof; and

(b) by striking out the words "the commission" in the last line thereof and substituting therefor the words and figures "or complying with subsection 14(1)".

MR. GREEN: I believe I can deal with those, Mr. Chairman. The first one raises an anomaly that if there has been a limit or a condition prescribed by the regulations then it would prevent the council from doing this, from proceeding without reference to the Commission, and it's not intended that any regulation or limit will infringe on the council's power to deal with this question. So we've crossed out the words "no limits, procedures or conditions have been prescribed by regulations or commission" to make sure that in this area the responsibility will be with the council, and we cannot remove it from the council by setting limits.

With regard to the last, they will have to deal with regulations that have been set, but they will not be precluded from proceeding if limits are set.

Now the last statement, I'm worried about whether this reads properly. "The municipality may begin operating the industry, undertaking, plant or process without reference to or complying with subsection 14(1)." Yes, that's the purpose of the section and we feel that it's more proper to say, dealing with section 14(1) rather than without reference to the Commission. That is just, I believe, style.

MR. CHAIRMAN: Any discussion on the amendment? (Agreed)

MR. BOYCE: Mr. Chairman, I would move THAT the proposed subsection 14.1(2) of The Clean Environment Act as set out in Section 3 of Bill 18 be amended

(a) by striking out the words "and no limits, procedures or conditions have been prescribed by the regulations respecting such a discharge of contaminant" in the 3rd, 4th and 5th lines thereof;

(b) by striking out the words "files" in the 1st line of clause (c) thereof and substituting therefor the words "filed",

(c) by striking out the word "files" in the first line of clause (d) thereof and substituting therefor the words "filed"; and

(d) by striking out the words "the commission" in the last line thereof and substituting therefor the words and figures "or complying with subsection 14(4)."

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Well, Mr. Chairman, the first one is merely a following through of the previous amendment. The second two are, I believe, grammatic. The third one is again the same amendment as was made in section 14(1).

MR. CHAIRMAN: Any discussion on the amendment? All those in favour (Agreed)

MR. BOYCE: Mr. Chairman, I would move THAT the proposed section 14.1 of the Clean Environment Act as set out in section 3 of Bill 18 be amended by adding thereto, at the end thereof, the following subsection:  
Change in manner of operation.

14.1(5) for the purposes of this section, a change in the manner or method of operating any industry, undertaking, plant or process, shall be considered to be beginning operation of the industry, undertaking, plant or process as of the date on which the change takes place.

MR. GREEN: Well, Mr. Chairman, this is merely to not permit somebody to demonstrably change what they are doing in terms of an operation without there being a proposal filed with the Commission. Otherwise, we don't want anybody to think that they can continue an activity with demonstrable changes in the way it's being carried on.

MR. CHAIRMAN: Mr. Enns.

MR. ENNS: Who decides when the change is demonstrable?

MR. GREEN: Well, Mr. Chairman, we had this discussion at the last session. In the same way as it is a question of fact as to whether a certain procedure is reasonable we have to be the ones responsible for deciding whether a change is demonstrable. This deals with 14.1. 14.1 is the section which requires a person to apply to the Commission to file a plan of activities with the Department of Natural Resources. If they don't do it and we feel that a complaint should be laid, a judge will decide whether in fact they have violated the Act by not filing a proposal even though they've made a demonstrable change in their operations. It depends then on enforcement. If we come to the conclusion that they have done something which they shouldn't do, then whatever procedure of enforcement that applies, whether it's the Commission or a prosecution, whoever is hearing that will decide that you did not do what you were supposed to do.

I suppose the first thing that would happen is that we would go to whoever it is and say, "why did you not file a proposal" and they would say, "we are operating under our previous proposal," and we would say, "you're not," and they would say, "we are." If there is a prosecution ensues a judge would decide or - my memory is not 100 percent - if this is one of the kind that goes to the Commission, they would decide whether in fact a demonstrable change has taken place. I just want to check that with Legislative Counsel.

MR. ENNS: If the demonstrable change was an improvement with respect to the operations of that industry for environmental reasons, for instance, if Modern Dairies changes fundamentally its operation to take care of the whey problem and the disposal of whey, is that regarded as a start-up of a new industry for which the dairy then has to make application from Day One to get the seal of approval from the Clean Environment Commission?

MR. GREEN: Mr. Chairman, may I say that the Honourable Member from Lakeside has a one-way mind. This is not intended to prevent an improved change in operation. What it is intended to do is advise the department that a change in operations is taking place, and if it is an improvement sometimes will be a question of argument. If there is

(MR. GREEN cont'd) . . . . . a substantial change in the way in which they are dealing with a pollutant then they have to so indicate to the department.

