

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 4 July, 1980

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

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

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, possibly the Deputy Premier could advise me whether or not the Minister responsible for the Rent Stabilization Program will be present this morning for question period? If so, I will refrain from asking my question until his arrival.

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, I see the House Leader is here now. He may know more accurately. I think the Premier said that the Minister was away for two days, so that presumably means he will not be here.

MR. PAWLEY: Mr. Speaker, in that case, I will direct my question to the Deputy Premier; he may wish to accept the question as notice. In view of the fact that there have been substantial rent increases in the past two weeks, some in the neighbourhood of 20, 25, 30 percent and higher, and in view of the fact that Section 15 of The Rent Stabilization Act permits the board under which the Minister responsible for Consumer Affairs directs, is the government prepared to permit the board to establish guidelines for rent limitations between the July 1st period and the eventual passage of the legislation that is now before the House, so there are some guidelines, there is some limitation as to rent increases during the transition period prior to the passage of the Landlord and Tenant Act which is presently before the House?

MR. CRAIK: Mr. Speaker, I'll have to take the question as notice.

MR. PAWLEY: Mr. Speaker, a further question to the Minister of Health. Can the Minister of Health advise whether or not the statistics that are released on an annual basis, June 1st each year from the Manitoba Health Services Commission, whether they have been delayed for some reason this year in their publication?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERMAN (Fort Garry): I believe they have been delayed, Mr. Speaker, for purposes of developing a methodology that will verify them and provide a proper base on which to draw demographic and population conclusions of a statistical nature in the future. The whole subject is under study by a committee that comes under the aegis of my colleague, the Honourable Minister of Labour, and the conclusions have not been reached yet, Mr. Speaker.

MR. PAWLEY: Mr. Speaker, when was the committee that the Minister makes reference to formed in order to examine the report dealing with population figures?

MR. SHERMAN: Certainly, to my knowledge, some several months ago, Mr. Speaker, but I think that the Leader of the Opposition should perhaps direct that question to my colleague, the Honourable Minister of Labour. I'm not trying to avoid the question, I don't have any other information than that.

MR. PAWLEY: Mr. Speaker, by way of further supplementary to the Minister of Health or to the Minister of Labour, whoever prefers to answer, can the Minister advise when it is anticipated that the report normally released June 1st pertaining to population will indeed be released? How long is it anticipated that the committee will continue its work and thus the usual report that Manitobans customarily receive, how long will it be held up?

HON. KEN MacMASTER (Thompson): Mr. Speaker, I can't give a positive date as to when that report will, in fact come through. Part of the problem that we have been experiencing in Manitoba for many years on an internal Manitoba situation is the validity of some of the population figures, and what's taking place within the province. When you couple that with all these questionable federal statistics — and I'm not throwing stones, I'm just saying that they are always questionable and debatable — we felt it compelling upon ourselves to somehow establish a credible system that ourselves and the press and the public and the opposition can look at and understand and know that in fact we are starting from the proper base number, regardless of the methodology and we're prepared, when we establish that system, to share that with all people, the opposition as well as others, so that we are in fact, in the future, dealing with a number that we all know how it was derived at, we all know the system in place. If in fact, once that methodology is established, if there is criticism of it, valid, then we would be prepared to review those procedures.

But I think we have to, once and for all, establish a population system in the province of Manitoba that we can all feel comfortable with and we know is as accurate as is physically possible.

MR. PAWLEY: Mr. Speaker, in view of the Minister's answer, it appears that there may very well be some delay prior to receiving the new figures

according to some new system which is being devised and established. In the meantime, my question to the Minister is, whether or not the raw material can now be released on the basis of the release of that material in years gone by so that it can be evaluated at this point by opposition and by other members of the provincial community, can that be released at this point prior to the completion of the Minister's committee study of the statistical reporting system that's presently used by the Manitoba Health Services Commission?

MR. MacMASTER: Mr. Speaker, I would not be prepared at this time to recommend that the information be released, the broad data as the Leader of the Opposition calls it, at this particular time, when we know in fact that it would not be accurate data.

MR. SPEAKER: The Honourable Member for Wellington.

MR. BRIAN CORRIN: My question, Mr. Speaker, is to the Attorney-General and relates to Section 23 of Bill 83, that is the bill presented by the Minister of Consumer Affairs to amend The Landlord and Tenant Act. I would ask whether or not the Minister has contemplated the provisions of Section 23 of the Bill, that is the section that provides for a tenant to be evicted upon the issuance of an order by the Rentalsman or the Arbitration Board. And in that regard — well, perhaps just one at a time, Mr. Speaker — could he advise us whether he is aware of that provision and whether he has studied it?

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, would the member get to his point?

MR. CORRIN: Well, I didn't want to take unfair advantage by going on without asking him whether he had had an opportunity to study it, but I will, Mr. Speaker. Mr. Speaker, I am made aware that there have been court cases in the provinces of British Columbia and Ontario that have held a similar provision to be unconstitutional, and in view of that, Mr. Speaker, I would ask the Honourable Attorney-General whether he will be looking into this matter in order to advise the Minister responsible for The Landlord and Tenant Act whether or not such provision, included in the Manitoba legislation, might also be found to be unconstitutional?

MR. MERCIER: Mr. Speaker, I am prepared to have that matter examined and advise the member in due course.

MR. CORRIN: I would just note that in case it wasn't clear, because the member didn't indicate whether he had read the section, that this is a substantial change and that it makes provision for a tenant to be put out after an order by the Arbitration Board or the Rentalsman and not, as it formerly was the case, only by an order of a court.

Mr. Speaker, I would like to address my next question to the Honourable Minister of Education. I would like to ask whether he has had occasion to

contemplate the provisions of the Act, rather of Bill No. 83, that will allow landlords to evict families with school children when they wish to convert the premises to a condominium? I would ask, in view of the fact that the current Landlord and Tenant Act prohibits such eviction, whether or not within the policy guidelines of his department he finds this particular revision to be acceptable?

MR. SPEAKER: Orders of the Day. The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, I am quite prepared to discuss that particular clause with my colleague.

(Sound of bell ringing)

MR. SPEAKER: Order please. There is provision in our rules — it is not parliamentary to bring an exhibition into this Chamber.

The Honourable Member for St. Boniface.

MR. LAURENT L. DESJARDINS: I apologize if it is not parliamentary, but I am quite happy it worked, Mr. Speaker.

My question is to the Minister of Health. If a bed or a wing of beds in a hospital are closed, or if the service is discontinued or reduced for any reason, what happens to that part of the approved budget to the hospital to pay for that service where those beds are closed?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, I didn't hear the opening phrase of the honourable member's question. If there is a what, what happens to the budget?

MR. DESJARDINS: If for any reason a bed or a series of beds or a wing in a certain hospital are closed, or if any services are discontinued or reduced for any reason, what happens to that part of the approved budget that was to go to pay for these reduced services or these closed beds?

MR. SHERMAN: Not a thing, Mr. Speaker, at least until the beginning of the next fiscal year. Hospital budgets are struck and paid on the basis of semi-monthly apportioned amounts. The hospital received its budget on the basis of a semi-monthly payment throughout the year and at the end of the year when the new budgets are being prepared, naturally there is an examination by the hospital and the Health Services Commission of the demands and requirements of the hospital, the volume of the hospital in terms of service, and the new budgets are struck accordingly. But that occurs at the budget reconciliation period at the end of the year, not halfway through the year.

MR. DESJARDINS: Mr. Speaker, doesn't the Minister then realize that this just encourages the hospital, who will have a deficit, to maybe reduce services and cut beds, so they could use these funds towards their deficit?

MR. SHERMAN: No, Mr. Speaker, I don't agree with that proposal. The honourable member was Minister of Health himself for sometime. He is aware of the process that hospitals and health facilities go through, he is aware of human nature, and obviously no system is perfect. I am not naive enough to suggest that there are not temptations and there are not motivations of a wide variety in a wide range in life, but I don't subscribe to that as a universal in the health facility system at all.

Most hospitals and health facilities, administrations and boards do their utmost to maintain the highest possible level of service that they can, and they fight with the Commission and they fight with the Minister of Health about their budgets at the end of the year.

MR. DESJARDINS: Mr. Speaker, the Minister went all around without answering my question. I didn't ask for a dissertation on the service of the hospital. I just repeat, doesn't the Minister realize that this is just encouraging these people that it is to their advantage to close these beds or reduce services so they will be able to stay within their budget, or at least reduce their deficit?

MR. SHERMAN: Mr. Speaker, I reiterate, the Member for St. Boniface was the Minister of Health; he knows the situation. He knows that since time immemorial in this province, and I dare say in every other province that operates with a universally insured hospital and medical program, that at certain times of the year some facilities find it politic, practical and convenient, from a budgetary point of view, to limit certain operations. Since time immemorial hospitals in Winnipeg, for example, have utilized a low volume-low demand season of summer to temporarily close some beds. That occurred when my honourable friend was Minister; it occurred when my Deputy Minister was Minister, and I dare say, it will occur well into the future. But on balance, Mr. Speaker, on balance, the practice, as I have described it, and I don't find anything suspicious or cynical about the approach that hospitals take to their budgets.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker, I too, would like to ask a question of the Minister of Health regarding hospital budgets, and I would like to ask the honourable minister what attitude, or approach, does the government take toward hospitals that experience deficits in operations in the year 1979, in the last year of operation? What is the approach of the government to those hospitals, for whatever reason may experience a deficit on operations?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Their deficits, if there are such, in their budgets are looked at in the normal way, Mr. Speaker. If they finish the year with a deficit they confront us with that fact, they confront the Health Services Commission with that fact, and that problem is addressed in concert with the hospital or the health facility itself. Sometimes the base is

adjusted, the hospital's operating base is adjusted; sometimes there are adjustments arranged that span a certain number of budgetary years, perhaps two or three years, to accommodate that particular deficit. There is no health facility in my experience, or this government's experience, Mr. Speaker, that's gone under or gone out of business because of a deficit.

