

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 15 July, 1980

Time 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

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

MATTER OF HOUSE PRIVILEGE

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, I want to raise a matter of House privilege and I would prefer not to do it now but I understand that our procedure is that you should do it at the first opportunity.

There is a "To whom it may concern" letter circulated on Legislative Assembly letterhead by a member of the Legislature, the Member for Fort Rouge, who is not present at the present time and that's why I say I'd prefer not to do it now but I think it ought to be done at the earliest opportunity.

In part, the letter deals, Mr. Speaker, with the Member for Fort Rouge's opinions regarding the referral to the committee with regard to the matter that has been under discussion the last couple of days, the referral to the Privileges and Elections Committee. The privilege matter I want to deal with is that the member says here that for the government to threaten to subpoena a reporter, to threaten to order the reporter to produce his notes is to turn the committee into a witch hunt against that reporter, rather than an opportunity for civil servants to clear their names.

Mr. Speaker, I want to point out that, again, officially, . . .

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

MR. LAURENT L. DESJARDINS: The member in question just came in. I wonder if the Minister who has just started would mind starting over for the benefit of the member.

MR. CRAIK: Mr. Speaker, I'd be happy to. I hesitated to raise this matter when the Member for Fort Rouge was not in the House, but there has been a letter circulated, undated, but it attributes itself as being a statement by the Member for Fort Rouge and I raise it as a Matter of House Privilege on two major notes. One is that the government perhaps the member unwittingly has suggested that the government is carrying forward this investigation or inquiry. Mr. Speaker, I want to put it officially, it's one thing for somebody in the media to suggest it's the government, which has already been done in error; it's quite another for, I think, a member to

suggest that this is a government action when, in fact, that member was the seconder of the motion.

I want to point out, Mr. Speaker, that there is a matter of responsibility in this House. The motion reads, Mr. Speaker, and I was not in the committee but I've read this and I don't believe the Member for Fort Rouge is a member of that committee it's going to be referred to, but the motion which she seconded reads that the committee be empowered to examine and enquire into all matters pertaining to the allegation and things that may be referred to them and to report from time to time their observations and opinions thereon, with power to send for persons, papers, and documents, and examine witnesses under oath.

Mr. Speaker, that was the motion that was moved by the Member for Winnipeg Centre and seconded by the Member for Fort Rouge. It was a motion to this House referring the matter to a committee of the House, which there was a unanimous vote on and members on the government side voted on it. But it is not correct for the member to say that this a government, threatening by subpoena, a reporter. It may well be that in the powers that were given to the committee, by her motion, that that person may be required to appear. She says further, "that I intend to oppose any attempt to have the reporter called before the committee or to have the reporter's notes produced."

Mr. Speaker, that's fine. That position I don't take any disagreement with, but that is not what was in the motion that was seconded by the Member for Fort Rouge and I don't think she should be trying to label it as a government move. It was not a government move. Members of the government that voted on it were members of the Legislature.

I repeat, Mr. Speaker, that I raise the matter as a matter of House privilege because I think it's pretty irresponsible, to say the least, that when an action is taken along the lines of a Private Member's Resolution or a resolution by the House in other regards, that it ought to be indicated as being a move by any one group. It was a move made by the House. She may not wish to call some individual but, Mr. Speaker, that's what was in her motion. It was not a condition put on by the government or by any other group in this House. It was a condition put on by herself and the Member for Winnipeg Centre, who introduced this motion to the House.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. JUNE WESTBURY: Yes.

MR. SPEAKER: The honourable member realizes the point of privilege supercedes a point of order.

The Honourable Member on a point of privilege.

MRS. WESTBURY: Yes, speaking on the point of privilege, Mr. Speaker, I agree that I believe I haven't got the statement in front of me, it should have been dated yesterday and I apologize that there was not a date on it. I agree that I am not a member

of the committee to which this is being referred. In saying the government threatened to subpoena, I was not referring to the resolution itself, Mr. Speaker, and I should perhaps have referred to one individual Cabinet Minister who was quoted in various areas as having threatened to subpoena the reporter and to require the reporter's notes to be presented. I did not want to name individuals in that context and I perhaps wrongly said the government, and if I was wrong in that . . . if that Minister was not speaking for the government, Mr. Speaker, then I would apologize for making that allegation. I certainly have no desire to whip this thing up into a greater storm than it has already become, Mr. Speaker.

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

MRS. WESTBURY: Thank you, Mr. Speaker. I feel that it has been blown out of all proportion and I regret that. The reason for the statement was really in trying to clarify my position which is this, and if you speak to the people who served with me at City Hall, I think that if they remember that far back they will confirm, Mr. Speaker, that I always have been concerned about the rights of civil servants and their ability to defend themselves against allegations. I was at the committee meeting which was referred to in the resolution and in my statement and it did not seem to me at the time that those civil servants had overstepped the boundaries of their position.

In view of some of the articles and editorials which appeared in the media, I was very concerned over the weekend and felt that I really wanted to clarify the feeling that I had at the time the resolution was presented, which was, I believed that those civil servants should have an opportunity to reply to the allegations. I wasn't really concerned with the reporter or the reporter's notes at all. It was not my intention that any reporter should be subpoenaed

MR. SPEAKER: Order, order please. I think the honourable member is probably going beyond the issue that she was talking about and I would ask . . . I understood from what the member was saying that she was apologizing to the House, then the honourable member may proceed.

MRS. WESTBURY: I'm not apologizing for anything, Mr. Speaker, I'm merely trying to explain that my motives were of the purest and in perhaps referring to the government rather than to an individual Minister, I may have erred but I did not want to refer to an individual Minister whom I had not heard myself make the statement. (Interjection) No, I'm not trying to smear anyone, Mr. Speaker, and I hope that's perfectly clear.

You know, I've listened to a lot of smearing going on around here and I really do try not to get involved with that, but I am concerned, Mr. Speaker, about the fact that suddenly a resolution which I thought was brought in in order to give certain rights and privileges to the civil servants who were named was suddenly becoming a kind of witch hunt against a reporter, and that was not at all what I intended, Mr. Speaker, and I wanted to clarify my position in that

particular matter and that was the extent of my intention. I hope I've made it clear now.

MR. SPEAKER: The Honourable Member for Kildonan on a point of privilege.