MR. ENNS: Mr. Chairman, the government as a whole has demonstrated a one-way mind on the subject matter that I raised in a sense that they have today refused permission by the private sector to solve a pollution problem affecting our environment. I would like to think that that should be somehow written into this amendment or acknowledged in the Act, that a change for the better, when a private sector is, in fact, making a demonstrable change to improve its operation with respect to environment that there should then not be a continuing bureaucratic struggle for it to go through to gain approval.

MR. GREEN: Well, Mr. Chairman, the fact is that if the honourable member will look at the regulations that have been passed by the government with regard to the disposal of whey, they do not prohibit anybody from adopting good practices relative to whey disposal.

Now I know my honourable friend feels that he has a case to make here and he has found an ally in, of all persons, the editorialist who I will refer to as "Ted Stupidly" who suggests that the reverse is the case. But I am assuring the committee that the reverse is not the case and I would ask that the committee deal with the amendment accordingly.

MR. ENNS: Mr. Chairman, I'm not prepared to hold up the committee on this point, but simply to put it on the record that that of course is not the case. The industry is currently and has been for two years prohibited by another Act, namely the Dairy Act, not this Act, by another Act, by another Act which requires it to have a licence prior to any changes, alterations made in that particular industry. For the past two years this government has refused that licence, that privilege to the private sector and I am merely voicing concern that we are not in any way aiding and abetting that situation by the passage of this Act, we're just merely giving another body, another board, another agency of government a further hold on determining when and how industry can operate in this province.

MR. GREEN: Well, Mr. Chairman, I assure the honourable members of the committee that we are not aiding and abetting a situation which doesn't exist.

MR. CHAIRMAN: Further discussion on the motion? Mr. Enns.

MR. ENNS: Mr. Chairman, you know, the Minister keeps feeding me these lines. If a situation doesn't exist then what the hell was the whole whey argument all about?

MR. GREEN: I agree . . . that is a good question . . .

MR. CHAIRMAN: The amendment as moved--pass; Order please. Mr. Boyce.

MR. BOYCE: Mr. Chairman, I would move that Bill 18 be amended:

(a) by renumbering section, 4, 5 and 6 thereof as sections 5, 7 and 8 respectively;

(b) by adding thereto, immediately after section 3 thereof the following section:  
Subsection 17(1) amended:

4. Subsection 17(1) of the Act is amended by striking out the words "the matter" in the 3rd line and 4th line thereof and substituting therefor the words " any matter or question arising out of the appeal": and

(c) by adding thereto immediately after section 5 thereof, as renumbered (section 4 as printed) the following section:

Subsection 17(4) amended:

6. Subsection 17(4) of the Act is amended by striking out the words "de novo" in the 2nd line thereof.

MR. GREEN: Mr. Chairman, as I had referred to before, on three occasions I referred matters to the Municipal Board for advice on a specific question. In all three crises the board felt that they had to hold an entirely new hearing and then gave me advice on questions which I had not referred to them, because of the de novo provision in the Act which related to when they decided the appeal, not us.

MR. CHAIRMAN: The new subsection 17(4). Subsection 17(1)--pass; subsection 17(4)--pass.

MR. GREEN: Mr. Tallin, I'm sorry, I don't see the amendment here, which permits me to - oh yes, we're coming to that next, I'm sorry. This is to refer back to

(MR. GREEN cont'd) . . . . the Commission, that's section 4 of the new bill. I'm sorry, Mr. Chairman, just proceed.

MR. CHAIRMAN: All right. Page 1 as amended--pass; Page 2 as amended--pass; Page 3 as amended--pass; Preamble--pass; Title--pass; Bill be reported.

Do you want to proceed with Bill No. 6 now?

MR. GREEN: Let us proceed with Bill 6. I have the . . .

MR. CHAIRMAN: The amendment has been distributed?

MR. GREEN: Yes.

MR. CHAIRMAN: Mr. Boyce. It's on Page 2. Page 1--pass; Page 2 - Mr. Boyce.

MR. BOYCE: I would move that section 6 of Bill 6 be amended by striking out the word and figures "Subsection 11(4)" in the 1st line thereof and substituting therefor the words and figures "Subsections 11(4) and (5)."

MR. CHAIRMAN: The amendment as moved. Any discussion? Pass. Page 2 as amended--pass; Page 3--pass. Mr. Enns.