MR. EVANS: Well, very specific, Mr. Speaker, I would ask the honourable minister, with regard to the Brandon General Hospital, which experienced an enormous deficit last year of well over 378,000, mainly because of increased costs of medical and surgical supplies which amounted to an increase of 220,000; this is the first deficit in many many years. So my question to the minister is, what would be the attitude, then, of the government toward the Brandon General Hospital, with respect to this large deficit? Will they be assisted or will they be penalized on next year's budget?

MR. SHERMAN: Well, Mr. Speaker, I don't want to anticipate the decision of, or the recommendation of, the Health Services Commission. No such decision or recommendation, respecting the Brandon General Hospital, has come to me from the Manitoba Health Services Commission, but I would speculate that the commission will work out with Brandon General the necessary arrangements, and as I say it might span two or three budgetary years and involve an adjustment in the hospital's base that gives them a different start point on which percentage increases can be based, in order to accommodate the problem. The problem will be accommodated. I can't suggest to the honourable member precisely how it will be accommodated, but it will be accommodated and it will be worked out between the Commission and Brandon General.

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

MR. EVANS: I thank the Minister for that information. I think it's a reasonable approach. By way of supplementary, for clarification, my understanding is that the budget according to the administrator of course is fixed, but the services, the demand for services has indeed increased and therefore, to put it very simply, the costs have exceeded the moneys available. What is the Minister saying — in cases where there is an increase in services and therefore reasonable increase in the costs, that the MHSC or the Minister and his department would take a reasonable attitude towards accommodating that particular hospital?

MR. SHERMAN: There is no question about that, Mr. Speaker, and that's what I was referring to, at least implicitly when I made reference to the budgetary reconciliation at the end of a fiscal year, going into a new fiscal year. It's based on the operations that the hospital experienced that particular year and reasonable projections that are made on that base, but then if those projections are distorted because of unanticipated changes in volume, patient load, etc., etc., the budget is reconciled at the end of the year accordingly.

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

MR. SAUL CHERNIACK: Mr. Speaker, I want to continue with the Honourable Minister of Health dealing with hospital budgeting, and refer him to the complaint of the former president of the Health Sciences Centre, who has stated that he attempted to ask questions as a private citizen at a public annual meeting of the Health Sciences Centre and was refused the right to have questions accepted on the basis that no questions would be accepted because the meeting was that of the Board of Directors. Since this centre, which is the largest hospital unit, I believe, in Manitoba and is not only publicly funded but the board is publicly appointed, and largely by this Minister, whether he approves of the fact that they hold a public annual meeting and deny the right of citizens attending the meeting to ask questions relating to the report?

MR. SHERMAN: Mr. Speaker, whether I approve or not is entirely and utterly irrelevant. I do not . . . Mr. Speaker, I have no intention of being drawn by the Member for St. Johns into an internal disagreement between a former chairman of the board of the Health Sciences Centre and the current chairman of the board of the Health Sciences Centre, and I will not be so drawn.

MR. CHERNIACK: Mr. Speaker, let me rephrase the question. —(Interjection)— You see, Mr. Speaker, he says rephrase it all you want. I will rephrase the question. Mr. Speaker, regardless of the individuals involved, and I gave the identification only to be able to refresh the Minister's memory in case he is aware of it, does the Minister who is responsible for the appointment of the board of the publicly-funded public institution known as the Health Sciences Centre, recognize the right of citizens attending a public annual meeting of the Health Science Centre to ask questions relating to the reports presented at that meeting? Does he or does he not consider that they have that right?

MR. SHERMAN: Mr. Speaker, the honourable member's questions are based on a public position taken through Letters to the Editor by a former Chairman of the Board of the Health Sciences Centre or President of the Health Sciences Centre. That is one person's opinion of what took place. That is an opinion that was put forward —(Interjection)— That is fine, the Member for St. Boniface says that was the question. If he wants to answer the question, he is entitled to do so, Mr. Speaker. —(Interjections)—

MR. SPEAKER: Order please. The Honourable Minister of Health.

MR. SHERMAN: No doubt, Mr. Speaker, the Member for St. Boniface will want to comment on this exchange and he will have his opportunity to stand up and do so. Mr. Speaker, the question that the Member for St. Johns is putting is based on a personal expression of opinion by a former Chairman of the Board. It reflects some particular individual disagreement; I do not intend to get thrown into that disagreement. In terms of the general question put

by the Honourable Member for St. Johns, in terms of the general question, my answer would be yes, I would agree with the right of the public to ask such questions. That does not, and I trust does not, compromise my position with respect to this individual disagreement, because all the Member for St. Johns is quoting from is one side of that disagreement.

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

MR. CHERNIACK: Mr. Speaker, I do appreciate the explanations by the Honourable Minister. I have just torn up the newspaper, the letter, I have sent the torn pieces to the Minister of Health so he should understand that my concern is on behalf of citizens . . .

MR. SPEAKER: Order please. Order please. If the honourable member has a question, I wish he would put it before the House.

MR. CHERNIACK: Yes, Mr. Speaker. I would ask the Minister if he is prepared to state his opinion to the various boards which are responsible for the management of publicly-operated hospitals, so that it is known by them that the Minister of Health in Manitoba expects that when they hold public annual meetings, that citizens attending the meetings should have a right to ask questions?

MR. SHERMAN: No, Mr. Speaker, because I think that would be presumptuous and patronizing in the extreme.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN (Inkster): Mr. Speaker, I would like to direct a question to the Honourable Minister of Agriculture. I would like to know, Mr. Speaker, what consultation with the province, if any, took place relative to the announced federal program of spending 60 million on drought relief in the province of Manitoba, a sympathy which I certainly welcome, but I would like to know what, if any, consultation took place with the province as to the contents of this program?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): Mr. Speaker, the federal Minister of Agriculture, after continued requests by the province to the federal government to help the provincial farmers in Manitoba, their response to us was very slow to start with and there were some overall discussions on the types of programs that may be of assistance. As I have indicated, they were very supportive of the programs that we announced, the Feed Transportation Program and the Grain Feed Program, which helps all the farmers, the grain farmers as well as the livestock producers.

The new program that was introduced, the 60 million as I have been informed, Mr. Speaker, is that a portion of it will go to the new program and a portion will go to assist the programs we have

announced. There has been some prior consultation, but very minimal.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, can the Minister estimate the amount by which his government, this government, will be able to save moneys allocated in supplementary supply as a result of the federal government's announcement that they are going to spend 60 million — and I am not asking for provincial sharing, as I understand it, but that it will be the federal government spending 60 million — by how much will that reduce the supplementary estimates of 40 million by virtue of the fact that those programs are programs which are contained in the estimates of 40 million?

MR. DOWNEY: Mr. Speaker, when the initial announcement was made by the province that there would be some 40 million spent to assist the farm community, it was intended at that particular time and it was an estimated figure of some 14 million to 15 million would be recoverable from the federal government. We are still working on that assumption, Mr. Speaker, as we have had indications from the federal Minister of Agriculture's Department that in fact there would be some cost sharing of those programs and we are still going on that assumption.

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

MR. GREEN: Yes, Mr. Speaker. In view of the fact that the province was expecting to recover approximately 15 million, it was going to spend apparently an additional 25 on their own, and in view of the fact that the federal government has announced that they are spending 60 million, which is 45 million more than the province expected to get in sharing, would it not appear that the federal program — and this is something which we should all welcome — should result in no provincial expenditure whatsoever, and that the federal program, if it has been one which is gauged to the needs of the province in consultation with people who are there and know, should preclude any provincial spending at all?

MR. DOWNEY: Mr. Speaker, the announcements that have been made have been to deal with more than just Manitoba, that it in fact have been to deal with the province of Saskatchewan. It has been clearly stated to my department through the federal Department of Agriculture, Mr. Speaker, that 35 million would be going to assist the new program that was announced by the federal government and 25 million would be available to assist the provinces in the programs that we had already announced.

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

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I direct this question to the Minister of Agriculture. In view of the statements made by the Minister of Finance several weeks ago that the province would

be monitoring the farm credit situation closely, could the Minister indicate the results of that monitoring and to what extent are they finding foreclosures on farmers and small businessmen in Manitoba taking place, and what actions are they taking with respect to the possible legislation of the moratorium of debts?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, just in reply to the Member for St. George, we have had discussions with the banking community and have been assured by them that there would be no farmers put in a difficult position because of the drought conditions, and in fact we had full assurance from the bankers that they would in fact fully co-operate as we have indicated that the Manitoba Agriculture Credit Corporation would fully co-operate. There is no intention, and I want to make it very clear, there is no intention as far as I am concerned that we should not consider at this particular point a moratorium legislation on debt. I think that we have a system in place of consultation that is going to work effectively, and it would be in the best interests of further financing for the agricultural industry that we do not, and I say do not, take such severe measures at this particular time.

I would like to also clarify a statement that I made last night, Mr. Speaker, in reply to the Member for Brandon East. On the numbers of emergency crop insurance adjusters that have been put in place, I think I indicated a figure of 175. I would like to correct that figure, Mr. Speaker. There are 150 additional crop insurance adjusters being put in place by the crop insurance agency.

MR. URUSKI: Thank you, Mr. Speaker. I thank the Minister for his reply and I would ask him now, can he explain the situation why there is a situation in Brandon and western Manitoba that the banks are using Section 88 in terms of foreclosing many farms and many businesses, although the government has indicated that they are in direct consultation, they don't want to see this happen? Can he explain what is happening and why the foreclosures are now taking place?

MR. DOWNEY: Mr. Speaker, I do not accept the premise that the member brings before us that there are farms and small businesses closing because of foreclosures. If in fact, Mr. Speaker, that is happening, it hasn't been because of the period of drought that we have had, it's because of possible other difficulties that farmers have had on a longer-term basis, and I think probably we have to look at it in that light.

I would suggest that the farm community, I think, are good sound business people and will continue to be so without having to have the strong arm of government to move and interfere with what is normally a good business relationship between the agriculture community and the farmers.