MR. PETER FOX: A point of order, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

Order please. A point of privilege is presently before the floor and we'll deal with the point of privilege first and then the point of order.

The Honourable Member for Winnipeg Centre. Order please, order please. The Honourable Member for Winnipeg Centre.

MR. J. R. (Bud) BOYCE: Thank you, Mr. Speaker. The matter of privilege being discussed is a motion, a motion on which action has been taken, Mr. Speaker, and when people want to try and make their case for or against this motion in the media, I would ask, Mr. Speaker, as a matter of privilege, that the matter be dealt with as expeditiously as possible.

I have been advised and I trust that the unedited version of the meeting that Mr. Balkaran's name does not appear in the 56 pages to which reference is made in the Tribune. I'm sorry, Mr. Speaker, if people have chosen to attribute motives to me in the paper and from some people in the legal profession, and in the news media, to suggest that this is an attack on the freedom of the press, it is not. And if there is, in my judgment, after having dealt with Mr. Matas over the 12 years that I have been around, I have never had the occasion to believe that he would put something in the paper that he did not have the basis upon which to base his statements. That is the matter which is before this House and that is a matter which should be determined by the Privileges and Elections Committee and if anyone has given Mr. Matas reason to make that comment, then that person is the person who will ultimately have to accept the responsibility.

MR. SPEAKER: I would like to, at this time, deal with the alleged point of privilege raised by the Honourable Minister of Finance. I find that the explanation given by the Honourable Member for Fort Rouge, in my opinion, should satisfy the House. The Minister failed to bring forward a substantive motion, therefore, I have to rule the House privilege as raised as being out of order.

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

MR. PETER FOX: Yes, Mr. Speaker. In respect to our procedures, I would suggest respectively that a point of order comes before privilege, because if we do not have our procedures correctly, then whatever we may be debating will be out of order and consequently invalid. So I would suggest to you, Sir, that just because we may have been practising privilege before points of order, that that is not correct. Unless you can convince me through Beauchesne, or any other rule, that point of order does not take precedence over privilege, then I believe I am correct.

Secondly, I would like to indicate, when a matter has been referred to a committee that subject is no longer debatable until that committee reports. The Honourable Minister raised a point which had been referred and, irrespective of what takes place in between there, that matter should not have been debated here.

MR. SPEAKER: Order please. We will now proceed with the routine orders of the House. The Honourable Member for St. Boniface.

MR. DESJARDINS: On a point of order.

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

MR. DESJARDINS: My point of order is this that a few weeks ago I rose on a question of privilege. I was told I didn't have a substantive motion, nobody was allowed to answer me. Today, the motion was made. You ruled, but only after another member, in your words, two members were allowed to go ahead and satisfy the people in this explanation. Now I would like to know for clarification what the situation is. (Interjection) Yes, rule it out of order when it's all finished; but in the other instance, nobody was allowed to answer me and I wasn't allowed to proceed with my point of privilege.

MR. SIDNEY GREEN: Mr. Speaker, I think that one of the difficulties that arises and that you have had to deal with is not accepting the fact that certain matters of privileges can be immediately cleared up. Mr. Speaker, I believe that the problem that underlines this entire issue could have been cleared up if the Speaker had not ruled that a substantive motion had to be made and therefore substantive motion was made. So I would ask the Speaker to review his position and to review Beauchesne and to review the rules to see whether matters of privilege which can be immediately cleared up requires substantive motions. Because otherwise, Mr. Speaker, every time somebody gets up to make a correction, to make an indication that a slur has been made on him, it's going to have to be referred to Privileges and Elections Committee and you have seen, Mr. Speaker, some of the folly of doing that on every matter of privilege.

MR. SPEAKER: Order please. May I refer all members to the rules that have been established by this Chamber, rules that have stood the test of time and have been put forward and changed by the Rules Committee of this House and I refer to page 59 of the Rules, Orders, and Forms of Proceeding of the Legislative Assembly of Manitoba. Members sometimes raise so-called questions of privilege on matters which should be dealt with as a personal explanation or correction, either in the debates or in the proceedings of the House. A question of privilege ought rarely to come up in the Legislature. It should be dealt with by a motion giving the House power to impose a reparation or apply a remedy.

The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I quite agree with what you have just I read. I am suggesting that you deal

with the so called matters of privileges in a very expeditious so that motions are not required with respect to them, which has been, Mr. Speaker, in all my fourteen years in the House, the manner in which they have been dealt with. Let's not talk about the matters of privilege which require a substantive motion, but the ones that are so called and perhaps should have a different name if we are going to abandon the term so-called matters of privileges because I would not like, Mr. Speaker, the occasion to rise and say, Mr. Speaker, I have a so-called matter of privilege, so I can be dealt with.

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

MR. SAUL CHERNIACK: Thanks, Mr. Speaker, on the point of order, what you read to us was an appendix to the rules. It is not a rule, it is just an appendix and a commentary and, Mr. Speaker, I think we need clarification. Should the Honourable Minister of Finance have stood and moved a motion first and then spoken on his privilege, or should he have been allowed ten minutes to speak on what you have ruled as . . .

MR. SPEAKER: Order, order please. We are now debating something that has already been decided and I would think that a matter once decided by this House has been completed and there should be no further debate on it.

The honourable member on a point of order.

MR. CHERNIACK: Yes, Mr. Speaker, I would like clarification from you, Mr. Speaker, on whether or not in the future, if I have a matter of privilege to raise, which I believe is properly a matter of privilege, do you require a motion to be presented first, and then the discussion, or do you intend to follow the practice that you followed this afternoon of permitting the Minister of Finance to talk for ten minutes and then, after two other speakers spoke, to tell him he was out of order? That's what I want to know for the future, Mr. Speaker.

MR. SPEAKER: If the honourable member wishes, the matter can be raised at the next meeting of the Rules Committee and I will put it on the agenda so we can have a thorough discussion at that time.

The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, that doesn't answer my point that I made earlier and you haven't ruled on that. I'm accepting that ruling was right, but the same thing happened today that happened a few weeks ago where I was told that I was permitted to continue. I was told that I must have a substantive motion and today this wasn't done and two other speakers were allowed to . . . I'm not suggesting that substantive motion is not needed, but I don't know what the difference is between when I was called to order and not allowed to proceed, and the Minister was allowed today, without a substantive motion, to continue and two other speakers were allowed to respond.

