



ISSN 0542-5492

# 270

**Fourth Session — Thirty-First Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

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*Published under the  
authority of  
The Honourable Harry E. Graham  
Speaker*



**VOL. XXVIII No. 110 - 10:00 a.m., TUESDAY, 15 JULY, 1980**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty - First Legislature**

**Members, Constituencies and Political Affiliation**

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| Name                                    | Constituency       | Party |
|---|--------------------|-------|
| <b>ADAM, A. R. (Pete)</b>               | Ste. Rose          | NDP   |
| <b>ANDERSON, Bob</b>                    | Springfield        | PC    |
| <b>BANMAN, Hon. Robert (Bob)</b>        | La Verendrye       | PC    |
| <b>BARROW, Tom</b>                      | Flin Flon          | NDP   |
| <b>BLAKE, David</b>                     | Minnedosa          | PC    |
| <b>BOSTROM, Harvey</b>                  | Rupertsland        | NDP   |
| <b>BOYCE, J. R. (Bud)</b>               | Winnipeg Centre    | NDP   |
| <b>BROWN, Arnold</b>                    | Rhineland          | PC    |
| <b>CHERNIACK, Q.C., Saul</b>            | St. Johns          | NDP   |
| <b>CORRIN, Brian</b>                    | Wellington         | NDP   |
| <b>COSENS, Hon. Keith A.</b>            | Gimli              | PC    |
| <b>COWAN, Jay</b>                       | Churchill          | NDP   |
| <b>CRAIK, Hon. Donald W.</b>            | Riel               | PC    |
| <b>DESJARDINS, Laurent L.</b>           | St. Boniface       | NDP   |
| <b>DOERN, Russell</b>                   | Elmwood            | NDP   |
| <b>DOMINO, Len</b>                      | St. Matthews       | PC    |
| <b>DOWNEY, Hon. Jim</b>                 | Arthur             | PC    |
| <b>DRIEDGER, Albert</b>                 | Emerson            | PC    |
| <b>EINARSON, Henry J.</b>               | Rock Lake          | PC    |
| <b>ENNS, Hon. Harry J.</b>              | Lakeside           | PC    |
| <b>EVANS, Leonard S.</b>                | Brandon East       | NDP   |
| <b>FERGUSON, James R.</b>               | Gladstone          | PC    |
| <b>FILMON, Gary</b>                     | River Heights      | PC    |
| <b>FOX, Peter</b>                       | Kildonan           | NDP   |
| <b>GALBRAITH, Jim</b>                   | Dauphin            | PC    |
| <b>GOURLAY, Hon. Doug</b>               | Swan River         | PC    |
| <b>GRAHAM, Hon. Harry E.</b>            | Birtle-Russell     | PC    |
| <b>GREEN, Q.C., Sidney</b>              | Inkster            | Ind   |
| <b>HANUSCHAK, Ben</b>                   | Burrows            | NDP   |
| <b>HYDE, Lloyd G.</b>                   | Portage la Prairie | PC    |
| <b>JENKINS, William</b>                 | Logan              | NDP   |
| <b>JOHNSTON, Hon. J. Frank</b>          | Sturgeon Creek     | PC    |
| <b>JORGENSEN, Hon. Warner H.</b>        | Morris             | PC    |
| <b>KOVNATS, Abe</b>                     | Radisson           | PC    |
| <b>LYON, Hon. Sterling R.</b>           | Charleswood        | PC    |
| <b>MacMASTER, Hon. Ken</b>              | Thompson           | PC    |
| <b>MALINOWSKI, Donald</b>               | Point Douglas      | NDP   |
| <b>McBRYDE, Ronald</b>                  | The Pas            | NDP   |
| <b>McGILL, Hon. Edward</b>              | Brandon West       | PC    |
| <b>McGREGOR, Morris</b>                 | Virden             | PC    |
| <b>McKENZIE, J. Wally</b>               | Roblin             | PC    |
| <b>MERCIER, Q.C., Hon. Gerald W. J.</b> | Osborne            | PC    |
| <b>MILLER, Saul A.</b>                  | Seven Oaks         | NDP   |
| <b>MINAKER, Hon. George</b>             | St. James          | PC    |
| <b>ORCHARD, Hon. Donald</b>             | Pembina            | PC    |
| <b>PARASIUK, Wilson</b>                 | Transcona          | NDP   |
| <b>PAWLEY, Q.C., Howard</b>             | Selkirk            | NDP   |
| <b>PRICE, Hon. Norma</b>                | Assiniboia         | PC    |
| <b>RANSOM, Hon. Brian</b>               | Souris-Killarney   | PC    |
| <b>SCHROEDER, Vic</b>                   | Rossmere           | NDP   |
| <b>SHERMAN, Hon. L. R. (Bud)</b>        | Fort Garry         | PC    |
| <b>STEEN, Warren</b>                    | Crescentwood       | PC    |
| <b>URUSKI, Billie</b>                   | St. George         | NDP   |
| <b>USKI, Samuel</b>                     | Lac du Bonnet      | NDP   |
| <b>WALDING, D. James</b>                | St. Vital          | NDP   |
| <b>WESTBURY, June</b>                   | Fort Rouge         | Lib   |
| <b>WILSON, Robert G.</b>                | Wolseley           | PC    |

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 15 July, 1980

Time 10:00 a.m.

**OPENING PRAYER** by Mr. Speaker.

**MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell):** Presenting Petitions . . . Reading and Receiving Petitions . . .

## PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. GARY FILMON:** Mr. Speaker, I beg to present the Seventh Report of the Standing Committee on Law Amendments.

**CLERK'S ASSISTANT, Mr. R.T. Willis:** The Standing Committee on Law Amendments begs leave to present the following Seventh Report.

Your committee met on July 14, 1980, and heard representation on Bills referred, as follows: No. 77, The Family Law Amendment Act, being An Act to amend The Queen's Bench Act, The Family Maintenance Act, The Judgments Act, The Marital Property Act and The Real Property Act and to repeal The Parents' Maintenance Act.

The Manitoba Association for Rights and Liberties - Mrs. Evelyn Shapiro  
Age and Opportunity Centre Inc.- Mr. Tom McLeod

No. 80, An Act to amend The Payment of Wages Act and The Real Property Act.

The Manitoba Federation of Labour - Dick Martin, Art Coulter

Your committee has considered Bill:

No. 80, An Act to amend The Payment of Wages Act and The Real Property Act, and has agreed to report the same without amendment.

Your Committee has also considered Bills:

No. 77, The Family Law Amendment Act, being An Act to amend The Queen's Bench Act, The Family Maintenance Act, The Judgments Act, The Marital Property Act and The Real Property Act and to repeal The Parents' Maintenance Act.

No. 78, An Act to amend The Executions Act, The County Courts Act and The Provincial Judges Act.

And has agreed to report the same with certain amendments.

**MR. SPEAKER:** The Honourable Member for River Heights.

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

**MOTION presented and carried.**

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**HON. KEITH A. COSENS (Gimli):** Mr. Speaker, I wish to table the Annual Report of the Teachers' Retirement Allowances Fund Board.

**MR. SPEAKER:** Notices of Motion . . .

## INTRODUCTION OF BILLS

**HON. DONALD W. CRAIK (Riel)** introduced Bill No. 115, An Act to amend The Homeowners Tax and Insulation Assistance Act (recommended by His Honour the Lieutenant-Governor).

## ORAL QUESTIONS

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

**HOWARD PAWLEY (Selkirk):** Mr. Speaker, I suppose I should have made note of this during the area marked for tabling of reports, but I note that it is Manitoba's 110th birthday, and it's very very unusual that we are sitting here on the 15th of July that we can make note of this being the 110th birthday of the province of Manitoba, the founding of Manitoba, but I think, as the colleague from Inkster says, the day after Bastille Day, but we are of course I think, pleased to make note of that, as legislators, and know that we are well into the second century of Manitoba's development and growth, and we look forward to future such development.

Mr. Speaker, my question to the Minister of Consumer Affairs is, can the Minister of Consumer Affairs advise us as to which other provinces have decontrolled rents?

**MR. WARNER H. JORGENSEN (Morris):** Mr. Speaker, I'm sure that information is available to my honourable friend as well as it is to me. I have no idea at the moment.

**MR. PAWLEY:** Mr. Speaker, since I'm only aware of Alberta being the other province, I thought that possibly the Minister of Consumer Affairs, who is responsible for introducing this legislation, would be able to advise us whether there are any other provinces except for Alberta that have seen fit to follow the lead of decontrolling rents.

Further to the Minister of Consumer Affairs, can he advise whether or not the Member for Crescentwood indeed was speaking on behalf of the Minister and on behalf of the government of Manitoba, in announcing that tenants need not have any concern insofar as the signing of leases, or if they should lose arbitration under intended legislation from this government that a tenant would be permitted to leave his apartment, break the lease?

**MR. JORGENSEN:** It is my intention, during the course of this debate on the amendment, to indicate in general terms, some of the further amendments that we are proposing to the Act.

**MR. PAWLEY:** Mr. Speaker, would the Minister not feel it very helpful at this stage if all MLAs that are affected and have constituents that are affected by this legislation, were able to make similar types of announcements with certainty, as apparently the Member for Crescentwood has seen fit to announce to tenants within his constituency? Wouldn't it be a positive feature if, at this stage, 29 other members of this Legislature that have constituents that are affected by decontrol, were able to make the same type of announcements to the public that apparently the Member for Crescentwood has been able to, obviously because he is privy to some information with the Minister.

**MR. JORGENSEN:** Mr. Speaker, the Member for Crescentwood made statements to the press, and I think those statements were made after representations I had been receiving, not only from the Member for Crescentwood, but honourable members opposite in this forum have been making recommendations and suggestions. We've been taking them all into consideration in the hope that we can accommodate many of what my honourable friends consider to be the weakness at the present time, and we will continue to listen to my honourable friends when they have suggestions to make that we feel may be incorporated in the present legislation, to ensure that we can mitigate the effects of exorbitant rent increases.

**MR. PAWLEY:** Mr. Speaker, the elderly couple in the constituency of Crescentwood that signed a lease as a result of the assurances provided for the Member for Crescentwood, who may or may not have been speaking on behalf of the government, certainly were not agreeing to sign the lease on his assurance simply on the basis of blind hope or faith. What we want from the Minister is answers, so that the answers are not dependent upon hope or faith or some blind expectation, but upon a positive assurance that the elderly and others indeed are able to sign this . . .

**MR. SPEAKER:** Order please. Order please. The Honourable Minister of Finance on a point of order.

**HON. DONALD W. CRAIK (Riel):** We have Bill 83 before the House at Second Reading stage. It is called regularly almost every day, it will be called again today. This is the Question Period, not the speech period.

**MR. SPEAKER:** The Honourable Member for St. Boniface.

**MR. LAURENT L. DESJARDINS:** Mr. Speaker, on the same point of order, my Leader was not debating the bill, he was asking a very simple question. He was asking if the Member for Crescentwood was speaking for the government when he made this announcement to the press just a few days ago, and that is certainly not out of order.

**MR. SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**MR. JORGENSEN:** Mr. Speaker, I have already indicated to the Leader of the Opposition that it is my hope that sometime during the course of the debate on the amendment that is now before the House on Bill 83, that I would be making a statement. I hope my honourable friend can contain his impatience long enough for me to be able to make that statement.

Incidentally, Mr. Speaker, I would be very interested in hearing what my honourable friend has to say on behalf of his party, because up to this point there has been a wide diversity of opinions with respect to the removal of rent controls from honourable gentlemen opposite.

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

**MR. PAWLEY:** I hope you noted that the Minister saw fit to debate in his response by way of answer, and I am sure the Minister of Finance who rose on a point of order has noted that.

**MR. SPEAKER:** Order please. Order please. Order please. I would hope that members will take the advice that is given by various members of the Chamber, and indeed by the Chair, and use the proper time allocated during our orders for debate. The Question Period is for the purpose of seeking information.

The Honourable Leader of the Opposition.