Mr. Speaker, I would say that the farm community are in a good position to deal with their bankers, they have good, sound investments in land, livestock and machinery, and I don't anticipate any major

difficulties developing because of actions by the credit corporations that are now doing business with the farm community.

MR. SPEAKER: The Honourable Member for St. George with a fourth question.

MR. URUSKI: Mr. Speaker, it is a third question, and I ask the Minister of Agriculture if he would check with the friends of the Member for Wolseley in terms of the Brandon situation, he will find that the statements that I have made, for the first time in the history of Brandon, that there have been foreclosures, and that the Manitoba Agricultural Credit Corporation is taking up the slack in terms of taking over some of that load. And I ask the Minister specifically, can all the farmers of Manitoba be assured that the Manitoba Agricultural Credit Corporation will step in into areas where the banking institutions are now foreclosing on farmers or small businesses and take over that debt load? Can they be assured of that same situation that is happening in western Manitoba?

MR. DOWNEY: Mr. Speaker, let me assure the farm community that the Manitoba Agricultural Corporation is a tool to support them, not a tool to compete against them as it did under the NDP government in this province, directly buying farms in opposition to those farmers. It is a tool to support them, and it will support those farmers who qualify for the program.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Speaker. A question to the Minister of Education. About a month ago, I had asked him during estimates a number of questions dealing with education, which he took as notice, and several weeks ago he indicated to me in answer to a question that he would have the answers to those questions available to me in a day or two. I'm just wondering whether we can expect those answers shortly.

MR. COSENS: Yes, Mr. Speaker. In one or two cases, it did take some time to gather the material together, but that material is now available and I will see that it is passed on to the honourable member.

MR. SCHROEDER: Thank you, Mr. Speaker. A question for the Minister of Labour. Further to the matter of notices being sent to his department under Section 35 of The Employment Standards Act, I'm wondering whether the Minister could advise as to the number of current notices he has in his office, and as to the number of employees potentially affected by those notices?

MR. MacMASTER: Mr. Speaker, I can't precisely answer the question. I have a feeling that the only one that's applicable at this particular time is the Manitoba Rolling Mills, but I can check that out.

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

MR. SCHROEDER: Yes, Mr. Speaker, to the Minister of Economic Development, can he confirm that Supercrete this past spring recalled 200 less workers than it had in the last four years?

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): I can't confirm it, Mr. Speaker, but I have said in this House that the construction industry in Manitoba is down. That's not a good situation, but it is. So I wouldn't be surprised, but we'll try to confirm it.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, my question is to the Acting Minister responsible for the Rent Stabilization Board, possibly the House Leader? To the House Leader then, understanding he to be the Acting Minister, the Minister responsible for the Rent Stabilization Board on June 27, and also on July 2, undertook to provide to the House the current monitoring reports which had been gathered by his department in connection with rentals in decontrolled areas. We have not yet received that information, despite the commitment by the Minister.

In view of the exigency and the fact that the bill is presently before the House, can the Acting Minister undertake to ensure that in the absence of the Minister, that information is provided forthwith?

MR. MERCIER: No, Mr. Speaker.

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

MR. CHERNIACK: Mr. Speaker, this follows through to the Honourable Acting Minister of Consumer Affairs. —(Interjection)— He's not.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: I'm not the Acting Minister. Unfortunately the Honourable Minister without Portfolio is the Acting Minister and he is away from the city on a personal matter, illness in the family, Mr. Speaker, and the Honourable Minister of Cultural Affairs is the Acting Minister.

MR. CHERNIACK: Mr. Speaker, I would like to address a question to the Acting Minister of Consumer Affairs, as so described by the Honourable Attorney-General, to ask her whether she would attempt to obtain the information and the response requested by the Honourable Leader of the Opposition as recorded on June 27 and July 2, wherein the Minister undertook to provide certain information.

In addition to that, Mr. Speaker, may I ask the Honourable Minister to refer to Pages 5173 and 5174 of Hansard, June 27, wherein the Honourable Minister undertook to investigate and report back to the House on the question as to whether or not the current rent stabilization legislation can, without any announcement by the Minister as to an acceptable percentage increase, in any way impose any restraint on landlords as to giving authority to the Rentalsman

to review and reduce, in a mandatory way, excessive rents imposed under the present legislation.

Would the Honourable Minister of Cultural Affairs undertake to investigate both matters and see whether a response can be given to us during and before the end of the debate on The Landlord and Tenant Act.

HON. NORMA PRICE (Assiniboia): Mr. Speaker, I'll take both questions as notice for the Minister of Consumer Affairs.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question is to the Minister of Labour and the Minister who represents the constituency of Thompson. I would ask the Minister if he can confirm that a recent census done by the city of Thompson indicates that since 1977, the population of that city has dropped by 20 percent, the figures being, in 1977, a population of 17,699, and in the 1980 census, a population of 14,179, a deficit of 3,520 persons. Can he confirm that the population in that city has indeed dropped by that percentage since 1977?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, I have read the same reports, I think, as the Member for Churchill.

MR. SPEAKER: Order please, time for question period having expired, we'll proceed with Orders of the Day.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON: Thank you, Mr. Speaker. Before Orders of the Day, I would like to move a change on Privileges and Elections. It will be Mr. Steen for Mr. McGill.

MR. SPEAKER: Are those changes agreeable? (Agreed)

The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, before the Orders of the Day, I want to indicate that in the resolutions that were read last night in the committee stage there is a correction required, the 10 percent of Interim Supply that was indicated, isn't quite 10 percent as read in terms of the absolute amount in the motion. In both cases the Supply Motion and the Ways and Means Motion should have read, 189,529,090.00. The bill that has been circulated of course includes both amounts for the first Interim and the second Interim and the amount indicated there will add up to these totals.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 110?

ADJOURNED DEBATES ON SECOND READING

BILL NO. 110 — THE INTERIM APPROPRIATION ACT, 1980 NO. 2

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK presented Bill No. 110, An Act for Granting to Her Majesty Certain Sums of Money for the Public Service of the Province for the Fiscal Year Ending the 31st day of March, 1981, and to Authorize Commitments to Expend Additional Money in Subsequent Years (2), for second reading.

MOTION presented.

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

MR. D. JAMES WALDING: Mr. Speaker, I don't know whether it's a matter of privilege or whether it's a point of order, but the House last night considered a resolution that was presented to the committee by the Minister of Finance asking for authorization for some 19 million, and after some debate the committee gave that approval.

The Minister now comes back and says that he made a mistake, it wasn't 19 million that he wanted, it was 190 million, and he is asking that a correction be made.

Mr. Speaker, I believe that even the Minister of Finance cannot change 19 million into 190 million merely by saying so, and I believe it's a required procedure of this House that if the House is to approve 190 million it must receive a resolution for that amount and it must pass that amount, and we cannot have this sort of procedure that the Minister is suggesting to us now.

MR. SPEAKER: Order please. I do not have in front of me the resolution that was passed last evening.

The Honourable Minister of Finance on a point of order.

MR. CRAIK: On the point of order, Mr. Speaker, we can of course retrace all the steps if the House wishes to do that. Let me say that if anyone insists that we do it, of course we would do it. If you want to do that, that's fine. I would point out again, Mr. Speaker, that for second reading, I should have mentioned it again, it's by leave to even do second reading at this time. Leave implies the consent of the House to do so. If the members want to retrace all those steps of course we can do so, but by leave we can make the correction that has been indicated by the Clerk of the House.

MR. SPEAKER: I have the resolution before me: Resolved that a sum not exceeding, 18,952,909 being 10 percent of the amount — obviously there

has to be an error of one decimal point here some place, but the 10 percent, or it could have been one percent. I think there is a very valid case here. There has been an error, and how the House wants to go about correcting it, I'm open to suggestions from both sides of the Chamber.

The Honourable Member for St. Vital.

MR. WALDING: Mr. Speaker, to repeat what I said before, it was the amount in dollars that the committee approved yesterday, it was some 19 million in round figures. What it was 10 percent of or some other percentage is just by way of explanation for the amount. The bill that has been put before us is quite clear what it intends, and that is some 190 million. I recall when the Minister is now saying that this correction can be made by unanimous consent or something, I recall the Minister particularly standing up in this House at the time of his budget debate and saying, what do we have a rule book for if we are going to do things some other way.

Mr. Speaker, there is a procedure laid down for this House to pass Interim Supply, and I would suggest to the Minister that we do things in a proper manner.

MR. SPEAKER: The Honourable Minister of Finance on the point of order.

MR. CRAIK: Mr. Speaker, the point of order is yes, we can go back and redo it. The resolution as it was entered into the book, read into the book by the Chairman of the committee last night, is obviously contradictory in itself. It is contradictory, so it's a matter of clarification. Either the 10 percent is wrong or the absolute amount is wrong, and I think we'd be a little bit facetious if we thought that we were dealing with anything but 10 percent last night, because it was mentioned over and over and over again. What has come up, is that the formal resolution read into the record by the Chairman of the committee, has this contradiction in it. To correct that contradiction, I think what is being suggested across the way is we go back and redo it, rather than just correct the contradiction. I would ask the opposition as to whether or not that is their specific intent, or whether we can resolve the contradiction that is in the resolution without retracing all the steps.

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

MR. CHERNIACK: No, on this same point of order, Mr. Speaker, it's a remarkable change in the attitude of the Honourable Minister of Finance from his attitude last night in regard to the opposition and the fact that we could teach him nothing.

Mr. Speaker, the Minister of Finance made a glaring error, a sloppy error, and brought in an amount which was wrong. Mr. Speaker, I would for one, grant the leave that the Minister wanted to get the bill through today. I would, for one, be amenable to any way of helping the Minister get out of his difficulty, providing we knew that the Provincial Auditor and the Legislative Counsel certify that the proceedings are in order, because Mr. Speaker, I think the rules say that the Supply Committee must

pass a resolution which authorizes this bill. And I say that there may be some problem which in the minds of the technical staff of this legislative House that would see that there may be something improper. Frankly, if I knew that the Legislative Counsel, the provincial auditor, are satisfied that there is no problem, I would let the Minister of Finance, who is hung on his own petard actually, get off it somehow. But I think we need that kind of assurance. How can we get that?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, as I understand it, I think there can be unanimous consent at the present time to correct the typographical errors that were contained in the two resolutions of the Committee of Supply and Committee of Ways and Means. Let's determine the question. Are all members of the Assembly prepared to give that unanimous consent to correct those typographical errors? If not, we'll start the proceedings again right now.