MR. SPEAKER: Order please. I suggest the honourable member raise the matter with the Rules Committee the next time it meets.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I have a question to direct to the Honourable Minister of Finance, and it relates to an advertisement which appeared in the Winnipeg Free Press, Saturday, July 12th. Will the Minister, as the Acting Minister of Federal-Provincial Regulations, strongly object to the unwarranted use of taxpayers' money for the purpose of propagandizing the Liberal government in its advertisement, Fighting Back the Drought, the Government of Canada, and You?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I will have a look at the article or the advertisement referred to and take the question as notice.

MR. GREEN: Mr. Speaker, while he is looking at that one, will he also look to the flagrant misuse of taxpayers' money by the government of the province of Manitoba in its advertisements in the Winnipeg Free Press and the Winnipeg Tribune, advertising the Minister's budgetary proposals and programs?

MR. CRAIK: Mr. Speaker, there is a sound basis for the advertisements that the province of Manitoba is running. It was in the time constraints of the programs that are being introduced this year. I will have a look at the first matter raised by the member.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, my question is to the Minister of Northern Affairs. Last Thursday I asked the Minister when his Deputy Minister will be transferred from Thompson to Winnipeg and I asked the Minister who would be the senior acting person at that time, and I wonder if the Minister has the answers to those questions yet.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. DOUG GOURLAY (Swan River): Soon, Mr. Speaker.

MR. McBRYDE: Mr. Speaker, I would like to know from the Minister of Northern Affairs, who is unable to give an answer in the House today, was unable to give an answer in the House last Thursday, why the Minister of Labour has announced in northern Manitoba who the senior-most person in the Department of Northern Affairs will now be in northern Manitoba? Why has that happened?

MR. SPEAKER: Orders of the day. The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, the Minister of Northern Affairs doesn't appear to be willing to answer a question. I wonder if the real Minister of Northern Affairs would please stand up so we know who to deal with in this House. I wonder if the Minister of Northern Affairs could tell us then whether or not the Minister of Labour was announcing a government decision when he announced that a Mr. Harvey Boyle would now be the senior person stationed in northern Manitoba for the Department of Northern Affairs, or does the Minister of Northern Affairs know what's going on in his own department?

MR. GOURLAY: Mr. Speaker, I am not responsible for what the Minister of Labour may want to print.

MR. McBRYDE: Mr. Speaker, has a decision been made by the government of Manitoba as to who the senior person in the Department of Northern Affairs will now be in northern Manitoba now that the Deputy Minister has been transferred back to Winnipeg? Has that decision been made and if so, what is that decision?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: Again, Mr. Speaker, that will be announced soon.

MR. McBRYDE: Mr. Speaker, I'm assuming that there is without a substantive motion some matter of privileges of the House about announcements that are made outside the House and the Minister refusing to provide the same information in the House. Mr. Speaker, the Thompson newspaper has carried an article by the Minister of Labour, the Opasquia Times on Friday, July 11, has carried an article by the Minister of Labour announcing that there will be a post created as Assistant Deputy Minister and Mr. Harvey Boyle will be assuming that position for the Department of Northern Affairs. Now, what's going on? Does the Minister of Northern Affairs know what's going on or doesn't he know what's going on?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: On a point of order, Mr. Speaker, the Member for The Pas is suggesting that administrative appointments have to be announced in the House before they're announced outside of the House. Mr. Speaker, these are strictly administrative matters and for the member to suggest that there has to be a substantive motion to raise the question as to whether or not it should be stated inside the House, of course, has to be hit right on the head because that would be a practice that has never been followed in this House.

MR. McBRYDE: Mr. Speaker, just on the point of order raised by the Minister of Finance, it is the practice of this House that if a question is asked in the House, the Minister answer the question in the House as opposed to going outside and answering

that question to the press, and that I would consider it a violation of privileges of the House.

Mr. Speaker, I would like to address another question. I would like to address a question then, Mr. Speaker, to the Minister of Labour, who has made the announcement in northern Manitoba. Would he confirm that the government of the province of Manitoba has appointed Mr. Harvey Boyle as the senior person for the Department of Northern Affairs within the province of Manitoba?

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. WESTBURY: Thank you, Mr. Speaker. My question is addressed to the Minister of Finance or possibly whoever is speaking for the Minister of Health today and it relates to the apparent change of mind on the part of the Minister or the government, whichever is appropriate, in deciding to establish an obstetrical unit in the Seven Oaks Hospital which is contrary, Mr. Speaker, to previous announcements. Could the Minister of Finance or whoever is speaking for the Minister of Health tell the House why this change has been made and upon whose advice it has been made?

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, I'll take that as notice on behalf of my colleague, the Minister of Health.

MRS. WESTBURY: Mr. Speaker, my second question is to the Minister of Finance. Was this a decision taken by Cabinet or was it a decision taken by the Minister of Health, Mr. Speaker, because if it's taken by Cabinet it seems to me I could have an answer today. This is a very important matter. The Minister's own Task Force on Maternal and Child Health has recommended against it, as well as several I believe medical organizations, and I do believe the people of Winnipeg and the people of Manitoba have a right to know what the answer is to this question.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I think that's part of the first question and will be referred to the Minister of Health for the Member for Fort Rouge, but I would point out that if this matter has been announced by the Minister of Health that, as a matter of principle, any policy announced by a Minister is policy of the government.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, another question on another matter for the Minister of Northern Affairs. I wonder if the Minister could confirm that he authorized a press release on July 11, 1980 in regard to the Metis Advisory Committee holding its first meeting.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: Yes, I did, Mr. Speaker.

MR. McBRYDE: Mr. Speaker, my question relates to an aspect of that release which says that the Metis Advisory Committee held its first meeting on Tuesday, July 8, with Northern Affairs Minister Doug Gourlay, in attendance. Representative members of the Advisory Committee include Don McIvor of the Manitoba Metis Federation. I would like to ask the Minister of Northern Affairs whether or not, as this press release implies, Mr. McIvor was in attendance at that meeting.

MR. GOURLAY: Mr. McIvor was not able to attend that opening meeting.