MR. ENNS: Mr. Chairman, because of my awareness of an individual case I would like the Minister to give us some further explanation as to the activity of the board in acquiring property. I'm looking for the . . . We're dealing page by page, on Page 3, 24(1) I suppose is the clause:

"The District Registrar of any Land Title Office may accept as conclusive the certificate of affidavit of the chairman of the board," that is the CEDF Board, "as to whether any particular property has been acquired by the fund, as to the purpose for which it has been acquired, and as to whether it was acquired, dealt with or disposed of by the fund pursuant to the powers contained in this section."

It seems to me, Mr. Chairman, a great deal of authority has been given to the chairman of the Community Economic Development Fund Board to acquire property. I know of one particular instance in my constituency where some 300 acres was acquired by the board in the manner and there seems to be some concern expressed by those who were instrumental in putting together the properties for a future community development project involving prime recreational land on the shores of Lake Manitoba in the St. Laurent district. That since, for one reason or another, either through a lack of co-operation from Ottawa authorities the project has not moved forward. The individual involved made several appeals, applications to the Cabinet, to the board I suppose in the correct manner, for some consideration re his original involvement in the acquiring of the option to purchase that land, all of no avail, and the board or the government - and I would like this explained - is the Economic Development Fund buying land on behalf of agencies or departments of government? I'll leave it at that for the moment, Mr. Chairman.

MR. GREEN: Mr. Chairman, the section will not affect that - and again if I'm saying something wrong I want to be corrected by Legislative Counsel. The section merely becomes proof to the District Registrar as to the land having been acquired for certain purposes. That's for registration purposes. It will not affect the rights as between the Fund and another party as to whether they properly acquired, did not properly acquire, whether they owe that person money or do not owe that person money.

I don't want my explanation to be incorrect before I deal with the other point that has been raised. I do not believe that this section changes the powers of the Fund to acquire. This section gives evidence to the district registrar, it's like a certificate that this is what was done. If there was something wrong as between the Fund and that person this certificate will not affect that problem. Okay that's first.

Dealing with your problem, really it's a problem to be dealt with in committee on a bill, but I can tell you this, that the Fund did acquire property in accordance with a projected program which would have involved the Communities Economic Development Fund. That the program did not proceed. That one of the individuals who was involved felt that he was entitled to the property. If the property would have been turned over to him it is speculative because of what he wants to sell the other property that he has for, that there would be a capital gain on the property of something like 100 percent or more.

The public cannot give a gift of 100 percent or more to a particular person. The Fund felt that it owned the property and was wanting to keep the property. It was not the philosophy of the Communities Economic Development Fund that it must lose money,

(MR. GREEN cont'd) . . . . although it does lose money from time to time. It is not the philosophy that it must lose money. And if there are rights outstanding as between the Communities Economic Development Fund and that particular person, they can be determined at a court of law.

I want you to know that the person has made several appeals. He's gone to the Ombudsman and the Fund is standing on its right with regard to ownership of the property, as the honourable member would do if it was his property.

Those rights as between the Fund and that third person are something which this committee in my opinion cannot deal with.

MR. ENNS: Mr. Chairman, that was my only purpose for raising the matter at this point. There seemed to be some concern expressed by the individual involved that the Bill 6 presently before this committee in some way abrogated his rights to pursue what he felt was a legitimate claim. If the Minister can assure me that, as he already has, that that is not the case, that if the individual involved has in no way, in the passing of this bill, either lessened or decreased his opportunities for what he considers to be just and fair treatment by the hands of this government, then I have no objections to the passing of this bill.

MR. GREEN: I will go one step further, Mr. Chairman. I know of nothing that we are doing that affects that man's rights. If it came to be that there was a suit and the government relied on something in here to act as some defence against that man's claim, then I would do whatever I could to have that undone, because I am not aware that that is happening.

I'm looking at the Chairman of the Fund and he is nodding in agreement so I do not believe that we are doing anything that would affect those rights, and if we did do something then whatever I could do to have it undone, I would do. That's the only commitment that I can make to my honourable friend.

MR. ENNS: I have no difficulty, Mr. Chairman, accepting the Minister's reassurances on this part. I go one step further, too. I also must say with some regret that I have every reason to believe that under no circumstances will this Minister or this government return to private hands any lands acquired by the Fund or by the Manitoba Agriculture Credit Corporation or by any other agencies of government that they have under the present . . .

MR. GREEN: Mr. Chairman, you know, the honourable member keeps feeding me lines. If we turned over that land to that person and gave him a contribution of \$62,000 then as sure as God made little apples, somebody from the opposition is saying that this government turned away a profit and gave \$60,000 to a private individual.

MR. CHAIRMAN: I would like to point out to the committee that there's a typographical error in 24.1(4). In the second line after the word "certificate" it should be "of". With that correction would the committee - "of" should be "or", should be "the certificate or affidavit". Pass. Page 3 as amended--pass; preamble--pass; title--pass; bill be reported.