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

MR. DESJARDINS: Mr. Speaker, I don't think it's worth the chance. There's not much point in arguing forever. I think the proper way, we should probably move now that the bill be referred back to committee, and in committee, you withdraw the other motion, with leave — and we've already said we're ready to give leave — in committee you would move that this other motion be rescinded, and have another motion, then we'd get out, and with leave again, we'd pass it right away. Then there won't be any problem.

MR. SPEAKER: Order please. May I suggest the Honourable Government House Leader take a look at Citation 449 of Beauséjour. It is my opinion that decisions made in committee cannot be corrected in the Assembly, but must be referred back to the committee before a decision.

The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, may I move then, seconded by the Honourable Member for St. Johns, that the resolution be sent back to committee.

MOTION presented.

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

MR. DESJARDINS: Mr. Speaker, on third reading, it is certainly allowed that you — well, it was introduced, with leave, for third reading, wasn't it? —(Interjection)— Oh, I'm sorry, then we wait until we get third reading.

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

MR. CHERNIACK: May I try to be helpful, Mr. Speaker? I believe that you have already read into the record, second reading. I think the Minister of Finance ought to ask leave, introduce the motion — Mr. Speaker, he nods. He introduced the motion on

second reading. —(Interjection)— Well, he says he did, and I think I heard him do it. The Member for St. Vital, I believe, waited until after he had completed it. Let me suggest, Mr. Speaker, and I want to expedite things, I want to help the Minister of Finance in spite of his rejection of my help yesterday, that he ought to ask leave of the House to withdraw his motion. I believe then that somebody should refer us into Committee of Supply. I think in Committee of Supply a proper resolution should be brought and passed, and then I think the Ways and Means, the proper resolution should be brought and passed, and then come back here, and then I think the Minister of Finance would ask leave to introduce Bill 110, first reading and second reading. I don't see any other way, Mr. Speaker, to get it out, and I think it can be done that way.

That's my suggestion, I may be wrong, maybe the Clerk has a better method of procedure, but I do think you introduced the resolution for second reading, and I think we can't refer it to any committee, and it's only Estimates Committee that can deal with it, Supply, unless this bill is withdrawn. Or maybe it can be laid over, Mr. Speaker. I don't know. I think he would get the consent to do it as long as he doesn't . . .

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

MR. CRAIK: Mr. Speaker, on the point of order, one thing seems to be clear, your reading of Section 449 of Beauchesne would indicate that the bill should go back into the committee stage. So on those grounds, I think perhaps we should do it.

MR. SPEAKER: Is there a motion to withdraw the bill from second reading?
The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, fine, then we'll ask to withdraw it. The bill that was inadvertently introduced for second reading here now this morning is quite correct. What we're trying to correct is not the bill. We'll withdraw it until we step back and then come forward up to it again.

MR. SPEAKER: Has the Honourable Minister leave?
The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I think we ought to agree that the bill shall remain on the Order Paper so that it can be brought back up again. Otherwise it might lapse.

MR. SPEAKER: Is there agreement for that? (Agreed) Then have I a motion . . .
The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I would move, seconded by the Minister of Economic Development, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of Ways and Means, with the Honourable Member for Radisson in the Chair.

MOTION presented and carried

COMMITTEE OF WAYS AND MEANS INTERIM SUPPLY (2)

MR. CHAIRMAN, Abe Kovnats (Radisson): Do we have agreement from this committee to rescind the Interim Supply Motion that was passed July 3rd? We have agreement. Then I declare the motion that the Interim Supply (2) be rescinded.

The Honourable Member for Kildonan on a point of order.

MR. PETER FOX: I wonder if there is any government member prepared to say that they want to move a rescinding of that. I mean, if we're going to deal in a proper fashion, we should have a motion. This side is prepared to concur in that motion, and then we're proceeding.

MR. CHAIRMAN: On the point of order, I would believe you to be correct.
The Honourable Minister of Finance.

MR. CRAIK: Mr. Chairman, then I would move that the motion as of yesterday be rescinded and we'll move on to the new motion.

MOTION presented and carried.

MR. CHAIRMAN: Interim Supply No. 2 — resolve that a sum not exceeding 189,529,090, being 10 percent of the amount of the several items to be voted for departments as set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1981, laid before the House at the present Session of the Legislature, be granted to Her Majesty for the fiscal year ending the 31st day of March, 1981—pass.

Committee Rise. Call in the Speaker.

MR. KOVNATS: The Committee of Supply has adopted certain resolutions, directs me to report same and asks leave to sit again.

IN SESSION

COMMITTEE REPORT

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Springfield, report of committee be received.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Minister of Health, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of Ways and Means for raising of the Supply granted to Her Majesty.

MOTION presented and carried.

COMMITTEE OF WAYS AND MEANS

MR. CHAIRMAN, Abe Kovnats (Radisson): The Honourable Minister of Finance.

MR. CRAIK: Mr. Chairman, similar to the previous Committee, I would move that the motion passed by the Ways and Means Committee last night be rescinded.

MOTION presented and carried.

INTERIM SUPPLY (2)

MR. CHAIRMAN: Ways and Means Committee, Interim Supply No. 2, resolve that towards making good the Supply granted to Her Majesty on account of certain expenses of the Public Services for the fiscal year ending the 31st day of March, 1981, the sum of 189,529,090, being 10 percent of the total amount to be voted for departments as set forth in the Main Estimates for the fiscal year ending the 31st day of March, 1981, laid before the House at the present session of the Legislature to be granted out of the consolidated fund—pass.

Committee rise. Call in the Speaker.

MR. KOVNATS: The Committee of Supply has adopted certain resolutions, directs me to report same and asks leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Radisson.

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

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: On a point of order, Mr. Speaker, I think that we probably then should go through all the steps and do the first reading again as well. That being the case, the Clerk is now obtaining the formal first reading for it.

INTRODUCTION OF BILLS

MR. CRAIK introduced Bill No. 110, An Act for Granting to Her Majesty Certain Sums of Money for the Public Service of the Province for the Fiscal Year Ending the 31st day of March 1981, and to Authorize Commitments to Expend Additional Money in Subsequent Years (No. 2).

SECOND READING — GOVERNMENT BILLS

BILL NO. 110 — THE INTERIM APPROPRIATION ACT, 1980 (2)

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK presented Bill No. 110, An Act for Granting to Her Majesty Certain Sums of Money for the Public Service of the Province for the Fiscal Year

Ending the 31st day of March, 1981, and to Authorize Commitments to Expend Additional Money in Subsequent Years (2), for second reading.

MR. SPEAKER: Has the Honourable Minister Leave?

MR. FOX: Yes, Mr. Speaker.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, in the procedures that we follow on these bills, the major items of course have all been discussed. What's clear now is that the percentage of 10 percent is the amount of 189,529,090.00. This will total now 758,116,360 as indicated in this bill. There is one difference to the bill that Section 6, authority for expenditures and anticipation of recoveries is revised from a similar Section 7 in Bill 22, which was the first Interim Supply Bill. The Member for St. Johns will be familiar with this one. He raised the concern at that time on the wording on Section 7, which had commenced with, notwithstanding Section 39 of The Financial Administration Act. As a consequence of this, we have checked it out with legal counsel and the provincial auditor and we have made the rewording changes.

This is identical to the section that will be included in Bill 75, The Appropriation Act 1980, provides general authority to make expenditures out of nil or nearly nil appropriations where recoveries may reasonably be anticipated without listing each such appropriation separately.

There is no further explanation, I don't believe, required on the sections. So Mr. Speaker, there is nothing further to be added at this point.

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

MR. CHERNIACK: Mr. Speaker, I want to acknowledge the fact that the Minister of Finance has accepted my suggestion and made the change, which I felt was necessary because in the previous bills, both last year and this year, there seemed to be a great peculiarity that we passed the Financial Administration Act, Section 39, only last year, I think it was, and at the same time, the government was asking that Section 39 of the Financial Administration Act should be ignored. And I raised it in order to point out that it was, I thought, bad draftsmanship and bad law. Not bad draftsmanship, but bad law to pass a law and then to set it aside, and I'm glad that the Minister had the good sense to change it into the present section as he indicated. He had written to me on June 12th of this year suggesting the substitute section that he would be using, and he is using it, and that's the way it should be, Mr. Speaker.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, it's a very small point of order, or point of correction. The name, Her Majesty is misspelled. Maybe it isn't small. In the second paragraph of Bill 110, May it therefore please Her Majesty, the word Majesty omits the letter "e" and I just point that out to the House, and I would presume that the spelling error would be corrected at some point.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: I'm sorry, are you referring to a capital "A" on Advice?

MR. EVANS: Mr. Speaker, for the Minister of Finance, I was referring to the second paragraph of Bill 110, May it therefore please Her Majesty, and the word Majesty of course, does not have the letter "e" in it.

MR. CRAIK: That's right, Mr. Chairman, and in that same sentence, there should be a small "a" on the word advice.

QUESTION put, MOTION carried.

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Minister of Finance, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to Consider and Report of the Bill referred for third reading.

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

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN, Morris McGregor (Virден): The bill before the Committee is No. 110. What is the wish? Page by page, clause by clause? Page by page.

Page 1—pass; Page 2 — The Honourable Member for Kildonan.

MR. FOX: Mr. Chairman, I think we agreed previously that we would have the amendments, I think the amendments should be made now in respect to the typographical errors when we are dealing with that particular section.

MR. CHAIRMAN: It's a correction, not an amendment, to the honourable member.