**MR. PAWLEY:** Mr. Speaker, the Honourable Minister makes reference to my adjusting my patience awaiting his statement. Mr. Speaker, my patience is not important; the 'patients' that are important are the tenants that have been affected by this legislation. Is the Minister prepared to provide a statement now, not a day from now, not two days from now or a week from now, so that those tenants, who are not sure at this point, can be reassured now?

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

**MR. PAWLEY:** Mr. Speaker, we note that the Minister is investigating those that leaked the report, that the Minister has also indicated that the deletions were minor. Does the Minister suggest that the deletion of the paragraph which reads as follows: 'Landlords have moved discreetly to equalize rents in categories, where the equalization opportunity existed. The category most affected by the move is the one-bedroom type 1960-69 blocks' that that is a minor deletion from the report?

**MR. JORGENSEN:** I have covered this ground on many occasions. The fact is, as my honourable friend knows very well, the report that was released by the President of the Manitoba Government Employees Association was a preliminary draft of a report that was finally sent on to me (Interjection) Well, it is also like the Guidelines for the Seventies. We had the preliminary draft of that report. There was a wide discrepancy between that original draft and the final report that was tabled in the House, and my honourable friend can't have it both ways. The

preliminary draft is exactly what it states. It is the first statements that are made by somebody in the preparation of the report. In the final analysis, it is the person that is in charge of that particular department that has the final say as to what that draft will contain that is the Chairman of the Stabilization Board in this instance and it was his comments that were forwarded on to me. Those are the comments that I accept.

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

**MR. PAWLEY:** Mr. Speaker, I know I can't prevent the Minister from beating around the bush, but the question dealt with a specific deletion. Does the Minister feel it not important that the provision pertaining to the involvement of the decontrol of older blocks, that the tenants in those older blocks are the most affected by way of decontrol? Is that an important or minor deletion?

**MR. JORGENSEN:** Mr. Speaker, that fact has been known to the department. It is not as if that is some strange revelation that comes out of the blue. The department knew the blocks that were affected and we have attempted to take into consideration that particular fact.

**MR. PAWLEY:** If that was well-known to the department, why could the department and the Minister not open that to the blue skies of Manitoba and permitted all Manitobans to beware of that and not to have deleted that from the report?

**MR. JORGENSEN:** Mr. Speaker, again and my honourable friend now is becoming as dishonest as I think he is capable of being -- I have told him on repeated occasion . . .

**MR. SPEAKER:** Order please, order please. Order please. I would suggest . . . Order please, order please. I would suggest that the Honourable Minister choose his words wisely.

The Honourable Minister of Consumer Affairs.

**MR. JORGENSEN:** I thought I did, Mr. Speaker. I did not accuse him of being dishonest, I accused him of being capable of being dishonest. I repeat, Mr. Speaker, I tabled the report I received. What else would my honourable friend have wanted me to have tabled in this House?

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

**MR. PAWLEY:** Mr. Speaker, I simply ask the Minister if he would not revert to his statement of Friday and to have the deletions investigated in a fair and impartial manner, so that there can be an objective report tabled in this House as to whether the deletions were intended for a biased and intended purpose or whether they were as minor and as innocent as the Minister has suggested they were?

**MR. JORGENSEN:** My honourable friend is now suggesting that the Chairman of the Rent Stabilization Board, a person that was appointed by

my honourable friend to that position, is dishonest and is doctoring a report. I reject that; I reject that categorically. Mr. Chisvin did not doctor a report, he put his final words to a report that had been presented to him by a preliminary draft. That is his right and that is what he did.

**MR. PAWLEY:** Mr. Speaker, I wish to point out to the Minister (Interjection) Well, by way of privilege then. At no time, Mr. Speaker, have I made any reference to Mr. Chisvin, no reference to Mr. Chisvin. It is this Minister, it is this Minister that is attempting to unshoulder his responsibility onto Chisvin, the Chairman of the Rent Stabilization Board.

**MR. SPEAKER:** Order please. Order please.  
The Honourable Minister of Finance.

**MR. CRAIK:** Mr. Speaker, on a point of order, the question period is seriously deteriorating to not becoming a question period, but again to becoming a statement period from both sides of the House, and I think we ought to get back to order.

**MR. SPEAKER:** The Honourable Member for St. Boniface.

**MR. DESJARDINS:** I'd like to go back to the questions, Mr. Speaker, listening to the Deputy Leader, when can we expect the last corrected report, the Tritschler Report and the Spivak Task Force, the final version?

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

**MR. CRAIK:** On the same point of order, Mr. Speaker, that's just another classic example of what's happening.

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

**MR. BRIAN CORRIN:** Mr. Speaker, my question is for the Minister of Labour responsible for the Civil Service Commission. Can the Minister of Labour advise us this morning whether he will be responding to the call from the Minister of Consumer Affairs asking that the Civil Service Commission be instructed to hold an inquiry into the so-called leaking of the preliminary decontrol reports? Will the Minister of Labour instruct the Civil Service Commission to hold inquiries in accordance with that request or demand?

**HON. KEN MacMASTER (Thompson):** Mr. Speaker, the member doesn't seem to understand his words well, which is nothing unusual. I ask him to produce to me (Interjection) well, if the Member for The Pas has something to say, he can get up. He speaks best from his seat. If the member wishes to produce to me the demand for an investigation by the Minister he referred to, I'll answer the question.

**MR. CORRIN:** Mr. Speaker, far be it for me to suggest that the Minister has not made it, because it's on the front page of this morning's Winnipeg

Tribune with quotations. Mr. Speaker, I would ask the Minister of Consumer Affairs whether he will confirm or deny the report on the front page indicating that he has called upon the Civil Service . . .

**MR. SPEAKER:** Order please. Order please. It is the responsibility of the person who is raising a matter with respect to an article that appears, it is his responsibility to check as to whether or not it is true.

The Honourable Minister of Consumer and Corporate Affairs.

**MR. JORGENSON:** Mr. Speaker, it's with some amusement that I hear my honourable friend say, or take as gospel, a report that appears in the papers. I made the statement in this House the other day, when I was asked that very question about whether or not I was going to ask the Civil Service, and my response at that time, I thought was very clear. I thought that the Civil Service Commission would act on its own initiative if they felt an investigation was necessary. I stand by that statement. I neither requested, demanded, or asked the Civil Service Commission to conduct an investigation, nor do I intend to.

**MR. CORRIN:** I would thank the Honourable Minister of Consumer Affairs for his response. I would ask, Mr. Speaker, whether the Minister personally feels that it is necessary that the Civil Service Commission hold an inquiry in this regard?

**MR. JORGENSON:** Whether I consider that necessary or not, Mr. Speaker, is beside the point. The Civil Service Commission is perfectly capable of conducting their own examination on their own initiative, when and if they feel it necessary.

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

**MR. SAM USKIW:** Mr. Speaker, I would like to ask the Minister of Municipal Affairs, given the fact that we are unable to ascertain just the purpose of Bill 100, in perusing his own speech, Mr. Speaker, I don't know that one can quite find what the intent or the purpose is. Perhaps we could use the question period to find out from the Honourable Minister, Mr. Speaker, whether he can give us further clarification as to what the intent or purpose is.

**MR. SPEAKER:** The Honourable Minister of Municipal Affairs.

**HON. DOUG GOURLAY (Swan River):** Mr. Speaker, to briefly try and explain it, I guess I could say that the . . .

**MR. SPEAKER:** Order please. I would hope the Minister's reply will be very brief. I don't want to see a 30-minute speech in question period.

The Honourable Minister of Municipal Affairs.

**MR. GOURLAY:** I can assure you, Mr. Speaker, I'll be brief. Basically, the purpose of the bill is to maintain the current levels of valuation that have been used in 1980 assessments. As you are probably aware, the provincial assessor and the city of

Winnipeg assessor have indicated that they were bringing forth new valuations in 1981, and in the case of the province, in the rural part of the province, we are using 1975 values, in the case of the city of Winnipeg, it goes back much further than that. To update them in 1981 to current values would certainly create a major shift and a major problem for the assessment review commission, and that's really the only purpose of the legislation, to freeze the valuations being used. But the actual assessment will continue in the rural municipalities, using 1975 values, as they have been in the past year or two.

**MR. USKIW:** Mr. Speaker, did the Minister indicate that the city of Winnipeg is going to use 1980 values, or did I not hear him correctly?

**MR. GOURLAY:** The values that they used in 1980 go back to, I think, 64, or something like that, and those values will be used in 81 and 82. There will be no change.

**MR. USKIW:** All right. Then that brings me to the nub of the question, Mr. Speaker. I am trying to determine in my own mind why it is that it is necessary to extend by one year the values of 1964 with respect to the assessments of greater Winnipeg.

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

**MR. CRAIK:** Mr. Speaker, again, this bill is before the House, and this is where these things get dealt with. Are we going to handle all the bills, Mr. Speaker, in the question period? Bill 100 is in second reading stage at the present time and has been introduced by the Minister. We are now getting, for the second time this morning, into discussion of a matter that's contained in a bill that's currently in the House.

**MR. USKIW:** On a point of order, Mr. Speaker, the member's comments would be well taken, had the Minister given us the same information in his opening remarks on the bill that he has just given us this morning. The fact is that there is no information in his original comments.

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

**MR. A. R. (Pete) ADAM (Ste. Rose):** Thank you, Mr. Speaker. To the same Minister of Municipal Affairs, last week the Minister confirmed for the House that the . . .

**MR. SPEAKER:** Order, order please. Order please. Thank you.

The Honourable Member for Ste. Rose.

**MR. ADAM:** Thank you for your intercession, Mr. Speaker. To the Minister of Municipal Affairs, last week the Minister confirmed for us, for the House, that the price of a 1,000 pound bale of hay in the Red Lake area would be 25 per bale, loaded on the trucks at the cutting site, and in order to justify that position, Mr. Speaker, the Minister went on to tell us that . . . Mr. Speaker, in his response to my questions last week the Minister indicated that there

would have to be a ten-mile road built and bridges put in place in two rivers. I ask the Minister now if he can confirm that those bridges across the river have been in place since last fall, put in place by loggers in the area, and that in fact the information that he provided to the House last week was incorrect, that there are no bridges to be constructed, that the bridges are there and the road is there, and that the road passes on private properties, part of the road, and that he had given us incorrect information last week?

**MR. SPEAKER:** The Honourable Minister of Municipal Affairs.

**MR. GOURLAY:** Mr. Speaker, I don't know where the Honourable Member for Ste. Rose is getting his information, it must be from a different source, obviously. I can inform the House that department officials from the, I believe the Department of Agriculture, were on the scene, I believe Thursday or Friday, looking at the road situation and I believe they have estimated that road work would be required to the extent of some 5,000 or 6,000 for the roads, and that doesn't include the river crossings. As a matter of fact, one river crossing would have to be by barge, they figure, because it is too wide. With respect to the bridges that you speak of, I am not aware that there are bridges in place. I was told the crossings would have to be put in, so I can't confirm your statement that bridges are there. As a matter of fact, I question that very much.

**MR. ADAM:** Mr. Speaker, the information from people on the site, who live there, very close to the area, have advised me yesterday that the bridges are there, that they put them in last fall themselves to haul logs out, to get logs out, and the Minister is telling us last week that these people have to put bridges in and that is why they are charging 25 a bale. Can he confirm, Mr. Speaker, that there are people in the area that will put up the hay and haul it out to access roads; they will haul it out and put it on customers' trucks, 12 miles from the area, not on site, for less money and still make a large profit?

**MR. SPEAKER:** The Honourable Member for Winnipeg Centre.

**MR. J. R. (Bud) BOYCE (Winnipeg Centre):** Mr. Speaker, I have a question for the Acting Attorney-General. I gave notice to the Attorney-General yesterday that I would be raising this question, so perhaps he . . .

**MR. SPEAKER:** Order please. Order please. We can only have one person on the floor at one time and constant interjections do not help the business of the House.

The Honourable Member for Winnipeg Centre.

**MR. BOYCE:** As I mentioned, Mr. Speaker, I had given notice to the Attorney-General yesterday that I intended to raise this question, but we went into Law Amendments, so we couldn't proceed with the question. The question is: Will the Attorney-General and the department investigate the allegation that there exists in the central core area of the city of

Winnipeg an organization which is intimidating the new arrivals from the Orient and physical force is being used in some instances?