MR. McBRYDE: Mr. Speaker, I wonder if the Minister could tell us whether he has a formal letter of accepting a position on that Advisory Committee meeting from Mr. McIvor or whether he only has the initial letter from Mr. McIvor which said he would not take part in such a committee because the sole purpose was to get the Manitoba Metis Federation.

MR. GOURLAY: I'm advised, Mr. Speaker, that my staff members have been talking to Don McIvor on many occasions and the meeting referred to on July 8, on the 7th he indicated that it was doubtful that he could make it on time, however, he would try to do that. He was not able to make it, but he plans on attending future meetings.

MR. McBRYDE: Mr. Speaker, does the Minister have a letter from Mr. McIvor indicating that he would not serve on that committee because of the problems he saw with that committee and the nature of that committee as set up by the Minister? Does the Minister have that letter?

MR. GOURLAY: I can take that question as notice, Mr. Speaker. I'm not aware of such a letter.

MR. SPEAKER: The Honourable Member for The Pas with a fifth question.

MR. McBRYDE: Mr. Speaker, does the Minister have a letter from the Northern Association of Community Councils refusing to take part in this committee, the purpose of which is to hinder the functioning of the Manitoba Metis Federation?

MR. GOURLAY: Mr. Speaker, I can confirm that the Northern Association of Community Councils indicated that they thought that they should not participate.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: I'd like to direct a question to the Honourable Minister of Mines. Can the Minister of Mines confirm or not confirm that there has been a discovery of gold in the lakes in northern Manitoba?

MR. SPEAKER: The Honourable Minister of Mines.

MR. CRAIK: Mr. Speaker, I understand that is one of the reasons why Mr. McIvor couldn't be at the other meeting . . .

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question is to the Minister of Northern Affairs. I had asked him to clarify the situation in regard to the transfer of the Deputy Minister from Thompson to Winnipeg. It was indicated by the Premier of the province when that transfer was made that this was the first time a permanent office for a Deputy Minister was located outside of the city of Winnipeg and the Minister of Northern Affairs indicated when we asked him why the Deputy Minister was being transferred, that the Deputy Minister was being transferred because he had cleaned up a mess that had allegedly been left behind. Yet, in the article from the Minister of Labour in regard to why the Deputy Minister was transferred, the Minister of Labour indicates that the Deputy Minister was transferred in order to resume negotiations on certain agreements between the federal and provincial governments.

I'd ask the Minister of Northern Affairs, if he knows, to indicate to the House why it was exactly that that Deputy Minister was transferred from the first permanent office of a Deputy Minister to be held outside of the city of Winnipeg?

MR. GOURLAY: Mr. Speaker, if the honourable member will check in Hansard he will see where I indicated that in addition to the mess being cleaned up in northern Manitoba that the Deputy Minister's services were required closer to the city of Winnipeg because of the ongoing negotiations for a new Northlands Agreement and also for the Special ARDA Agreement which runs out in March of 1982.

MR. COWAN: Thank you, Mr. Speaker, I have perused Hansards and I would ask the Minister if he can indicate, as he had indicated in Hansards, that he would be calling the Manitoba Metis Federation executive in and would have conversations with them and would reconsider his action in withdrawing the grant that should be made available to them for corps funding. Has he had that meeting and did he first off, as a matter of first priority at that meeting, tell them that he was not willing to reconsider at all and, in fact, the statements that are in Hansard, and are attributed to him, were not followed up by the Minister?

MR. GOURLAY: Mr. Speaker, at the time of my estimates it was indicated that if there were any hardships, as a result of delivering programs by the MMF, would I meet with the MMF executive at their request and I have met with the president of the MMF some six weeks ago or thereabouts.

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

MR. COWAN: Thank you. The Minister neglected to answer the second part of that question, that was in regard to his being willing to reconsider the

withdrawal of those funds. I would ask the Minister of Northern Affairs if he has or has directed senior level bureaucrats in his department to have conversation with senior level bureaucrats in Ottawa in regard to federal funding that should be going to the Manitoba Metis Federation and that the intent of that conversation was, in fact, to slow down the funding coming in or, in fact, was to have the federal government totally withdraw their funding from the Manitoba Metis Federation? Has he done that or has he had his department senior level bureaucrats within his department take on such actions?

MR. GOURLAY: Mr. Speaker, from time to time there are discussions of senior staff in my department consulting with or discussing various issues with civil servants from the federal level.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Speaker, a question for the Minister of Finance. Could he advise as to how many single taxpayers who live in shared accommodations will be deprived of their property tax credits as a result of the changes he is proposing in The Income Tax Act?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I am not too clear on the member's question. I presume he is referring to the transition to the new definition of income.

MR. SCHROEDER: No, Mr. Speaker, I was referring to a provision whereby two or more principle taxpayers reside in the same residence, only one individual will be entitled to collect the property tax credit. I am asking how many Manitoba taxpayers will be deprived of the property tax credit as a result of this. This would be single individuals. These would be people living in shared accommodations as separate individuals in one principle residence.

MR. CRAIK: Mr. Speaker, I always understood the principle of the property tax credit to be a tax credit to a taxpayer on property tax. I fail to grasp entirely the member's argument. For instance, Mr. Speaker, the property tax credit has been received I presume by some 50 or 60 percent of those eligible, went out through the tax system, through the municipalities, for the credits directly off the tax bills. I would think that those numbers would be the same as at any other time. I wonder if the member is not referring to the section of a bill that's before us that is put in to redress the problems that existed in 1978 and 1979 for those people who were asked to refund part of their tax because their is a portion of that bill that is intended to do that.

MR. SCHROEDER: Yes, Mr. Speaker. I am suggesting that under the amendment, where two single people live together in one home and, say, pay a rental of 300 per month, one pays 150 and the other pays 150, under the legislation, as it currently exists, each of those individuals has the right to claim a property tax credit based on his total

payment of rental for the year. Under the amendment proposed by the Minister of Finance, where two or more principle taxpayers together occupy one residence, only one of those individuals will be entitled to claim, and I am again asking, how many people will be disentitled as a result of this amendment?