MR. FOX: All right, a correction, whatever you want to call it. The corrections in respect to spelling on the first page of Bill 110, where Her Majesty is misspelled, and where the Honourable Minister indicated advice should be with a small "a".

MR. CHAIRMAN: Page 1—pass as corrected; Page 2—pass; Page 3—pass; Title—pass; Bill be reported. Committee rise. Call in the Speaker.

MR. MCGREGOR: The Committee of Supply has adopted certain resolutions, directs me to reports ame and asks leave to sit again.

IN SESSION

MR. DEPUTY SPEAKER, Abe Kovnats (Radisson): The Honourable Member for Virден.

MR. MCGREGOR: I move, seconded by the Honourable Member for Portage la Prairie that the report of the Committee be received.

MOTION presented and carried.

THIRD READING — GOVERNMENT BILL

Bill No. 110 was read a third time and passed.

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Adjourned Debates on Second Reading as they appear in the Order Paper with the exception, just for the moment' of Bill No. 83?

MR. DEPUTY SPEAKER: That is starting on Page 5?

MR. MERCIER: That is starting on Page 5, yes, Mr. Speaker.

MR. DEPUTY SPEAKER: Starting with No. 32?

MR. MERCIER: Yes.

ADJOURNED DEBATES ON SECOND READING

BILL NO. 32 — AN ACT TO AMEND THE REAL ESTATE BROKERS ACT

MR. DEPUTY SPEAKER: The Honourable Member for Logan.

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

MR. DEPUTY SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, there is a concern on this side of the House that the Minister is unable to be with us this morning in order to participate in the course of what probably will be the only debate on Second Reading from this side of the House. We are somewhat reluctant to proceed, even though this is a relatively innocuous piece of legislation, in his absence. But if it is the government's disposition to proceed, and I presume that is in order to facilitate the transport of this particular bill to the Law Amendments Committee, we are willing to do so.

The bill only has some six provisions, Mr. Speaker. The only provision of any substance deals with the transmittal of information on the termination of a sales person by a real estate broker to the Registrar's Office. The bill will require that a notice be sent to the Registrar by the broker, which will

include the reason for the termination of the appointment of the sales person. This is a change, Mr. Speaker, insofar as right now it is not required that a reason be given on the termination of a sales person.

Our only concern is with respect to access of information to the terminated sales person. There is no provision in the bill that will require the notice to be sent to the sales person whose employment has been terminated. There is no requirement therefore that that person be given notice of the reasons that were presented to the Registrar. I suppose the reason I would be concerned, and members of this side have expressed concern to me, Mr. Speaker, in this regard, is essentially that that information becoming a part of the sales person's record on file with the Registrar's Office could be accessible to other members of the public.

In essence, Mr. Speaker, it seems to us quite unfair that such information should be filed without giving an opportunity to the sales person to file something to review the notice and then file something as well if necessary. So if the sales person feels that there has been a misrepresentation, we feel that the sales person should have an opportunity to put something on file to that effect, so that anybody that reads that material will at least be given notice that it is not a matter of accepted fact.

That seems, Mr. Speaker, to be consistent with some of the provisions that I remember in The Private Investigations Act that was tabled in the Legislature last year. It seems to me that was never given Royal Assent, but nevertheless it therefore seems to be a reasonable approach in view of the fact that the government has seen fit to propose it before.

We don't have anything else to submit. We are willing, obviously, to allow the bill to proceed to the Law Amendments Committee stage but we do so, Mr. Speaker, subject, of course, to any remarks that the Honourable Minister would like to make in this regard.

MR. DEPUTY SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Yes, Mr. Speaker, I have looked at this bill myself and I concur with the Member for Wellington that the section which deserves some comment is the section which deals with, the law suddenly require it, one partner to give evidence or to give a reason to the board, to the Real Estate Board — I can't remember the name of the Board at the moment — to the Registrar as to why either the partnership broke up or an official was dismissed, or there has been an employment terminated.

Mr. Speaker, I can't for the life of me see the validity of the law requiring that type of information, and if it is information which is required because the termination took place because of a breach of the Act, then it should so specify; and if it did so specify, then I am again not sure that suddenly we are requiring one person to inform on another with regard to a breach of the Act. Not, Mr. Speaker, because I am trying to protect breaches of the Act, but the worst type of abuses in the world have taken place in countries where we have people asking one neighbor to inform on the other and the kind of

situations that result therefrom. What is the purpose of this, Mr. Speaker?

I am going to have to go to another Act. Suppose that the boss dismissed the official because the official was flirting with the boss's wife, or worse, what business is it of the Registrar that this man or that the employer felt that he wanted to dismiss one of his employees because of a relationship that existed between that employee and his wife? We are back, Mr. Speaker, to exposing adultery for no reason. —(Interjection)— Mr. Speaker, if that is the reason for this, then we are compounding a felony — and I use that as a colloquialism — that we are making it even more ridiculous and I will speak on The Evidence Act when it comes up at third reading and try to set aside some of misstatements of law that were made before Committee, in my respectful submission, by the person who appeared there.

What in the world are we doing? If there is a dispute between the employer and the employee and the official with regard to termination, let that dispute be settled by whatever law applies to such disputes. Let the employee demand or sue for wrongful termination. The Registrar has no authority to effect that termination. Is he a judge as to whether an official of a real estate broker's firm can be reinstated or as to whether the dismissal was justified or unjustified, or is he seeking spite information? What is the purpose of it? If it is spite information, why are we legislating spite information? If it is a violation of the Act that we are asking as a duty that brokers have to inform the Registrar, which I have some misgivings about, then why not specify that? Why not specify where a broker notifies the Registrar of a change in the authorized official, which involves the termination of employment and the reason for termination is a violation of the Act, then the official shall include — and then, Mr. Speaker, where are we going? Why should they only notify of a violation of the Act when there is a termination? Why don't you make a law — and I say this rhetorically, I am not advocating it — that whenever one broker knows that another broker has violated the Act or someone in his firm has violated the Act, they shall report it to the Registrar, and then, Mr. Speaker, you have that vicious and malicious kind of informing on one and the other for malicious purposes, on the basis of a legislation that somebody has to tell the Registrar why there has been a termination.

Now the Minister is going to have to convince this House that there is reason for it. What is the reason? What if an employer at Hudson's Bay terminated an employee at Hudson's Bay because that employee was stealing merchandise; would you pass a law that Hudson's Bay, if they terminated employment for stealing merchandise, have to inform the Winnipeg Police Department that was the reason for the termination of employment?

I think, Mr. Speaker, that some of these things creep in for reasons that are a little better than gossip; that a broker was dismissed and the Registrar is interested to know why he was dismissed, so he says that the employer has to tell me, that the firm has to tell me why he was dismissed. What business is it of his? What if it has nothing to do with The Real Estate Act? What if it is because they fought with one another, and how will

we measure? Will there be, Mr. Speaker, a prosecution that the employer said he was dismissed because I felt he wasn't selling enough houses and the employee says, that is not true, it is because I was flirting with his wife, and then there is a violation of the Act because the broker gave a false reason for the dismissal and then we have to adjudicate as to whether that was the reason or it wasn't the reason.

I am sorry and I apologize in advance to the Minister, that perhaps he gave a reason for this. Perhaps he did, and perhaps I did not understand it. But I see no reason for it. I see no reason for it, Mr. Speaker, and the notice shall include the reason for the termination, does nothing for the employee who is terminated. It does nothing for the employee, and if the registrar, to my knowledge, has no power to reinstate the employee because the reason wasn't a good and sufficient reason, that is still a matter that has to be left up to the employer and the employee, or if it's a partnership, and it can be a partnership in accordance with this bill, then the partnership, that law will apply to those two people. The registrar can't keep the partners together, and therefore, Mr. Speaker, because it escapes me, I am concerned because I don't know why, and I see harm. It is analogous to the harm that I see in the other piece of legislation in that the Minister may have very good reason for doing this, but I don't know the reason, I can't contemplate the reason, and I see a great deal of harm.

I do not know whether, in the relations of private people, a broker and his agent, that the registrar has any right to know why the broker terminated the employment of the agent, and I am worried about why the information is wanted. If the information is wanted because it discloses an offence, then let us know that that is the case, and let us consider it on that basis, and let us eliminate all other reasons for certain, and then we will be discussing the real issue. So Mr. Speaker, I'm not happy with this bill. The Minister may convince me as to why it should go to committee in its present form, but I certainly don't like the law running around telling people that they have to say why they terminated relationships with other people. I submit, with respect, that there is no good reason for such a law.

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

MR. FERGUSON: Mr. Speaker, I beg to move, seconded by the Member for Roblin, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Do we proceed down the Order paper?

MR. MERCIER: Yes.

MR. SPEAKER: Bill No. 47, An Act to amend The Land Acquisition Act. (Stand).

Bill No. 51, An Act to amend The Highways Protection Act. (Stand)

Bill No. 56, An Act to amend The Child Welfare Act. (Stand).

BILL NO. 59 — AN ACT TO AMEND THE FATALITY INQUIRIES ACT

MR. SPEAKER: Bill No. 59, An Act to amend The Fatality Inquiries Act.

The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for Wellington.

MR. CORRIN: Thank you, Mr. Speaker. Mr. Speaker, Bill No. 59 includes amongst its provisions the contents of a bill that I presented last year to the House. You remember, Mr. Speaker, that there was considerable controversy last year when a young man died at the Portage Home as a result of a situation which became the subject of an inquest under The Fatality Inquiries Act. Later in that year and earlier in this year, my concerns were borne out when, of least two, and perhaps three, deaths in public institutions came to public knowledge. There was a concern, Mr. Speaker, which I believe has now been addressed by the government side, that all these deaths should be the subject of inquest proceedings. It was felt that it should be known why any involuntary resident of any public institution within the control of government dies. So we thank the Honourable Attorney-General for introducing, as it were, our legislation, with the consent of his side.