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

**MR. COSENS:** Mr. Speaker, I will take the question as notice on behalf of the Attorney-General.

**MR. BOYCE:** Further to that, on the basis that the people who have made representation to me, Mr. Speaker, are people that I give credence to, will the Minister contact the Department of Immigration and the Minister of Immigration and ask them to deploy the force that is necessary that these types of cancers which exist in some societies as to bribery and the other types of intimidation, and graft and things, don't fester in our community?

**MR. COSENS:** Mr. Speaker, I certainly will bring the information to the attention of the Attorney-General.

**MR. BOYCE:** One final question, Mr. Speaker, through the Acting Attorney-General. Would the government investigate and determine if there is something that they can do relative to advising new Canadians that this type of activity in our community will not be tolerated?

**MR. COSENS:** Mr. Speaker, I will also take that as notice.

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

**MR. CORRIN:** Yes, my question is for the Minister of Consumer Affairs, Mr. Speaker. I was wondering whether he could provide details of the specific amendment that Mr. Steen, the Member for Crescentwood, Mr. Speaker . . .

**MR. SPEAKER:** Order, order please. Order please. The only time that amendments can be brought forward is at committee or in the report stage of a bill.

The Honourable Member for Wellington.

**MR. CORRIN:** We agree, Mr. Speaker, but regrettably, in this case it has been done through the media. Mr. Speaker, in view of the fact that tenants have been encouraged, obviously, to enter into lease agreement with their landlords as a result of these reports, can the Minister, just dealing with this specific matter and the risk factor to tenants who are following this advice, can he advise whether or not the government will be making a specific amendment, as has been related and widely published, dealing with the right of a tenant to unilaterally withdraw if the tenant is satisfied that the arbitration has left the rental at too high a level? Can he just deal with that? That is all we want, Mr. Speaker?

**MR. SPEAKER:** The Honourable Minister of Consumer Affairs.

**MR. JORGENSEN:** Mr. Speaker, I indicated, I think it was the first question that was asked me this

morning, that I intended to participate in the debate on the amendment on Bill 83, in which I would be outlining not one but several amendments that we are proposing to this bill, so my honourable friends will have an opportunity of knowing precisely, or at least in general terms, what those amendments consist of. I propose to do that and I hope that I don't have to repeat that again.

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

**MR. WILSON PARASIUKE:** Mr. Speaker, my question is directed to the Minister responsible for the Rent Stabilization Board. Since Bill 83 isn't in effect right now and presumably the rent control legislation or rent stabilization legislation is in effect, can the Minister indicate why the Rent Stabilization Board is not rolling back rent increases called for for periods beginning August 1st and September 1st, which presumably are still under the legislative guidelines of this Legislature? Can the Minister indicate why the Rent Control Board is not dealing with those rent increases, which are above the 5-1/2 and 6 percent guidelines which were established last year?

**MR. JORGENSEN:** Mr. Speaker, I presume that the Rentalsman Office are dealing with those particular problems.

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

**MR. PARASIUKE:** Mr. Speaker, they are not, in that they are waiting for this legislation to come into effect, and as a result, the people are not even in the same predicament as those people waiting until October 1st to determine what they should do with their leases, they are caught in a situation where they are going to have to sign leases effective August 1st and September 1st. I ask the Minister, what regress do those tenants have, given that they are, themselves, facing rent increases of 20 or 25 or 30 percent, and there is no effective means of controlling those rent increases right now in Manitoba.

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

**MR. PARASIUKE:** Mr. Speaker, we are aware that the Minister has been a draft dodger with respect to drafts, now he's a question dodger. I'd like to ask the Minister . . .

**MR. SPEAKER:** Order please.  
The Honourable Minister of Finance.

**MR. CRAIK:** Mr. Speaker, on a point of order, we have been getting an overdose of free commentary here this morning and I think it's time we got back to a more regular question period.

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

**MR. PARASIUKE:** Thank you, Mr. Speaker. I asked a question to the Minister of Consumer Affairs, who has been dodging a number of things. Last year's

Throne Speech indicated that the government of Manitoba would be . . .

**MR. SPEAKER:** Order please. Has the honourable member a question?

**MR. PARASIUKE:** Mr. Speaker, I am prefacing it with the normal introductory comment, which is allowed everyone in Manitoba.

Last year's Throne Speech promised legislation which would protect travellers from bankrupt travel agency companies being left in foreign countries without any redress. Can the Minister indicate why, after putting that promise in the Throne Speech, he dodged that particular issue and did not bring in legislation?

**MR. SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**MR. JORGENSEN:** Because, Mr. Speaker, it wasn't in this year's Throne Speech.

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

**MR. DAVID BLAKE:** Thank you, Mr. Speaker. My question is to the Honourable Minister of Labour. Mr. Speaker, I find it passing strange after the second month in a row, with the decline in unemployment in Manitoba, I wonder, Mr. Speaker, if the Minister might inform the House if the indications for the month of July, even though we're only half-way through it, are going to be equally as encouraging as those for the past two months that showed a decline in employment in Manitoba?

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

**MR. MacMASTER:** Mr. Speaker, I think all members would join me in the sentiment that we hope that the unemployment rate in Manitoba continues to decline. We did, in fact, hit an all-time high for numbers of people employed in Manitoba in the last month, and I think all members would, I think seriously, join me in hoping that the decline in unemployment in Manitoba continues.

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

**MR. PARASIUKE:** Yes, Mr. Speaker. We on this side of the House are also interested in the current status of our economy and revenues. In view of the fact that the Minister of Finance, a few days ago, indicated that he does have hard and fast figures indicating what the revenue intake was from various provincial taxes for the months of May and June, if not July, can the Minister indicate what those were?

**MR. SPEAKER:** Order please. The Honourable Member should file an Order for Return for information of that nature.

The Honourable Member for Transcona.

**MR. PARASIUKE:** Mr. Speaker, in view of the fact that the Minister raised these points himself in the question period, I'm asking him, since in answering my leader he indicated that he did have that hard



material available, could he in fact inform the members of the House how much lower those actual revenues were than those projected by the Department of Finance when the Minister brought in his budget?

**MR. SPEAKER:** Questions of that nature, asking for detailed information, can better be answered by an Order for Return.

The honourable member with a final supplementary.

**MR. PARASIUK:** Mr. Speaker, I thank you for your comments, which always seem to arise when the government side is on some rocky ground. I would like to ask the Minister . . .

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

**MR. JORGENSEN:** I rise on a question of privilege. My honourable friend is now attributing motives to the Speaker and that is not in accordance with our rules. He has attributed to you, Sir, that you are making interventions on behalf of the government, and I submit, Sir, that that is out of order.

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

**MR. PARASIUK:** Thank you, Mr. Speaker. I would like to ask the Minister of Finance if he could indicate . . .

**MR. SPEAKER:** Order please, order please. I would hope that the honourable member was going to temper his remarks and maybe qualify what he had said.

**MR. PARASIUK:** Mr. Speaker, I didn't think that the Acting House Leader had raised a substantive motion and when my colleagues on this side of the House have risen on matters of privilege, you have ruled their intercessions out of order because they didn't have a substantive motion. I assumed then that you were following the same rules for people on that side of the House as well.

**MR. SPEAKER:** Order please. I personally find the remarks of the honourable member to be offensive to the office of the Chair.  
The Honourable Member for Transcona.

**MR. PARASIUK:** Mr. Speaker, in that case, I certainly do withdraw those comments and I apologize if in fact you found them offensive. I would like to ask the Minister of Finance if he could please indicate to members of the Legislature when he will be filing the quarterly report which in fact indicates what the actual expenditures and revenues for the province were for the first quarter, which is a normal practice for this government to do.

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

**MR. CRAIK:** Mr. Speaker, the member can be assured that, unlike the time when he was the chief bureaucrat of the province, we will not take one and

a half years to provide information. The year end ended some two weeks ago, Mr. Speaker, and we will have the first quarter material out as soon as it's ready and the normal period is about six weeks after, Mr. Speaker, not 18 months, as practised by him and his bureaucracy.

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

The Honourable Member for Transcona on a point of order.

**MR. PARASIUK:** Is it still question period, Mr. Speaker? Is there still time?

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

**MR. PARASIUK:** Yes, thank you, Mr. Speaker. Can the Minister indicate whether in fact he will be bringing any revised estimates in, in view of the fact that the revenue projections, that the actual revenues of Manitoba are lower than that which was projected in the budget and thus will lead to a deficit of over 200 million for this province?

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

**MR. CRAIK:** Mr. Speaker, I have addressed that question on any number of occasions in this House and answered it.

## ORDERS OF THE DAY

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

**MR. JORGENSEN:** I just want to be sure that my honourable friends have completely exhausted the question period, Sir.

Will you call Bill 103 and then Bill 83.

## ADJOURNED DEBATES ON SECOND READING

### BILL NO. 103 THE WILDLIFE ACT

**MR. SPEAKER:** Bill No. 103, The Wildlife Act, standing in the name of the Honourable Member for Logan.

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

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

**MR. HARVEY BOSTROM:** Thank you, Mr. Speaker. I have reviewed the notes which the Minister has provided to the House and to our side with respect to the changes in The Wildlife Act. The majority of the changes seem quite reasonable, Mr. Speaker, in view of the fact that if anything, it appears that many of the sections of the Act as they were formerly written, have been changed to make them more flexible. I refer specifically to sections of the Act which relate to items such as protected species,

where it is now made possible for the Minister to, by regulation, protect various species of wildlife in the province which would provide a means by which the department and the Minister can act in a more expeditious manner in order to protect species rather than to have them listed on a list within the Act.

The same applies, Mr. Speaker, to the designation of areas, the prohibitions for special areas for protection of endangered species. All these, as I understand it in the proposed changes in the Act, will allow for these things to be managed by way of regulation, which I believe is superior to having them laid out in specific statute. It provides for greater flexibility for the Minister and the department.

I have some specific questions relating to various sections but I would be prepared to, of course, leave those until we consider this in committee. One of those perhaps the Minister could take as notice. I note that he has, by way of his explanation, removed all reference to treaty Indians, registered Indians in the province. Since The Manitoba Natural Resources Act allows Indians to hunt for food outside of the controls prescribed in The Wildlife Act, the proposed Wildlife Act as I read it, appears to apply to Indians the same as anyone else, and I would ask the Minister if he is proposing that registered Indians, particularly those living in remote areas that hunt for food, would be required under this Act to purchase a licence for that purpose.

The other thing with respect to treaty Indians is, by removing all reference to treaty Indians, it appears that the Minister is also removing from the Act a couple of sections which provided protection for the treaty Indian and their treaty rights. One of those is 46(5) in the old Act, which applies to treaty Indians who accept food as a gift from another treaty Indian for himself or his family. Mr. Speaker, I note that's been removed from the Act, and it would appear from the explanation given, the simplified explanation on page 110 of the notes which were supplied by the Minister, if an Indian gives away any meat, sells it or uses it for other than food for himself or his family, it would appear that would be illegal according to this Act. I would agree that if it were sold or used for some purpose for monetary gain, that would definitely be considered illegal, but it has been a traditional practice in native communities, Mr. Speaker, for a treaty Indian who acquires game, to share that game with his friends and neighbours. That has been a long-standing practice, and I would hope that the Act has not been changed to take away that right and privilege that the native people have had.

The same would apply to the old section 48(1) in the Act which relates to the protection afforded to treaty Indians, where they are allowed to kill a fur-bearing animal for food. They are not of course allowed to dispose of the pelt, but they are allowed to use the pelt for their own use. Mr. Speaker, the only sections in the Act which relate to that issue would appear to take that right away as well, that the Indian would not be allowed to use the pelt for his own use unless he had a permit or some special dispensation from the Minister by regulation.

So I would ask the Minister if he would check those things, because those are issues that I would raise during the discussion at the committee stage.