MR. CRAIK: Mr. Speaker, I don't think anyone will be disentitled, but the legislation is based on a principle that there will be a rebate for each residential unit whether it is rental or whether it is owned and paid through the municipal taxes. But what the member is suggesting here is that there may not be as much money go out to the three individuals as there would have been before. Under the system involved now, one individual would claim and would have to distribute the funds to the parties involved. If the member has a specific case in mind I think maybe he could provide me with the information and I'll take it as notice to try and get an answer for him.

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 Finance and ask the Minister if he could provide information to the House on why retail sales, in real terms or in physical volume terms, have declined in Manitoba during the first five months of this year over the same period of 1979, according to the latest information now available from Statistics Canada.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I can't confirm or deny the member's suggestions here but if it is like the other statistics we have been treated to from across the way in recent times, whether it was the CPI statistics which were out by a factor from 14 percent to 9.1 percent, or the ones that followed that up which were taken out of context, then I would hesitate in any way to agree with the member's information. However, I would point out that the information I did give to the House was that the sales tax revenues, as far as the province is concerned, have been and are on about target where they were expected in the first six months of calendar year 1980, and are roughly where they were targeted to be for the first three months of the current fiscal year. However if the member wants to crank out some more statistics from Stats Canada we'll have to deal with them. but I trust that they are in context this time and not out of context.

MR. EVANS: According to the latest reports of Stats Canada, Mr. Speaker, I would like to ask a supplementary question based on this latest information. Inasmuch as Manitoba is 2.1 points below Saskatchewan, 10.5 percentage points below Alberta, and 5.6 percentage points below B.C. in terms of retail trade changes, will the Minister concur that Manitoba is indeed the poor cousin of the four western provinces?

MR. SPEAKER: Order please. Questions of concurrence are not questions that seek information in this Chamber.

The honourable member with a final supplementary.

MR. EVANS: Mr. Speaker, I would like to ask then another question of the Minister. In view of the the Minister of Economic Development says we should move. I am just going to ask him how many tourists he's frightened out of the province this last week. Mr. Speaker, in view of the fact that retail sales have declined in real terms in the first five months of this year over the same period last year, does the Minister believe that this is the possible explanation for a large number of retail firms either closing their door or going out of business?

MR. CRAIK: Mr. Speaker, if I can take the liberty to suggest that contrary to the member's suggestion, Manitoba is not a poor province. Manitoba is a rich province. The only thing that will make Manitoba a poor province in the view of the likes of the Member for Brandon East are the comments that he comes up with, and again, Mr. Speaker, I do not accept offhand the comments by the Member for Brandon East. Every time that there have been statistics taken from Stats Canada, in two major cases in the last month in this House presented by the opposition, they have been completely out of context and completely erroneous, Mr. Speaker. If the member wants to provide the information, then if the member wants verification of information, I will take it and have a look at it.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker, my question is to the Minister of Northern Affairs. In view of his answers to my colleague the Member for Churchill, I would ask him in view of his admission that his staff have been speaking with officials of the federal government with respect to funding from the federal government to the Manitoba Metis Federation, is he admitting that his staff have indeed been advising the federal officials to hold back or withdraw funding from the Manitoba Metis Federation?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: I am admitting no such thing, Mr. Speaker.

MR. BOSTROM: Mr. Speaker, in view of the fact that the government is only now bringing their Deputy Minister, as it appears, into the negotiations for the new Northlands Agreement, why has the government neglected to this date to commence these negotiations? Why are they only beginning these negotiations now when they should have been started months, and perhaps years ago?

MR. GOURLAY: Mr. Speaker, we are progressing very favourably with arrangements for a new agreement.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Mr. Speaker, I wonder if the Honourable Minister of Labour can tell us whether he or the Attorney-General will be enforcing The Payment of Wages Act.

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): The appropriate government department will be, Mr. Speaker.

MR. FOX: I can see that he is trying to get off the hook the same as the Minister of Northern Affairs, that he's not responsible. I wonder if he can inform the House, since he didn't have a chance to vote on second reading, whether he is in favour of the amendment which puts wages behind in respect to collection, to mortgages, banks and other financial institutions.

MR. MacMASTER: I have told the Member for Kildonan that I will be voting at the appropriate time in the way I so choose, Mr. Speaker.

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

MR. SAMUEL USKIW: Mr. Speaker, I wish to ask the Minister of Municipal Affairs whether he would indicate to the House that he is prepared to submit all the information on Bill 100 in committee with respect to any negative impact that legislation will have on any of the municipalities in Manitoba.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: Yes, I would be pleased, Mr. Speaker, to supply any information that's available to me to the committee.

MR. USKIW: Mr. Speaker, I don't presume to want to run his department for him. I simply want him to recognize that it may take some time to put that information together and I merely raise it today in order that I give him sufficient time, recognizing that the House may not be sitting for very many more days. I hope, Mr. Speaker, that the Minister will take full cognizance of the time constraint involved.

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS: Thank you, Mr. Speaker. My question is to the Acting Government House Leader. Since every day we get the order paper, Mr. Speaker, through you to the Honourable Minister, and every day we either get one more bill on the notice paper, two more bills, could the Acting Government House Leader give us an idea how many more bills the Minister of Finance is going to be introducing with the next few days, or any other Minister?

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSEN (Morris): Mr. Speaker, I will have to find out and I confess that I have not asked my colleagues if there are any further bills. I hope there are no more.

MR. JENKINS: I wonder if the Minister could inform the House how many bills he intends to withdraw.

MR. SPEAKER: Orders of the day. The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, there are several that are going to be referred to intersessional committees.

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

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I ask this question of the Minister of Municipal Affairs, and ask him whether his department is still involved in the approval mechanism for subdivisions and land transactions within the province of Manitoba.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: Yes, Mr. Speaker.

MR. URUSKI: Thank you, Mr. Speaker. I direct this question now to the Minister of Government Services and ask him for his justification of trying to lay the blame on the town of Emerson for the reasons why the province is now paying out approximately a 20,000 claim on land that was subject to flooding and his statements were to the effect that it's because the town of Emerson failed to do something when the province is involved in the approval mechanism of subdivisions.

MR. SPEAKER: The Honourable Minister of Government Services.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I'd be happy to explain. Mr. Speaker, after three or four occasions over the past decades where substantial moneys were paid out for compensation to flood-damaged homes, this government introduced, largely at the insistence of the Minister of Natural Resources and the Premier, that should we engage into a flood reduction program that would hopefully provide permanent protection in terms of raising homes or moving homes and thereby avoiding this repetitive cost of the public purse for repairs to damage. It is only because of designation now that has existed in the Red River Valley that we can assure that kind of situation won't arise again.

