

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, June 14, 1979

Time: 8:00 p.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 Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'd like to direct a question to the Honourable Minister of Mines, Resources and Environmental Management. This afternoon, Mr. Speaker, I was asking the minister whether the residents around Turnbull Drive will have the same parameters applied with respect to flood relief as the residents of Carman. The minister said that if their flood protection works were not doing what they are supposed to do, he would consider that. I ask the minister whether these residents will be given flood protection, even if the existing works are doing what they are supposed to do, which is what The Society of Engineers have always said they are doing?

MR. SPEAKER: The Honourable Minister of Mines.

HON. BRIAN RANSOM (Souris-Killarney): That is really not an undertaking that I can make at this time, Mr. Speaker, but I am concerned about a large number of communities in the province — probably a number in excess of 30 communities — with too great a frequency suffer from flood damage, and it will be our intention to examine all of those situations.

MR. GREEN: Mr. Speaker, I congratulate the minister. I think that that's a worthy endeavour. Now, I'm going to ask him: Will the residents on Turnbull Drive be given the same consideration with regard to flood protection and that the same criteria, parameters apply as will be the citizens in Carman?

MR. RANSOM: Mr. Speaker, it's impossible to answer that question with an absolute yes or no, because the situation that exists on Turnbull Drive is different than the situation that exists at Carman or at Ste. Rose or at Gladstone or the Peguis Indian Reserve, the various other places that flooding has taken place.

All I can say, Mr. Speaker, is that we are prepared to move away from the hard and fast rule of policy that previously has been followed in denying flood protection to those communities where the cost benefit ratio was not a positive one. What I am saying is that we are prepared to examine the individual circumstances that exist in individual cases, and attempt to arrive at some kind of satisfactory solution.

MR. GREEN: Mr. Speaker, again I commend the member. What I am asking is whether the same criteria will be applied, the softened criteria that the Minister says he will be applying, as against what he refers to as the hard criteria were applied, when the new criteria are established will the people on Turnbull Drive be judged on the same criteria as those in Carman?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Mr. Speaker, all of the communities that suffered from flood damage will be given consideration.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE: Mr. Speaker, may I ask the same Minister on the same question if the people in Cowan, Slater, and Turnbull Drive will get the same treatment from this Minister as they got from the former Minister when those people are flooded, flooded beyond the wildest comprehension, and never got a cent — and the Minister opposite was in charge of the flood in those days. Can they expect now equal treatment to the people on Turnbull Drive, or better treatment under this Minister?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Well, Mr. Speaker, I can only respond by reiterating what the previous policy has been in terms of providing flood protection to communities where the cost benefit ratio has been a positive one. It has been the policy for the senior governments to provide flood protection to those communities. I think now that it is necessary to re-examine the problems that exist, as I say, in a large number of communities, probably in excess of 30, and we must give consideration to all the factors, such as the detrimental effect upon the possibilities for future development, the detrimental effect that flooding has. And all I'm saying is that we are prepared now to re-examine individual cases on the basis of the circumstances that exist there, and examine possibilities of cost-sharing agreements between all levels of government.

MR. McKENZIE: Mr. Speaker, I thank the Honourable Minister for those comments, and may I now ask the Honourable Minister if the people in Cowan, Slater, and that area, who have experienced flooding conditions comparable to most of the province, where they're not in the Press or the media every day, this year, and under these conditions and under the flood rules and the regulations that are now being set up, receive the same conditions as the people from Turnbull Drive, or Carman, or any other jurisdiction in the province?

MR. RANSOM: Mr. Speaker, again I must respond similarly to what I did to the Member for Inkster, that each individual community will have to be examined on the situation that exists there. The magnitude of the task of providing flood protection to communities that have been suffering that sort of damage is of tremendous magnitude really. The costs over the long term to provide flood protections to those communities which would like to have flood protection would be very great, so each situation will have to be examined very carefully, and I'm sure that it will be only over a very long period of time that it would be possible to arrive at solutions that are satisfactory to the communities.

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

MR. McKENZIE: Mr. Speaker, I wonder, does the Minister or the government know that the last time that I raised this, when the members opposite were in government, they had a Cabinet of that day, including the Premier, brought these people into Dauphin to discuss their flooding problems, and that the record will show they never received any compensation to this date.

MR. RANSOM: Well, Mr. Speaker, that's a difficult thing for me to confirm, but I would be quite prepared to accept the statement of the Honourable Member for Roblin in that regard.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I never asked any questions with regard to flood compensation, which was always paid on an equal basis to all citizens. I asked the Minister whether the hard policy of examining cost benefits before engaging in flood protection, whether that hard policy that he refers to of examining cost benefits before affording flood protection was in existence for at least 18 years in the Province of Manitoba, and was carried over from the Roblin Administration, the Weir Administration, to the Schreyer Administration.

MR. RANSOM: Mr. Speaker, I believe on a previous occasion I have said that that policy had been in effect for a period of time that spanned the previous regime and the administration prior to that. What we are prepared to acknowledge now, Mr. Speaker, is that the policy has some shortcomings and must be re-examined. We are prepared to do that. All I'm saying is that the previous administration had not been prepared to do that.

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

MR. A.R. (Pete) ADAM: Thank you, Mr. Speaker. I don't know which Minister is responsible for flood compensation. I am receiving complaints in my area that inspectors are not coming around to assess the flood damages, and I understand that some inspectors have been laid off. I'm receiving those complaints, and I'm wondering when the inspectors will be around to complete the work that they are supposed to be doing. I don't know which Minister is responsible.

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, I'll be happy to take that question as notice on behalf of the Minister of Government Services, who is the responsible Minister.

MR. SPEAKER: The Honourable Minister for St. George.

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I'd like to address a question to the Minister of Agriculture, and ask him, in light of his previous statements that there were no public funds made available to the Cattle Producers Association, I'd like to ask him if he will be sending a bill to the new Cattle Producers Association for computer services that the department performed for them during the balloting?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): Mr. Speaker, no, there'd be no intention of doing that.

MR. URUSKI: Thank you, Mr. Speaker. Does the Minister consider that as a grant? . In what manner is he considering that to be funds paid over to the Association? How does he consider that? Is that a loan, or how does he consider that gift that he has given to them?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Well, Mr. Speaker, I would certainly take as notice and review what the member has brought to my attention. I don't consider it as a grant or a gift of any kind, but will review the situation which he brings to my attention. If there has been information given to, or provided for, a livestock association in the province, I'm sure it hasn't been the first time that this has been done, and will of course report back on this matter.

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

MR. URUSKI: Thank you, Mr. Speaker. Can the Minister assure this House that if any other organization dealing in livestock will be afforded the same kind of gift or information that was provided in terms of computer services from the department should they so desire it?

MR. DOWNEY: Mr. Speaker, as I stated earlier, I don't consider it as a gift, but if it is a service that is provided that will encourage the development of the livestock industry in Manitoba, I certainly would give consideration to them.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker. I'd like to address a question to the Minister of Labour respecting employment trends in the province. Inasmuch as it is normal to see a large jump in the number of persons employed in the month of May when the university year ends, and inasmuch as there has been a large increase, Mr. Speaker, in the number of persons employed in Canada as a whole, a large percentage increase, has the Minister any explanation why Manitoba was the only province of the ten provinces not to register an increase in the number of employed, but rather to show a decrease of 4,000 jobs fewer than last May, that is, in the May of 1978?

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): Mr. Speaker, I would have to go back and dig out the files and try to certify whether in fact the facts of the Member for Brandon is correct, but I think southern

Manitoba had a sort of a problem during April and May that most Manitobans are aware of. Winter extended one month later this year and a lot of people are aware of that, and we had that disastrous thing called a flood, and I think if you combine both those you might expect that the normal sort of activities in a lot of industries in the province, service industries, for example, weren't picking up as they normally do under normal circumstances in the month of May.

MR. EVANS: Well, thank you, Mr. Speaker. I would hope that the Minister will be able to look at the figures. I just wanted, for his information, it wasn't the month of April and May; it was the month of May itself, and this is based on the Labour Force Survey, comparing May of this year with May of last year, and it shows a drop of 444,000 to 440,000.

I'd like to ask a supplementary question, and that is, can the Minister report at this time the number of persons who may be employed under the Youth Employment Program which the Minister is now responsible for? Inasmuch we're now in the middle of June, he should have as some indication by now as to the number of applications received and approved under that program.

MR. MacMASTER: I haven't got a specific number, Mr. Speaker, but it is my understanding that that program is receiving even greater acceptance than it was last year and the numbers quite hopefully will be larger than it was last year.

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

MR. EVANS: Yes, Mr. Speaker. I wonder if the Minister would be able to give us a ballpark figure, not this evening but perhaps tomorrow sometime or in the near future, as to approximately what the number of applications approved to date have been; an approximate figure; I'm not asking for a precise figure.

MR. MacMASTER: For an approximate figure, I would suspect it's in the . neighbourhood today of somewhere between 2,500 and 3,000. Now, that's a guess. I can get that figure, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, this afternoon I promised to investigate for the Honourable Member for Transcona, the alleged under-funding or withdrawal of funding for a summer camp associated with adult retarded citizens from the Beausejour Workshop and Community Residence area. I can confirm that our summer camp and recreation programs are all fully in place, being maintained at the same levels as they have been in previous years, with no reduction of any kind, Mr. Speaker. My department . officials advise me that they are not aware of any difficulty of the kind cited by the honourable member and had no requests or enquiries about it. If he will provide me with additional information, I'll look into it further, but it might be funding having to do with the United Way or some agency of that kind.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: I thank the Minister and I'll give him the specific name after Question Period.

Mr. Speaker, I would like to direct a further question to the Minister of Health. Is the Minister in a position to indicate to us the overall development plans for the Health Sciences Centre?

MR. SHERMAN: Mr. Speaker, those are going to be revealed very shortly.

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

MR. PARASIUK: I would like to ask the Minister if it's his intention to announce these plans to the Legislature, or is it his intention to wait until the present sitting of the House ends so that he can announce these plans to the general public without allowing us the opportunity to ask him questions about these redevelopment plans, which I believe he has in final form before him right now?

MR. SHERMAN: Mr. Speaker, there has been and is no intention either way. The intention has always been to move on redevelopment of the Health Sciences Centre as quickly as possible. If the House is still sitting at the time that it is possible and intended to make that official

a simultaneous announcement will be made within and without the Legislature.

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

MR. PARASIUK: Mr. Speaker, this is a final supplementary to the Minister — this afternoon the Minister indicated that the difficulties in the guest homes are not the result of any overt activity of the Conservative Government. I would like to ask him a question about some covert activity of the government that may in fact be creating some difficulties in the guest houses. Since members of his own staff are indicating that provincial rates for outpatients of mental hospitals are lower in Manitoba than other provinces which have led to circumstances where some of these outpatients are not being served lunch, can the minister indicate whether, in fact, this is an effect of the Conservative Program of acute protracted restraint, which is a covert activity in that the effects of it are seen down the line with people being cut out of essentials like lunch?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: On the contrary, Mr. Speaker, we have moved in precisely the opposite direction, as the honourable member knows. We have this year introduced increases on a graded category basis for foster homes and foster home care for mentally ill and post-mentally ill citizens. We have increased the number of receiving home beds; we have increased the number of community residences; we are trying to move as responsibly in the area of de-institutionalization as we can.

I would thank the honourable member for referring to the specific terminology that I used this afternoon, Mr. Speaker, and suggest that perhaps it is open to interpretation other than that I intended. The intention of my remark was that there is no deliberate, planned policy which says that attempts will be made to place people in substandard rest homes or guest homes.

What I am suggesting to the honourable member is that the search is on for accommodation for people who need placement, and there are some people, regrettably, unfortunately, who cannot be accommodated or will not be accommodated by other guest homes. As a consequence, many social workers, hospital workers are forced to take what they can get in the way of accommodation rather than putting those people on the street.

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

MR. URUSKI: Thank you, Mr. Speaker. I'd like also to pose a question to the Minister of Health, and ask him — since several weeks have gone by when he indicated to me that the decision on the construction of the personal care homes in either Ashern or Eriksdale would be momentary, has he made that decision and can he advise the House and the people of that area?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, those deliberations have gone on long into the night, many a night. As the honourable member knows, there is considerable competition between the communities of Eriksdale, Ashern, and Lunday for that facility.

What we have asked for is a consensus, Mr. Speaker, obviously an agreement acceptable to all or reasonably acceptable to all. If we don't get that, we will have to make an arbitrary decision and do so soon.

MR. URUSKI: Mr. Speaker, since the plans for the homes were ready approximately two years ago, can the minister indicate whether he will stop playing his brand of politics and build that home, and make the decision that was to put two homes in both communities, 20 beds in Ashern, and 20 beds in Eriksdale, as was originally planned; get on with the plan and quit playing politics.

MR. SHERMAN: When the day comes that I stop playing my brand of politics, Mr. Speaker, I fear for the welfare of the great constituency of Fort Garry. But quite apart from that, the decision will be made and will be made as quickly as possible, hopefully on the basis of a consensus. If we don't get that, we'll make our own decision; I can assure the honourable member it'll probably come during the month of June.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Mr. Speaker, my question is to the Minister of Education. According to a letter sent around by the Manitoba Department of Education School Building Projects Committee, dated May 16, 1979, the Manitoba School Building Projects Committee is warning school divisions of an asbestos problem that might be created because of the use of asbestos in older school buildings. As a result of this, the Morris-Macdonald School Division trustees have directed their Secretary-Treasurer to arrange for tests for asbestos levels in the air to be made in the division schools in that school division. Can the Minister indicate who will be undertaking the testing of asbestos in the schools in that division?

MR. SPEAKER: The Honourable Minister of Education. HON. KEITH A. COSENS (Gimli): Mr. Speaker, I would have to take the question as notice.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, in response to the comments of the Member for St. George who talks about playing politics, and also the question from the Honourable Member for Brandon East about moving vans, I wonder if the Minister of Economic Development can tell me how many moving vans are needed to bring in the six or seven new businesses that are now setting up in the Roblin constituency?

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I am aware of the six or seven new businesses that are setting up in Roblin, but I don't know how many moving vans it will take to get them there.

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

MR. SAMUEL USKIW: I would like to ask the Attorney-General whether or not he has had a communication from the R.M. of Springfield and esterested people in the community with respect to vandalism in the church and the grotto at Cooks Creek?

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Yes, Mr. Speaker, the local RCMP detachment have been requested to investigate the complaints.

MR. USKIW: Yes, I didn't hear the Minister. Did he say they are investigating, or will investigate, Mr. Speaker?

MR. MERCIER: The local RCMP detachment have been requested to investigate the complaints, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, my question is directed to the Minister of Health and it arises from his answer to my previous question about nursing homes. Can he confirm a report in the Winnipeg Free rovincial Press that one of his staff, namely the Director of the P Office of Residential Care, has stated that the guest home rates for these outpatients are somewhat below that of other provinces, even though he does admit they have been raised. Now, can the Minister can confirm that his staff are on record as having stated that publicly?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: No, I can't confirm that, Mr. Speaker, and I suggest that the honourable member may be applying a different interpretation to the term "rates" than the director of Residential Care was. Our social allowance rates, our foster home rates, our mental health and mental retardation support rates are competitive with any province in this country.