The other major issue in this Act is with respect to hunting on private land. The Minister has put in a new provision entirely, something which is new as far as I know, to the province of Manitoba, and that is that it will no longer be legal for a person to hunt on private land that is not posted unless the person has the permission of the landowner. Now this may cause great problems, as I see them, in practicality in terms of enforcement, and I would think that the success or failure of this section will be yet to be seen, that is, in its enforcement, whether or not it will work. I note that the Minister is proposing, at least through the explanations provided, that the individual hunter in question may be allowed to have either verbal or written permission, and that the enforcement officers in the field would be able to take action on a person hunting on private land if they do not have permission. The practicality of them being able to check out verbal permission is something which in practice, I would think, would be difficult, and I would caution the Minister on this issue because I think that this is one area where the Act could become very contentious and could cause a great deal of problems.

Many areas of the province, as the Minister is no doubt aware, are owned by people that do not even live in the immediate area of the land; one piece of land is fairly hard to distinguish from another in many areas of the province and it may be very difficult for a hunter in the field to be able to determine exactly which land he is on and whether or not indeed he has the permission either verbal or written from a landowner to be on that particular piece of land.

These are questions which are raised with respect to the enforcement of this particular section.

The other issue, of course, is with respect to leased land. The Minister is suggesting here, as I understand it, that the hunting on leased land could be controlled by way of regulation in the interests of protecting livestock or other property. I assume from this that the regulations would specify as to how the leased land would be protected, and that an individual lease-holder would have to apply to the Minister and the Minister would have his staff check it out to see if indeed that piece of leased land had to be definitely protected by way of regulation.

Here again, I think there will be difficulties in enforcement because traditional areas of the province that have been under leasehold, where people have hunted in the past without any verbal or written permission, will possibly now come under regulation to be prohibited areas for hunting and this could remove from hunting quite a number of large areas in the province, Mr. Speaker. And here again I believe that the questions I have in my mind will be answered when the enforcement provisions come into effect and we see how this will work in practice. I don't object to this provision, I think that it's reasonable to protect certain areas of leased land in the interests of protecting livestock or other property, I think that's only just and reasonable. I believe that this issue, however, could be abused if large areas of Crown land are removed from hunting by way of regulation for no real good reason.

And also, Mr. Speaker, I think that in general this whole area of having to obtain permission to hunt could be abused in terms of discrimination in some

cases where only certain people would be allowed to hunt on private land and others would be excluded. I think in areas where Indian hunting, for example, has been unpopular there may be a very great problem here in terms of Indians being excluded from the right to hunt on leased land that is now going to be under regulation, or private land where they will be required to get verbal or written permission from the landowner. They have always been excluded from trespassing naturally on private land unless they have permission and the landowners have always had the rights under common law to charge for trespass, but that has been a difficult thing to enforce, as I understand it, and I recognize that something should be done. However, I think that we will see how this will work in practice.

I would hope that the Minister would, in enforcement of this section of the Act, caution his enforcement officers to be, in the first year at least, cautious in their approach to enforcement of this section, because overzealous enforcement of this section, where people will be required in the first year to have permission to hunt in areas where they may have traditionally hunted without any permission at all, could be very difficult to enforce and there will be a great number of problems with hunters who, I think, may innocently stray onto areas of land which are owned by people that they aren't even aware are the owners of the land. I think some of the rural members in the Conservative benches will recognize this problem and will be cautioning the Minister as well.

With those few comments, Mr. Speaker, we have no other great objection to any of the areas proposed. In fact, as I said earlier, the majority of the proposals seem to be reasonable and they are the kind of things which will make for more efficient administration of the wildlife in Manitoba. I believe that provision for regulation, rather than statute, is a much more efficient way of the administration of wildlife. So I would compliment the Minister for making those changes, and with the few provisos that I have made with respect to the enforcement of the controversial areas, we are prepared to allow this bill to go to committee.

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

**MR. ADAM:** Just one comment on one of the points raised by my colleague from Rupertsland, On the matter of the problems that may arise for people straying onto private property where there are no residents, the Member for Rupertsland indicated that there was a lot of private land that was unoccupied where people did not live on the land that they owned, and it may cause problems. I wonder if I could suggest a way to get around that. Where there are people living on private land it would be possible for a hunter to go in and ask permission, either verbal or written permission; but where there are no people living on private land, I'm wondering if it would not be desirable, and it may be a good suggestion in that kind of situation, that land could be posted at least as being privately owned, and that would overcome the problem of people straying onto land where there is nobody living on it and with some difficulty for hunters to know whether it's

privately owned or Crown land or whatever, and this may be one way around that problem. I just offer that as a suggestion to the Minister. Again, we think that the changes made were well thought out and we commend the Minister, as well.

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

The Honourable Minister of Natural Resources.

**HON. BRIAN RANSOM (Souris-Killarney):** Mr. Speaker, I thank the honourable members opposite for their comments. I just would like to respond here and then we can deal in detail with the sections as we get into committee. First of all, the issue regarding the position of status Indian people, the intention in this Act is simply to treat status Indians as everyone else would be treated, except as they have special rights under the Natural Resources Transfer Act, and that means they are not required to have a licence, as the question that the honourable member raised.

It certainly was not the intention to restrict in any way the rights that Indian people have. I think that our actions over the past couple of years will indicate that we have not moved in any way to try and restrict rights that Indian people have, in fact, we have attempted to interpret the rights that they have in a fair and objective fashion. It's certainly not the intention to remove any right that they have to give food to their neighbours and other families in the band, for instance, but I am prepared to look at those sections in detail when we get into committee and see if, in fact, there is any sort of restriction there; similarly with the question of the right to take fur bearers.

The question of requiring permission for access to private land is of course a new approach and is going to be one that will have some problems attached to it, but I think the honourable members will be aware that there has been a lot of agitation for some sort of recognition of this nature from the Union of Municipalities and from landowner organizations and the concept is also endorsed by the organized sportsmen of Manitoba through the Manitoba Wildlife Federation. It will not be without problems, there is no question, and we recognize that.

I think the Honourable Member for Rupertsland put his finger on it in terms of the matter of policy and the application of this law. We certainly will be approaching it with a very low profile initially to see how the concept will work, but we think it is necessary to give some recognition to landowners in hopes that we can provide them with some encouragement to maintain more wildlife habitat than has been the case in the past. They will have the right to determine who has access to their property and they may wish to let one person on and not another, and I think that is a right that an individual should have.

It would be the intention of the department that we would largely be responding to problem situations rather than going out looking for possible technical infractions. I think the day is probably gone when the individual hunter can expect to simply take his gun and head out into the country and hunt on the first piece of land that he comes to. It is going to be

encumbent on the hunters to know where they are going to hunt and whether it is on private land or whether it is on Crown land, and to seek the permission that they require.

The leased land, as the member has pointed out, at the moment hunters do have the right of access to any leased land, leased for agricultural purposes, and the occupant has not had the opportunity to restrict any access. I think that is perhaps too liberal and that it was necessary to bring in some means of having the tenant protect his property and his livestock. That will be done through making provision for them to post a portion of the land, probably the posting would indicate the type of lease, so that any individual who felt that the land posting was unnecessarily restrictive would have some opportunity to follow it up with the government.

I think, Mr. Speaker, that I would simply commend the bill to the House and we will deal with some of the detailed sections in committee. I would like to thank the honourable members for their contributions.

**QUESTION put, MOTION carried.**

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

**MR. JORGENSEN:** Mr. Chairman, at the request of my honourable friend opposite, and I apologize to the Member for Churchill for this delay, but would you call Bills 100 and 101.

**BILL NO. 100 AN ACT  
RESPECTING THE ASSESSMENT OF  
PROPERTY FOR TAXATION IN  
MUNICIPALITIES IN 1981 and 1982**

**MR. SPEAKER:** Bill No. 100 standing in the name of the Honourable Member for Kildonan.

The Honourable Member for Logan.

**MR. JENKINS:** Mr. Speaker, the Honourable Member for Kildonan had adjourned this debate of behalf of the Honourable Member for Rossmere.

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

**MR. SCHROEDER:** Thank you, Mr. Speaker. We have examined Bill 100 and it appears to freeze the level of assessments in the City of Winnipeg and in the province of Manitoba for the years 1981 and 1982 at 1980 levels. We haven't been provided with an adequate explanation as to why this is necessary. We understand that a Commission chaired by Mr. Weir has asked for this.

It is my understanding that in fact very recently assessors were provided with handbooks for the country giving them 1975 values, although I note that in The Municipal Assessment Act itself, land is to be assessed at value and I would presume that would mean current value, and that appears not to be done right now. That very same Act states that buildings are to be assessed at two-thirds of value and again it doesn't say five-year-old value or 15 year-old-value. The Minister had indicated earlier this morning that

possibly in the city of Winnipeg assessments are now being based on 1964 values. It would seem to me that if buildings are to be at two-thirds value, then it should be at two-thirds of current value so that all owners are treated equally. It would appear on the face of it that those who have been re-assessed in the last several years or in the last year are being put at a disadvantage as opposed to those who are going to be re-assessed next year.

Throughout the province you have people being re-assessed, properties being re-assessed continually, and whoever owns property which was last re-assessed is paying substantially more in taxes for a brief period of time for the Foundation Program and that type of thing. In the past that has equalized itself over the long haul, because at some point in time the person who is low this year will be high in the future. When you put in this kind of a freeze it would seem on the face of it that for a period of several years there will not be this kind of leap-frogging, the people being re-assessed next year and the year after will only be re-assessed to the same value as those being re-assessed this year, and the people being re-assessed this year are therefore being put in a position where they don't get the advantage several years down the road of having other taxpayers possibly being re-assessed at a higher current rate.

Therefore, when the bill goes to committee, we will have a number of questions of the Minister to determine exactly what the purpose of this bill is.

**MR. SPEAKER:** The Honourable Minister of Municipal Affairs will be closing debate.

**MR. GOURLAY:** Thank you, Mr. Speaker. I appreciate the comments from the Member for Rossmere and some of the questions that have been raised earlier during the question periods, of course, were some of the initial concerns that we had when the recommendations were brought to our attention, and I would think and hope that the concerns have been addressed in the bill. However, certainly we will be interested in dealing with the questions at the committee stage.

With respect to the question of those people that have been recently re-assessed compared to those that have not been re-assessed for some time, there is the equalization factor that is put into place to try and standardize the rate of taxation.

With those few comments, I do appreciate the comments from the members opposite.

**QUESTION put, MOTION carried.**

**BILL NO. 101  
AN ACT TO AMEND  
THE PLANNING ACT**

**MR. SPEAKER:** Bill No. 101 standing in the name of the Honourable Member for Kildonan.

The Honourable Member for Logan.

**MR. JENKINS:** Yes, Mr. Speaker, the Honourable Member for Kildonan had adjourned this debate on behalf of the Honourable Member for Rossmere.

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

**MR. SCHROEDER:** Thank you, Mr. Speaker. We have examined this Act as well. It appears first of all to provide additional powers to the city of Winnipeg within the Perimeter Highway. In fact, it will allow the city of Winnipeg to have final say on any subdivision of land within the Perimeter and we understand that takes in approximately 30,000 acres. Previously, municipalities or planning districts which had developed their own zoning bylaws and basic planning statements, were entitled to do their own subdivision and do their own development control.

This Act would allow the city of Winnipeg the final say on any such subdivisions or other development in that particular zone of the province. The difficulty with that type of provision, of course, is that this means that people living in those districts are being controlled by people over whom they have absolutely no control. They are being controlled by people who are elected from outside of their jurisdiction and they have absolutely no control on who is going to be the person or committee which will make a decision affecting land in their area. That is one change proposed by this amendment.

There are some minor changes and then there is a change dealing with a testator being entitled to do, after his death, what he was not entitled to do while he was alive. (Interjection) The Member for Churchill asks, is there life after death? This may very well provide for such life, certainly for the beneficiaries. Under this amendment, it would appear that an individual who has executed a will prior to January 1st, 1976, and for which probate has been granted, is entitled to have that subdivision approved, notwithstanding all of the provisions of our Planning Act, notwithstanding what the law was in 1976, but his heirs are entitled. All he has to do is die in order that his heirs will be entitled to split up some land in a fashion which presumably he would not be entitled to do if he were alive.