Mr. Speaker, in 1974, in 1966 or 1967, in 1950, those kinds of arrangements were not entered into and while there were recommendations from the director of Water Control or from the Highway Traffic Board that gave access to certain properties, there was no legislative action or authority that insisted that a caveat be entered on the land title involved.

(Interjection) No, no, Mr. Speaker, this is a serious question and I am trying to provide a serious answer.

Mr. Speaker, the reason for the compensation that was paid is that the Order-in-Council covering and

providing the authority for the Flood Board to make those payments was exgratia, it covered all flood damage for the year 1978, for that flood. The flood board did not have and could not be expected to examine the individual tidal records where such caveats could be entered into it, because they were never entered into it, they were never entered into it. Mr. Speaker, I'm happy to report that the kind of flood reduction program that we are now entered into, provide those safeguards and in the future that will not happen again.

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

MR. URUSKI: Mr. Speaker, maybe we should adjourn this debate and listen to the Minister's answer, if he would have at least answered my question, Mr. Speaker. Why is the province now blaming the town of Emerson for something that the province had full authority to prevent, in terms of the permits being issued, either through the Department of Municipal Affairs involvement or the Highway Traffic Board's involvement, the very agencies; or even Cabinet, who brought in the authority for the Manitoba Flood Board to pay such claims, whether or not these exclusions could have been in there and whether or not the Minister is considering to treat the rest of the province in the same manner as they are treating southern Manitoba, since he has over the past refused to treat areas within the Interlake as he has in southern Manitoba?

MR. ENNS: Mr. Speaker, it's not a question of blaming anybody. Mr. Speaker, it's a question of whether or not there was statutory requirement for something to happen. There was a suggestion made by agencies of the Water Control Branch and of the Highways Department, that should access to certain property be provided, then the town of Emerson should file a caveat against future flood compensation payments on that property. It was not a statutory requirement, it was simply not carried out. There was no statute requiring the town of Emerson to carry it out.

Mr. Speaker, one of the reasons why there has been a delay in expanding this flood reduction programs into those areas that the Member for St. George is interested in, is that we are now speaking to those municipal councillors and saying, look we will provide this long-term flood reduction assistance program if you are prepared to accede to the provincial government the necessary authority that will prohibit building in flood prone areas. That is taking place right now, Mr. Speaker, and I can indicate to you, and to the honourable member who has an interest in this house, that a number of municipalities have so, by resolution of council, have suggested that they are prepared to do that. When that is fully completed I will be recommending, as I have promised to this House on several occasions, will be recommending to my Cabinet colleagues, to expand this program, to expand this flood reduction program to other areas other than the Red River Valley.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. SCHROEDER: Thank you, Mr. Speaker, to the Minister of Finance. In his last answer to me he agreed that, in fact, as a result of his proposed amendment, there will be only one Property Tax Credit payment available per residential unit, which will be a change from current law. Just giving an example of two university students coming into the city from rural Manitoba and rooming together, sharing accommodations, can he confirm that only one of those individuals would be entitled to the Property Tax Credit as a result of his paying rent and can he advise as to how these two students are to determine who it is who is to get that Property Tax Credit? There would be different levels of taxation paid by each of them, they would have entirely different tax returns. And I would suggest, Mr. Speaker, that the current method of each of them simply adding up the rent paid by them and taking a percentage is a more fair method.

MR. SPEAKER: Order please. I find the honourable member debating and I would ask if he has another question to ask.

MR. SCHROEDER: Yes, Mr. Speaker, I'm sure the Minister of Finance got the gist of that and maybe he could answer it and while I'm up I'll ask another question. Could he advise as to how many Manitobans currently receive more than 43 per month in SAFER grants?

MR. CRAIK: No, I can't, Mr. Speaker. But the questions that the member is asking should be dealt with at the committee stage of the bill and we can look at it at that time, we'll have some officials here to provide some assistance.

I also wanted to take the opportunity, Mr. Speaker, to advise the Member for Brandon East that when he is doing his calculations on reduced income or whatever he's talking about from sales tax, he maybe ought to also consider that this government has, I think, in each given year, reduced the sales tax on a number of items and the amount of reduction this year, Mr. Speaker, has been some 3 million, as was indicated in the budget.

MR. SCHROEDER: Thank you, Mr. Speaker. To the Acting House Leader. Could he advise, in the absence of the First Minister and the Attorney-General, who is now in charge of withdrawing silly bills?

MR. SPEAKER: The Honourable Member for The Pas.

MR. RON McBRYDE: Mr. Speaker, my question is to the Minister of Northern Affairs. I wonder if he could tell the House whether or not he only asked the Manitoba Metis Federation, that is he only asked the President of the Manitoba Metis Federation, to take part in his Metis Advisory Committee after he had been turned down by a person, who is not a senior official, but only an official of the Manitoba Metis Federation?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: Well, Mr. Speaker, I would like to advise the House that I didn't ask the President of the MMF to participate in the Advisory Committee.

MR. McBRYDE: Mr. Speaker, I wonder if the Minister could table his letter to the President of the Metis Federation when he asked for their participation within the committee. Did he not send any such letter?

MR. GOURLAY: Mr. Speaker, as I indicated to the President of the MMF and to the Confederacy, I thought that it was advisable that neither one of them should participate in this Advisory Committee. However, I did send a letter to the President asking the federation to participate, as well as the confederacy and the other bodies that are represented.

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

MR. McBRYDE: Mr. Speaker, I am confused by the Minister's answer and I don't think it is entirely my fault. I wonder, Mr. Speaker, if the Minister could confirm that, in fact, he sent a letter to the Vice-President of the Thomson Region, Mr. Don McIvor, asking him to participate in this committee; that Mr. McIvor, then answered back and said he was not willing to participate on this committee; and then the Minister wrote to the President of the Manitoba Metis Federation and asked him if they would assign somebody to sit on this committee, but only after Mr. McIvor said, no, initially.