MR. PARASIUK: Yes, Mr. Speaker, my question is now directed — a supplementary on the same topic — is directed to the Minister responsible for the Manitoba Housing and Renewal Corporation. Could he indicate to us whether in fact the Corporation has a list of those people who have applied

for low-income family housing or senior citizens' housing, who are unable to get into that housing because of government cutbacks in the Public Housing Program and are therefore forced to stay in these private guest homes, many of which are of substandard quality? Does he have a list of the number of people who are waiting to get into public housing who are forced to stay in these houses?

MR. SPEAKER: The Honourable Minister of Economic Development.

MR. JOHNSTON: I don't accept his statement, Mr. Speaker, that there have been any cutbacks in the decision of this government to build senior citizens' accommodation or public housing. The honourable member refers to people who are from hospitals who are in guest homes, etc. The MHRC is responsible for supplying public housing for families who are in need and senior citizens who are in need and we haven't made any cutbacks. In fact, we have built more senior citizens' accommodation in the core area of Winnipeg in the last two years than the previous government did in eight.

MR. PARASIUK: Mr. Speaker, I would like to ask the Minister a question very slowly because he obviously didn't hear my question before in that he spent his time bringing in inaccuracies rather than dealing with the question.

My question to the Member for Rock Lake is, does the Minister have any lists indicating the number of people who are eligible for senior citizens' housing and for low-income housing who are unable to get into that housing and therefore are forced to take other accommodation in private guest homes, some of which are substandard?

MR. SPEAKER: Order please. The question is repetitive.

MR. PARASIUK: On a point of order, Mr. Speaker, I asked the question before and I was assuming that since the Minister decided not to deal with . . .

MR. SPEAKER: Order please, the honourable member has no point of order.

Orders of the day.

Does the Honourable Member for Transcona want to rephrase the question?

MR. PARASIUK: Yes, I would like to rephrase the question. Does MHRC, in order to determine fully the need of senior citizens and the need of low-income families, keep lists of those people so that the needs of those people can be met through the provision of adequate public housing rather than forcing these people into private guests houses, many of which are substandard?

MR. SPEAKER: The question is still repetitive; it's out of order. The Honourable Member for Churchill.

MR. COWAN: Thank you, Mr. Speaker. My question is to the Minister of Labour and Manpower. Can the Minister indicate if any progress has been made on the summer student employment survey for the previous year?

MR. MacMASTER: I understood, Mr. Speaker, that that should be completed any day now. I haven't got it in my hands.

MR. COWAN: Thank you. Can the Minister indicate if that report will be tabled in the House if the House is still in session, and if the House is not in session, can he indicate if it will be given to members of the opposition who have shown interest in that particular problem?

MR. MacMASTER: I have no problem in dealing with that report appropriately when I receive it, Mr. Speaker.

MR. SPEAKER: Orders of the day. The Honourable Member for Churchill with a final supplementary.

MR. COWAN: Yes, for clarification, . . . Speaker, is the Minister indicating that he will make that report public, or that he will not make that report public?

MR. MacMASTER: I don't think it will be full of any secrets, Mr. Speaker.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSON (Morris): Mr. Speaker, I wonder if the Honourable the First Minister might have leave to introduce Bill 70.

MR. SPEAKER: Has leave been granted? (Agreed) The Honourable First Minister.

BILL NO. 70 — AN ACT TO AMEND THE LEGISLATIVE ASSEMBLY ACT

HON. STERLING R. LYON (Charleswood) presented Bill No. 70, An Act to amend The Legislative Assembly Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, this bill is one that I realize from some experience in this House that all First Ministers have some trepidation about introduction because it relates to the matters of the Members of the House and matters related to their allowances, indemnities and so on. I am in no better position with respect to that feeling than was my predecessor, nor his predecessor before him, nor any others that I am aware of. It is always a matter that the House deals with with considerable care, and I would expect that this would be the case with respect to this bill as well, Mr. Speaker.

Mr. Speaker, the bill relates to essentially the following matters: It increases the allowances paid to the Speaker, the Deputy Speaker, and the Chairman of Committees.

Secondly, it increases the per diem allowance payable to members representing seats outside of the City of Winnipeg from \$25.00 to \$40.00 per diem.

Thirdly, it creates new allowances for other officers of the House, namely, the Government Whip, the Opposition Whip, and the Opposition House Leader.

Fourthly, it increases the number of Legislative Assistants from four to six.

Fifthly, it increases the travel allowance for members to the same level as that received from time to time by civil servants.

Six, it alters the Pension Plan for members to permit additional allowances received by MLA's to be computed for pension purposes under certain conditions of limitation that are stated in the bill, and may I be the first, Mr. Speaker, to say that they are not stated in a way that is readily interpretable to the average layman, because when you get into formulae of X over Y, and Y over Z, and so on, I must admit that I get a little bit confused with it, but I will attempt, Mr. Speaker, to explain the impact of those sections that deal with the pension provisions.

Part two of the bill permits members of the Legislative Assembly to contribute on their additional remuneration, including ministerial salaries, Leader of the Opposition, Speaker of the House, and Legislative Assistants, and others enumerated in the bill, retroactive to June 28, 1973, because most of these positions are full time, and it is only equitable that members receive pension benefits thereon as in most cases, or in many cases, members are no longer contributing to pension plans in their prior endeavors in the private sector.

The legislation has been made retroactive, Mr. Speaker, to June 28, '73, to permit those members who qualify to elect to also receive credit for this prior service. I might add that Manitoba is the last province in Canada to allow Ministers, and those who devote the majority of their time to the Legislative Assembly, to contribute on their additional remuneration, and receive a pension benefit thereon. So we are not leading the pack in any way, shape, or form in this regard, Mr. Speaker; we are merely bringing the pension provisions of The Legislative Assembly Act in Manitoba into line with those in all other provinces in Canada.

Members will be required to contribute 6 percent of any prior remuneration in order to fund their portion of the pension benefit, that is, of the extra allowances that they have received. All members under the bill, as drawn, would have to complete the necessary application form within 30 days of the bill receiving Royal Assent, and then pay the required lump sum contribution within 60 days after receiving notice from the pension authority. Those MLA's who elect to purchase their prior service would be required to waive their right to an immediate pension when they cease to be a member of the Assembly until a combination of their age, and years of service as MLA, totals 55. This more restrictive policy will also apply to future members of the Legislative Assembly, and will result in a smaller burden to the taxpayers of Manitoba in the long term. It is a partial reinstatement

of a provision that was in the pension plan for many years, which honourable members will recall, which set the qualification year at, I believe it was age 50, and this is a partial reintroduction of that, with a combination of age plus service, affecting, for members of the present House, only, that portion of the pension that would be payable from extra allowances or indemnities. For all new members of the House, of course, it would apply, that is, members who became members after the coming into force of the Act, it would apply.

In the event, Mr. Speaker, that a member becomes totally disabled, the age 55 rule would be waived provided he or she is deemed to be totally disabled on the basis of medical evidence, consistent with the treatment of civil servants.

Also, Mr. Speaker, effective January 1, 1980, members of the Legislative Assembly would be required to contribute at the rate of 7 percent on their allowances and indemnities, rather than 6 percent, which has been the rate provided heretofore. This is the same percentage of salaries, by the way, Mr. Speaker, that civil servants are contributing to the Civil Service Superannuation Fund, and in the spread sheets that are available — I'm sorry there are only three copies available, one for the official opposition, one for the House records, and one for the members of the Press — members will see that the contribution level varies from province to province, but by and large 7 percent is an average figure that is used. I believe Saskatchewan has a 9 percent figure for the extra allowance, and so on, but 7 percent seems to be a figure that is more commonly in use at the present time.

Retired MLA's, who had remuneration as Ministers, etc., subsequent to June 28, 1973, would receive an increase in pension under this new arrangement around 1985. Their necessary lump sum cost would be capitalized in a special account, and 50 percent of the accrued pension benefit, in recognition of this, would be applied against this account. Interest at 10 percent would be charged against the declining balance, and when the capitalized account obligations were met, the retired member would then receive the resultant pension increase. I hasten to add, Sir, that those provisions are made, as will be readily apparent after consultation with the officials in charge of Civil Service Superannuation benefits, who are much more familiar with the mechanics of this kind of an operation.

Our comparison, Mr. Speaker, of the proposed and existing MLA's pension legislation with that of other provincial jurisdictions indicates that Manitoba's MLA pension benefits are among the least costly to the taxpayers of any province in Canada, and I should add, Sir, although it's not in the bill, that it's axiomatic therefore that the maximum pension payable would remain at the present level, which is fixed at 70 percent of the indemnity which all members receive, not of the indemnity plus the extra allowances.

Mr. Speaker, the spread sheet that I have mentioned earlier is available to members of the House on the pension business. The additional sheet that has been passed around to each member is drawn from the Canada Pay Research Bureau, Public Service Staff Relations Board, 1978, except for one of the footnotes that has been added by the staff to give members some indication of the general level of indemnities and allowances that are received by the different categories of officers of the House, Executive Council, Leader of the Opposition, etc.

The question of Executive Council salaries is, of course, not dealt with in the bill, or that of the Leader of the Opposition, but I think, Mr. Speaker, that even a cursory examination of the spread sheet indicates that Manitoba has fallen considerably behind all other provinces in Canada, including even the smallest province in Canada, P.E.I., in this regard, because no alteration has been made to the allowances paid to members of the Executive Council or the Leader of the Opposition since 1967. Some transitional increases are certainly going to be considered by the government, but at the same time, the government is considering and has had some informal discussions with members opposite with respect to an independent commission or a House committee, which could look at all aspects of indemnities as well.

I say, Sir, in addition to this, that although it's not in the bill, that an indication has been given to the Leader of the Opposition that, in accordance with the practice of trying more gradually as each administration does to equate the Office of the Leader of the Opposition, with that of a Minister of the Crown, that in continuation of that process which was continued by the former government of Manitoba, that administrative allowances will be made, not as part of this bill, of course, but administrative allowances would be made for the addition of an Executive Assistant and an automobile to the staff of the Leader of the Opposition.

Mr. Speaker, I said at the outset that bills of this sort are always introduced with some trepidation by members of any government that I have seen in the House. I think that the provisions of this bill will be found to be, generally speaking, moderate. I think they attempt, in the areas that are dealt with, to make some additions to salaries for important positions in this House which have fallen behind; they attempt as well, as I've said in a general way, to bring the pension provisions for Members of this Assembly into line with those pension provisions in other Legislatures across

the country.

And, Mr. Speaker, I look forward to hearing comments from members of the House on the bill. As was said this afternoon in relation to another debate, no one of these bills is perfect in terms of the amounts that are set, or the sometimes arbitrary decisions that have to be made with respect to those amounts, so we will look forward to any comment or any advice that may be received from all sides of the House, Mr. Speaker. I commend the Bill to the House for its consideration.

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

MR. CHERNIACK: Mr. Speaker, I wonder if the honourable minister would agree to a few questions? Firstly, in order to facilitate debate tomorrow, could he give us a copy of his notes relating to the computation of pensions, which I found, well, which we all would find rather complicated to follow? He might consider that.

Secondly, I'm wondering if there's a companion sheet available, or that could be made available, such as was given to us dealing with remuneration relating to a comparison of research and secretarial assistants to members? It's not shown here; I believe that there is something done in other provinces, I don't know what it is; and thirdly, I might ask whether the minister is prepared to indicate whether or not there's been a decision in Cabinet on Cabinet salaries?

MR. LYON: Mr. Speaker, dealing with the last subject first even though it is not part of the bill, I did make mention of it — there has been no determination made by Cabinet with respect to the latter topic at all.

As I mentioned in my remarks, by discussion, by further discussion, it might be deemed advisable to have an independent or a representative Committee of the House take a look at that, and all matters such as the second portion of the question which he asked, namely the allowances that are provided on a comparative basis for research, for assistants and so on.

I would be the first to acknowledge, Mr. Speaker, that this bill does not deal in a broad based way with all of the matters that all members of the House might be concerned with. It does deal with specific matters and perhaps points up the validity of the suggestion that is being followed, I know now, in a number of jurisdictions, that all such matters relating to accommodation, research, staff and so on for government and opposition members might be looked at by a commission.

Now, the first part of his question, I believe, was whether I could make available the comments that I made with respect to the pension computation. I will see what I can do, subject to the machines being in operation tonight.

And the second piece of information that my honourable friend asked for was . . .? You asked for two things under number one.

MR. CHERNIACK: . . . Research, secretarial, etc.

MR. LYON: Oh yes, thank you. I don't think that's readily available.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Mr. Speaker, I move, seconded by the Honourable Member for Brandon East that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Will you call Bill No. 60, please?

ADJOURNED DEBATES — SECOND READING

BILL NO. 60 — THE ENERGY RATE STABILIZATION ACT

MR. SPEAKER: Bill No. 60, The Energy Rate Stabilization Act and the motion in amendment by the Honourable Member for Inkster — the Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I have a number of comments to make on the bill, and also

a question or two to put to the Minister of Finance. I guess over the last 20 years, we've seen the dollar fluctuate in terms of the American dollar between about 90 cents and \$1.10; that has been the normal swing, or fluctuation, but today, in Canada, we're looking at about an 85 cent dollar.

I wanted to say to the Members of the Assembly that I heard a very interesting analysis by Eric Kierans, who I might describe as a man that I respect or might even go so far as to say, he's one of my heroes. A former Liberal Provincial Cabinet Minister in the Province of Quebec, a former Liberal Federal Cabinet Minister who resigned, couldn't stand the Prime Minister of Canada, and a man who was a self-made millionaire, President of the Montreal Stock Exchange, Professor at McGill University, a man of considerable experience, and brilliant.

He argued, Mr. Speaker, that the Canadian dollar, in terms of America, the American dollar, should probably be fixed at a rate of 85 cents, because he argued that if you took the same Canadian industry or business operation, say a small plant manufacturing in Canada and moved the same staff and equipment to the United States, there would be a 15 percent differential because of the fact that there is a greater market and because of the fact that there is an advantage in terms of transportation costs. So it shouldn't surprise us —(Interjection)— Well, you're talking now about productivity, and I'm not sure.

I'm sure that you would like to suggest, Mr. Speaker, I'm sure that my honourable friend would like to suggest that the Canadian worker is not as efficient — that's what he would like to suggest — not as efficient as the American worker, but I'm sure he would argue that the Canadian farmer is as efficient, or more efficient, than his American neighbor. —(Interjection)— He wouldn't want to argue that. —(Interjection)— Well, I'm not sure that there is that difference in productivity. As I great said, Mr. Kierans himself argues that the market and the transportation costs make the difference and therefore he contends that that's where you get the dollar differential. But of course the 85-cent dollar, Mr. Speaker, has not been necessarily bad for Canada. If you look at Canadian exports, it has in fact had a positive effect on the exports.

So the point I'm trying to make, Mr. Speaker, and I know you're getting restless, is that I believe that Manitoba Hydro, like other corporations who are in a similar position, namely of foreign loans and so on, have suffered as a result of the decline in the Canadian dollar, but that is not necessarily true of all Canadian industry. One of the important things, I think, about the present situation is to draw the right conclusions. I heard a story the other day told by somebody on radio about mark Twain, telling the story of a cat that jumped onto a hot stove and as a result of that painful experience, drew a conclusion. The cat never again jumped on a hot stove. Not only that, it never again jumped on a stove because it made a deduction between all stoves and pain, the moral of the story being, Mr. Speaker, that when you have an experience that is painful, you have to draw the right conclusions.