A person could, for instance, Mr. Speaker, have executed a will in 1975 pursuant to which he leaves each of his 12 children a parcel of land somewhere right on the outskirts of a town or village in the province, and he may live for another 50 years and keep that land in that fashion, and although it might be contrary to all common sense or public policy, because of the fact that this individual has executed such a will, his beneficiaries would be entitled to a subdivision of the property based on the will made prior to January 1st, 1976, and we find that to be an extremely astounding proposition. It may well have been, prior to January 1st, 1976, that that particular testator, had he been so inclined, had he wished to do the subdivision at that time, that he would have been prevented from doing so by the municipal board of this province. It may well have been that at that time, any bequest that he made was one which could have come under the jurisdiction of the Municipal Board and which could have been turned down at that time. But that doesn't seem to matter here, we're still going to allow an individual to do, after death, what he is not entitled to do during his lifetime.

I might add that it would appear that the dating of such a will can be questioned if, for instance,

someone were to make such a will today, a holograph will, one for which no witnesses are required, and date it July 15th, 1970; and if that individual were to die 50 years from now and if that will contained a clause subdividing some land within the city of Winnipeg or anywhere in the province, then that will, in all likelihood, would be probated and beneficiaries would be entitled to subdivide contrary to The Planning act and contrary to any good sense.

So we question that provision of this bill and we point out one further failing of this bill, and that is that it contains nothing, not a single word with respect to notice to neighbours when subdivision applications are being made. We will recall earlier in the year, during the estimates of the Minister of Municipal Affairs, that there were submissions made explaining the difficulties that farmers have when you have sudden and unexpected applications for residential or recreational subdivisions right in the middle of agricultural lands, as occurred somewhere west of the lake in the Gimli area earlier this year where all you had was mixed farmers, beef farmers, hog farmers, and suddenly these people discovered that right in the middle of them some 10 or 12 lots for a residential subdivision had been approved, without anyone asking them; in an area where no applications for that type of subdivision had been made for 30 years or more or at least no such subdivisions had occurred, where these people had no reason to believe that such subdivision activity would be occurring; and when the farmers began investigating, they found that there was another some 40 lots or so being applied for and being processed without notice to them.

Now that was a shortcoming of the present Act and at the hearings during the supply debates the Minister indicated that he would be taking a look at this. I would suggest that this would have been the appropriate time to remedy this defect in The Planning Act. There should have been a provision in this amendment to allow for notice to people in agricultural districts, at least several miles surrounding such a subdivision. And the reason for such notice should be clear to the Minister, he is aware of several situations in this province where we have conflicting uses of lands side by side, where you have the hog farmer and then residential development comes in and after a few years the people living there want the hog farmer to move. The same thing happens with other conflicting uses between agriculture and residences, and so there is good reason for these farmers to be able to come to the Planning Branch and give their point of view on whether such a subdivision application should or should not be approved. The Minister may say that municipalities do publish minutes of their meetings so that any farmer who reads the weekly paper and reads all of the fine print might very well be notified, and that is true. Maybe a farmer could be notified some time into the application, but I would point out, first of all, that that is not very good notice. I think the kind of notice that should be received in situations like this would be a notice, an individually addressed notice to the neighbours surrounding such an application for several miles.

The other thing is that, of course, even that notice in the newspaper is one which the farmer does not

receive until after an investigation has been made by the Municipal Planning Branch officials. They make an investigation and after their investigation they report to the municipality and it is only at the time when the municipality makes a decision, based on that recommendation, that notice is provided in the papers. And so, in fact, that notice in the paper comes after a preliminary decision has been made by the Municipal Planning Branch and after a final decision has been made by the municipality, and although there is still one more step, and that is approval by the Municipal Planning Branch, before the subdivision is actually approved, I would suggest that that is far too late in the day for that particular notice, in fine print in the weekly newspapers, to be sufficient notice to do the neighbouring farm community any good whatsoever. And so I would hope that the Minister would deal with that aspect of this amendment as well and bring in something to close that loophole and give the farm community notice when the subdivision applications are made in their midst.

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

**MR. PAWLEY:** Mr. Speaker, I was just trying to obtain a copy of the bill, but I will refer in general terms. Mr. Speaker, there is a provision in the bill before us dealing with the extension of control by the city of Winnipeg involving those additional zone municipalities around the city of Winnipeg, and in specific terms, that land or that area between the limits of the city of Winnipeg and the perimeter highway. Mr. Speaker, we have been questioning the Minister as to whether or not there was a consultation prior to his introducing this legislation with the municipalities that are affected. I recall, Mr. Speaker, when there was a certain degree of planning control given to the municipalities in the additional zone; that we had extensive discussions prior to the introduction of the then provisions in the Planning Act.

Mr. Speaker, I can recall that there was also agreement that if a municipality in an additional zone formed a planning district with other municipalities that, in fact, planning control would remain with the district planning board outside the city of Winnipeg, rather than there being control exercised from the city of Winnipeg.

So, Mr. Speaker, there appears to be a substantive change insofar as the provisions of this bill are concerned, in which prior approval of the city of Winnipeg is required.

Mr. Speaker, the Minister indicated that he had consulted with municipalities in the additional zone. I know that insofar as a number of municipalities are concerned there has been no consultation. I think members of the Legislature received a letter, for instance, from West St. Paul. West St. Paul is affected by this legislation, but according to the Secretary-Treasurer, there was no consultation, prior to the introduction of this legislation to this House by the Minister of Municipal Affairs, with the council of West St. Paul. In addition, Mr. Speaker, I believe that is true of other municipalities within the additional zone.

If indeed there is to be the development of a proper relationship between the city of Winnipeg and the municipalities in the additional zone, significant legislation affecting the additional zone municipalities ought not to be introduced without at least the fullest of consultation. If there then be disagreement, Mr. Speaker, then let it be, let the province then assume responsibility for its legislation. But for the Minister of Municipal Affairs not to consult with municipalities that are vitally affected prior to his introduction of that legislation in this House, is inviting not only mistrust involving he, himself as Minister of Municipal Affairs, with those municipalities affected, but also plants the seeds that can create distrust between the municipalities in the additional zone and the city of Winnipeg. I think all that was unnecessary.

Mr. Speaker, I believe we must have confidence in our municipalities. I found, during the some seven years that I served in the portfolio that the Minister presently holds, that if confidence is expressed in the municipalities and they are given opportunity, they can be the most practical in all areas. And planning is an example. I am not aware as to what the reason could be that the Minister feels that he must introduce this provision in this bill at the present time. I am not aware, Mr. Speaker, that there has been abuse on the part of the municipalities in the additional zone; they are not aware that there has been any abuse on their part, insofar as their involvement, insofar as planning and approvals of subdivisions, insofar as that area between the perimeter highway and the limits of the city of Winnipeg.

So, Mr. Speaker, I would call upon the Minister to withdraw that provision. I believe that it is unnecessary, I believe the Minister has not submitted evidence to the Chamber to indicate that there is a real need, that there is necessity for the double type of regulation. You know, it's interesting, Mr. Speaker, the government across the way used to talk a great deal about over-regulation and overcontrol. Mr. Speaker, it was the New Democratic Party government back in 1975-76 that gave municipalities opportunity to develop their planning pursuits, gave the additional zone municipalities greater say insofar as basic planning statements, the development of same.

And now the Minister, by the provisions of this bill, wishes to introduce another level of government, namely the city of Winnipeg, to have additional control over those municipalities in the additional zone, contrary to what they had said, repeatedly, about the need for decontrol, about the need for deregulation, about the need to give municipalities opportunity to develop and to grow and to find their way, exercise trust in the municipalities. So I do not know why the Minister placed this provision in the bill that is before us.

All that I can do, Mr. Speaker, is to indicate to the Minister that we will be closely questioning the Minister pertaining to this provision when we reach Law Amendments Committee, and the Minister of Municipal Affairs, Municipal Affairs Committee, we'll be closely questioning him insofar as this provision is concerned. We will be anxious to hear from the municipalities in the additional zone as to their views pertaining to the necessity of introducing another level of government exercising control over portions

of the municipalities in the additional zone. And we will be interested in obtaining from the Minister his justification for pushing ahead, pushing ahead with this provision which Mr. Speaker, I suggest only introduces another level of control that has not been proven as being necessary at this time; a provision which has been introduced without consultation with the people that are the most vitally affected, to a large degree, and certainly I know that they have not been consulted in West St. Paul. I just find it disappointing that the Minister has proceeded with this and I urge the Minister to withdraw that provision prior to appearing in Municipal Affairs Committee.

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

**MR. USKIW:** Mr. Speaker, in speaking to Bill 101, I would like to, first of all, make the observation that we have two municipal bills before us, one we've just passed and we're now on the second one, and from what I am made aware of, only this morning, Mr. Speaker, I find that the municipalities that are affected on either of those two bills have not been alerted as to what is contained in that legislation and as to their views with respect to such legislation. And Mr. Speaker, it is sort of the 11th hour situation now that the municipalities find themselves in, in having to prepare briefs in order that they might meet whatever deadlines are established for consideration of these bills in committee; somewhat an unfair procedure, Mr. Speaker, with respect to such important legislation having such dramatic impact on the municipalities involved.

I don't want to belabour the bill, Mr. Speaker, the Member for Rossmere has made the point, so has the Leader of the Opposition, but I want to suggest to this Minister that in the future, when he is dealing with bills that have such substantial impact on jurisdictions, municipal jurisdictions or local governments, that it would seem logical that they be alerted as to what is taking place when that bill is tabled in this House, so that they are in a position to fully peruse the legislation and be fully prepared to present their views in committee.

I would like to also suggest to the Minister that he not proceed with those sections in Bill 101 that have the impact, an effect of transferring additional power to the city of Winnipeg, over and above the municipalities in the outer zone. I believe that, Mr. Speaker, requires considerable more study, and the least I can say on that one is that if anyone should have jurisdiction it should be the province of Manitoba and the Minister, not another municipal authority over an existing municipal authority, Mr. Speaker.

So I suggest to the Minister, in all sincerity, those sections should be deleted from this legislation in committee and I would hope the Minister can allude to that when he closes his remarks, Mr. Speaker.

**MR. DEPUTY SPEAKER, Abe Kovnats (Radisson):** Are you ready for the question?

The Honourable Minister will be closing debate.

**MR. GOURLAY:** Thank you very much, Mr. Speaker. I appreciate the comments made by the

members opposite with respect to Bill 101 and I would, at this time, agree with the comments proposed by the three members that spoke with respect to amendment No. 1 of the bill, and I will be proposing a motion at the committee stage to deleting this part of the bill.

I agree that it has dramatic connotations to the additional zone municipalities, to say the least, and I would like to have more time to study this with the municipalities involved, so that I'll be proposing that motion at the committee stage, which will be dealt with in the Municipal Affairs Committee.

One other comment with respect to Section 7 dealing with the wills that were in place before January 1, 1976, it has come to my attention that there has been some hardships created by this and we want to include Section 7 to accommodate those wills that were in place before that date of January 1, 1976.

With respect to the advising property owners of land transactions, I have studied this section in some depth and I realize there are some concerns of property owners with respect to land use. However, to further notify people within a one or two or three mile radius, in some parts of the province could be thousands of property owners that would have to be notified. This would further delay substantially the approval or disapproval of subdivisions, and I think most of the criticisms that we get in Municipal Affairs is with respect to the undue delay of many subdivisions. I feel at this time there is provision in place that people can be aware of what is happening around them.

I think that's about all I want to comment at this time, but again I do appreciate the contribution by the members opposite in the remarks addressed with reference to Bill 101 and I commend it to the House.

Thank you, Mr. Speaker.

**MR. DEPUTY SPEAKER:** Is it the pleasure of the House to adopt the motion?

**MOTION presented and carried.**

### **BILL NO. 83 AN ACT TO AMEND THE LANDLORD AND TENANT ACT AND THE CONDOMINIUM ACT**

**MR. DEPUTY SPEAKER:** Bill No. 83 and the amendment from the Honourable Member for Inkster, standing in the name of the Honourable Member for Churchill.

The Honourable Member for Churchill.