I again, Mr. Speaker, might only add the caution that it is difficult to understand why, in the course of our business, government is so reluctant to accept proposals made by the opposition side when they are first presented to the Legislature. It seems to me that in all fairness, Mr. Speaker, that it shouldn't take the government a full year to conclude that something as minor, not in terms of its scope but in terms of the work involved, should be brought into effect within the province.

Mr. Speaker, having said that and having thanked the government for proceeding in that regard, I wish to address myself to certain other provisions of this legislation. In doing so, Mr. Speaker, I remind members that again this year the opposition re-introduced, not only the provision I have just discussed, but in our bill, our bill being No. 69 which, by the way, Mr. Speaker, was an effort to make omnibus revisions and amendments to the Fatality Inquiries Act, we amended the Act in order to provide that police-related fatalities would also become the subject of mandatory inquest proceedings. This is important in our submission, Mr. Speaker, because just as deaths of involuntary residents in public institutions should be the subject of review, we feel that deaths that take place as a result of activities of law enforcement agencies should also fall within the scope of review. We can't, in our submission, distinguish between the two situations. It's obviously important in the case of the death of the boy, for instance, at the Portage Home, to know whether there was negligence on the part of the staff there, we as legislators have to know whether the staff is fulfilling its responsibilities and duties. Also, Mr. Speaker, it's of some utility in that the opposition is enabled to establish whether the administrative policies of the government are suitable in the context of those facilities.

And so, Mr. Speaker, it is also important that we know that adequate guidelines have been provided to instruct our law enforcement agencies with respect to their duties. We believe, Mr. Speaker, that it is important that such guidelines be drawn and that is why yesterday evening we asked the Honourable Attorney-General to submit the question of attack dogs to the Manitoba Police Commission. And Mr. Speaker, this is an example of an area that deserves considerable government scrutiny, because although it is unfortunate, and oftentimes tragic, it is a reality of contemporary existence that there is a great deal of dispute and acrimony related to police enforcement activity, and particularly when the end product of that activity is a fatality.

I would, of course, note with some remorse, Mr. Speaker, I think a remorse that's shared by all the people of our province, that last year there was a tragic incident involving a young man by the name of Lyle Dean Enns and there was a great deal of controversy related to Mr. Enns' death, controversy, Mr. Speaker, which raged on both sides. On the one side, Mr. Speaker, we had the police indicating publicly that the death was justified insofar as it was a matter of necessity insofar as the police, in their submission, acted only in their self-defense; and on the other hand, Mr. Speaker, you had members of the Enns family indicating, through their counsel and in personal interviews through the media, that the police had acted in an unjustified and arbitrary manner.

So Mr. Speaker, we had a tragic sort of public fatality inquiry that took place, essentially only within the realm of the media. We had headlines in, I'm sure, all the province's newspapers; we had television reports from the farm area; we had television reports involving interviews with police personnel. It was a very, very sad event, and it went on for some time, Mr. Speaker.

Mr. Speaker, there has to be a better way of handling that sort of situation, and what we're suggesting, Mr. Speaker, is that the mechanism of a mandatory inquest is such a way. We feel that sort of public process lends itself, first of all, to the implementation of sound law enforcement policy on the part of the government, perhaps the Manitoba Police Commission, and perhaps on the part of all the local law enforcement agencies themselves. Also, Mr. Speaker, it takes out of the realm of public conjecture the question of whether or not a death was unwarranted.

So Mr. Speaker, we submit that this bill does not go far enough. We submit, once again, that the government should look at all the provisions of the bill that we have presented to the Legislature this session, and review them in the context of the Enns case and other similar cases.

Mr. Speaker, in that regard, I would also like to comment with respect to the provisions that the government has made for a stay of an inquest when other proceedings relating to a police-related fatality is before a court. As you will remember, Mr. Speaker, I am sure, in the Enns case the Attorney-General's Department filed a prosecution against Lyle Enns' brother and father, and some of the charges, Mr. Speaker, related to the day that Lyle was shot by the police. I believe that one of the charges, or several of the charges related to

obstruction of police officers, and I believe there was a charge with respect to assault as well.

There was a great deal of controversy, Mr. Speaker, as to whether or not an inquest should be proceeded with in view of the charges before the court, and the Attorney-General indicated that in his submission it was not lawful for an inquest to proceed when Lyle's brother and father were before the court in this respect. Now, Mr. Speaker, there was a great deal of discussion, certainly amongst civil liberties and human rights groups and people, with respect to this declaration, this position. It's fairly obvious, Mr. Speaker, and I won't belabour the point in the presence of the Attorney-General, that the Attorney-General wears two hats. On the one hand, he is responsible for law enforcement in general, and that means for setting sound policies with respect to law enforcement, making sure for instance that people aren't arbitrarily picked off by law enforcement officers. On the other hand, he protects the public and he does so, Mr. Speaker, by filing public prosecutions through his department.

Mr. Speaker, you have a position, you have the Attorney-General now in a position where he has two areas of chief responsibility which sometimes are in contradiction of one another or in a sort of conflict with each other. He wants, on the one hand, to successfully prosecute an accused and, on the other hand, he wants to make sure that people are accorded all their rights.

Here we have the classic confrontation, Mr. Speaker. The Enns case provides the classic confrontation of that conflict, because, on the one hand, we have the right of an accused person not to incriminate himself. I believe some people said, and I think the Attorney-General may have been or one of his representatives may have been one of this group, said that if the Enns family felt that the death of the son and brother was unjustified, was as a result of unwarranted police action, that they could simply take the stand at their trial and testify. I believe it was the prosecutor who said that publicly and not the Attorney-General, but it was said publicly that there was an opportunity. They could take the stand, take the oath, and they could tell the world exactly what happened that afternoon at the Enns farmstead; put it on the record.

The problem with that, Mr. Speaker, is once they were up there, they were also essentially providing evidence against themselves because they were subject to cross-examination. Mr. Speaker, at first glance, I suppose that seems reasonable. You say the truth should come out. But it's a question of where you put the onus, Mr. Speaker. Do you put the onus on the accused person, who after all is in a disadvantaged position from the start because that person is defending essentially all the apparatus of the state; that person is put in the position where he or she has to defend a case against, in this case, the RCMP, testimony being brought to bear by the officials of the Royal Canadian Mounted Police, as well as all the combined forces of the Attorney-General's Department, the prosecutors of that department? So that person is, I think, essentially at a disadvantage, and I think, Mr. Speaker, our law has always recognized that, and that is why the rules against self-incrimination have been enshrined in the criminal code. It's felt that the accused shouldn't

have that additional burden on his shoulders, and it's felt that that's important as well, Mr. Speaker, because we don't want the Attorney-General to go in any of his many guises, whether it's a federal Solicitor-General or one of our provincial Attorneys-General, on a fact finding mission in the courts.

It is not enough, Mr. Speaker, that the Attorney-General simply suspects that John Smith has committed a crime. Before he comes to the court, Mr. Speaker, he has to have substantial evidence which will stand on its own merits and that, Mr. Speaker, protects the public from arbitrary prosecutions such as have taken place in dictatorships around the world. In Russia, Mr. Speaker, the accused has to come to a trial and testify against himself, and the Crown Prosecutors can go on for weeks, literally breaking a defendant, an accused person.

Mr. Speaker, an inquest is a mechanism in order to provide general information where any person can be called upon to testify without that evidence being used in a subsequent proceeding. The rules of evidence are sort of suspended in such a way so that that evidence could not be used in a subsequent proceeding. So the Enns family said, let us testify at an inquest and let the Attorney-General know what happened before he prosecutes us. Let the world know what happened. Let both sides come out in fair circumstances. Mr. Speaker, that didn't happen.

The Attorney-General, Mr. Speaker, has provided legislation which purports to remedy that, and that, Mr. Speaker, is what annoys me, the fact that he has provided legislation which he has represented to be a way of altering the situation, of addressing this problem. But, Mr. Speaker, he has failed to do that because what he has done, Mr. Speaker, is he has provided that he or a member of his staff can stay an inquest or require the completion of an inquest in these circumstances. So, Mr. Speaker, what he's done is he's said that I, and I alone, will decide whether there is going to be an inquest in circumstances where I have a charge in the courts. Mr. Speaker, we have said, to make it crystal clear, in our bill, that that should be only within the purview of the provincial judge, who would be required under the terms of our legislation, because we require mandatory inquests into police-related fatalities, to hold an inquest. So, it would be up to the Attorney-General, if he didn't want the inquest to proceed, to make an application to the judge asking that the inquest be suspended, and then, Mr. Speaker, the judge would decide, after hearing the accused, who has the best case.

Mr. Speaker, that way we don't have the Attorney-General, who wears two hats, arbitrarily deciding in his own favour. We have a situation where both sides are heard and where the judge makes the determination of whether or not the inquest should proceed or not.

Mr. Speaker, to me that makes eminent good sense, and at this point, Mr. Speaker, the Attorney-General has not provided any rationale why a judge should not be able to make this decision, why an accused person shouldn't be able to make his case publicly in a court of law and have that dealt with by a judge. That, Mr. Speaker, is very important, because that, Mr. Speaker, as I understand it, is a fundamental right. If you are going to get hung, Mr.

Speaker, you have a right to give a few reasons why it shouldn't happen.

Mr. Speaker, surely we don't believe in vigilante justice, and surely, although we know that the Attorney-General would presumably give due consideration to the submissions of the accused person, we have to remember that the accused person is the subject of a prosecution by the Department of the Attorney-General.

We know, Mr. Speaker, full well that the Attorney-General won't review each case personally. As the bill says, he can delegate responsibility to counsel acting on his behalf. So, Mr. Speaker, the prosecutor will make the decision, not even the elected official. The very same individual who will be standing and prosecuting in the judge's court, will be making the decision. Who will he decide in favour of, Mr. Speaker? Mr. Speaker, it is so obvious and so crystal clear that he or she will make his or her own life easier and more simple. No prosecuting counsel will be likely to complicate his existence by allowing an inquest to proceed in anticipation of such a prosecution.