So I say that in regard to the decline of the dollar —(Interjection)— Well, it hasn't been a painful experience to me, Mr. Speaker; I rather enjoy being in the opposition. I was there before and I came out of it, and I'm into it and I intend to come out of it again.

So, Mr. Speaker, I say that we have suffered that painful experience and the administration in Hydro has suffered that experience and they may be what is called in temporary jargon as psyched-out as a result of their experience in the foreign market when it comes to the borrowing of capital. o now we have these government bills. I have some points to make to the Minister of Finance who has run away; perhaps he will answer these questions when he comes back. I interpret this Act in the following way, and this is where I would like some more information.

MR. SPEAKER: Order please. May I suggest to the Honourable Member, and perhaps I can help him a little bit in this respect, we're not dealing with the Act, we're dealing with an amendment which is before the House at the present time. I wish the honourable member would stick to the subject matter of the amendment; we won't bother with the Act at this present time.

MR. DOERN: Well, Mr. Speaker, I believe that in referring to the amendment, I also hav to refer to that which is amended, and the amendment talks in Section (c) about the point that the legislation is not necessary because Hydro spokesmen have indicated the current position and projection show that Hydro rates can be held stable without government action for the next five years, and the utility can maintain reserves of \$45 million.

Mr. Speaker, one of the things that bothers me about the Act that we have found necessary to amend is this, that when the Canadian dollar goes down, when the situation deteriorates economically, the government, I understand, is prepared to move in and provide Hydro with the necessary funds to take out the sting of a decline in the Canadian dollar. They are prepared to pour millions of dollars into Hydro to assist Hydro. However, what the Lord giveth, the Lord taketh away. They also suggest, Mr. Speaker, that if the situation improves in terms of the strength of

the Canadian dollar, if the Canadian dollar improves, which I think is a pretty good prospect in the long run, then Hydro is going to have to pay money to the Manitoba government. Those are the two sides of the coin, that if things continue to deteriorate, Hydro will receive money from the province, but if they get better, they are going to have to pay money to the province. Mr. Speaker, I object to that, and I believe that what in effect is happening in terms of the bill —(Interjection)— Well, my friend from Pembina says that this is Alice in Wonderland stuff, and I also remind him of the Cheshire cat who just grinned and grinned and finally there was only a grin left; the cat was gone.

I say to him that he will have to disprove what I am saying, because I see in the original bill a Section 3 and a Section 4 U Section 3, Hydro receives money from the Government of Manitoba, but under Section 4, in a strengthening dollar situation, Hydro will have to pay the Manitoba Government. And where will that money come from, Mr. Speaker? If the Canadian dollar goes up to 90 cents in the next few years, because of Joe Clark and his government, or in spite of Joe Clark and his government — either way — then the result will be that the Manitoba Hydro will have to take money out of current revenue, millions and millions of dollars, and pay them off to the provincial government.

You know, Mr. Speaker, I have a limited experience in the stock market. In fact, the first time I invested money, I bought Massey Harris Ferguson shares. This was in 1956. I bought them at \$11.50 or \$12.00; they went up to 18. I thought this is terrific; it's very easy, just put money in, it goes up and you sell out. Now, on one other occasion, Mr. Speaker, without going into this painful story which would bring tears to the eyes of the government, I accidentally, not intentionally, but accidentally sold short, which means, Mr. Speaker, that you gamble on the shares or the stocks declining in value, and every dollar that they go down, you make money, and every dollar they go up, you get killed. Well, I also had that experience, Mr. Speaker.

I say that if you look at this particular bill — again I stand corrected by the Minister of Finance or the Member for Pembina who fancies himself as an economist — I say that the government in effect is buying shares in Hydro and gambling on the shares going up, and Hydro is selling short because if things get worse, they're okay, no loss, no sweat. But if things get better, they will have to take money out of their bank account and give it to the Province of Manitoba.

So I say, Mr. Speaker, that this really is a speculator's Act. It is kind of a gambling speculator's stock market transaction that the government is asking us to approve of. They are gambling on the foreign exchange differentials and I think that that is something I would like to hear very clearly expounded upon by the Minister of Finance, because when the taxpayers find out that if the Canadian picture brightens, then they are not going to be overjoyed by the fact that they are going to have to pay part of their Hydro rates to the Manitoba Government because of an improving and strengthening Canadian dollar.

You know, one of the things that worries me is that the Manitoba Government might have a vested interest in an improving dollar and might have a vested interest in encouraging the Clark government to prop up the dollar should it ever slide. They may say to the Clark government, if things are looking bad, get in there and pour some reserves in there and hold that dollar, hold that line because we are going to have to pay as a result.

So I think that that's another interesting point, Mr. Speaker.

The other point that is I think most essential is that this Act, Mr. Speaker, as mentioned in the amendment that the government is not in fact stabilizing Hydro rates with this Act. This is the most astonishing thing in the whole exercise. They are stabilizing foreign exchange rates. They are stabilizing the Canadian dollar but they are not stabilizing Hydro rates. —(Interjection)— Well, is the Member for Pembina prepared to stand up and say that in addition to stabilizing rates in terms of foreign exchange rates, that the government will guarantee the American markets, the export markets, that they will guarantee the domestic markets, and that they will guarantee the water levels on Lake Winnipeg, because I'm telling him that there are four or five variables and that if we have a deteriorating export market, a deteriorating domestic market, a deteriorating lake level, etc., are you telling me that the Manitoba Government is going to pour millions of dollars in to stabilize all of those factors? Because I would like to know that; that would be a very interesting point, Mr. Speaker. —(Interjection)— Well, those are three; the fourth one is the exchange rate.

Mr. Speaker, I wanted to read into the record what I consider to be the most interesting comment made by Dean Wedepohl at the Hydro hearings on Saturday. Now, some of us were there and most MLAs were not on that committee and were not present. But Dr. Wedepohl made a very incredible statement which I think those of us who were present, including my colleague from St. Vital and the Member for St. Johns, when we heard it, I think we were absolutely thunder-struck, because the words that came out of Dr. Wedepohl were almost completely identical in tone, syntax, content and in meaning and direction as those formerly spoken by the Honourable Edward Schreyer. We were absolutely astonished. I think all of us had to look again to see who made. . . We were

dumbfounded, Mr. Speaker. Our minds were boggled and unfortunately, Mr. Speaker, the Members of the Opposition are not struck dumb, because if they were, they wouldn't be able to comment. This is an impediment here.

I want to read the statement of Dr. Wedepohl on the record. It's a couple of paragraphs, but I think it was the highlight of his speech to the committee because it unquestionably confirmed and supported the position of our administration in developing Hydro which, Mr. Speaker, I tell you is a crucial factor because the suggestion in the bill is that to add support to the exchange rates will stabilize Hydro rates and I say that is not true, that that is only one factor, and I would like to read what he said about where Manitoba should go in the future and if his advice is taken, of course, it will mean that the government will have to make a decision to pour more money through Hydro into northern development. This is what he said. He said on Page 151, June 9, Saturday:

"You are asking me for an opinion now, so I'll give it," I think this was in response to the Minister of Finance. He asked for a comment and he gave this statement to the Minister of Finance. He said: "It's my own personal opinion," and then this is what he said, "We have seen the world history change in the past six months. We are never going to get back to where we were six months ago. When I first came to Canada, I predicted that this would happen. I thought it would take 10 years for the oil crisis to become really manifest. In fact it has come five years earlier than I expected. It has puzzled me, in Manitoba at least, to find that its prosperity was built on the export of wheat, which is a solar renewable resource. It is there because the sun shines and it is renewable for that reason. I see hydro-electricity in exactly the same way." He says, "Now it has become to me strange that we have set up as virtuous the fact that Alberta is exporting its oil to become rich when this oil will never come back again and we get very excited at a major discovery of oil and then we're told it's one year's supply for Canada. This is how serious the problem is and I think everybody ought to be pulling together in the full recognition of how serious this is, because I fear for the future that there's going to be chaos and anarchy. We have already seen signs of this in Los Angeles."

Now we get to the crux of his statement. He says, "If I was the Premier of this province, I would systematically develop every single hydro resource in a controlled way to optimize the employment of this province, to bring great prosperity here. It would require massive capital investment but I think it would sow the seeds for such an incredible future that if I was going to choose where I was going to live in Canada, the two provinces, or possibly the three I would choose — but one I'm excluded from because I can't speak the language — is Quebec, British Columbia or Manitoba."

Now, here's the interesting part. He says, "I would not choose to live in Alberta, and possibly Saskatchewan, because they don't have hydro-electric reserves. I think you have such a priceless asset here, but what has happened is, there was a thinking at a certain time in the history of this province and the country as well, where it was almost considered wrong to sell electric power to the United States. There was paranoia. There were great arguments against it, and so on, and I think possibly because of some unwise contracts that were made. Now, if I was to do this, I would add the safeguard that I would tie the export price of the electricity that I was negotiating with an escalator to the price of oil." And in the last paragraph he says, "The big mistake that was made by Churchill Falls-Newfoundland and Labrador by British Columbia in its export to Bonneville Power Administration is that they were in for very long term, fixed price contracts — 2 mills, I believe, which looked very attractive in the mid sixties, but is an absolute dead loss now."

So that is the crux, Mr. Speaker, of his comments. Those comments, Mr. Speaker, I say that that kind of statement, that kind of support, anybody who said that, as my colleague from St. Vital said, "Anyone who said that under a New Democratic Administration would probably become Premier some day; if there was a Liberal Federal Administration, they would become Governor-General, but if there was a Conservative Administration in Manitoba, Mr. Speaker, they would be fired — fired, for saying something that was unpalatable to the present administration."

So what the man is saying, is that the future is in the north, and we shouldn't be freezing the Hydro projects in the north, we should be expanding them, contrary to what the government is doing, Mr. Speaker.

So, Mr. Speaker, I simply say this in conclusion, that the picture for Hydro today is very rosy, very rosy, and if you look at their projections you can see that we can anticipate greater and greater export sales to the United States, the domestic market appears to be buoyant, and the price of oil and gas is skyrocketing. So when you look at all those factors, things are good, and all that the government is doing is saying that they will step in, and if the dollar declines still further, they'll provide some of the money. But on the other hand, Mr. Speaker, and I think this is the vital point, if things improve, then Hydro is going to have to take money from their bank account, which has been fattened by exports, domestic sales, etc., and transfer current capital into the coffers of the Manitoba Government, and I think that is something that has not been explained.

And the final point is, of course, that by solely guaranteeing fluctuations in the exchange rate on a decline, that does not mean that there couldn't be an increase in Hydro rates. So I think those two points have to be addressed by the government.

The other thing I would say, Mr. Speaker, is that the government will also have to look, like other places in North America, at the development of other forms of energy. They're going to have to look, not only at developing more electric power, but they're going to have to look at solar power as supplementary form of power, maybe at some kind of wind energy, and I believe that experimentation in some of those areas is vital as well. So Mr. Speaker, I think if you read the amendment, and you read the original bill, you'll see that it is essential to support the amendment because of the failings of the bill.

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

MR. URUSKI: Mr. Speaker, in speaking to the amendment that has been put forward by the Honourable Member for Inkster in terms of the legislation that is now put forward, I hoped that the Minister of Highways would be here this evening because, if you recall, Sir, it seems that when I last spoke on the Budget Debate dealing with Hydro matters that the Minister of Highways was so overwrought at the comments you, Sir, to adjourn the House quite early I made that it caused I, Sir, would like to indicate again by the nature of the legislation that the government has put forward, and by the amendment that has been presented by the Member for Inkster, in light of all the statements that have been made in the last several weeks before the Committee of Public Utilities by the Acting Chairman of Hydro —(Interjection)— I'm wondering, in light of the statements Yes, Mr. Speaker, a fine man.

that have been made, whether the Minister of Finance of this Province of Manitoba will be bringing forth a new Budget, because his Budget was just shot out the window, Mr. Speaker. The one big thrust that this government had in their Budget just went out the window by the statements that were made by the Chairman of Hydro that have been confirmed that there was no need to freeze Hydro rates, that the Hydro issue has stabilized; that in effect, Sir, the decisions that were made by the previous administration were accurate in terms of the long-term development of our natural resources, our renewable resources in northern Manitoba, to provide Hydro-electric energy for this province and for export sales. It's been confirmed that export sales have been skyrocketing, that the value of our resources have been increasing at a rate that far exceeded the expectations that were originally forecast.

And it just shows, Mr. Speaker, as well, in terms of those sales and the confirmation by the now Chairman of the Hydro-electric Board, that there was no need to freeze Hydro rates, that likely the rates could have been maintained for the five-year period. In fact, Mr. Speaker, based on the projections that Hydro had, if I recall the statements of the Chairman of Hydro, that even on the lower projections of export sales of some \$55 million, I believe the figure was, that the Hydro rates would have been stabilized or reduced for two years, I believe the statements were, and increased to and held stable for one year more, for almost a levelling-off, even at the old export volume of \$55 rather than the new unexpected rate of approximately, I believe this year, of approximately \$100 million in export revenues.

So Mr. Speaker, the government and I believe the Premier and the Minister of Finance are in a dilemma. One of the major thrusts of their Budget Debate was to freeze Hydro rates in the Province of Manitoba. Now, the whole issue has been knocked out of kilter; they have their statements and their projections were thrown out the window; they have been shown that what they have proposed is really a sham; it's really another matter or another issue of Tory bookkeeping. That's really the essence of their proposal here.

Mr. Speaker, as well and more, I believe . . . I can't use the word "sinister" because I think that would even be going too far, but, really obsessed with the issue of stabilizing Hydro rates, because of the issue that they made in the election about Hydro costs going out of sight; they decided to hold a judicial enquiry into the whole issue of Hydro development.

Now, Mr. Speaker, before that enquiry makes its final report, we have the Chairman of Hydro admitting that Hydro rates could have been stabilized without government intervention, and really points to the political, not the broad overview that the new government said that they would undertake, a review of Hydro that there would be a non-partisan approach.

It just goes to show you how political, and of course they are politicians, but how politically inclined they were in trying to discredit the decisions that were made by the former administration, primarily in one respect — whether to flood South Indian Lake to the tune of some 35 feet, or to have gone ahead with Lake Winnipeg Regulation, Mr. Speaker.

Mr. Speaker —(Interjection)— and the cost, the Member for Roblin indicates. And the inherent benefits from the regulation of Lake Winnipeg. Well, Mr. Speaker, that has been borne out — it

has been borne out by Hydro even before the Commission has reported.

It shows again, and I state that again, Mr. Speaker, that the Commission, the \$1 million plus that the Tory government is spending on that Commission and it will be more, was a total waste of funds. It is a sham, Mr. Speaker, it is a total sham.

It showed that the freezing of Hydro rates, although it is a very noble gesture in terms of keeping the Hydro rates stable, is also a phony issue, Mr. Speaker. It is an issue that hits right across the whole thrust of this government because this government now is in a dilemma of presenting a budget to the people of this province, and having that budget thrown out by their civil servants who are responsible for the administration of the Public Utility.

It has proven, it has proven that the decisions that were presented, and the facts that were presented to the former administration were right, in terms of the decisions that flowed from the recommendations made. And, Mr. Speaker, it practically throws the entire Tory administration into shameful disrespect in the eyes of all the people of this province.

Mr. Speaker, it is a disrespectful move for the integrity of the citizens of this province to tell them that "Your Hydro rates will be frozen," well knowing, Sir, well knowing — once the Chairman of Hydro came before Public Utilities and it was confirmed to the contrary. That is deceitful, Mr. Speaker. That it is very underhanded. Mr. Speaker, you have the Chairman of Hydro coming in several weeks after and confirming that that was not necessary.