MR. GOURLAY: Mr. Speaker, the initial contact with Mr. Morrisseau had been by telephone and I wished to follow-up so that he would have some letter on record that we wished someone to participate from the MMF. But in talking to Mr. Morrisseau it was indicated to him that we preferred someone else other than himself to participate.

MR. SPEAKER: Order please. Time for question period having expired proceed with Orders of the Day.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, would you call Bills 65, 66, 87 and then 83.

ADJOURNED DEBATES

ON SECOND READING PUBLIC BILLS

BILL NO. 65

THE REGISTERED NURSES 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 St. Johns.

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

MR. CHERNIACK: Thank you, Mr. Speaker. I intend to speak on all three bills at once, Mr. Speaker, and I expect to be in order at the same time and I think that possibly everyone will appreciate the fact that I will try not to speak on three different occasions on three different bills which are so similar and yet are different to some extent.

Mr. Speaker, I indicate that there have been discussions between members of the government side and the opposition dealing with how we will be handling, as a Legislature, various professional bills and there have even been disagreements or different interpretations on what had been agreed to. What clearly has been agreed to, Mr. Speaker, was that I would address myself to these three bills, each a professional nursing bill, and that these three bills will be referred to one of the committees of the House and they will be dealt with concurrently so that we would be able to apply similar principles to the bill.

My understanding is that all other professional bills will be referred by the government to an intersessional committee that will be able to deal with them and I don't mean only those which are now on the Order Paper, but others that may be ready to go on the Order Paper or even others which were being delayed for another year. I think that is a sensible approach to it, Mr. Speaker.

I understand that all the bills which I identify as professional, other than these three bills, will be stood over except I have not received clarification on one of them. But that really is up to the House and we will try to deal with what the House expects to have done, that is, the House Leader, although I have told the Acting House Leader and the Minister of Health that on the basis of my understanding of the plan I am not, nor is our caucus, studying any of the other bills that have been presented. But we will certainly want to deal with them intersessionally because, Mr. Speaker, to my knowledge, since 1962 governments have not paid attention to the general proposition of professional associations in such a way as to try to create some form of overall approach to the role of the professional and of the professional society in Manitoba.

I regret that and as I indicated on previous occasions, I did conduct a study on behalf of the previous government, which study was not presented until after the last election. I did see to it that it was presented to the current Minister of Health. I don't know what he did with it, but last year I filed a document consisting of largely excerpts and the main portions of that report so that it would be available to all members of the House and anyone else who would be interested. In that I was suggesting the positive aspects of an umbrella legislation and an umbrella board which would then be able to regulate and overview the activities and legislative powers of all the professional societies. I regret the fact that it has not been studied and that we are still dealing with bills that come in individually and not necessarily vetted under one approach or in one manner of concern.

However, with these three nursing bills that we have before us, I find that obviously there was a pro

forma bill presented to the three organizations. It is very clear by reading the bills how similar they are in that each must have received some draft or some proposed form of legislation and then I was going to say 'doctored' them, but that's become a dirty word in this House and besides we're talking about nursing them and not doctoring them in this case but each has developed a slightly different approach in various aspects which are interesting and which will have to be discussed in committee. But I had suggested to the Minister of Health that it would be a useful exercise and not merely an exercise to deal with these three bills and then, with the advantage of the study that we will have given to it during this session, the intersessional committee could then approach other bills with some background and some attitude. I think attitude to what is expected of a profession is the important feature, not the specific details.

I feel, Mr. Speaker, that the reluctance of Manitoba governments in the past, including the present government, to deal with this overall view has put us somewhat behind other jurisdictions. Ontario, Quebec, Alberta and I'm not too sure of the stage at which Alberta has reached, but Ontario and Quebec some time ago passed overall legislation. In the case of Ontario affecting the health sciences profession, some six or eight of them; in the case of Quebec, 40-plus professional associations have come under the board established in Quebec, and in other jurisdictions to the south of us there has been this kind of approach. I regret it hasn't been done here because I think it's important. Because, Mr. Speaker, in the end no profession is justified in calling itself a profession, nor is justified in having legislative powers that are given to them unless there is a clear recognition that the only validity for the existence of a professional society is the protection of the public and service to the public.

Certainly there is no validity in any other way but to see to it that the service offered by the profession is offered with the highest skills possible in the most efficient manner and in the best interests of the general public and not of any particular vested group. As I said earlier, certainly not in the vested interests of any of the professions themselves. I think, Mr. Speaker, that all professionals do accept that principle and I think that as legislators it is our duty to see to it that that principle is carried through in legislation.

It's interesting, Mr. Speaker, that the three bills before us are distinguishable from most other professions in a very significant way. In most cases, the members of these three nursing professions are employees and are not in a position to determine policy of their employers in the delivery of this service unless they would have, let us say, a union agreement with a closed-shop aspect to it. Because as I read the legislation each of these, and let me name them, the Registered Nurses, the Registered Psychiatric Nurses and the Licensed Practical Nurses are asking for authority for reserve of title so that no one may use that designation, that title, unless that person is a member of the organization. But they are not attempting to prevent others from doing their work as long as they don't call their work by that name.

I imagine that a hospital can decide for itself how to deliver the service to the public and can decide on the people it employs and on their qualifications and on the nature of the service they deliver but may not designate them by any of these titles unless they belong to these organizations.

I do make that important distinction between these three nursing professions and, let us say, the lawyers, my own profession, or the medical profession, or the architectural profession or so many other professions where their service is given direct to the public; the public hires them; the public selects them in most cases. So, as I say, Mr. Speaker, there's an important distinction which we must recognize in our minds because we have to wonder how we will be able to have the employer make decisions which may be contrary to the advice or experience or decision of any of these nursing professions that it employs; whether the hospital should have that right, and if it has the right, whether it should indeed be able to ignore the demands of the associations as such. We will come later into some of the other ramifications.

But what is important to me, Mr. Speaker, is that we are dealing with three groups of nurses who may, on many occasions, work together as a team; a team made up of doctors, as well; of lab technicians, as well; of other experts and professionals in the health field. And what I have always deplored is the fact that the concept of the health team has not been generally accepted in our society. The concept usually that is accepted is that the doctor is the chief, the others all serve his needs and work in accord with his requirements and have very little say unless the chief of the team is prepared to listen to them.