**MR. JAY COWAN:** Thank you, Mr. Speaker. It's fortunate, I believe, to be able to enter the debate at this time and to discuss the amendment that was brought forward by the Member for Inkster in regard to some of the failings of this bill. I believe that the debate that has preceded my contribution in this regard has pointed out and highlighted the issue that is present throughout this sort of a discussion and this sort of a conversation in regard to certain bills and certain legislation that is brought before the House.

I believe that this particular issue, the issue of rent controls, not only affects all Manitobans, and I was

somewhat hesitant at first to enter the debate in the fact that I knew it was going to be a lengthy debate and I said, why would a member from northern Manitoba be so concerned with rent controls, when in fact rent controls have not had much of an impact on my constituency per se. It has not had an impact on the geographical constituency, but much of my constituency does travel and they travel to the city and they travel here looking for accommodations and they find that when they get here, that the situation is not that to which they had anticipated coming to, that the situation is very difficult for them, and that rent controls and keeping rents down and reasonable and affordable are in fact a benefit to them, moreso than many others who are not under the financial constraints of those constituents. So I do have a vested interest in speaking to the bill. I do have a vested interest in protecting rent controls, not only from a philosophical perspective, but from a constituency perspective.

The issue that we have to discuss here is controls versus decontrols. That is what the whole argument is boiled down to. And we've gone through some acrimonious argument in regard to this particular issue, and we will go through that sort of debate, heated debate, every time we get ourselves involved in an issue such as this, which is a broad philosophical question. The lines are fairly well defined, the lines are fairly well drawn. And the question is, what is government's role in society? How can government best exert its influence towards building a more equitable and a better society? You can put it in a colloquial and it can be boiled down to a question of, when government reacts and interacts within the economic and social society, is it protecting, or is it interfering? I agree that in certain instances it can be doing one or the other.

But I think in this particular instance, that what we have here is a difference in opinion as to whether or not rent controls protect the renter or whether or not rent controls interfere with the landlord. I think that's the crux of the issue and I don't believe that it can be put in any more simplistic language than that. And the debate that we've had, the question periods that we have, have highlighted the difference in opinion between the two parties, have demonstrated how deep our philosophies run in this regard. And be there no question about it.

The Minister responsible for this, the Minister of Consumer Affairs, is bringing forth a philosophical piece of legislation. And that is why he has been caught up in the web that he finds himself in today of trying to justify what is basically an ideological decision, using facts and figures of economics and advisability and feasibility and the practicality and the validity of rent control mechanisms. He has tried to couch a philosophical debate in economic terms and the economic arguments were just not there for it.

They have not been present from the start of this debate and that is why we have found ourselves not discussing the philosophy, not discussing the economy, but the worst of all possible worlds, we've been embroiled in some very partisan political arguments from time to time, although much of the debate has been above that, but it has acted to highlight and to demonstrate just how different these two parties that occupy this House in bulk and I

don't mean to cast any aspersions on the Member for Fort Rouge, but I'm talking about the two major parties in the House and in the province.

The arguments do run deep. There will much more debate on this. I know that there's some anticipation on the part of the government that we can get through this today. Perhaps we will, but we will have a fair amount to debate because the arguments indeed run very deep and they are unresolvable, and they're irreconcilable, and we will not agree. Like last night, when we were discussing the payment of wages in the committee, and the Minister of Consumer Affairs, ironically enough, the Minister who is responsible for this Act, invoked closure on us. He said the question now be put, because he was absolutely correct when he said, these philosophical arguments run deep and we're not going to reconcile them at this table. And the philosophical arguments that we were talking about in regard to this run deep and we're not going to reconcile in this House.

Now it need not be so acrimonious, and this morning's question period was an example of that. Other question periods have been an example of that. The debate has been an example of that. We need not approach this with a bitterness which has been forced upon us. But I do believe that it arises out of distrust and I think there is good cause for that distrust. It is a perception of deception, and I'm not going to point fingers and say, that individual, or this individual, or that government.

I just want to bring to your attention, the fact that we went through a similar argument about a report dealing with rent controls, what was it, a year ago now, in regards to what we perceived to be deception, and therefore, when we got another report that we perceived to be full of deletions and somewhat misrepresentative, that distrust was readily brought to the forefront, and it's the eruption of a festering sore that has been ongoing throughout the debate on rent controls.

That report that was tabled a year ago or so came under question as to the concern to the bias that was built into it, recently brought to head by the president of the MGEA who is I believe, Mr. Speaker, quite legitimately concerned about the effect that any, doctoring is perhaps not the word I would choose to use in this instance, but is concerned about the effect of changes within a document from, whether it be preliminary draft or not, that do in fact change the tone, and do in fact have an impact on the interpretations of that document, and (Interjection) Fact as opposed to opinions, the Member for Rossmere said, and he's absolutely right, that that report, the second report, was an opinionated report.

Now perhaps it wasn't the Minister's opinion, but it certainly did reconcile itself with the Minister's opinion, and that builds distrust. But when the Minister says he knew nothing about it, and others have said that they do not believe the Minister had known anything about it, we accept that at face value. Then the question we ask ourselves is, why didn't the Minister know anything about it? Has he so put his imprint on his department that they are making these sorts of changes without his knowledge? And I believe the changes are significant and they've been read into the record time and time again and I don't think they're necessary to read into



the record again. But they are significant and they do in fact alter the tone of the report. And if that is the case, if the Minister did not truly know about them and I have every reason to suspect that he did not, then I suggest that he does investigate what's happening in his own department, as he said he was going to in his first reaction to the announcement of the deletions, because there is something wrong in a department that is feeding information to the Minister that can only serve to reinforce the Minister's opinion, at the expense of information that might make that Minister a better Minister. And he does his department a disservice and he does himself a disservice if that is allowed to continue. And the people of Manitoba, says the Member for Kildonan. He's absolutely right. This entire Act is a disservice to the people of Manitoba.

But to go back to that point, he must be very careful that that does not become a practice, because he gets buffered and he gets separated and he gets isolated from the people. It's very easy. The Ministers work long hours and they're in this building and this building is set aside from the mainstream for a number of reasons. And one of those reasons is, we need that space, we need that quiet time to ourselves, and we can't always be out discussing these matters and we can't talk to every bureaucrat, so we have to trust our senior level of bureaucrats to be feeding us unbiased and complete and comprehensive information. And I would suggest that was not the case in this regard, and the Minister can say, it goes through drafts, and this is just a common and normal procedure, but the fact is, if he looks at what was deleted, he will have to, if he's honest with himself, come to the conclusion that those deletions do in fact significantly impact themselves upon the summarization of that report. I suggest that he look at that.

When the president of the MGEA talked about this, he talked about the integrity of the Civil Service. That's a very important point. It doesn't matter whether the Minister is causing that integrity to be breached or whether it's the Minister's senior level of bureaucrats who are acting either on or without his consent and advice. The fact is, if this process continues, it does indeed have a negative impact on the integrity of the Civil Service and that's something that they've always said that they've been opposed to. I'm not so certain that they are. As a matter of fact, I am of the other opinion. I believe that they want a Civil Service that feeds them that sort of information, but at least be honest about it.

Censorship. You know, censorship has been a topic of discussion in this House for the past number of days now in regard to not only this item but other items, and we have to deplore censorship in every form. We have to guard against censorship. We have to be vigilant against censorship, whether it's censorship that takes place within the bureaucracy before it affects the Minister or whether it's censorship that the Minister has imposed upon the bureaucracy. I suggest that the comments that the Minister made to the press in regard to investigations and if I read this article correctly, what the Minister is saying is that whoever gave the reports to the president of the MGEA are in serious violation of Civil Service secrecy oaths. As a matter of fact, if the report is accurate, and I have every

reason to believe that it is, it also says that the president of the MGEA is in violation of Civil Service secrecy oaths.

I think that sort of comment and statement from the Minister, although it is not a call for an investigation, is certainly intimidation and it's certainly an implication that an investigation should be brought about, so it's a chicken-hearted way of putting an investigation in place. I do believe that if you make those sort of statements long enough, that some one is going to pick up on the issue. And if the Minister's bureaucracy is such that we suspect it is from the fact that the reports were censored in the beginning as senior level bureaucracy, and let me make that distinction very clear, then they will probably pick up on that, they will probably pick up on that very quickly.

The Minister is also attributed to saying that he has not asked the Civil Service to investigate leaking of the original reports to Mr. Doer, but the Commission, 'should be alert enough to take the initiative itself,' so he's put the ball in motion. He started the process of an inquiry, of a witch hunt. He may call it an investigation. It's nothing of the sort. If he wants to have an investigation, let him have the investigation of the deletions, because he said he was going to have that, and all of a sudden he drops that, and we don't get any sort of report. And I recall when he mentioned that during the question period, asking him questions, as to what sort of investigation it was going to be and who was going to get the results and who was going to do it, hoping that perhaps it would be a public sort of investigation to determine exactly what was wrong within the department to allow those two reports that are somewhat contradictory to exist and the one report to be tabled. And I'd hoped for that, although I wasn't anticipating, I wasn't optimistic, it was a matter more of hope than optimism.

Now we find that the investigation isn't even ongoing, that there was no investigation in that regard. The Minister has dropped it. But now what he wants to do is someone else to investigate the violation of Civil Service secrecy oaths, and I think that can only weaken the morale, it can only hurt those people within his department and have a negative impact on them trying to do a good job, and it will make that department function less effectively and efficiently and that department is one department that does not need to have that happen to it because, as we've seen, there are some problems there already.

What Mr. Doer also talked about in his press conference was the independence of the civil servant, that the Civil Service not become a political arm of the government, and I really believe that is what they seek and that is what they encourage, and that is what they want. They would like the Civil Service to be their Civil Service, and it is not going to be, I will tell them that, because I know civil servants, I know many of them, and most of them are people of high integrity, most of them are hard workers who want the factual information to be presented so that good decisions can be made, because they take their responsibility seriously, and if that is the case, then they will not become a political weapon or a political arm of any government,

whether it be that government or any other government which should enjoy power.

That does not stop them from trying to make that a reality; that does not stop them from trying to bring the Civil Service under their wing, and to mouth their philosophy. That won't happen, but they will try, and it is just this sort of an investigation which could have that sort of disastrous effect on the independence of the Civil Service; and therefore, we have to condone the Minister's investigation by implication. He wasn't courageous enough to come and call for it, but he certainly has done everything that he could do without going to that extent to make it happen.

The concern of the President of the MGEA, at the time of his press conference, was well deserved, it is even more well deserved now, given the latest exchange of information. But given the previous example of the sort of doctoring of a report and I will say that other report was doctored, the report a year ago, of doctoring of rent control reports the President of the MGEA has a responsibility to fight political interference and to intervene to the best of his ability wherever that sort of interference rears its ugly head; and he must stand on guard, he must protect the integrity, he has a commitment to his membership, he has a commitment to the province, he has a commitment to his union to do so. I would suggest that he should be rewarded for exercising his judgment and living up to that commitment, rather than being penalized as the Minister would have him if that investigation goes forward. That is what we have seen happen throughout this sordid affair, and it is a sordid affair. Right from the start it has been a sordid affair because the government has been trapped into an ideological stance that does not meet with the economic conditions of the time, and they have fought internally for years now trying to sort this out, trying to have their ideology take precedence over the economic considerations and the economic realities which we face, and it's just not going to happen. So they have had to incorporate deletions and they have had to incorporate changes that are not to the best value of the reports.

They have, in fact, with this call for an investigation also, I believe, before the statement came up that the person who was concerned about the deletions or the people who had written the report were being laid off, whereas the people who have changed the report were being given better jobs what they have done again is they have rewarded that sort of deceptive treatment of the issue and they have penalized honesty among the Civil Service and that is going to have its effect. Let's only hope that the government changes hands quickly before they have so politicized or attempted to politicize and by a result of that destroy the morale of the Civil Service that we find it takes years to build it back up to where it was when they took over government.

Moving on from that topic to the matter of the legislation itself. One cannot address the issue of rent controls without analysing the changes that this particular legislation attempts to bring about, and the amendment in this regard addresses those issues. And if we can just look at it briefly, Mr. Deputy Speaker. What the amendment says is that 'the House has not received satisfactory evidence or

assurances that if rentals are permitted to be decontrolled there would not be immediate and unjustified rental increases beyond which are necessary to cover the investment and maintenance costs of rental accommodations'.