Mr. Speaker, I would ask now that if there's going to be a Fall Session, as is being talked about, I would recommend that the Minister of Finance re-evaluate his position as the minister. His major thrust in the Budget Debate has gone out the window as a nothing issue, and he will at least, at least to save some face, be prepared to present another Budget this Fall, because certainly his Budget, his Budget and forecasting are less than accurate in terms of what he tried to lead Members of this Assembly and the people of Manitoba to believe.

There is no doubt, Mr. Chairman, that the amendment that has been put forward is accurate to say the least, it pinpoints the whole nub of the issue that the bill in itself, as this amendment talks about, does not do anything to stabilize Hydro rates. It deals with, of course, the long term and the foreign currency fluctuations that the Canadian dollar faces.

Mr. Speaker, there's no doubt as well that the government is embarrassed, and well they should be. The government is embarrassed, and well they should be for presenting, or trying to, in the heat that they gained in the last election in terms of the Hydro rates and even some members still persist, some members on the government side still persist and say, "We lost our comparative advantage of our Hydro rates in this province." I challenge those members to get up and say where we have lost our comparative advantage in terms of comparing our rates in relationship to the other provinces of this country.

We have maintained historically, Mr. Speaker, either the second or third lowest rates in Hydro, going back to the sixties, and in the seventies we were down to the second lowest of all rates in this country, and I believe, Sir, that even without the statements — not only even without, as sure as I'm standing here that there will be no diminution and no change in our comparative position of Hydro rates in this province.

If anyone should know how stable in comparative position our rates have been, it should be the Member for Roblin who promised this Legislature several years ago that he would bring his so-called terrible bills before this Legislature, and the increases that he received and, Mr. Speaker, we have yet, I have yet —(Interjection)—

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

MR. SPEAKER: Relative to the point that the honourable member raised, let the record show, Mr. Speaker, that the Hydro bill is in my briefcase, and when they give me my Order for Return which they accepted, I will table the Hydro bill, gladly.

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

MR. URUSKI: Thank you, Mr. Speaker. I don't know whether that was a threat, but I would suggest that the Member for Roblin sits on the government side, and the information that he now says we haven't provided to him, he has ready access to all the ministers in the government, and I challenge him to put those Hydro bills on the table. Mr. Speaker, he has the access to the information now, he is in government, but I dare to say Mr. Speaker, that he will not present those Hydro bills in terms of the allegations that he made when he got up and spoke on the issue of Hydro.

So Mr. Speaker, there's no doubt that the legislation that is being presented is nothing more than a smoke screen. There is no intent.

It is a smoke screen that was begun in the 1977 election, and to try and get themselves back

into the good graces of the people of Manitoba, there's no doubt that they wanted a popular issue, that they would freeze Hydro rates. Well, that freeze has come to haunt them, Mr. Speaker, that has come to haunt them, because the fact of the matter is it's been confirmed that the Hydro rates don't have to be increased; the Hydro rates are stable, and the Hydro rates, in all likelihood and it has been confirmed by your Chairman, by the Chairman that you have appointed, not the Chairman that you had fired. So even before the committee, even before the judicial enquiry reported, you fired the Chairman of Hydro, I believe, not even waiting for that enquiry to report, Sir, they just pulled the plug.

And it is your Chairman — are you going to fire him now for making the statement that the Hydro rates are stable, and would have been stable regardless of the legislation that you bring forward? Because that's the statements that he has made.

Mr. Speaker, the amendment that is before us is certainly very accurate — that the legislation here is a hoax; that there is no requirement of that, and Mr. Speaker, I would hope that members support the amendment that has been presented.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY(Selkirk): Mr. Speaker, I believe that a few words are required in connection with this present bill that is before us and, in particular, the recent amendment that was proposed by the Member for Inkster.

Mr. Speaker, the first and foremost issue, of course, is that the bill before us is basically a hoax. And I believe that . . .

MR. SPEAKER: Order please. May I suggest to the honourable member that we are dealing with an amendment. That is the question before the House today, not the bill. The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, if I could then comment that the very point in the amendment is that this is a hoax, and I was speaking to the fact that this is a hoax.

MR. SPEAKER: Proceed.

MR. PAWLEY: I'm not trying to pull your leg, Mr. Speaker. Mr. Speaker, we all recall the evening when the Minister of Finance introduced his Budget, and will recall very vividly and very clearly the obvious impression that the Minister of Finance attempted to leave that evening in introducing the Budget; that in fact, this was the major, giant reform of his government — the first real major reform in the 18 years . . . 18 months . . . it sounded felt like 18 years . . . 18 months of his government and we noted that obvious attempt to leave that impression. And we know, of course, Mr. Speaker, at the same time, that it was only within days of the federal election as well, and that certainly there was, I'm sure, as a result of the press coverage, which occurred as a result of the Budget Address, a general impression left throughout the Province of Manitoba, an attempt to leave an impression I should say, that in fact this government, by this measure, had provided for a major reform thrust in Manitoba. This was the impression.

I can recall the Member for Gladstone, the Member for Roblin, I don't believe the Member for Virden, I don't believe he was, but we remember, the Member for Rock Lake certainly, his hand must still be sore — the tremendous applause that they gave to the statements by the Minister of Finance, particularly when the Minister of Finance read the list of increases which had occurred during the time space of the New Democratic Party government from 1973 through to 1977. And this impression, of course, was meant to circulate throughout the province prior to May 22nd. —(Interjection)— Mr. Speaker, the Member for Gladstone said it did. If it did, Mr. Speaker, it was not the impression that the Minister of Finance, the Member for Gladstone intended to circulate throughout the province. Because the people of Manitoba are a pretty genuinely wise group of citizenry. They are not easily fooled by gimmickery, Mr. Speaker, and I believe that they demonstrated on May 22nd, in their own intuitive way, that in fact this was, as mentioned in the amendment, a hoax perpetrated on the people of Manitoba. And I believe, Mr. Speaker, that the net result of that was that in Manitoba alone, I believe of all the provinces in Canada, there was a bucking of the national trend towards the Conservatives. Well, Mr. Speaker, they even lost two seats to the Liberal Party of Canada in Manitoba. They lost two seats. Mr. Speaker, I would have thought that was an impossibility. But they managed to lose two seats, including, Mr. Speaker, the former Minister of Government Services. So, Mr. Speaker, I believe that the people of Manitoba had an intuitive feeling on May 22nd. That feeling, Mr. Speaker, has been reinforced by the result of the evidence which has been supplied since May 22nd.

First, Mr. Speaker, I know that honourable members across the way saw fit to applause the action by the Minister of Finance in dismissing the former chairman of Manitoba Hydro, Mr. Bateman, because he had, they said, some pauses in memory when he appeared before the commission that they set up, the Tritschler Commission. Mr. Speaker, before that commission which, by the way, I believe exceeded its original estimates by what? — some five, six times. But before that expensive commission, which is going to cost the people of Manitoba over \$2 million, had brought in its finding, they had seen fit, Mr. Speaker, to dismiss the former chairman of the Manitoba Hydro, in a circular which he released to Manitoba Hydro employees — farewell message as a result of their actions which indicated that a Hydro rate increase was not expected in the future.

Now, I can understand, Mr. Speaker, that they have a big suspicion of the utterances of the former chairman of Manitoba Hydro, but then we have the chairman as appointed by this government indicate, as a result of the evidence which he had submitted, evidence which I believe to indicate very clearly, even taken at its worst from the point of view of opposition calculations, that there was no need for an increase in Manitoba Hydro rates over the next five years in Manitoba. That evidence is there; it is there to be read as a result of the presentation which was made, the result of questioning by the Honourable Members for St. Johns and Inkster at the Public Utilities Commission hearing of last Saturday.

We note since then that the Minister of Finance has left an impression that the present chairman of Hydro feels that he near perjured himself, near perjured himself. I'm surprised, as the Member for St. George is indicating, that there already has not been a notice to the present chairman of Manitoba Hydro like there was to the former chairman, Mr. Bateman. They are never very satisfied with the fact that those who are in the know, those who are experts, those who are engineers, those who are responsible for Hydro, do not fit into the tight little corridor of thinking, the tight little corridor of thinking that honourable members across the way would like the Manitoba Hydro specialists to fit into. They are never very happy, Mr. Speaker.

Mr. Speaker, if there ever was a time, if there ever was an occasion where there has been interference in the affairs of Hydro in the province of Manitoba, that interference is taking place now in Manitoba by honourable members across the way. And so, Mr. Speaker, we say without apology, we say that this whole area has been the perpetuation of a hoax on the people of Manitoba. Mr. Speaker, I regret very much that honourable members across the way, represented by the Minister of Finance, would not have indicated on the evening of the Budget Address, "We are pleased to announce to Manitobans that as a result of the investment, the initiative and the foresight which has taken place during the last seven years, as a result of the political leadership of this province, we are in a position to announce that Manitoba Hydro rates are being stabilized." I believe that would have been a much more honourable and forthright statement to have made. And, Mr. Speaker, I believe that they could have acknowledged, therefore, that Manitoba Hydro and the commitment and contribution by officers of Manitoba Hydro, had made this possible, that it was not as a result of political gimmickery, which in fact is the case as a result of their actions.

Mr. Speaker, I believe that it is most unfortunate that members across the way have not seen fit to offer some slight apology to the former Premier of this province, now the Governor-General of Canada, because if there was an individual in the history of this province who gave of his total commitment to this province, particularly in the field of energy, it was the present Governor-General of Canada and, Mr. Speaker, it is as a result of that investment and that total commitment, given the statements by Mr. Bateman, given the statements by Dean Wedepohl that Manitobans will enjoy those stable Hydro rates.

Now, honourable members will say, I'm sure, in the months that lie ahead, the Opposition is voting against our bill to stabilize Hydro rates. And, oh, they will try to make much of this. They shall move about the province; they will speak from platforms; they will make utterances on radio and TV that the New Democratic Party is opposed in the Manitoba Legislature to the stabilization of Hydro rates, and they will suggest that the New Democratic Party was responsible for all those increases in Hydro rates that took place over the last number of years. But they will omit, Mr. Speaker, the truth and they will continue their efforts to mislead the public. Mr. Speaker, if there is a fatal weakness on the part of the government across the way, it is the fact that they do not understand the basic nature of people. They do not realize that the average person in Manitoba has a certain amount of common sense and wisdom and they know when they are being taken. They recognize when they are being taken. Mr. Speaker, if they had been a little bit more politically astute, they would have given credit where credit was due. They would have demonstrated some generosity. They would have mentioned the investment that made possible now the stabilization of Hydro rates in Manitoba. They would have mentioned the investment which made it possible that there be increased exportation of Hydro energy in the years that lie ahead. But no, no, they wish to cover up their tracks by political gimmickery.

Mr. Speaker, we are therefore in a position where we, on this side, do have a difficult decision

to make. Should we play their game? Should we vote for this bill despite it was a hoax, so that we would torpedo their efforts to circulate up and down the province misrepresenting the position of the Opposition, knowing full well that they would represent the position of this government? And our decision was, Mr. Speaker, no. We would present our reasons for voting against this bill by way of reasoned amendment, for, Mr. Speaker, how could we be expected to vote and to go along with what really is a sham, which is a hoax, which is misrepresentaion, which is trickery upon Manitobans in general. Mr. Speaker, if we had in fact done that, then I believe that we would be as equally responsible as honourable members across the way for misleading Manitobans.

So, Mr. Speaker, we regret very much that honourable members have seen fit to not simply indicate that due to the efforts of the last number of years, Hydro rates will be stabilized in this province, and that the work and the effort of the government of the recent years gone by contributed to the situation. I believe, Mr. Speaker, that they were embarrassed when they discovered in fact that the investment of 1973, '74, '75, '76, '77 had made it possible that we would have a levelling-off of Hydro rates. They were embarrassed because that story would have so exposed the position which they had bombarded Manitobans with over the last number of years. So as a result of that, Mr. Speaker, they felt compelled to come up with this legislation so they could pretend to Manitobans that through a miracle, as though descended from the heavens, they had provided to Manitobans, by law, a stabilization of Hydro rates.

The stabilization, Mr. Speaker, comes as a result of the total commitment of those in years gone by to the development of the infrastructure which now exists in the Province of Manitoba, not as a result of political gimmickery, not as a result, Mr. Speaker, of any bill passed through this Legislature. The stabilization is a fact which existed long before, as a result of the effort and contribution, long before the announcement in this House by the Minister of Finance.

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

MR. FOX: Mr. Speaker, I move, seconded by the Honourable Member for Brandon East, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, I move, seconded by the Attorney-General, when he gets to his seat, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider of the report of the bills referred for Third Reading.

MOTION presented and carried and the House resolved itself into a Committee of the Whole with the Honourable Member for Radisson in the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN: Committee will come to order. We are on Bill 61, completed except for Bill 61 be reported—pass — the Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Chairman, I think the Honourable Member for St. Vital had raised some points for the Honourable Minister. Frankly I don't recall what they were, but I know that the Minister was listening and I'm wondering if he has a response. We're trying to get the Honourable Member for St. Vital to see if he can come in to hear the Minister's response, but the Minister no doubt will know what response there is and can deal with him.

MR. CRAIK: There has been a circular go out to the retailers explaining it, and perhaps if I undertook to have that circulated, it may clear up the questions that have been raised about the declaration, or the indication of age, but there has been a circular go out to the retailers on the method of handling.

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

MR. WALDING: I would look forward to seeing a copy of that circular from the Minister, but the Minister still hasn't answered the question that I've raised with him on several occasions, and that is, whether he will require children under the age of 15 to sign a declaration when they purchase clothing and shoes, etc.?

MR. CRAIK: The proof of age. . . if a declaration is required. There's nothing required that requires an age of majority signature in the way of identification.

MR. WALDING: Mr. Chairman, I believe I was making the point this morning that before this change came in, that children's clothing and shoes was tax exempt according to size, so it really didn't matter whether it was an adult or a child who was buying clothing or shoes within that size range, there was no tax payable for it.

Now the situation has changed where I understand that a parent can buy clothing or shoes for an oversized, but under 15 child, and by signing a declaration, or making a statement — I presume it's signing a declaration since the department would presumably want something in writing, rather than just a verbal declaration — that that declaration by an adult for clothes purchased for a child would then enable the sale to be made tax free.

What then would the situation be where it is a child under the age of 15 that makes a purchase? Whether or not that clothing is for someone over the age of 15 or not, does the Minister require that child of under 15 to make a statement as to who is going to wear that clothing, or those shoes, because if he is not going to, probably because such a declaration by a child would not stand up in court, I suggest, then it is simply an open declaration for anyone to flout the law. All that would need happen is that any parent would go shopping with a child under 15, and he would try on that item of clothing or shoes, whatever it was he wanted to purchase and then simply have the child pay for the goods, and according to what the Minister is telling us, I gather that there would be no sales tax payable on the item of clothing or on those pair of shoes. Mr. Chairman, it's an open invitation to anyone to flout the law. It's obviously unenforceable, and I'm suggesting to the Minister that it is not good politics; it's not good government to invite the people to flout the law of the land.