MR. GREEN: Mr. Chairman, I want to tell the members of the opposition that Mr. Minaker who had certain questions is not here - I really think that it would be preferable if I gave him a written answer to some of them rather than going into them at committee.

MR. CHAIRMAN: Bill No. 21, an Act to amend the Condominium Act No. 2. (Agreed)

MR. TALLIN: Could we defer this because we haven't the amendments prepared yet that were suggested by Mr. Smethurst.

MR. CHAIRMAN: Is the committee agreed? (Agreed) Bill No. 22. An Act to amend the Alcohol Foundation Act. Page by page. Page 1--pass; Page 2--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 25, an Act to amend the Highways Protection Act. Page by page. Page 1--pass; Page 2--pass; - there is a correction on Page 4. Page 3--pass; Page 4. Would someone move that in 3.1(15) that the members of what is now presently in the Act, "Transport Board" be changed to "Traffic Board". So moved. 3.1(15) as amended --pass; Page 4 as amended--pass; Page 5--pass; Page 6--pass; Page 7--pass; Preamble --pass; Title--pass; Bill be reported.



(MR. CHAIRMAN cont'd)

Bill No. 28. An Act to amend The Wheat Board Money Trust Act. Page 1--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 29. An Act to Amend the Builders and Workmen Act. Mr. Walding.

MR. WALDING: Mr. Chairman, I move that Bill 29 be amended by renumbering Sections 1 to 5 thereof as printed as sections 3 to 7 respectively and by adding thereto, immediately before section 3 thereof (section 1 as printed) the following sections:  
Long title amended

1 The title to The Builders and Workmen Act, being chapter B90 of the Revised Statutes, is amended by striking out the word "Workmen" therein and substituting therefor the word "Workers".

Sec. 1 am.

2 Section 1 of the Act is amended by striking out the word "Workmen" therein and substituting therefor the word "Workers".

MR. CHAIRMAN: Any discussion on the motion? Pass. Page 1 as amended. . .

MR. WALDING: And, Mr. Chairman, there is a further amendment. I move THAT the proposed clause 11.2(2)(b) of The Builders and Workmen Act, as set out in section 1 of Bill 29, be amended by adding thereto, immediately after the word "registered" in the first line thereof, the words "or certified".

MR. CHAIRMAN: The amendment as moved, any discussion?--pass; Page 1 as amended--pass.

MR. ENNS: Mr. Chairman, I don't think that we should slide past this bill, monumental as it is, without some comment. What we are of course acknowledging that occasionally a worker could be a woman and I think in deference to the women's liberation movement that should be duly noted at this committee at this time here.

MR. CHAIRMAN: Any further discussion? 1 as amended--pass; 2--pass; 3--pass; 4--pass; Preamble--pass; Title--pass; Bill be reported.

MR. GREEN: I'd like to hold 30, there may be an amendment that I have and I'd like to discuss it with the Legislative Counsel.

MR. CHAIRMAN: We'll hold Bill No. 30. Bill No. 31, an Act to Amend the Oakwood Memorial Scholarship Act. Page 1--pass; Preamble--pass; Title--pass; Bill be reported.

I understand the Attorney-General wants to hold Bill No. 39.

Bill No. 40. An Act to Amend the Corrections Act. Page 1--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 42. An Act to Amend the Social Allowances Act and to give the Manitoba regulation 260/75 retroactive effect. Page 1--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 44. An Act to Amend the Civil Service Superannuation Act. Page 1--pass; Page 2--pass; Page 3--pass; Page 4--pass; Page 5--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 47. An Act to amend The Highway Traffic Act. We have some amendments, just wait until they're distributed. Mr. Walding.

MR. WALDING: Mr. Chairman, I move that clauses 1(a) to (j) both inclusive of Bill 47 be struck out and clauses 1(k) to (vvv) both inclusive be renumbered as clauses 1(a) to (lll) respectively.

MR. CHAIRMAN: Motion as moved, is there any discussion on the motion? Pass. Mr. Walding.

MR. WALDING: Mr. Chairman, I move that renumbered clause 1(vv) of Bill 47 be amended by striking out the figures "398(1)" therein and substituting therefor the figures "298(8)".

MR. CHAIRMAN: Motion as moved, is there any discussion? All those in favour? Pass.

MR. WALDING: Mr. Chairman, I move that renumbered clause 1(zz) of Bill 47 be amended by striking out the figures "(99)" in the 2nd line thereof and substituting therefor the figure "(9)".