There are two points in there. No. 1 is that there will always be rent increases and that good landlords, fair landlords, will put in place rent increases that do, in fact, reflect their increased investment and their increased maintenance costs; and nobody is opposed to that, nobody is opposed to that whatsoever. That's the one issue.

But the other issue is, the 'House has not received satisfactory evidence or assurances', and the Member for Inkster can correct me if I'm wrong but I believe that this amendment was put in before the deletions in the report became public. So either the Member for Inkster is somewhat prophetic in this regard or the Member for Inkster has analyzed what has happened in the past with the other doctored reports he assures me it's both and has said, well, we can expect that also to occur in this instance, and it did. So even before we knew about the deletions we had not received the satisfactory evidence or assurances.

Now, they're totally unsatisfactory. As a matter of fact, the evidence which was a tabling of the report, and the assurances which was the material contained in the report, are not only unsatisfactory but they're totally useless. That report has been entirely discredited; it's been discredited a year ago and it was discredited now. And I'll tell you, if they bring in another report, we are going to be just as distrustful of it because one learns from experience as well as being prophetic in that regard.

So we now have even more cause to vote for this amendment and I, for one, will be voting for this amendment, and that is that the recent evidence has shown us, even beyond a shadow of a doubt, that there is no satisfactory evidence and there is no satisfactory assurance that the rentals would not be increased more than is necessary.

The second part of that amendment says, 'The government has not taken steps concurrently with its intention to decontrol rents, to engage in a program of public housing which could provide both alternative accommodation and also create market conditions which would ensure the maintenance of reasonable rents', and that's a fact; it's a fact that they can't deny. You know, they are, by their whole attitudinal approach to government, ensuring that rent controls are necessary and then, because of their ideological stance, they want to take rent controls off. It's a contradiction in the highest terms, Mr. Chairman. If they had a housing policy that was comprehensive and that could provide these sort of accommodations and would ensure that there was not an imbalance in the housing market that would work to the detriment of the renter, then perhaps they could look at some comprehensive decontrolling of rents because the free market system which they talk about, might, and I'm not certain that it would, but might be able to accommodate the needs of renters in that regard. But they've done exactly the opposite. They've pulled away from it.

Well, that's their ideology to it, get out of government, laissez-faire government, they don't want a govern. We've said it before, we'll say it

again, they're really anarchists in this regard and they're anarchistic tendencies have caused them to withdraw from the housing market, has caused them to ensure that there won't be proper accommodations for low rental persons, and at the same time, cause them to take the protection away from those low renters and put them in a dilemma, an ideological dilemma which they don't deserve, but which they should come to expect from this particular government.

It's the same thing with The Payment of Wages Act and if I can, as an aside but not get off the subject, just refer you to the debates that went on last night. You know, there are more bankruptcies occurring in this province and we gave the figures a couple of weeks ago. There are more workers who are coming under the situation where they might be forced to lose their wages because of bankruptcy or foreclosure; and that's largely because of the economic attitude of the government. The cause is not their fault but the fact that they aren't dealing with it certainly is; their laissez-faire approach to it certainly is. And what do they do at the same time if they see the situation is going to be exasperating in certain extents? They, at the same time, take off the protection for the wage earner and throw them in that double dilemma, or double whammy, as one of the persons presenting briefs to the committee said yesterday. And this is another double whammy; what they've done is ensured that there's not going to be proper accommodation available by the laissez-faire withdrawal from the housing market and then remove the protection that would have been necessary to ensure that the renters, and especially the low income renters, were not forced to bear the brunt of that withdrawal. So, again, I have to concur with the second part of this amendment.

And the third part is that the provisions of this bill do not provide adequate mechanisms for dealing with excessive rental increases, although expressing a need to do so. And isn't that a fact, isn't that the case, is that they know, because the economic arguments are undeniable, they know that they have to put in place a mechanism to deal with the rental increases and they are afraid to do so because of their ideology.

So, Mr. Speaker, the amendment sums up very succinctly a number of the arguments that one would use against this particular bill and that is why we will be voting against this particular bill going into second reading. Now I place a caveat on that and that is, the Minister has assured us that there are amendments that are coming forward and the implied assurance is that those amendments will deal with some of the criticisms that we have had but I will wait to see what those amendments are.

The Member for Logan says, don't hold my breath, and he's absolutely right. We have seen this sort of a ploy before. We've seen them say they're going to bring forward amendments that will deal with a specific situation and we don't get that sort of amendment to the legislation.

We do find though, and to go back to the last fact, we do find that the rent controls are in fact performing a function. We do find that the rental increases that the Minister has assured us are accurate reflections of the situation, the 10 percent increase was it, roughly, average 10 percent

increase, may be an accurate reflection of the provincial-wide situation, but there are ghettos, there are pockets, there are localized areas, within the rental market, that are suffering much higher increases, increases to the extent of 50 and 40 and 30 percent and I just refer you to the press release by the President of the MGEA which provides an example, one employee's intake rent factor in one day alone. And we see increases that are 15 percent, 35 percent, 39 percent, 20 percent, 20 percent, 54 percent, 20 percent, 17 percent, 46 percent; we don't see those 10 percent increases that the Minister is talking about. The Minister of Finance is fond of coming in here and talking about statistics, there are, I forget his exact words, but he says there are lies, damned lies, and then NDP statistics. I think he throws that across the floor quite often when we get involved in debates with him.

Well, the fact is, that the 10 percent statistic is not an accurate reflection of the situation. The fact is that there are many people who are, because of the lifting of rent controls, going to be experiencing much higher increases. Now what type of people are those? Are those the people out in the suburbs? Are those the people in the MURBs? Are those the people that are in the high rental accommodations?

One of the statements that was deleted from one of the reports suggested that the rental increases were higher in older blocks than they were in the newer blocks. And who lives in the older blocks? Well, those older blocks are mostly in the inner city and we're not talking about the wealthy or the well-to-do or the high income earner who might be able to absorb an increase of 10 percent or more, but we're talking about many people who are on minimum wage. I talked to a minimum wage earner the other day; that's a deplorable state, Mr. Speaker, and it's another example of this government's attitude towards protecting the interest of the worker and the average citizen, the individual within the society against the interests of the economically elite and powerful. And the minimum wage situation is a tragedy and I think it is a blot on the government's record and I just want to tie it in with this argument by saying that many of those people, who have only had that small increase in minimum wage over the last three years, are finding that their rents are going to be increased far more than their minimum wage has and it was difficult enough to provide themselves with accommodation on the wages that they had earned before as lower wage earners in this society. It is going to be far more difficult and this decontrol, in fact, is going to force many of them onto welfare roles. It's totally ludicrous, the approach that the government is taking to this problem, although it is ideologically understandable, given the government's attitude towards what government should do.

The Conservatives contend, and they have historically, it's nothing new for them, they contend that, No. 1, controls are redundant; No. 2, that there is no need; that the private market can take care of itself. It's a classic argument, more philosophical than economic and that's where they've gotten themselves in trouble. Had they been more honest and had they come in here and said, we have philosophical opposition to rent controls and therefore we're taking off the rent controls because it is in keeping with our party's historic stance, they

would have been far more honest and they would have suffered far less abuse. But instead what they did is they came in here and said, we're a government of the people and we try to protect the people but the economic conditions are such that we don't need to do it, and that's a fallacy. That's a fallacy. And if they believe that to be the case, then the senior level of bureaucracy is filtering their material more than we had anticipated, because it is not the case.

So the government needed an economic argument to forward an ideological stance. So they conjured up an old recipe, they cooked the books. That's what happened. The books were cooked. We don't know who the chef was, we don't know at what level that person was doing, that but we recognize the aroma of cooked books only too clearly and the Member for Inkster had it in his amendment that he had recognized the aroma of the same.

They had to resort to those tactics because the figures did not support their philosophy, their ideology, or their bias. The fact is, the rental market is not homogeneous. It is varied, it is diverse. There are different buildings, there are buildings in different locations, there are good landlords, there are bad landlords, there are changing times and as the times change, the conditions change. Therefore, with that as a basis for argument, one can expect and one can assume justifiably, that rents differ. And if one suspects and assumes that rents differ, one will also come to the conclusion, justifiably again, that rent increases differ, that there may be some buildings where there are no increases, there may be some buildings where there is 5 percent increases, there may be some where there is 10 percent, and we know for a fact there is some where there is 50 percent, and higher than 50 percent increases.

And there is going to be invariably, because there are bad landlords also, although the majority of them are probably very honest, who are trying to put into their increases reflections of their costs, there are some who would go beyond that. That's the sad state of affairs as it exists today. So there is going to be some gouging. There's going to be some exorbitant increases. Those will occur.

I'd just like to read to you a statement that the First Minister made in regard to gouging on the Peter Warren show, and what he said was that we're still in the process of taking advice from the opposition. Well, I guess he can say that to the public because not all the public hear what happens in this House. He says we're still in the process of taking advice from the opposition and from others when the bill gets into committee as to how the interim period can best be looked after in terms of protecting people from the kind of, and these are the operative words, 'indiscriminate gouging that I don't think anyone wants to see take place.'

Well, I can only ask the Minister, because the implication is, if there is indiscriminate gouging, there is also discriminating gouging, and I can only ask the Minister what he means by that statement. Are they willing to allow 30 percent increases, which may be discriminatory gouging and not 31 percent, which may be indiscriminate gouging? That sort of statement is a classic statement in regard to their inability to deal with the matter in any sort of a comprehensive way.

And be there any doubt that the amendments they are bringing forward are going to in any way continue the protective mechanisms of rent control, let me just read one other statement that the First Minister made in that program, and that is, discontinuation of rent control is certainly in the public interest and should be done and should be done. So that's what they're going to do, so be us not fooled by their amendments, be us not fooled by their apparent change in attitude. It's more fluff than substance, I can assure you that, because the First Minister does exert a fair amount of control over the government on that side and that's to the detriment of the people of this province.

But rent controls may be necessary and the continuation of them may be necessary. The beauty of rent controls, Mr. Speaker, is that fair landlords don't even know they exist. They have no effect on a landlord who is pushing through a cost that accurately reflects an increase in their costs. They do not in any serious or comprehensible way affect the fair landlord. Even comprehensive rent controls are selected because the mechanism is built in to allow for certain increases to go through and we saw that. They only roll back unfair increases and they prevent gouging, any type of gouging, whether it be discriminatory gouging or indiscriminate gouging. They prevent gouging. They do not prevent increases, and that is a point that has to be made. And even the Minister's tabled report substantiates those claims, even with the deletions and the changes that have been in it, even with the fine tuning that was done by someone, it does in fact substantiate that claim.

So what we have to look to in regard to the bill that is before us is not the amendments that are brought forward, but we have to look forward to a government that can bring forward a comprehensive housing program, so that rent controls may become a tool and a mechanism within a broader picture, and that will lessen the impact and lessen the need for strict rent controls, although there may be isolated areas and localized areas where they can provide a service and they can be a useful tool.

We have to see the mechanism of protecting a renter continued until such a time as that program can be effectively implemented and put in place and have an impact on the society. We are not saying, on this side, and there is no basic disagreement in regard to the philosophy that we enjoy as a caucus, and our philosophy is that from time to time, protective measures are needed and they are needed to be imposed by the government in respect to imbalances that occur within the society at large, and that's what rent controls do. They tend to even out an imbalance. They tend to give power where power does not exist economically or socially.

I just want to make one final point because I know my time is very short in regard to that. The way the bill is written now and perhaps there will be an amendment that's coming forth from the Minister, but it certainly is a situation that needs analysis and needs correction, is that persons involved in the Tenants Association are not afforded protection. And so what the government has said by that is, we are going to take away the government's protection of you and we're also going to make it difficult for you to protect yourself. And who are they protecting

themselves against? They are protecting themselves against the unfair, the minority of landlords, but that is protection that should be there nonetheless, and it is protection that they deserve and it is protection that if the government in its ideological historical perspective is not willing to provide them, then at least it should enable them to provide it to themselves, to even out the imbalance.