MR. CRAIK: The first part of the question I think, I'm not sure it was a question in fact, but if an item is Age 14 size and under, there is no question. That part's clear. You're saying that if a child comes in, age 15, 16, and wanted to declare, or age 14, in fact, and wanted to buy a Size 16 who said, "It's for me", but in fact it was to be used by the child's mother or the child's father, as the case may be, that could happen. But it boils down to, you know, you trust the people and that's it. There's going to be some abuse, as there will be, and that's it. What has been circulated to the retailers is a request that they have a form, that either the sales slip would be signed, or if the retailer wants forms, they can obtain forms free of charge from the department, indicating that on a particular item they can have the purchaser buy it, saying that they are buying it and it would read, "I hereby certify that the clothing or footwear exempted on this sale is being purchased for a child under 15 years of age", and that's it.

MR. WALDING: Thank you, Mr. Chairman. The declaration form that the Minister has just quoted from is what I would have expected the department to produce for those adults who are purchasing clothing for children. There appears to be no declaration when the reverse happens. Let me give the Minister a specific instance: If I should go down to The Bay to buy a winter coat and would take my son, who is age 14, along with me. I would then try on the coat and make the decision. Let's just say for the sake of argument it's \$100.00, on which, if I took it to the Cashier, I would be charged \$5.00 in Sales Tax. Instead of that, my son takes it to the check-out with the \$100.00 in his pocket and pays for it. Now, is the Minister going to tell me that Sales Tax should be charged to that child who is under 14, or is he, the child, required to sign a declaration? That is the point, Mr. Chairman.

MR. CRAIK: Whoever is doing the purchasing, Mr. Chairman' whoever is doing the purchasing.

MR. CHAIRMAN: Bill 61. The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Chairman, I'm a little more intrigued by this because I had the impression that the Minister said that there need not be a form completed. Did he indicate that there could be that the sales person need not obtain a form to be signed by the purchaser in order to have the sales tax waived? Did I understand that correctly, Mr. Chairman?

MR. CRAIK: Mr. Chairman, the instruction that has gone out to the retailers is that they would have it either stamped, or written, on the sales slip, or if they wanted to, they could obtain a form from the department — either way ' but if there was doubt they could have the person sign either

one.

MR. CHERNIACK: Mr. Chairman, may I ask the Honourable Minister, why should they want to bother with a form? It seems to me a lot simpler just to sign the bill. Well, where is the penalty involved for false reporting? What is the onus on the retailer which gives him an option? Why give him the option, unless there's some burden or onus put on him to enforce the law, and who suffers the penalty if indeed the statement, or the allegation, that the purchase is being made for someone under 15 years of age is incorrect?

MR. CRAIK: Well, Mr. Chairman, you're getting into the kind of detail now that, of course, I don't work out, but I would assume that it's the same sort of thing that could happen if the sales clerk wanted to write on the bill of sale, "Size 12 blue jeans." And therefore sold the blue jeans without sales tax. You know, it's the same sort of that can happen in any number of parallel situations.

The question is, I think what it boils down to, is that if there is a desire to violate the law, or to violate the intent of the Act, that it can happen statistically in any number of cases. It's a question of whether statistically it happens more frequently in this case than it happens in other cases. And that's the size of it.

So the instruction has gone out to retailers, is either that they would have the person sign the sales slip, or, if they so desire, they can apply to the department and ask for certificate forms that will be made available by the branch upon request to vendors who prefer to use a certificate separate from the sales slip.

MR. CHERNIACK: Mr. Chairman, I must tell the Honourable the Minister that it's not that simple. It's not as if the tax laws of this province give an option to a person, whether or not he wishes to pay the tax. Indeed, if it were that case, then every cash register could have beside it a little box with a slot in it, where a purchaser might say, "Well, I think I'll put some 5 percent, or 10 percent, or no percent, of my purchases, I'll put in that little slot, and I may or may not pay it."

I have to tell the Honourable Minister that I'm quite convinced that an inspector from the tax office goes visit a retailer, and checks to see on the collection of sales tax, and the inspector does something. He doesn't just go in and say, "How are your records? Are they any good?" He goes in and he says, "What articles have you purchased which are tax exempt by their size; what articles have you purchased which are not tax exempt by their size?" And at the end of the month, if you take stock and there are certain articles missing from both groups, then he ignores the fact that there have been obvious sales made of tax exempt articles, because he doesn't care about the taxation on that; but he does go to the invoices, which indicate the purchase by the retailer of taxable goods, and then he says, "What do you have on stock on hand at this time?" And the difference is the amount of garments which have been sold which are taxable at the retail price — where is the five percent?

It's not just speculative. This tax inspector expects to find 5 percent paid on all clothing sold of non-taxable, I'm sorry, of taxable sizes. And because of the size, he can readily know. The sales clerk can't write down Size 12, when he is really selling a Size 16, because then his books wouldn't jibe. He bought so many 16's and so many 12's. And if he purports to have sold more Size 12's than he bought Size 12's, obviously he has mislabeled his sales slips.

Mr. Chairman, the reason I said with so much certainty that this concept, this proposal of the Minister's, was his and not his department's, is that I know very well that his department must have assured him that they could not enforce it. But it's getting a little worse for me, because the Minister says, "Well, an instruction sheet went out" — and let's bear in mind that this tax was to have been exempt as of the date of the Budget, and I have been told of people who have been to some stores that don't sell children's garments, and they have purchased garments for children under 15. And when they were asked for sales tax, they didn't want to pay it because this Minister of Finance said they didn't have to, and the stores have said, well, we have no instructions, you know, we're not dealing with children's clothing. You pay us, we don't want the problem. Why didn't they want the problem, Mr. Chairman? Because there's an onus on them. They're agents of the Crown and there's an onus on them to collect the tax.

Now, the Minister gave the impression, which to me was surprising, because he said if they like they can just write it out on the bill. I think they need some kind of evidence that the purchaser warranted in some way that this purchase was indeed for a child and that there are penalties that would go to a false form of declaration. When the Member for St. Vital was questioning it I assumed, maybe wrongly, Mr. Chairman, that an adult who gave a false statement would be liable for some kind of prosecution.

But the question that he put in my mind, and maybe the reason he asked the question was, what happens if a 12 year old or a 13 year old signs a declaration, a statement that the purchase was made for him of an otherwise taxable item? I thought that there would have to be some sort of penalty that would go. Would he be charged under The Juvenile Delinquents Act? I really don't know, Mr. Chairman. I think that's the point mentioned by the Member for St. Vital, and unless the Minister can clarify it, I have to assume and I'm not trying to put words in his mouth, I see no other alternative than if it's going to be that loosely monitored, then that may be why they estimated a million dollar loss because of the fact that there is all sorts of abuse that will be invited because nobody likes to pay tax. Can we agree on that, Mr. Chairman, nobody likes to pay tax, number one? Number two, most people pay tax because they feel they can't get away without paying tax.

Most people pay tax because they expect that they may be amongst that very small group of people who are selected in a random way to be checked up on, and therefore they want to make sure they do it correctly. Most people pay tax because they know there is an enforcement involved; they know there's an onus involved and that indeed the tax collector, who is the agent of the Crown, has the responsibility of collection. That's why people pay tax. Given an option, they won't pay tax if they believe they can legally avoid the payment of tax.

So the Minister has certainly created more doubt in my mind than I had before he started to answer the questions of the Honourable Member for St. Vital, and supported my thought that there's no real protection because I'm still not aware of any penalty that would be imposed on a person, be that person an adult or a child, who falsely makes a statement that turns an otherwise taxable item into a non-taxable item.

I hope the Minister can put our minds at rest and show us that at least there is a form, a manner of enforcement which has some rationale behind it. Otherwise, I would have to accuse this Minister of having so broadly opened the door for abuse that there's no longer a way of closing the door.

Mr. Chairman, I would love to have his tax collector sitting in front of him and I would guess that unless the man is completely immobile and is so trained as not to reveal his thinking or his reaction, I think we would see embarrassment on the part of that tax collector; I think we would see from his reaction alone that he doesn't know what to tell the Minister to be able to assure us that there will not be a great deal of abuse invited. Mr. Chairman, I am not one to quote the Bible or to quote, is it the Lord's Prayer that says, "Lead us not into temptation." Mr. Chairman, I'm afraid the temptation to avoid tax is something that people find more often and even look for more often than they voluntarily appeal and say, I want to pay the tax, let me do so.

MR. CHAIRMAN: The Honourable Minister.

MR. CRAIK: Mr. Chairman, I can only summarize and say that the member's preoccupation with this is revealing of the fact that they are more concerned about the violations that might take place than they are about the injustices that took place under the former scheme. You know, let's talk a little bit about the motivation behind making the change.

How would you like to have been the father of a 10 year old that had to be a 5 percent tax as opposed to the father of a 14 year old or 15 year old that did not? I mean, take your pick, pick your poison, either way around. We're not tailoring this law to suit tax collectors; we're tailoring it to suit people. You know, this is the part that bothers him. Certainly there will be slippage and there's slippage in any tax law. But I'm telling you, we don't design this to . . . We made a judgment that there has been enough injustice in large children underage having to pay a tax they shouldn't have, forced to pay a tax they shouldn't have had to pay as opposed to the minority group that is going to violate the law that they are preoccupied about by the virtue of the fact they're willing to sign something that they ought not to on the bet that they won't get caught. Now, my God, doesn't that happen in almost every tax law that's passed? I mean, that's where it all lies. There is nothing essentially incorrect about what the members opposite are saying. What this change does reflect is the change in approach and change in attitude of the two different sides, and that's it.

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

MR. CHERNIACK: Mr. Chairman, I want to spell out for the Honourable Minister what my preoccupation is. When I accepted the responsibility of Minister of Finance and had that position for roughly five years, I accepted the responsibility of managing a tax collection system that was designed to be as fair as we thought it could be, and to impose it as impartially we could, bearing in mind the law and the logic and the rationale of being able to do it.

And, Mr. Chairman, I was not the father . . . well, maybe I was, my children were . . . I don't think we had a sales tax when my children were those ages, but there may have been. But that's academic, Mr. Chairman. I, in the five years, I don't think I had more letters and more complaints on any other tax matter than I did on this very item that the Minister refers to. And, Mr. Chairman, I guess my preoccupation is the fact that I took my job seriously enough to write letters to these people — and I suppose there are files in the Minister's office with copies of the letters that I wrote, saying that I was very sorry, but that the integrity of the tax system had to be maintained to the extent where the exception had to suffer.

I did not enjoy that, Mr. Chairman. I did not enjoy it, but I pointed out in my letters, that because of the uncertainties involved, some people had to suffer.

On the other hand, Mr. Chairman, let us remember that a child of 14, say, who wears clothing of what is considered adult size clothing, is a child who is already paying more money for the garment because the garment is designed for an adult, and is styled in such a way and is priced in such a way as to accommodate to what an adult has to pay. So, the fact that a child is larger or smaller — and we realize that some people are larger or smaller than the average for their age — has various connotations and various . . . what is the opposite to compensation — a penalty, which is related to size and we have to accept the fact.

But taxes, to be equitable, also have to be enforceable. Taxes have to be so managed in a way that you create as much equity as you can. And this Minister — and I said that on a previous occasion — if he is going to open up the door, is going to create and invite more exemptions.

Mr. Chairman, I . . . —(Interjection)— I don't want to pose as knowing more than the Minister of Finance on the responsibilities of a tax collector, which indeed he is and which indeed I was. But I think that he has to recognize that a tax collector has the first obligation to apply a tax fairly, and to see that there's enforcement involved.

And this Minister says we are not here in order to collect taxes. We are here — I forget the phrase he used — but it's people we're dealing with, not tax collectors. That's it. We're not here to favour tax collectors, we're here to favour people.

What does he think his tax collectors are? Does he think that they are people with whips, who go around and gleefully force people to pay taxes that were not established by legislation? They are people, and they are given a job — and it's not a very happy job on many occasions — but they have a feeling of pride. And let me tell this Honourable Minister, that the staff that works for him have a pride in their work. And if you talk to them they'll tell you that they feel that they are making it possible to educate children to care for the aged, to care for the sick, to provide all the benefits that a government provides, because they are doing their job and doing it well. And I believe they are, and I believe they're doing it well.

I'm saying that by this Minister's casual attitude to the enforceability of the Act, he is damaging the integrity of the tax collection system which his employees are trying to maintain for the benefit of the people of Manitoba. So let him not say that we're not doing this for tax collectors, we're doing it for people.

The First Minister has made his contribution so far from his seat, with his jibes and his laughs and that doesn't help very much except to interrupt the train of thought, but I've learned my best to try and maintain my train of thought.

MR. LYON: A train of gutter thought, that's all you have.

MR. CHERNIACK: There he goes again, Mr. Chairman.

MR. LYON: A train of gutter thought, that's all you have.

MR. CHERNIACK: Pardon?

MR. LYON: A train of gutter thought.

MR. CHERNIACK: You see, Mr. Chairman. I am sure, Mr. Chairman, that since the election that we had, the federal election, it has made one great contribution to Manitoba. It has taught the First Minister to curb himself much more than he did before that; it has taught the First Minister that he has to behave a lot better; and he has been behaving better. And maybe the speech made by the Member for Seven Oaks, which no doubt is deeply etched in his mind, will remind him that when he talks about sewer talk, he talks about where he is, very often. And I'm now quoting others, not myself alone.

And when he talks about the gutter, he knows whereof he speaks. —(Interjection)— And when

he talks about fouling a nest, he knows whereof he speaks. —(Interjection)—
And he's continuing to speak, Mr. Chairman.

MR. CHAIRMAN: Order please.

MR. LYON: You've been in it all your life.

MR. CHAIRMAN: Order please. We are on Bill 61, I would ask the honourable members to please stick to Bill 61.

The Honourable Member for St. Johns.

MR. CHERNIACK: Thank ymu, Mr. Chairman. I must say that what I am speaking

MR. CRAIK: Point of order, Mr. Chairman.

MR. CHAIRMAN: The Honourable Minister of Finance on a point of order.

MR. CRAIK: Yes. Children's clothing is not contained in Bill 61, now that we've spent half the evening on it.

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

MR. CHERNIACK: Mr. Chairman, I just want to say that everything I have said is on the record. Everything the First Minister spouts from his seat is off the record, and that's why he gets away with his actions outside of this House.

Mr. Chairman, on the point of order —(Interjection)—

There he goes again, Mr. Chairman. Mr. Chairman, I challenge the Minister to get up on his feet and make his insulting statements instead of telling me I'm fortunate because of the way he behaves. —(Interjection)—

MR. LYON: You're a shame to this House.

MR. CHERNIACK: See that, Mr. Chairman?

MR. LYON: The sooner you get out of it, the better.

MR. CHAIRMAN: All right, Mr. Chairman, I now raise a point of privilege, Mr. Chairman. Are you going to permit him to keep talking from his seat, throwing insults across the Chamber, or are we going to go on with the Business of the House? —(Interjection)— That's right, that's the difference. —(Interjections)—

MR. CHAIRMAN: Order please. The item under discussion is Bill 61, An Act to Amend The Retail Sales Tax Act. I would hope that the honourable members would stick to the topic under discussion.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Chairman, I will not deal further with the question of collection of tax, except to remind you, Mr. Chairman, that when we debated this matter on second reading I asked then whether it would be in order for me to raise these questions under this bill because, Mr. Chairman, there was no other opportunity and the Minister of Finance agreed that that would be the case.