MR. CHAIRMAN: Motion as moved, is there any discussion on the Motion? Hearing none, all in favour--pass. Page 1 as amended--pass; Page 2--pass; Page 3--pass; Page 4.

MR. WALDING: I move that section 13 of Bill 47 be struck out and the following section be substituted therefor:

Subsec. 356(1.6) amended.

13 Subsection 256(1.6) of the Act is amended by striking out the word "board" in the 2nd line thereof and substituting therefor the word "registrar".

MR. CHAIRMAN: Subsection 356(1.6) section 13 as amended - any discussion? Pass. Page 4 as amended--pass; Page 5--pass; Page 6--pass; Page 7--pass; Page 8--pass; Preamble--pass - Mr. Henderson.

MR. HENDERSON: At the time we were discussing this the Minister gave me some notes on the explanation of this bill and his notes and his explanations were to the effect that there would be an amendment brought in at the time this here was gone through to this stage and I see there's no amendments. I was just wondering if maybe we could hold it up. I have some notes on the thing myself if I can find them but I feel sure that the Minister meant to introduce a . . .

MR. BALKARAN: There's another bill to come. Bill No. 2 to come.

MR. HENDERSON: No, but Bill No. 2 hasn't had second reading yet. No but it's Bill 47 . . .

MR. BALKARAN: It's not printed yet.

MR. HENDERSON: It's in 47 that he meant to propose an amendment at the time it was going through third reading. I don't see an amendment here for Bill 47.

MR. CHAIRMAN: What section was it under Mr. Henderson?

MR. HENDERSON: Mr. Chairman, I think probably I should get a few notes that I have on the thing, I might be able to find it. If you could hold up this bill for a little I might be able to find it.

MR. CHAIRMAN: Is it agreed we'll hold this bill till . . . (Agreed)

Bill No. 51 The Retirement Plan Beneficiaries Act. Page 1--pass; Page 2--pass; Page 3--pass; Preamble--pass; Title--pass; Bill be reported. Mr. Henderson.

MR. HENDERSON: Mr. Chairman, I've been talking to Mr. Dygalo and we're in agreement with what I said but it's going to come in on the next bill he said, so it will be taken care of in there. So on that condition I'm ready to let Bill 47 pass.

MR. CHAIRMAN: All right. Bill 47, Preamble--pass; Title--pass; Bill be reported.

Bill No. 52 An Act to amend The Real Property Act. Page 1--pass; Page 2 --pass - do you have an amendment?

MR. WALDING: Mr. Chairman, I move that section 5 of Bill 52 be struck out and the following section substituted therefor:

Subsection 106(1) amended

5 Subsection 106(1) of the Act is amended

(a) by adding thereto, immediately after clause (g)

thereof, the following clause:

(g.1) constructing, maintaining and operating a railway; and

(b) by adding thereto, immediately after the word

"telegraph" in the first line of clause (i) thereof,

the word "railway".

MR. CHAIRMAN: Subsection 5 as amended--pass; Page 2 as amended--pass; Page 3.

MR. WALDING: Mr. Chairman, I move THAT Bill 52 be amended by numbering section 12 of the Bill, as printed, as Section 13 and by adding thereto, immediately after section 11 thereof, the following section:

Clause 173 (b) amended.

12 Clause 173 (b) of the Act is amended by striking out the words "use of the seal" in the first line thereof and substituting the words therefor, "Execution of an instrument on behalf".

MR. CHAIRMAN: Mr. Tallin.

MR. TALLIN: This arises because of the new Corporations Act which has been introduced, which no longer requires corporations to have seals, they only have it if they chose to have a seal, so they're changing this so that --(Interjection)-- That's right. No it's not an instrument of execution, it's execution of an instrument.

MR. CHAIRMAN: The new subsection in section 12--pass; Page 3 as amended --pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 53 An Act to amend The Registry Act. Page No. 1--pass; Page 2--pass; Preamble--pass; Title--pass; Bill be reported.

Bill No. 60 An Act to amend The Securities Act. Page by page? Page 1--pass; Page 2--pass; Page 3--pass; Page 4--pass; Page 5--pass; Page 6--pass; Page 7--pass; Page 8--pass; Page 9--pass; Page 10--pass; Preamble--pass; Title--pass. Bill be reported.

Are you ready to proceed under Bill No. 30 now, Mr. Green?

MR. GREEN: No, Mr. Chairman, I was asked some questions and I think that what I'll do is just hold the Bill and I will give the honourable members who asked the questions the answers and before we get to committee next time they'll decide whether they want to pursue them or not. So just leave it there.

Those are all the Bills then before the committee. Committee rise and report.