Mr. Speaker, I submit, with respect and with some humility, that the Honourable Minister and the government should look at the provisions of our bill and think long and hard about what they are doing. I know it's not the sort of thing, Mr. Speaker, unless there is a topical death, unless something like the Enns case is current and topical that usually results in thorough legislative review and debate in this House. It's not the sort of thing that appeals to a lot of members; it's not the sort of thing that I would expect to receive wide publication. I don't expect that many people outside, as I said, of the civil liberties groups and perhaps of course law enforcement agencies, crown prosecutors and judges would be much interested in this sort of provision. But, Mr. Speaker, that doesn't mean that it isn't important.

It happened in the Enns case, Mr. Speaker, and surely at some time in the future it will happen again. It's less likely to happen, Mr. Speaker, if police personnel know that all fatalities will result in an inquest, much less likely to happen in those circumstances, Mr. Speaker. I think that would give good cause for law enforcement agencies to think many times before they instructed any officer to fire a revolver in the course of his duty. It would certainly, Mr. Speaker, give good cause to the Attorney-General's department to review every prosecution prior to proceeding in these circumstances, having regard for the fact that an inquest could proceed prior to the prosecution coming before the court, and considering, Mr. Speaker, that in some of those circumstances, if the evidence is flimsy or very contradictory, that that could be very embarrassing.

Mr. Speaker, I would suggest that unless the Attorney-General can give exceedingly cogent reasons why his bill is superior to our bill that the legislation which we have presented with respect to these other items beyond the public institutional deaths and inquests in that regard should be as we have presented.

MR. SPEAKER: The Honourable Attorney-General will be closing debate.

The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, just a couple of comments. The Member for Wellington raised the question of a mandatory inquest in instances related to police activities. Mr. Speaker, as a result of his comments which he made some time ago with respect to this matter, I had my staff review statutes in Alberta, Nova Scotia, Ontario, Prince Edward Island, Quebec, Saskatchewan, New Brunswick and BC and none of these Acts, Mr. Speaker, speak directly to the circumstances of a death occasioned by the police themselves. It would appear, Mr. Speaker, that no other jurisdiction has considered mandatory inquests in the case of deaths occasioned by policemen. Certainly there still is, under the existing Act, the discretion for the Attorney-General to order an inquest into any death. That is a discretion that remains and, in the appropriate circumstances, Mr. Speaker, could be used.

The Member for Wellington has expressed concern about the sections of the Act which are being amended, Section 21, which will allow the Crown to stay an inquest pending the determination or hearing of the charge.

Mr. Speaker, as I believe I attempted to explain on introduction of second reading, the reason for that is that it is the Crown Attorney who is the one who becomes aware of the criminal charges and not the judge. That's why it's considered, Mr. Speaker, that it would be more appropriate for the Crown to have that discretion to be able to use to stay an inquest where there are charges arising out of the circumstances related to the death of a person, in order, Mr. Speaker, to protect the right to a fair trial for the accused.

Mr. Speaker, those are my comments on the two main principles raised by the Member for Wellington, and I commend the bill for second reading.

QUESTION put, MOTION carried.

BILL NO. 60 — AN ACT TO AMEND THE MUNICIPAL ACT

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker, I 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 bill and one of the things which it does is it tightens up the conflict of interest regulations with respect to members of councils in that under the previous legislation it may not have been completely clear that members of committees of council, in voting, were subject to the same conflict of interest legislation as they would be if they were voting in the council itself, and we approve of that change. There are changes in terms of amounts of fines payable. There's a 500 catch-all fine where there is no other provision in the Act, and we have

no objection to that in view of the amount previously shown and the inflation since then.

There is a matter of allowing villages the right not to hire police officers unless they have a population of 750 people, as opposed to 500 people in the previous Act, and again, we have no objection in principle to that change. The rest of it is basically housekeeping and we are prepared to allow this bill to go to committee at this stage.

QUESTION put, MOTION carried.

BILL NO. 67 — AN ACT TO AMEND THE MUNICIPAL BOARD ACT

MR. SPEAKER: The Honourable Member for Logan.

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

MR. SPEAKER: The Honourable Member for Rossmere.

MR. SCHROEDER: Yes, Mr. Speaker. This particular change deals with the situation where, after a member of the municipal board commences a hearing, he resigns or retires or passes away. Under the current legislation, if he is one of a three-member panel or a five-member panel or whatever, there would be a requirement to begin anew. There would be a hearing de nouveau. This revision would allow the remaining members to continue with the hearing and we have no objection to that proposal in principle, and again are ready to allow this bill to go to committee.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Yes, Mr. Speaker. I've looked at this bill, and I just have one observation. I'm concerned with the wording, because the words "incapable of acting" would appear to relate to dies and resigns, or something which — I won't use Latin language — is relating to that type of incapacity. If not, it could have said, if any member becomes incapable of acting, and I want to ask the Minister, when he is having his law officers consider it, whether this includes a person whose appointment expires or whose appointment is revoked. I am thinking of specific instances of boards, and I'm not even sure whether this isn't covered by some omnibus statute someplace, some interpretation board, but if the wording as presently constituted would include a person whose appointment is revoked, or appointment has expired and is not renewed, then that has been my concern, because I do concur with the Minister that sometimes a matter may have been under consideration for two years. It's possible. I am aware of one that has been under consideration for almost three years, and I would hate to think that you couldn't — I'm not talking about this board, by the way, but it could apply to this board as well. But I would hate to think that we had to start all over again because a person's appointment was revoked or expired and wasn't renewed, or died, etc.. I would

have thought that this type of thing is covered, and it may be in the case that I am involved in.

But in this particular case, I merely ask the Minister to see whether the wording covers the contingencies that I have indicated or, if not, whether they are covered in some other way, and otherwise I have no objection, and as a matter of fact, I would concur with the principle of the legislation.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, just a brief comment. My experience, for example, with this particular board when I was Minister, was that the Order-in-Council generally provided that the members were appointed for a specific term or until their successors were appointed, and I can recall an instance where there were a couple of individuals whose terms were not renewed for the full term but, because they were hearing cases, their terms were extended for a period of three months to cover the period required in order to complete the hearings. In fact, in one instance there was a further extension in order that the individual —(Interjection)— I would suspect, and subject to advice from legislative counsel, Mr. Speaker, if their term expired, period, there might be a problem with a quorum, but we can have that matter looked at by legislative counsel.

QUESTION put, MOTION carried.

BILL NO. 68 — AN ACT TO AMEND THE LOCAL AUTHORITIES ELECTION ACT

MR. SPEAKER: The Honourable Member for Logan.

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

MR. SPEAKER: The Honourable Member for Rossmere.

MR. SCHROEDER: Yes, Mr. Speaker. This Act, the purpose of the Act appears to be to allow the Chief County Court Judge to designate the County Court district in which a particular appeal would be heard, as opposed to having that designation made by the Lieutenant-Governor-in-Council, as it is currently. We feel that this is an appropriate amendment and will be supporting it.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 76, An Act to amend The Consumer Protection Act (stand).

BILL NO. 77 — THE FAMILY LAW ACT

MR. SPEAKER: The Honourable Member for Logan.

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

MR. CORRIN: Mr. Speaker, this is indeed an anomaly insofar as legislation that is presented to this House goes. This has got to be a very unusual piece of legislation. This, for those who aren't familiar with Bill 77, is the bill that will make it obligatory for children to support their indigent parents.

Mr. Speaker, I must admit at first glance it would appear that this sort of legislation is consistent with the highest standard of ethics and morality. It seems to be, at first glance, both decent and certainly righteous but, Mr. Speaker, one wonders whether this is not, notwithstanding its seeming support of motherhood and all the political connotations that of course entails, one wonders, Mr. Speaker, whether this is not in fact, in reality, a truly regressive measure.

Mr. Speaker, we have on the statute books of this province very similar legislation. Mr. Speaker, I want you to know that it's never used. —(Interjection)— Maybe it was used once. The Member for Inkster indicates, Mr. Speaker, for the record that he knows of an occasion on which it's used. I don't think, Mr. Speaker, that many people, many lawyers or judges would be able to relate such circumstances. I have made inquiries, Mr. Speaker, and I can tell you that if it's used at all, it is used so sparingly that it is not within the memory of most living people. Mr. Speaker, the old piece of legislation that's on the books was brought in before we had the broadly-based, universal, social assistance legislation that now exists in this province and country. Mr. Speaker, it was a way that people, prior to this time, moved to protect the indigent. It was a way of addressing the problem of supporting the impoverished but, Mr. Speaker, we found a better way. In contemporary times we have very broad, universally accepted, accepted by all parties, Mr. Speaker, social programming. One wonders why this government would want to regress, would want to harken back to this sort of legislation. Mr. Speaker, having said that, I also want to say that the legislation can be attacked for reasons that are not even philosophical and I will deal with that.

First of all, Mr. Speaker, I would indicate that, if this legislation is given assent, we will have a situation where we put a burden on the people of our province that will not be borne by their brothers and sisters who have left Manitoba. Mr. Speaker, we must remember that we live in a time of high mobility. We live in a time when, as a result of economic circumstances and for other reasons, a lot of people immigrate from this province upon reaching adulthood. Mr. Speaker, this piece of legislation would make it a joint obligation on each child to support his or her parents. So we have a situation where each child has essentially an equal responsibility and that is a judicial interpretation of joint, Mr. Speaker. So we have one child who has remained in Manitoba put in the position where he may bear the burden of supporting his parent up to an amount of some 200 per month, even though that child may be just working in a marginal sort of employment, may be dependent on two incomes just to support his or her own family, and even though that child has brothers and sisters who may have acquired considered material wealth and who now reside outside of Manitoba, those children, Mr.

Speaker, would not be liable for a suit and the child who chose to remain in Manitoba would have to shoulder the full responsibility. Mr. Speaker, that only contributes, literally, to pushing people out of the province. Nowhere in the provisions dealing with factors affecting the order does it talk about that.