But the only conclusion I can come to is that the government wants that imbalance to continue, that the government is serving the needs of its constituency, and by constituency, I mean the economic elite, the supporters of their party, their friends, and that this bill does nothing for the Manitoban who is trying very hard to survive in some economically difficult times but does an awful lot for the landlords, and for that reason, we find ourselves voting against that bill and voting for the amendment, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member of Consumer and Corporate Affairs.

**MR. JORGENSEN:** Mr. Speaker, if there is one thing that the Minister of Consumer and Corporate Affairs was aware of before introducing this bill, it is that no matter what he did, he was not going to be popular, either with members of the opposition or with the public, because it's the kind of legislation that, in my opinion, is necessary. I think that we must withdraw from rent controls. I think that in the long-term interest of this province, it's necessary for us to do that.

The question then remains as to how do you protect those people in this transfer period against those who may gouge or take advantage of that situation, and that's what we've been addressing ourselves to. However, during the course of the debate at this point, I listened to most of the comments made by honourable gentlemen opposite and read those on the one occasion that I was not here. Very few have addressed themselves to the bill, addressed themselves, as the Member for Churchill has just indicated, to an ideological position.

The Member for Churchill has said that this is an ideological debate and then he went on to accuse me of attempting to place my stamp on the Civil Service, that I am a reactionary, that I am an anarchist, and that I have impressed the Civil Service with that to the extent that they are prepared to amend any document in order to suit me.

Mr. Speaker, I must reject that. I must reject it on two accounts. First of all, the report that has received so much attention from my honourable friends is one that was submitted to me by the Chairman of the Rent Stabilization Board. I'm not going to go over that ground any more because I believe that it has been fairly thoroughly covered and my honourable friends are going to believe what they want to believe, irrespective of what I may say. That's fair. They feel that they have an issue, that they can, regardless of how unfair or untrue it is, that they can go to the public with, and that is going to be their course of action and I can't stop that.

But to suggest that the Chairman of the Rent Stabilization Board, a gentleman that was appointed to that position by honourable friends and I didn't take him out, I didn't remove him, when his term had

expired, first, because I thought he was doing a good job and secondly, because I thought it was right to leave him there until such time as the Stabilization Board had been phased out. I thought it was proper to have that continuity.

Now if my honourable friends want to suggest, and this is really what they are suggesting, that I could place my ideological stamp on a man like Mr. Chisvin. (Interjection) You know better than that. My honourable friends know better than that. They know Mr. Chisvin better than that. They would not have appointed him to that job in the first place if they did not believe that he did bear their ideological stamp, and to suggest that I could change it, to suggest that I could bend him to my will, says very little for Mr. Chisvin, and I think that is a disservice to that gentleman. So I therefore must reject it at all.

But the other ground upon which I reject it is a statement that was made in this House some time ago by the Member for St. Johns. I recall, very soon after the government changed hands, the Deputy Minister of Finance at that time was Mr. Anderson, and I recall the Minister of Finance standing up in his place and saying that shortly after they were elected, he placed a prepared text of a speech before him and he said that that speech contained all of the things that a socialist or an NDP would have placed in the speech. He said it was the kind of a document that I could read very easily because it reflected my thinking, and he said that he'd gone to Mr. Anderson and asked him how come. He said he knew that he'd served a long line of Ministers, a Liberal first and then Conservative, and he said that the Deputy had told him that he knew that the government had a different philosophy and was attempting to reflect that philosophy.

Now that was not on any urging on the part of the Member for St. Johns to that Deputy Minister. (Interjection) I beg your pardon?

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

**MR. SAUL CHERNIACK:** If you will permit me to intercede, it wasn't Stuart Anderson at all, it was another employee of the Finance Department.

**MR. JORGENSEN:** Well then, I apologize for having inadvertently improperly named the individual in that department. But the fact is that it says to the Member for Churchill how the civil servants do react to different kinds of government, without any prodding, without any cajoling or without any intimidation on the part of the government.

And yet the Member for Churchill has suggested that, although it was right for that to happen under the previous administration, for the Civil Service to adjust themselves to the thinking of the government in power, it is wrong when they adjust themselves to a Conservative government. That's really what he said, and I reject that. What he says, and of course, we know that's what he believes, that everybody should be a Socialist. He will be satisfied with nothing less. Well I want to tell my honourable friend that there are people in this country that have a different attitude and that's been demonstrated across this country. So he shouldn't expect that everybody is going to bend to their will. And I don't think that in this particular instance that the

Chairman of the Stabilization Board was under any pressure, any intimidation or any influence. The Chairman of the Stabilization Board took a preliminary report and completed it; redrafted it. The fact that is that the tables in the report speak for themselves.

My honourable friends want to know what happens to rents in the older buildings? It's in the tables, and the tables have not changed. They don't need somebody's words to say. Are they so stupid? Sometimes I wonder if that is not the case but I don't believe it. Are they so stupid that they can't read the tables themselves and draw their own conclusions? That's what I did. I could see in the report, and that's what the officials could see in the tables themselves, what was happening. They're very clear for anybody to see, you don't need to have a junior official in the Civil Service to point out to you that there are certain things that are happening in this field.

Mislead. My honourable friends continue to harp on that. There's been no misleading, none whatsoever. The report was tabled, it was the kind of report that comes across the Minister's desk from time to time and you depend on those people who prepare it to provide you with information and I think that information was provided. I never suggested that I even agreed with the introductory remarks and that's what my honourable friends are complaining about. I could disagree very violently with what was contained in those introductory remarks, on the basis of what was contained in the report itself. And I ask my honourable friends to look at those tables and do a little studying and do a little bit of figuring for themselves. Do you mean to tell me that they have to take the word of a junior official in a department, and that's the one that they're going to cling to, rather than the advice of the senior officials? No, my honourable friends wouldn't do that. My honourable friends wouldn't do that and I don't think they should expect that I should do it.

Well, Mr. Speaker, in the brief time that I have before me, I don't intend to go through this entire debate at this stage. I want to, as I've indicated, I want to draw to the House's attention some of the proposals that we intend to change in the bill that is before the House, and I just simply want to point out, in general terms, what we hope to do and save my final remarks on some of the comments that have been made, and they've been pretty wide-ranging. I've even detected among some members the suggestion that rent controls should be removed. What seems to have escaped my honourable friends, particularly the Member for Churchill, is the fact that there are only six cities in the entire length and breadth of this country, according to the report that was referred to by the Member for Brandon West yesterday, that have vacancy rates in excess of 4 percent; only six and Winnipeg happens to be one of them. And you can take my honourable friends at their word, at the time this legislation was introduced they said, on repeated occasions, that when the vacancy rate gets above 4.8 percent, they're prepared then to accept the removal of rent controls. Apparently now they've changed their minds and, of course, it's not very difficult to figure out the reason why. My honourable friends are predictable in this sense, they will take the side of wherever the

majority is, wherever the greatest number of votes are, that's the side they'll be on. If the bankers of this country were ever to form a majority of people in this country and have a greater voting block, they would be on the side of the bankers. They would be on the side of the lawyers, if they were in the majority. They would be on the side of everything that is in the majority. Talking about ideological commitments, that is the ideological commitment of my honourable friends opposite and that's their only ideological commitment.

Well, Mr. Speaker, we'll get to the changes that I am proposing. And I must confess that I have had precious little help. My honourable friends are doing what comes naturally, they are opposing, and I have no quarrel with that. But I've had precious little suggestions from my honourable friends as to how the bill could be improved, very little. They address themselves to almost everything but that particular issue. What I going to be proposing is that during the course of a rent increase dispute between the landlord and tenant, if the landlord refuses mediation by the Rentalsman and voluntary arbitration by the Director of Arbitration, then the Director of Arbitration can order that the landlord will pay the moving costs of that tenant, up to an amount equal to one month's rent. Now I frankly admit that is not the complete answer to the problem, but what we have got to do is to recognize that if you're going to remove rent controls, and that seems to have escaped my honourable friends, if you're going to remove rent controls, then it serves no useful purpose if you're just going to impose another system of rent controls in another area. That's one.

If a tenant receives a rent increase notice or has already signed a lease which has a rent increase and the rent increase takes effect up to and including October 1, 1980, the tenant may protest the rent increase to the Rentalsman at any time within three months of the effective date of the increase, in accordance with provisions of Section 103 of the Act. Similarly if a tenant receives a rent increase notice which is to take effect after October 1, 1980, they have one month, following receipt of the notice, in which to protest the rent increase to the Rentalsman. And while the rent increase protest is before the Rentalsman, or the Director of Arbitration, that tenant may remain in tenancy, even though his or her tenancy agreement with the landlord may expire during mediation.

Thirdly, if a requested rent increase takes effect on any date, up to and including October 1, 1980, and the landlord refuses to go to mediation or voluntary arbitration, the tenant shall have the right to terminate any signed agreements he has with the landlord, providing the tenant gives the landlord one month's notice of his intention to move.

And finally, Mr. Speaker, and this is in response to the one suggestion that was made by my honourable friends, and that is, no landlord shall discriminate against the tenant, or prospective tenant, because of the tenant's membership or participation in a tenant's association.

**MR. SPEAKER:** Order please. Order please.

**MR. JORGENSON:** That particular provision, if I may just . . .

**MR. SPEAKER:** Has the honourable member leave to continue?

**MR. JORGENSON:** Can I just conclude, Mr. Speaker, that is the one provision that is not contained in the Human Rights Act, and we intend to reintroduce it so that it is covered in this particular piece of legislation.

Those, Mr. Speaker, are the amendments that we are proposing and I would hope that my honourable friends will address themselves to the provisions of the Act, and if they have any suggestions to make we'd be perfectly happy to consider them as part of this legislation. We know that it's a difficult situation. It's difficult because once you have provided legislation of this kind withdrawing is extremely difficult and I know, as I said at the outset, I'm not going to win any popularity awards. But I do want to, now that I see that the Member for Transcona is in here, I expect that I would be called a lot of names as a result of this legislation and my honourable friends have not disappointed me, but I never thought for one minute, Sir, that my military service was going to be brought into question, that I was going to be called a draft dodger. I served six years in the services, Mr. Speaker, and I'm proud to have had the opportunity of serving my country. Now I don't know what kind of military service my honourable friend had but I am not a draft dodger.

**MR. SPEAKER:** Order please.

The Honourable Member for Transcona.

**MR. PARASIUK:** Yes, I'd like to rise on a point of personal privilege. I believe that the Minister was referring to comments that I made in question period. I was making a pun, I was not referring to his military service at all, in fact, I was referring to the fact that the Minister was dodging questions about a draft report and I used it as a pun and I called him a draft dodger and I then called him a question dodger afterwards. It was on that basis that I was making that reference and on that basis alone, I had no I don't even know whether the member served or didn't serve and I was making no reference to that aspect at all.

**MR. SPEAKER:** Order please.

**MR. JORGENSON:** I do not accept my honourable friend's so-called apology. I heard what he said, I know what he said and I will not accept any apology on his part.

**MR. SPEAKER:** Order please.

The Honourable Leader of the Opposition on a point of order.

**MR. PAWLEY:** Mr. Speaker, just on a question to the Minister. If the Minister would provide us with copies of the proposed amendments over the noon hour so that we could review them prior to continuation of the debate, after question period?

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

**MR. JORGENSON:** I might say, Mr. Speaker, that after the lunch hour it is my intention, in order to accommodate the Member for St. Johns, to call Bills

65, 66 and 87, I believe it is. (Interjection) Well, my honourable friend asked me last night if I would call them in the afternoon and I'm just attempting to accommodate that request, and then we'll go back to Bill 83.

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

**MR. PAWLEY:** Mr. Speaker, I believe I haven't received an indication from the Minister as to whether he will provide us with the amendments.

**MR. JORGENSON:** I'm not going to. I can't provide my honourable friend with the amendments, I can provide him with a draft copy of the proposed statement that I made.

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

**MOTION presented and carried,** and the House accordingly adjourned and stands adjourned until 2:00 p.m. this afternoon.