It so happens I was concluding my remarks when the First Minister came in to make his great contribution to this committee's work and I was sidetracked by that. I was concluding, and I have concluded, and I have nothing further to say on this, although I do believe it was an order, and therefore, Mr. Chairman, I'm prepared to sit and listen to the Honourable, the First Minister, give us all of his knowledge, all of his fine thinking and all of his great parliamentary contributions to this Committee.

MR. CHAIRMAN: Bill 61 be reported—pass.

BILLS NO. 57, 58, 63, 64 and 66 were each read a third time and passed.

BILL NO. 65 — AN ACT TO AMEND THE MINERAL TAXATION ACT

MR. CHAIRMAN: Bill 65 . Is there an amendment on 65?

MR. RANSOM: Yes. Mr. Chairman, I just would like to point out that there are a number of amendments to be made to this bill unfortunately, and they have been discussed in the informal discussion that we had with gentlemen opposite the other day and the officials of my department and the Department of Finance. The amendments are of a technical nature, having to do primarily with unitization in the oil fields.

MR. CHAIRMAN: Order please. Bill 65 — An Act to amend The Mineral Taxation Act. Page 1—pass; Page 2—pass; Page 3—pass — the Honourable Member for Pembina.

MR. ORCHARD: Mr. Chairman, I have an amendment. I move that the proposed Section 26 of The Mineral Taxation Act, as set out in Section 12 of Bill 65 be amended:

(a) by striking out the words "the Act shall" in the 2nd line thereof; and

(b) by striking out the words "be conclusively deemed to have remained in force and unamended, and" in the 3rd and 4th lines thereof.

MR. CHAIRMAN: Section 12 as amended—pass; Page 3—pass — the Honourable Member for Winnipeg Centre.

MR. J.R. (Bud) BOYCE: On a point of order, perhaps to the House Leader. We could have an agreeent, I think, on this side to having perused these amendments, that they are what the Minister has said they are; that we could take these amendments as having been read. They have been circulated — some of them are rather wordy and long, so that we could have an agreement that the amendments would be as circulated. They would appear in Hansard; this has been done before, but it might expedite this because some of them are rather lengthy and wordy.

MR. JORGENSEN: Mr. Chairman, of course, we would be prepared to expedite that, but I think that care must be taken to ensure that they appear in Hansard, so that they can be inserted in Hansard at the appropriate spot, then we would be prepared to go ahead as my honourable friend suggests —(Interjection)— yes, all moved by the Member for Pembina.

MR. CHAIRMAN: Is the undertaking agreeable, as having been moved as distributed? (Agreed)

Amendments presented but not read.

MOTION: That proposed clause 2(1) (k.2) of The Mineral Taxation Act, as set out in section 19 of Bill 65, be struck out and the following clause substituted therefor:

(k.2) "production month", where used in relation to a parcel of land or unit of minerals, means a calendar month during any part of which

(i) oil is actually produced from the parcel of land or unit of minerals, or

(ii) oil is allocated to the parcel of land or unit of minerals pursuant to a pooling or unitization agreement;.

MOTION: That the formula in proposed clause 4.1(3)(a) of The Mineral Taxation Act, as set out in section 22 of Bill 65, be amended

(a) by adding thereto, immediately after the word "produced" in the 6th line of the paragraph thereof beginning with "P", the words "or allocated";

(b) by adding thereto, immediately after the word "well" in the 9th line of the paragraph thereof beginning with "M", the words "all or part of"; and

(c) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(i) or (ii)" in the 10th and 11th lines of the paragraph thereof beginning with "M".

MOTION: That the formula in proposed clause 4.1(3)(b) of The Mineral Taxation Act, as set out in section 23 of Bill 65, be amended

(a) by adding thereto, immediately after the word "produced" in the 6th line of the paragraph thereof beginning with "P2", the words "or allocated";

(b) by adding thereto, immediately after the word "well" in the 10th line of the paragraph thereof beginning with "M2", the words "all or part of"; and

(c) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(i) or (ii)" in the 11th line of the paragraph thereof beginning with "M2".

MOTION: That the formula in proposed clause 4.1(3)(c) of The Mineral Taxation Act, as set out in section 24 of Bill 65, be amended

(a) by adding thereto, immediately after the word "produced" in the 5th line of the paragraph thereof beginning with "P", the words "or allocated";

(b) by adding thereto, immediately after the word "well" in the 8th line of the paragraph thereof beginning with "M", the words "all or part of"; and

(c) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(i) or (ii)" in the 9th and 10th lines of the paragraph thereof beginning with "M".

MOTION: That the formula in proposed clause 4.1(3)(d) of The Mineral Taxation Act, as set out in section 25 of Bill 65, be amended

(a) by adding thereto, immediately after the word "produced" in the 8th line of the paragraph thereof beginning with "P", the words "or allocated";

(b) by adding thereto, immediately after the word "well" in the 11th line of the paragraph thereof beginning with "M", the words "all or part of";

(c) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(i) or (ii)" in the 12th and 13th lines of the paragraph thereof beginning with "M";

(d) by adding thereto, immediately after the word "produced" in the 7th line of the paragraph thereof beginning with "P2", the words "or allocated";

(e) by adding thereto, immediately after the word "well" in the 10th line of the paragraph thereof beginning with "M2", the words "all or part of"; and

(f) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(i) or (ii)" in the 11th and 12th lines of the paragraph thereof beginning with "M2".

MOTION: That proposed section 27 of The Mineral Taxation Act, as set out in section 28 of Bill 65, be amended

(a) by striking out the words "the Act shall" in the 2nd line thereof; and

(b) by striking out the words "be conclusively deemed to have remained in force and unamended, and" in the 4th and 5th lines thereof.

MOTION: That the proposed formula in section 1 of Schedule B of the Mineral Taxation Act, as set out in section 29 of Bill 65, be amended by adding thereto, immediately after the word "production" in the 1st line of the paragraph thereof beginning with "P", the words "from or allocated to the well or parcel of land or unit of minerals,".

MOTION: That proposed Schedule D of The Mineral Taxation Act, as set out in section 32 of Bill 65, be amended

(a) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(i)" in the 8th line thereof; and

(b) by striking out the words "within the meaning of sub-clause 2(1)(f.1)(ii)" in the 14th line thereof.

MR. CHAIRMAN: (Pages 4 to 12 as amended were read and passed)

The Honourable Member for St. Vital.

MR. WALDING: Mr. Chairman, just before we get off this Act, I will admit to the Minister that I haven't studied it, but I note 33(2)

I don't think that this answer is going to be satisfactory but I am advised that that was the date for suspending the basic 8 mill tax which was in effect under the existing Act, and that there is in fact no reduction of taxation, that the revised rate schedules result in no change in tax.

MR. WALDING: Mr. Chairman, the Minister was right when he said that it wouldn't be understandable; it wasn't understandable. I would ask him if he could have another run at it and see if he can perhaps make it little clearer to me. He mentioned that April 1st was the suspension of an 8 something. . .

MR. RANSOM: Mr. Chairman, that's why that when you're dealing with schedules of taxation under this Act, they are very complicated and that is why we had arranged for the informal session to discuss them. All I can tell him that this is the date that it gives effect for the suspension of that

basic 8 mill tax and that there is no reduction in tax, so that there is nothing to be paid back one way or the other, if that was the point that he was concerned about.

MR. WALDING: Mr. Chairman, the Minister has mentioned twice that I did not attend his informal hearing. He is correct about that, and the reason is that a member cannot be in two places at once and there was something on in the House that afternoon that I wished to be in the House for.

The Minister has mentioned that there was a suspension of an 8 mill rate or something, which suggests to me that there was a reduction of a tax at that time. Now, can he confirm that that was the case?

MR. RANSOM: No, Mr. Chairman, it was combined with the incremental tax at that date.

MR. WALDING: I'm still not sure that I follow that precisely, Mr. Chairman. I can assume that there were certain taxes payable under Part 1. Indeed, there is a penalty section there which points out that where the tax was not paid as of a certain date, there were certain penalties involved. Now, perhaps the Minister can inform us in that regard; were there in fact certain penalties involved that are now being wiped out by the retroactivity of this section?

MR. RANSOM: No, they're not, Mr. Chairman.

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

MR. CHERNIACK: Mr. Chairman, we on this side don't seem to quite understand the explanation. I hope the Minister understands his explanation, but I think I heard him say that there would be no change, no money, being refunded or taxed because of this retroactivity. If I understood correctly what he said, then the next question is: so why bother? If there's no change, why not make it effective, let's say, the beginning of this fiscal period; April 1, 1979, if there's no change. And then there would not have to be the explanation of offending against a pretty important principle of no retroactivity in taxation. Can the Minister clearly state that nobody will be taxed retroactively and that nobody will receive a retroactive benefit as a result of this change, and I think that's what he said, so on that basis, does he know and can he explain: why bother?

MR. CHAIRMAN: The Honourable Minister.

MR. RANOM: Well, Mr. Chairman, I will have to consult with my people to get the definitive answer for that. It's beyond what I have been able to say at this point. I can't answer in any more detail than that.

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

MR. WALDING: Mr. Chairman, I listened to the remarks of the Honourable Member for St. Johns and the reply of the Minister, and it still leaves doubts in our minds. I wonder if it would be possible to lay this bill over until such time as we are able to get a full explanation of this matter?

MR. RANSOM: Well, Mr. Chairman, I'm sure there won't be any difficulty in getting the details of that answer for the honourable gentlemen very shortly if you wish to proceed with another bill.

MR. CHAIRMAN: Okay, we will set aside Bill No. 65 for the moment and proceed with Bill No. 69.

BILL NO. 69 — AN ACT TO AMEND THE ELECTORAL DIVISIONS ACT

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

MR. CHERNIACK: Thanks, Mr. Chairman. I only want to raise the point, I suppose a point of order, although I am in no way objecting to the procedure, I want clarification of it. I'm wondering how it is that this bill proceeded directly to the Committee of the Whole and not to Law Amendments. And my point is that if there had been a change in this bill from the recommendation of the Commission, then I would have said that it ought to have gone to Law Amendments so that there could be hearings. But since we are assured that there is no change, then I just say, Mr. Chairman,

I don't object to it being here but I just wanted to clarify — I suppose it won't happen again for 10 years — but it seemed to me that had there been changes, then surely it should have gone to Law Amendments because it's not a tax bill. And possibly the House Leader could clarify for the record, although as I say I'm not objecting to it being here, on the basis of the mover of the motion having undertaken that the bill is in accord with the recommendation of the Commission.

MR. CHAIRMAN: The Honourable Government House Leader.

MR. JORGENSON: Well, Mr. Chairman, we anticipated my honourable friend's point of order, so the Clerk and I went through the journals to find out what had been happening in the past and we discovered that the bill, when it followed the recommendations of the Boundaries Commission, had been dealt with in Committee of the Whole, as one assumes that the hearings have already been held by the Commission. So in the past it has been held in Committee of the Whole and we thought we would follow that precedent that had been established.

MR. CHERNIACK: Mr. Chairman, I do appreciate that explanation and that research that I didn't bother to do, and I assume from that that the House Leader would agree that if there had been a variance from the Commission Report, then it ought to have gone to Law Amendments, and for the record, I appreciate his statement and his concurrence with my suggestion.

MR. CHAIRMAN: Bill No. 69, An Act to amend the Electoral Divisions Act. Page 1—pass; Bill—pass; preamble—pass; title—pass. Bill be Reported—pass.

Bill No. 62, An Act for Granting to Her Majesty Certain Sums of Money for the Fiscal Year Ending the 31st Day of March, 1980 and to Authorize the Commitment of Additional Moneys for Expenditures in Subsequent Years and to Authorize the Borrowing of Funds to Provide for the Cash Requirements of the Government. Preamble—pass; title. . .

A MEMBER: Hold it, hold it, hold it; no, no. That one's not here. Back to Bill 65.

MR. CHAIRMAN: What's happening? The Honourable Government House Leader.

MR. JORGENSON: Mr. Chairman, I appreciate the speed with which you are attempting to expediate the business of the House, but this bill has not had second reading as yet, and I wonder if we couldn't wait until we get the Speaker back in the Chair to call for second reading before we. . .

MR. CHAIRMAN: If we could just have the indulgence of the House for a momentary recess until the Honourable Minister . . . Oh, he's back; fair enough.

BILL NO. 65 — AN ACT TO AMEND THE MINERAL TAXATION ACT

MR. CHAIRMAN: I would refer the honourable members to Bill No. 65. We are on Page 12. The Honourable Minister.

MR. RANSOM: Mr. Chairman, I am advised that that 8 mill tax is collected a year after the fact that the tax assessment for the year from April 1st, 1978 to March 31st, 1979, would only have been made subsequent to that and if we don't make it retroactive to the 1st of April 1978, then we would be applying double taxation on that period. So this removes the double taxation that does not result in any additional tax being paid or any rebates being paid.

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

MR. CHERNIACK: Mr. Chairman, could we ask the Minister whether there is a new tax imposed that would form that double taxation? Where is the new tax and why the double taxation, or is there a tax imposed that is retroactive for that year, which will remain? And if so, is that in Part 2? I think we should want to avoid double taxation but I'm not clear on how it comes about.

MR. RANSOM: Well, my understanding would be, Mr. Chairman, that the new schedule then, would apply to the 1st of April 1978.

MR. CHAIRMAN: Page 12—pass; preamble—pass; title—pass. Bill 65 be reported—pass.

Committee rise. Call in the Speaker.

The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again

IN SESSION

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Mr. Speaker, I move, seconded by the Honourable Member for Dauphin, that report of the Committee be received.

MOTION presented and carried.

BILL NO. 62 — THE APPROPRIATION ACT, 1979

MR. CRAIK presented Bill No. 62, An Act for Granting to Her Majesty Certain Sums of Money for the Fiscal Year Ending the 31st day of March, 1980, and to Authorize the Borrowing of Funds to Provide for the Cash Requirements of the Government, for second reading.

MOTION presented.

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

MR. WALDING: Mr. Speaker, I beg to move, seconded by the Honourable Member for Ste. Rose, that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKERThe Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, I wonder if you would call the adjourned debates on second reading, that is, Public Bills, 34, 37, 43, 53 and 67.

ADJOURNED DEBATES ON SECOND READING — PUBLIC BILLS

MR. SPEAKER: Bill No. 34, An Act to amend The Fatality Inquiries Act. The Honourable Member for Kildonan.

MR. CHERNIACK: Mr. Speaker, the Member for Kildonan has just gone to locate another member who wishes to speak on this. I wonder if it could be set down. He's just gone to get some of the other members. He was informed by the House Leader that he wished to proceed and the Member for Elmwood has just gone to locate some of them.

MR. JORGENSEN: Mr. Speaker, then I wonder if you'd call Bill 53 while we're waiting for the honourable member.

BILL NO. 53 — AN ACT TO AMEND THE EMPLOYMENT STANDARDS ACT

MR. SPEAKER: The Honourable Member for Gladstone. The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, I believe that the Member for Gladstone was holding this particular bill for the Minister of Labour.