It also, Mr. Speaker, completely neglects to address the question of whether or not the family history should be considered. In the section that outlines the factors which the judge should consider, it doesn't talk about the relationship; it doesn't talk about the efforts the parent made to support the child. That's not relevant. I suppose even if you had a parent who made no effort, no substantial effort to make provision for the well-being of a child, that parent could come back and require that that same child support them in latter life. I'll tell you, Mr. Speaker, that will happen. That might happen; it might happen only as a result, Mr. Speaker, of what I fear will take place with respect to the welfare authorities and this legislation. That is why we believe this legislation is before this House. We believe, Mr. Speaker, that there is good reason to be concerned that indigent parents will be required — and that is a provision of this bill that other people may require it; that indigent parents will be required by welfare authorities to move against their children. Can you imagine, Mr. Speaker, what that will do in terms of familial relationships? Can you imagine, Mr. Speaker, the emotional stress and anxiety that will be precipitated when an indigent mother is asked to go in court against her son for support? Can you imagine the humiliation and the embarrassment, Mr. Speaker, if arbitrarily some welfare officer decides to do that?

Mr. Speaker, I suggest that this is a way, this is a back door which members opposite have devised to reduce governmental participation and social allowance programming.

Mr. Speaker, indirectly it is a way to reduce taxes on those who are able to pay and support people who are indigent and eligible for welfare, and what it does, Mr. Speaker, it says to the millionaire, you will pay less taxes because the government is going out of the welfare business, and it says to that marginally employed child that he or she will bear the responsibility that had otherwise been determined to be a social responsibility. That, Mr. Speaker, is the nub of this, and that is where the focus should lie.

Mr. Speaker, some time ago it was decided that there should be co-operation within society and that the social fabric of our country should be reinforced by the recognition that there is a responsibility on all members of society to look after those who have less, and that, Mr. Speaker, was because it was recognized by all people, I thought, that people who fell into these sorts of situations, people who were eligible for welfare assistance, did so not as a result of their own actions but rather as a result of pressures external to themselves, the exigencies and circumstances of life, Mr. Speaker, if you will, acts of God. Just as a drought, Mr. Speaker, can, I presume, drive a farmer into bankruptcy, serious illness, a serious affliction can drive a family into a similar state. Mr. Speaker, we decided that we would help those who could not help themselves.

Mr. Speaker, why are we now implementing this sort of legislation? Why are we moving back to

the most primitive form of social organization? I am not suggesting that the family, Mr. Speaker, is not the foundation of our social order, but I am suggesting that dependence exclusively on the family for material support in this day and age is a regressive step. We are de-socializing, de-civilizing society, and we shouldn't want to do that, Mr. Speaker. We should want to move continually in the other direction towards a more democratic social order.

Mr. Speaker, as I said, the bill is full of defects and there is some irony, Mr. Speaker, I think, in the fact that no where is there any legislation or any provision in this bill which makes such a responsibility for support and maintenance reciprocal. Where is it, Mr. Speaker, that a millionaire father has to support an indigent son? What of that, Mr. Speaker? If a man goes out and earns a substantial income and accumulates substantial assets, why should that person not be reciprocated if this sort of logic is to prevail? If the illogic in this legislation is allowed to prevail, why shouldn't the father be required to maintain the indigent son in those circumstances? I ask why. I can't respond to my own question. It seems rhetorical, Mr. Speaker. It is illogical. The legislation is silly. It is nonsense.

Mr. Speaker, we have a situation where also we are going to burden the public purse, because I presume that welfare will require these people to go to Legal Aid, which is also a governmental program, and pursue people in the courts. So we are going to spend money, take it out of one pocket to put in the other, to save it in the other. It is just a sort of lunacy, Mr. Speaker. If all the ramifications of this bill were to be realized, it would be sheer lunacy. You would have a state of virtual madness and chaos.

But, Mr. Speaker, I must admit that it sounded good, when it was introduced it had a certain appeal and I am sure, Mr. Speaker, quite frankly, that is one of the reasons it was introduced.

Mr. Speaker, we have a situation where we have a bill before us that is going away from social responsibility towards individualized responsibility. We have a bill that seemingly is irrational. I am wondering, Mr. Speaker, in view of the fact that many of the people who are on welfare have probably made substantial contribution by way of taxes to the government, whether indeed they haven't earned the right to social support that is provided by welfare. I am wondering that, Mr. Speaker, and I think that, in all fairness, we should all consider that. Isn't that one of the reasons that we pay taxes, Mr. Speaker? Isn't it for the reason that we can gain the common benefit of this sort of legislation, this sort of social policy protection, programming protection?

Mr. Speaker, there are other provisions of this particular bill that deal with the enforcement of maintenance orders and, Mr. Speaker, as the Attorney-General knows, these have been mutually supported as a matter of record ever since the submissions were made to Law Amendments Committee with respect to the two family law bills in 1977.

Mr. Speaker, the Opposition finds itself in a difficult situation. It is not our intention, Mr. Speaker, to impede the progress of the entire bill and I presume, Mr. Speaker, that is why the bill was

brought in this form. That is why, Mr. Speaker, it deals with, I believe, five different pieces of legislation.

Mr. Speaker, it was made simply impossible for the Opposition to obstruct its passage at second reading, but Mr. Speaker, having said that, I can assure the honourable member that at Law Amendments Committee there will be motions of amendment dealing with the first provisions, dealing with the obligation to support parents.

Mr. Speaker, we don't think we want to create that sort of strife. We don't want to create that sort of tension within the dynamic of families. We don't want mothers to have the proverbial gun put to their heads and forced into the courts against sons. We don't want that to happen. We're against that. We think that we've progressed and evolved beyond that stage. We feel that is a matter of conscience and we believe, Mr. Speaker, that most people do not need to be induced by legislation. I thought this was a government, Mr. Speaker, that didn't like legislation. We don't feel that this sort of heavy hand is required in today's society to require people to conduct themselves decently and with generosity, compassion and humanity within their own families. We don't feel that's necessary, Mr. Speaker. We don't want to put the obtrusive hand of the state, not in the bedrooms of the nation, Mr. Speaker, but in the families and residences of the province. Mr. Speaker, that's simply unwarranted. It's unnecessary and it's nonsense.

Mr. Speaker, government, when it comes to this sort of form of social interaction, should indeed vacate and abdicate. It's amazing, Mr. Speaker, that this government is so concerned about the abdication of responsibility and intervention in so many areas of what the public regards as governmental responsibility and when it comes to things that people regard as personal responsibility, the government is ever so eager to move in.

Mr. Speaker, we cannot commend the provisions dealing with the obligation of children to support their parents as they are set out in this bill. We will be forced to support the other divisions, so we have to send the bill to Law Amendments.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I wonder if the House might give leave to proceed past 12:30. We're expecting the Administrator very shortly to give Royal Assent to the Interim Supply Bill which just passed this morning.

MR. SPEAKER: Has the honourable gentleman leave?

MR. FOX: Mr. Speaker, all we'd like to know is how long it will take the Administrator to be here. I was informed that he was coming, it was going to be five, ten minutes. I guess we can sit and wait.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, all I can indicate is that my information was he was to be here before 12:30 and that he is expected very shortly.

MR. SPEAKER: Order please. Until the Administrator arrives, is there leave to continue? (Agreed)

The Honourable Member for Wellington.

MR. CORRIN: With respect to the other provisions, Mr. Speaker, we might add that we commend the government for finally moving on the matter of removing the normal waiting period where there are judgements filed at the Land Titles Office respecting alimony. We feel that it makes good sense and, as I said, Mr. Speaker, we heartily concurred with all the representations that were made a few years ago at Law Amendments Committee in this regard. It makes good sense that the one-year waiting period be suspended in this regard. Normally, Mr. Speaker, people are not allowed to press forward on an unpaid judgment until a one-year period has elapsed from the date of the registration of the judgment at the Land Titles Office. As I understand it, now it will be possible for people to enforce their orders by way of motions for sale of judgment debtors land in the cases of defaults, and that makes some sense.

Again, Mr. Speaker, as I said earlier this morning with respect to another bill, we don't know why it takes so long for some things to come to surface. Again, a rather small and innocuous technical amendment but it took more than two years to get here, Mr. Speaker, and I suppose that's lamentable in view of its possible significance and its impact on peoples' lives.

Also we approve of the removal of discretion from the courts with respect to the removal or vacating of maintenance orders where the maintenance order pertains to children. We feel that again, that point when made by the various groups at Law Amendments Committee, made good sense. We thought that those submissions were reasonable and would effect a reform in the law and so again we're supportive of the provision in the bill that will amend, I believe it's the Judgments Act, in order to take that discretion away from the judge and presumably and hopefully it will result in speedier payments with respect to maintenance orders and of course there will be a real onus on the judgment debtor, the payer of maintenance, to discharge his responsibilities expeditiously.

So having said that, Mr. Speaker, once again, and I know that I'm being repetitive, Mr. Speaker, I would indicate, Mr. Speaker, that one of the reasons — because I will be candid — is that other members on this side of the House have expressed a desire to participate in debate on Bill 77 and it was thought that the debate would be adjourning of 12:30 and I know that at least one member left about one or two minutes before the normal adjournment hour.

MR. SPEAKER: Order, order please.

ROYAL ASSENT

DEPUTY SERGEANT-AT-ARMS (Mr. Myron Mason): His Honour, the Administrator.

The Honourable W. Scott Wright, Administrator of the Province of Manitoba, having entered the House at 12:40 p.m. and being seated on the Throne, Mr. Speaker

addressed The Honourable the Administrator
in the following words:

MR. SPEAKER: We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach the Honourable the Administrator with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for the Honourable the Administrator the acceptance of this bill:

Bill No. 110, An Act for Granting to Her Majesty Certain Sums of Money for the Public Service of the Province for the Fiscal Year Ending the 31st day of March, 1981, and to Authorize Commitments to Expend Additional Money in Subsequent Years (2).

MR. CLERK: The Honourable the Administrator of the Government of the Province of Manitoba doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to this bill in Her Majesty's name.

MR. SPEAKER: Order please. The hour being 12:30, the House is accordingly adjourned and stands adjourned until 2:00 o'clock this afternoon.