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, I'll be very brief in speaking to this. The concept of the content, as I understand it, has certain acceptable philosophies that I am inclined to agree with, but I find myself in little bit of an awkward position, where I note that this particular bill was introduced on May 14th, and the honourable minister, the House Leader had introduced a bill with similarities on March 12th, which of course preceded the introduction of Bill No. 53. I understand now that Bill 20, which talked about the mechanics of checking for employment through lie detectors, which

was part of the premise of the bill that had been introduced by the House Leader, Bill No. 20, the Bill 53 by the Honourable Member for Transcona, as I read it, is an extension to that premise. And though I can agree in part to the intent of what I think the Member for Transcona is attempting to say, I would prefer, Mr. Speaker, if this particular bill was defeated at this particular time, and that possibly the Member for Transcona can get together with our House Leader over the next few months, and discuss an encompassing bill which would incorporate both pre-employment and post-employment. That's all I really have to say about it, Mr. Speaker. I can agree with what I believe is the intent of what is trying to be said, but I can't agree in doing it in piecemeal, and I hope that the Member for Transcona understands this. I have spoken to the House Leader, who introduced Bill 20, and he understands my feeling on this particular situation, so I would have to oppose it for those particular reasons at this time, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Transcona.

MR. PARASIUK: Yes, Mr. Speaker. I believe I have the opportunity to close debate. I'm very disappointed that the Conservative majority in this Legislature is deciding to vote against something which I believe we all agree is a very pernicious development in our society, and that's creeping totalitarianism of the private sector. Well, you know, the First Minister laughs — he's embarking on his Joe Clark giggle, Mr. Speaker, because he can't stand the fact that maybe indeed the safeguards that exist against totalitarianism in the public sector, aren't matched by safeguards against totalitarian activities in the private sector. Mr. Speaker, with his giggle, he is endorsing the use of lie detector tests, and I welcome the person back there screaming out, "That's Marxism". Using lie detector tests is Marxism, and you people are supporting it right now with your giggling. Let's get that straight. Who is supporting lie detector tests being used? Who is in fact arguing that if you don't take a lie detector test, you can be dismissed. That is the position that the Conservative Party is taking on this. I explained before, Mr. Speaker, that I think legislators have paid a great deal of attention to abuses in the public sector, with respect to medical records, with respect to other records, and legislators have been a watchdog in that area. But when it comes to practices in the private sector, we have had a deaf ear and a blind eye. Not all of us, Mr. Speaker, but certain groups.

Now, it seems very straightforward to change The Employment Standards Act, to prevent the use of lie detector tests by employers on employees. It's a very simple straightforward proposition. And it also is a very simple, straightforward proposition to argue further and say that employees shouldn't be threatened with dismissal, if indeed they refuse to take or subject themselves to a lie detector test, because the court doesn't allow a lie detector test. The civil liberties are protected in the court, but the civil liberties aren't necessarily protected in the private sector. And this Act, this amendment is a proper amendment; it's an amendment to The Employment Standards Act. I brought it in specifically as an amendment to The Employment Standards Act because I felt frankly that a Personal Investigations Act didn't deal well enough with this matter, because surely whether you're subjected to a lie detector test or not as an employee, is something that surely should be covered by The Employment Standards Act.

I would have thought that the Minister of Labour would not have copped out on this matter by saying, "Well, my colleague introduced The Personal Investigations Act," which was such a dog's breakfast that he had to withdraw it, even though there were some good features, and that therefore, because of that, because of the inadequacy of the House Leader's bill, we are going to penalize the workers of Manitoba, and have them subjected to lie detector tests for another year. And this is a very simple act that the government majority could take; they could approve this Act; they could send it in to Law Amendments Committee or we could put it into amendments. We could add the amendment with respect to prospective employees, and it would be covered. And workers who are being threatened with a lie detector test could refer to their Department of Labour, could refer to The Employment Standards Act, the natural place for them to look, and they would find that their rights are indeed protected. A very simple procedure, which this government majority is saying no to.

They don't believe in individual rights; they don't believe in civil liberties. —(Interjection)— They do not believe that employees have those rights, and that is very unfortunate; this is not a complicated, complex matter; it's a very simple, straightforward matter. Either you believe that the use of lie detector tests in a compulsory manner is totalitarian and must be stopped, or you don't. And those people, by their actions, and especially by their giggling, Mr. Speaker, I think show their true colours. And I can appreciate the Minister of Labour saying, "Well, maybe something can be done next year", but this would be a very easy procedure for the House to adopt. Indeed, I expected that the House would have adopted this unanimously. Mr. Speaker, I'm sorry that they will use their majority to promote totalitarianism, and when next time I hear certain people get up and talk about

freedom, and talk about civil rights, I will be tempted, Mr. Speaker, to use the term hypocritical but I won't, because it's unparliamentary.—(Interjection)— I certainly wouldn't spell it, I wouldn't spell it in a fraudulent manner, Mr. Speaker, which would in fact endorse the utilization of lie detector tests. It's not what you say, it's what you do. And what you do is not coherent or consistent with what you say. And even in this particular instance, you aren't even mouthing the proper rhetoric.—(Interjection)—

MR. SPEAKER: Order, order please. The Honourable Member for Transcona.

MR. PARASIUK: Thank you, Mr. Speaker. The Minister of Highways seems to have a preoccupation with the letter "f" and if he does I think that he should excuse himself and pursue that preoccupation elsewhere.—(Interjection)—

Mr. Speaker, we have another person, the Member for Pembina, Mr. Speaker, we have another speaker sitting there nicely from the safety of his seat, a speaker who didn't have the intestinal fortitude to get up and state his public position on this particular bill, who is now trying to talk—(Interjection)— That's right. The Member for Pembina has asked me to "Get my gaze above the groin." Mr. Speaker, I've been talking about lie detector tests. If he somehow confuses that with anatomy then, Mr. Speaker, he's got a problem.

I would have hoped, Mr. Speaker, that before the Conservatives erupted in this frenzy, that they would have dealt with this matter straightforwardly; they haven't, and I think, Mr. Speaker, that this is a black day for the so-called freedom fighters. We know which side the true freedom fighters are on, and, Mr. Speaker, we will be voting unanimously for this bill because it is necessary, and they don't believe that it's necessary to protect the rights of workers. They will protect at all costs, the rights of corporations.

MR. SPEAKER: The Honourable Attorney-General with a question.

QUESTION put, MOTION lost.

MR. PARASIUK: Yeas and Nays.

MR. SPEAKER: Call in the members. The question before the House, second reading, Bill No. 53, An Act to amend The Employment Standards Act.

A STANDING VOTE was taken, the result being as follows:

YEAS: *Messrs. Adam, Boyce, Cherniack, Cowan, Evans, Fox, Green, Hanuschak, Jenkins, Miller, Parasiuk, Pawley, Uruski, Uskiw and Walding .*

NAYS: *Messrs. Anderson, Banman, Blake, Cosens, Craik, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Kovnats, Lyon, MacMaster, McGill, McGregor, McKenzie, Mercier, Minaker, Orchard, Mrs. Price, Messrs. Ransom, Sherman, and Steen.*

MR. CLERK: Yeas 15, Nays 29.

MR. SPEAKER: I declare the motion lost.
The Honourable Government House Leader.

MR. JORGENSON: Call Bill 37, Mr. Speaker.

BILL NO. 37 — AN ACT TO AMEND THE MUSEUM OF MAN AND NATURE ACT

MR. SPEAKER: Bill No. 37, An Act to amend The Museum of Man and Nature Act. The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I had adjourned this bill for one of my colleagues, but being unable to get ahold of him, we're prepared to let it go to committee and discuss it there.

QUESTION put, MOTION carried.

MR. JORGENSON: Mr. Speaker, in order to avoid keeping the officials waiting, if we could leave the mace in the Chair now, and proceed to Law Amendments.

MR. SPEAKER: The Honourable Opposition House Leader.

MR. GREEN: Mr. Speaker, I really feel that that would be inappropriate because I understand that there are people who wish to come to Law Amendments Committee and make representation, and I doubt that they would be coming at 11:20. I think that there is some other work on the Order Paper that we would be prepared to deal with but we think that Law Amendments Committee could perhaps be at 11:00 tomorrow, or some more appropriate time. But I think it's very inappropriate to go into Law Amendments Committee at this stage.

There is other material on the Order Paper, Mr. Speaker. We can take all of the third readings if we like. We can do anything else. It's not as if we don't want to work but we do think that Law Amendments would be inappropriate for bills that have been passed today. But we are prepared to deal with third readings, and see how much that does. There's Report Stage; there's a couple which are going to be debated, and the time can be used now as well as tomorrow.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, I would like to accommodate my honourable friends as much as possible, but I would like as much as we possibly can, to clean up the bills that are standing in the name of the Minister of Finance for reasons that I've already explained to my honourable friend and there are a couple of them that go into Law Amendments.

MR. GREEN: Mr. Speaker, believe that there are people wishing to make representations on some of those bills and I did indicate that we will certainly understand if the Minister of Finance is not here. I understand he has a very competent legislative assistant who can deal with those matters, and we would certainly not even comment on the fact that he hasn't been able to attend committee. But we do understand that there is a representation on one of those bills of a rather significant nature, certainly to the person who wishes to make it and I think to members of the House as well. There's Report Stage.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Well, we could proceed to the Report Stage then, Mr. Speaker, in a moment and see what happens.

Will you call Bills No. 2, No. 6 and No. 40.

REPORT STAGE

BILL NO. 2 — AN ACT TO AMEND THE FINANNIAL ADMINISTRATION ACT

MR. SPEAKER: Report Stage on Bill No. 2, An Act to amend The Financial Administration Act.

We're on Report Stage, Bill No. 2, An Act to amend The Financial Administration Act. Shall the report of the committee be concurred in?

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I believe at this stage I'll make the motion of which notice is to be given. I move, seconded by the Honourable Member for Inkster, that proposed new Section 10 to The Financial Administration Act, as set out in Section 8 of Bill No. 2, An Act to amend The Financial Administration Act, be amended by:

- (a) adding the word "and" at the end of Subsection (e);
- (b) deleting therefrom Subsection (f) and
- (c) relettering Subsection (g) as Subsection (f).

MOTION presented.

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

MR. CHERNIACK: Mr. Speaker, when we come to third reading of the bill, there are several points I wish to make, but I will confine myself specifically to the motion which I have just presented.

The bill which we are dealing with replaces Section 10 of The Financial Administration Act. Section

10 of The Financial Administration Act says that the Public Accounts shall contain a statement certified by the Provincial Auditor of the Accounts of the Province — it goes on to deal with what is required by way of certificates by the Provincial Auditor.

It is replaced by a lengthier section, which deals with the contents of Public Accounts. And amongst the contents of Public Accounts, there are seven items which deal with a statement of expenditures and revenues, a statement of assets and liabilities which should be shown, changes in financial position, statement of accumulated deficit, a statement of any change in accounting policies — these are all matters, Mr. Speaker, which have formed part of the procedure up to now, even though it may not have been in the legislation itself and therefore, this legislation confirms what has been the case, and is certainly not objectionable.

However, there is an additional portion and that's Subsection (f), which reads in effect that the Public Accounts shall contain "such other statements as the minister deems necessary."

Mr. Chairman, The Financial Administration Act, Section 9, states that, "The Minister shall prepare accounts to be known as Public Accounts, showing the state of the debt, the state of the Consolidated Fund, and such other accounts and matters as are required to show what the liabilities and assets of the government are at the end of the fiscal year in respect of which Public Accounts are prepared."

So, Section 9(c) in the present Act — which is not amended in any way by the bill before us — provides that, "The statement shall contain such other accounts and matters as are required to show what the liabilities and assets of the government are."

There is that provision, which has not changed. The bill with which we are now dealing makes provision for entries to be made to clarify the statements which are to be dealt with, and entries can be made.

Now, Mr. Speaker, the Act as it is and as it is amended without Subsection (f), gives the opportunity —(Interjection)— to the Minister in —(Interjection)—. I'm just waiting to see, Mr. Speaker, if anybody else notices that I'm not speaking. . . that there are now provisions — ample provisions — to take care of the right and the obligation of the Minister to give all the statements that he needs, in order to clarify the position of government, both the accounts, the receivables, the expenditures and the public debt. And therefore, with these provisions and with these rights and authorities to give clarifying statements and appendices, I cannot conceive of any reason why (f) should go beyond what is already in the Act and say "such other statements as the Minister deems necessary". And when we were in Public Accounts Committee dealing with the bill the Solicitor, the Legislative Counsel was asked about this and whether it was necessary, and I asked, on Page 326 of the Accounts of June 7, 1979, Public Accounts, "Did the use of the discretionary statements that have been included, are they contrary to what is authorized and possibly contrary to what should belong there?" And Mr. Balkaran responded, "No, I don't know that they're contrary to law. I think it's additional information that's included in the Public Accounts I suspect to assist people in probably further understanding and interpreting the accounts. The problem I have with that as it reads now, is that it is going to place the onus on the Minister to determine just what statements he deems necessary."

You note, Mr. Speaker, "The problem I have with that, as it reads now", says Mr. Balkaran, "is that it is going to place the onus on the Minister to determine just what statements he deems necessary."

Now, if next year those statements that Mr. Cherniack is referring to the Minister deems unnecessary, no matter how much extra explanatory information they might contain, they just don't find their way into Public Accounts. "That's a problem I have with that clause", says the Legislative Counsel.

So the Chairman then turned to Mr. Ziprick and asked him to respond. Now, Mr. Ziprick said, and I quote from the same page, "Mr. Chairman, Section 10 of the present Act states that the Minister of Finance can put in such other accounts and matters as are required to show the liabilities. Now, one could say that this (b) takes the place of it, but (b) refers to a specific statement. So I think that this (f) part just substitutes for (c) in the old Act or the present Act and makes sure that it is not just confined to one statement."

Mr. Speaker, I'd like you to understand that Mr. Ziprick obviously made a mistake and I don't know if anybody else is particularly concerned about it but when Mr. Ziprick referred to Section 10(c), there is no Section 10(c); there is Section 9(c), which does provide for such other accounts and matters as are required to show liabilities. Mr. Ziprick apparently was under the impression that 9(c) was being removed and that therefore this subsection (f) was in replacement of it. I point out that it was not being removed it remains there, and therefore there is no point to repeating, if it is a repetition, such other statements.

Now, Mr. Speaker, the other point is that I don't believe that the statement of Public Accounts should contain anything but factual statements; factual statements of the accounts, explanations

and clarifications of the accounts, but not " other statements as the Minister deems necessary."

The example I gave was that when the Minister presents the Budget then he not only presents a Budget which is a political document and where he expresses a political point of view, but he attaches appendices to that document, which include matters such as speeches made at meetings of Finance Ministers and speeches made at meetings of First Ministers, all political statements.

Now, the Minister has deemed it advisable, and both in previous governments as well as this government, to include in the Budget statement political statements which I think is perfectly justified, but I don't think that they could be or should be — let me correct that — I don't think they should be possible to put them into Public Accounts, and as I read Section (f) it is possible to do so, because Section (f) says "such other statements as the Minister deems necessary."

The point I'm making, I don't think it should be permitted and I don't think that if it is intended to do other than clarify the statements themselves, that it is necessary. And that's why, Mr. Speaker, I'm looking ahead to future Ministers and future governments; I don't think there should be the express permission to put in just anything a Minister wants in Public Accounts. Other documents describing government policy, well and good; Public Accounts, not correctly put there and for that reason, Mr. Speaker, I urge that the Minister do consider my suggestion that (f) is not needed for the proper presentation of the Accounts or clarification and since it is not needed it shouldn't be there; it's not necessary to put in extraneous matters and by the same token, Mr. Speaker, it should not be an invitation or a permission for any Minister to add such documents as he may deem necessary, even though they have no relationship to clarification of the Accounts.

QUESTION put on amendment, MOTION defeated.

QUESTION put on Report Stage, MOTION carried.

BILL NO. 6 — AN ACT TO AMEND THE CONDOMINIUM ACT

MR. SPEAKER: Bill No. 6, An Act to amend The Condominium Act. Shall the report of the committee be concurred in? The Honourable Member for Pembina.

MR. ORCHARD: Mr. Speaker, I have an amendment for Bill 6. I move that proposed new subsection 5(6) of The Condominium Act as set out in Section 8 of Bill 6 and as amended and reported by the Committee on Law Amendments, be further amended

(a) by striking out the words "Upon application, a judge of the court may, 1st where he finds," in the line thereof and substituting therefor the words "Where, upon application, a judge of the court finds"; and

(b) by adding thereto, immediately before the word "dispense" in the 7th line thereof, the words "he may".

Secondly, Mr. Speaker, I would move that the proposed new subsection 8(7.1) of The Condominium Act as set out in Section 9.1 of Bill 6 and as amended and reported by the Committee on Law Amendments, be struck out and the following subsection be substituted therefor:

"Encumbrance" in subsections (8) and (9).

8(7.1) In subsections (8) and (9), "encumbrance" means an encumbrance that is, or at one time was, enforceable against all the units and common interests, but does not include a mortgage.

MR. SPEAKER: Order, order please. The Honourable Member for St. Vital on a point of order.

MR. WALDING: My point of order is, Mr. Speaker, that the honourable member moved one motion and he is now in the middle of moving a second motion, without the first being dealt with.

MR. SPEAKER: I apologize to the House. I wasn't listening too closely to the honourable member. On the first motion that he made, is it the pleasure of the House to adopt the motion? The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the first amendment is merely a grammatical change in that particular section. Members who are on Law Amendments Committee will recall that the Member for Inkster raised this particular matter and I undertook to review it with legal counsel and perhaps propose a change and this is a change.

MOTION presented and carried.

MR. SPEAKER: The Honourable Member for Pembina, is there a second motion?

MR. ORCHARD: Mr. Speaker, I move that the proposed new subsection 8(7.1) of The Condominium Act as set out in section 9.1 of Bill 6 and as amended and reported by the Committee on Law Amendments, be struck out and the following subsection be substituted therefor:

"Encumbrance" in subsections (8) and (9).

8(7.1) In subsections (8) and (9), "encumbrance" means an encumbrance that is, or at one time was, enforceable against all the units and common interests, but does not include a mortgage.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion? The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, this is just a redefinition of "encumbrance". It was one of the amendments made at Law Amendments Committee the other meeting as a result of the brief from the Manitoba Subsection of the Canadian Bar Association. The definition of "encumbrance" I discussed with Mr. Lamont from the Land Titles Office during the Committee Meeting and I requested him to review the definition of "encumbrance" with legal counsel in order to more accurately reflect the brief that was made by the Canadian Bar Association, and this is the result of that work, Mr. Speaker.

MOTION presented and carried.

MR. SPEAKER: Are there any further amendments?

QUESTION put on Report Stage, MOTION carried.

BILL NO. 40 — ROSSMERE GOLF AND COUNTRY CLUB LIMITED ACT

MR. SPEAKER: Bill No. 40, An Act to Grant Additional Powers to Rossmere Golf and Country Club Limited. Shall the report of the Committee be concurred in? (Agreed) The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. I move, seconded by the Honourable the Member for Lac du Bonnet, that Bill 40 be amended by adding thereto, immediately after Section 5 thereof, the following section:

Purchase back of shares by corporation.

6 Notwithstanding any other provision of this Act the corporation shall forthwith notify each shareholder of the enactment of the provisions of this Act and within 6 months thereafter shall on demand by a shareholder purchase the shares of the corporation owned and held by the shareholder at par value or at such other value as may be determined by arbitration in accordance with the provisions of The Arbitration Act.

MOTION presented.

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

MR. CHERNIACK: Mr. Speaker, I heard mumblings from the Minister of Economic Affairs. I hope he listens to my argument and I hope he responds to it because, Mr. Speaker, I think that it is a matter that ought to be of interest to him or to any other member who cares about property rights of individuals, and I assume he does. So let him hear me out and then I will hear him out and then, Mr. Speaker, we will see whether or not I was right in bringing this amendment before you.

Mr. Speaker, in the first place, this is a private bill. It is brought by the Rossmere Golf and Country Club Limited, an organization that I know not at all, I've never been on the premises, to my knowledge I don't know any of the members, but this is a bill of this Legislature and the Minister of Economic Affairs, who is a Minister of the Crown, should remember that as a member of the Legislature he has duties and responsibilities to protect individuals.

Let me read to him what our rules say about private bills. Well, Mr. Speaker, I can't help but comment that the Minister of Economic Affairs doesn't want it read to him, he said, "read it to somebody over there." I'll be glad to read it to any other member who cares about his responsibilities here. I read Rule 110, Subsection 1, and it reads, "that before any private bill is considered by

the committee to which it may be referred, a report shall first be submitted to the committee by the Law Officer or the Deputy Law Officer, stating that he has examined the bill and has noted by section in the report any exceptional powers sought and any other provisions of the bill requiring special consideration." I move now to Sub-section 4 of Rule 110 which says, "every private bill for an Act of Incorporation shall be so framed as to incorporate by reference the clauses of the general Act or Acts relating to the details to be provided for by the bill," and Sub-section 5 says, "special grounds shall be established for any proposed departure from the principle or for the introduction of other provisions as to any such details and a note shall be appended to the bill indicating the provisions thereof in which it is proposed to depart from the general Act or Acts."

Mr. Speaker, Bill No. 40, contains a clause which is in accordance with the rules and which all of us as members of the Legislature should realize is a flag being waved for us to — and a form of caution. And it says in the preamble that the shareholders at a special general meeting instructed the directors to apply to the Legislature and these are the words which are important, "to obtain extraordinary powers for the corporation beyond those powers as granted under the Laws of Manitoba".

Mr. Speaker, it's required that they say that because it is an indication to us to be careful. We're about to pass a law which gives extraordinary powers to the corporation beyond those powers granted under the Laws of Manitoba, and in accordance with the rules, Legislative Counsel gave a letter. Now members may not be that familiar with Private Bills Committee, but they will recall that in the normal course the Law Officer gives a report saying there's nothing untoward about this bill, but in this case the Law Officer gave the following certificate and I read it: "As required by the rules of the House I examined Bill No. 40, An Act to Grant Additional Powers to Rossmere Golf and Country Club Limited, and would like to draw the attention of the committees to sections 1, 4, and 5, of the bill, which authorize the corporation to assess annual charges against the holders of common shares of the corporation, constitute any unpaid charge so assessed as a lien against the share and authorize the corporation to cancel any share in respect of which the assessment is not paid."

Mr. Speaker, when we spoke on Second Reading, I said that that was confiscation, and, Mr. Speaker, it is. What it says is that a person may hold a share — frankly I don't know, it could be a share with a par value of \$100, maybe it's gone up in value or gone down in value, after all golf courses do own land which gradually appreciates in value. Let's assume the share is worth \$200 and what this bill before us says is that the board of directors may assess an annual charge. Let us say the charge that's assessed is \$50, which the organization probably needs to carry out its functions, and it notifies the shareholder that he is now being assessed \$50, and he doesn't pay it. Next year he assesses it another \$100, he doesn't pay it, and before he knows it, the share is worthless. It is gone.

Now the Minister of Tourism says all golf courses do it. That may be — (Interjection) — What? Which is Glendale? What course is that? The Minister of Tourism refers to Glendale, which is Glendale, and what's the point about that? Now, Mr. Speaker, here we have the Minister of Economic Affairs, the Minister of Tourism, who says they all do it. All golf courses do it. Let's assume they do it, Mr. Speaker, and I say if I join a golf course which has that kind of a law, well that's fair game, I know the rules under which I buy a share, and I know what will happen if according to the rules I don't pay the assessment.

Mr. Speaker, the point I'm making here is just simply this. We are changing the rules in mid-stream, or we're permitting this golf course to change the rules in mid-stream, and I believe, and this is the whole point, I believe that it is only right that an existing member who may not agree with that change in rules should have a right to say I don't agree, let me out. That's all I'm saying, because if that member stays knowing that the rule is there then by all means that member should be bound by the change in rules and the confiscation aspect is perfectly fair and reasonable because the member has notice of it and accepts it.

So what I am proposing in this amendment is that the member be told, in case you don't know it this law has been passed and if you don't want to be bound by the law which entitles the board of directors to confiscate your shares if you don't pay the assessment, then you can cash your share in, go about your merry way, and this person then is not adversely affected. That's all I'm saying, that's only fair and proper that when we permit the golf course to change its rules, then the person who is adversely affected by the change and who says that's not fair to me, should be able to say take my share, pay me out, let me out, I enjoyed belonging to the golf course, but I cannot accept the assessment idea and let me out.

So what the amendment says is after this is passed the board of directors should notify the shareholders that the law has been passed and tell the shareholders that they have six months within which they can notify the board of directors that they don't want to continue to be members

under the new rules and then get out.

Now I think that's reasonable. I don't see why they should be forced into a situation where they have to lose their equity, lose their property rights, and all I'm talking about is a respect for their property rights. They should have the right to say let me out, and if they stay then they should be bound.

Now the fact that golf courses do it, I say is perfectly fair if you know the rules, but when you change the rules in mid-stream, let a fellow out of it. That's no great party position, it's not a partisan position. I'm not arguing this as a New Democrat. I haven't the slightest idea how members on our side of the House will vote. I hope I have no idea how the members opposite will vote because I don't consider that it's a matter of, other than principle, it is certainly not a matter of party policy or policy of any kind. I think it's only fair.

Let me draw to your attention that the directors have the power to assess, it doesn't even have to be confirmed by the shareholders. I don't think it's fair. Now I'm not a member of the golf course. It doesn't affect me one bit. I don't think it's fair. I appreciate the fact that the House has listened to me and heard my statement. I don't think it's fair. If they think it's fair then they know how to vote it down and that's the end of this debate as far as I'm concerned.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. WARREN STEEN: Mr. Speaker, what this bill is doing is changing a bill that was enacted in 1969 which limited the Rossmere Golf and Country Club to an assessment of \$40, and what we are doing is now eliminating that \$40 figure. That is all we are doing. I said when I introduced the bill that the club executives have told me that they would honour any shareholder who wished to sell his share or her share back to the club on three grounds: Death, illness, or serious financial difficulties. But there is no way that the club would be in a financial position to pay off 200 shareholders if they walked in tomorrow morning and said, we want to sell our shares back to you at par value, or face value, and we want our money today, yet we still want to see you as a golf and country club stay in business. They just couldn't afford to do that, but they will do it on those other three conditions. A person does have the right to sell the share to another individual if they wish.

The Rossmere Golf and Country Club people did have an annual meeting and did discuss the fact of presenting such a bill before the Legislature. They canvassed their full membership. They had three persons from within their membership who did not want them to proceed to the Legislature with such a bill. The rest of their membership either supported it or didn't vote against it. So their membership has been given an opportunity of knowing that such a bill was going to be presented to the Legislature.

So I see personally, really no need for the Honourable Member for St. Johns' amendment, and I would hope that the majority of the members of this House would vote it down because their membership is aware of such a bill before the House, and I can't buy the fact that every member could be given the privilege of walking into the club tomorrow morning and saying I want my \$200 back, because they would bankrupt the club and they'd be out of business. —(Interjection)— Yes, and I said, and I have said, and I'll say it again, that if there is financial difficulty in a family, if there has been a death of shareholder that that family can sell the share back to the club, or if there is a participating member of the club who has been seriously injured through illness or by accident or something and cannot participate in the club, the club is prepared to buy that share back.

So, Mr. Speaker, I would urge members not to support the amendment.

QUESTION put on amendment, MOTION lost.

MR. SPEAKER: That will then make it unnecessary for the second Motion, is that correct? (Agreed.) Shall the report of the committee be concurred in? Is that agreed? (Agreed.) The Honourable Government House Leader.

MR. JORGENSON: I believe, Mr. Speaker, there now is general agreement that we proceed to Law Amendments to deal with Bill No. 3, and we'll leave the mace on the table and return as soon as we're completed with consideration of that bill, in Room 254, that's right.

MR. SPEAKER: There will be a short recess.

MR. JORGENSON: Bells will sound when the House reconvenes, Mr. Speaker.

MR. SPEAKER: I'm leaving the Chair for a short recess.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I beg to present the Third Report of the Standing Committee on Law Amendments.

MR. DEPUTY CLERK: Your committee met on Thursday, June 14, 1979, and considered the following Bill:

No. 3 — An Act to amend The Provincial Auditor's Act and Certain Other Provisions of the Statutes of Manitoba respecting the Duties of the Provincial Auditor.

And has agreed to report the same certain amendments.

All of which is respectfully submitted.

MR. McKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Pembina that the Report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

THIRD READINGS

MR. JORGENSEN presented Bill No. 2, An Act to amend The Financial Administration Act, for third reading.

MOTION presented.

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

MR. CHERNIACK: Mr. Speaker, I move, seconded by the Honourable Member for Seven Oaks, that the debate be adjourned.

MOTION presented and carried.

MR. JORGENSEN presented Bill No. 3, An Act to amend The Provincial Auditor's Act and Certain Other Provisions of the Statutes of Manitoba respecting the Duties of the Provincial Auditor, for third reading.

MR. CHERNIACK: Mr. Speaker, just a matter of procedure, I guess a point of order. We have just passed that bill in committee, and it was amended. How are we able now to present it at this same session . of the House?

MR. JORGENSEN: I am advised that whether it's submitted or not, by leave I can ask that the . . . Well, Mr. Speaker, then may I move the Motion with leave then?

MR. CHERNIACK: Mr. Speaker, I'm sorry, but I am considering further amendments, and therefore no leave.

BILLS NO. 6, 7, 10, 13, 14, 17, 19, 24, 25, 30, 31, 32, 33, 35, 36, 38, 40, 41, 45, 46, 47, 48, 50, 51 were each read a third time and passed.

MR. CHERNIACK: Mr. Speaker, on a point of order literally. I, not being a member of the Law Amendments Committee, may I ask the Chairman of Law Amendments whether or not there's been a report on The Personal Investigations Act? I don't recall seeing that report coming in either pro or con.

MR. JORGENSEN: Mr. Speaker, it was not reported out of committee.

MR. CHERNIACK: It's still in committee then.

MR. JORGENSEN: Yes.

BILLS NO. 55, 56 were each read a third time and passed.

MR. JORGENSEN presented Bill No. 57, An Act to amend The Metallic Minerals Royalty Act, for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Member for Lac du Bonnet that debate be adjourned.

MOTION presented and carried.

MR. JORGENSEN presented Bill No. 58, An Act to amend The Mining Royalty and Tax Act, for third reading.

MOTION presented.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Member for Lac du Bonnet that debate be adjourned.

MOTION presented and carried.

BILLS NO. 61, 63, 64, 65, 66 and 69 (by leave) were read a third time and passed.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, I move, seconded by the Honourable Member for Inkster that the House do now adjourn.

Mr. Speaker, may I just remind honourable members that the Law Amendments Committee will be meeting 10:00 o'clock tomorrow morning; the House will be meeting at 2:30 in the afternoon.

MOTION presented and carried and the House adjourned and stands adjourned until 2:30 tomorrow afternoon. (Friday)