I find in my files, Mr. Speaker, an interesting article which appeared in *Chatelaine* of September 1976, and is not really outdated at all because they speak there of the role of the nurses and what it was and what it is and what it should be. They do speak, and I now quote from a portion of it, a statement made by the then Associate Dean of MacMaster School of Nursing, Dr. Dorothy Kergin, who says, 'We train nurse practitioners who work mostly in doctors' offices. They do all sorts of medical procedures; they teach patients how to handle or prevent illness and they assess symptoms and decide which patients really need to see the doctor'.

Now this is an important difference, I believe, Mr. Speaker, in that the nurse becomes, in a case like this, the person first seeing the patient and the first person to make a decision as to the nature of the service to be required and they point out that this makes it possible for nurse practitioners to handle a great number of patients without ever having to refer those patients to the more highly skilled, the busier, and the more expensive service of a doctor. They point out in this article that it is a very desirable thing to see to it that a person, expert to a certain degree, uses his or her expertise for the benefit of the public and saves the more experienced, the more highly skilled, the more highly trained person who is kept in reserve to handle the more complicated and the more demanding types of treatment.

I don't think we really have that, Mr. Speaker. It may exist in certain of the large hospitals. I doubt if it exists in any of the private clinics, but it may. But

whether or not it does it is desirable that it should, but it means, Mr. Speaker, that there must be a clear understanding of the role of each of the members of the health team and a clear respect each for the other's ability and a clear sense of co-operation amongst them.

I believe that the Ontario legislation, which provides for an Ontario Health Disciplines Board and consists of representatives from each of the health professions and overviews, as I said before, the requirements, the legislative powers of all of them, would be a very healthy approach. I mean healthy in the sense of a positive way of dealing with the delivery of health services, than having separate organizations, separate legislative powers which are not coordinated.

It is interesting, Mr. Speaker, that as I was reading these Acts, these bills, and preparing my notes about them, I said in my notes that it seems to me that there ought to be a way in which all of these organizations could work together, not separately, not competitively, and my note said, how about having a person from each of these medical disciplines sitting on each other's board, like an interlocking directorate, and I would think that is a good thing in the health field as compared to interlocking directorates in another field of economic endeavour where there is a danger of monopoly control. And my thought was how about an interlocking directorship, one member of each profession on the board of the others, but still being a minority because the boards have to be recognizably working in connection with that particular association.

What interested me, Mr. Speaker, is that there came to hand this morning a petition dated, July 10th, which says, Petition Re Changes to the Proposed Licenced Practical Nurses Act, and makes certain suggestions on behalf of the undersigned. I just have to comment, Mr. Speaker, that we MLAs sometimes have a conceit which necessarily has to be set aside on occasion because opposite the signatures they are asked to indicate the name of their MLA and in many cases they name a constituency rather than an MLA, but in worse cases they name an MP or a councillor as being their MLA, but be that as it may, the signatures are here. There is opposite the signatures a number which is called a registration number but I have no idea what that registration number is, nor is it important. I point it only to say, Mr. Speaker, that there is absolutely no indication as to the special interests or vested interests of the people signing it.

Well, the Member for River Heights called out registered nurses, but there is nothing to indicate on this piece of paper who they are, who sponsors them. But there is something to indicate that, and that is what I find so interesting. I mentioned that my note said how about a sort of an interlocking representation so that they understand each others problems? And, sure enough, I see a suggested change at the bottom of page 2, that on the board of the Licenced Practical Nurses Council there should be a person who shall be a member of MARN, which is the Mantioba Association of Registered Nurses, and appointed by MARN. And I think that's, you know, a pretty good idea.

No, Mr. Speaker, (Interjection) The Minister of Natural Resources says, well what about vice versa, do they say that and my notes says the same thing, how about vice versa. No such suggestion, Mr. Speaker. I am afraid, and I say this in passing, I'm afraid that there may be some competitive disagreements among these two classes of servants to the public and I would like to think that each would recognize the value of the other. I've had occasion in the past, Mr. Speaker, on this floor and on other occasions, to state a principal, which to me has become trite but bears repeating, and that is that one should never ask a person to do a task which a lesser trained person can do as well. Because it is important in our highly developed technological society that we should not waste the abilities of highly skilled people, and the time of those people, to do tasks which other people can do as well as they and we should reserve to the most highly skilled those endeavours which they can do best of all. It's like asking a neurosurgeon to take out tonsils and I don't take that removing tonsils is by any means a less important skill, but it is a lesser skill, I believe, Mr. Speaker, which did not require the same kind of training and it's a waste to ask people who are highly skilled, highly trained to waste their time doing something which others can do.

Therefore I would like to think that amongst the health team there will be people who recognize the value each of the other and make full use of them. Because, Mr. Speaker, again looking at this petition, some of the other suggestions include a phrase which is very indicative. They're talking about the role, the function of what is practical nursing; and where it says in the present bill, 'Not being a registered nurse, or a person training to be a registered nurse, undertakes the care of patients, under the direction of a medical practioner or a registered nurse', the suggested change is to say 'Not being a registered nurse or a person training to be a registered nurse, works under the supervision of a registered nurse.' Now that's an interesting phrase, Mr. Speaker, because now it means that whoever has made the suggestion, and I gathered from the Member for River Heights that he believes that these are the registered nurses, that they say, no, an LPN must work under the supervision of an RN. It brings me back a number of years to a time when there was a ten member group of MLAs who spent a good deal of time in a committee. I don't want to hurt anybody's feelings but my impression is that only the First Minister and I are still members of the Legislature, the only ones who were on that committee dealing with the problem of denturists, the illegal denturists, and the now legal dental mechanics where there was a great deal of insistence by the dentists that these people have a training, they can do certain work, but they should be required to do it 'under the supervision of a dentist'; and much more recently the same profession, which had a real disagreement with the previous government, when the previous government was setting up its dental program for children, and training nurses to be qualified to work with dental caries, with live teeth of children in the schools, that the dentists said, that's fine, they are trained to do it, they can do it but they should work 'under the supervision of'.

Mr. Speaker, I believe it is important that one not only recognizes the ability of others but bestows upon them, both the responsibility and the confidence that they will do their job and do it properly. Because, I'll just move aside for a moment, Mr. Speaker, some years ago I tried to find a definition of professional which satisfied me and I couldn't find one that did satisfy me and I made one up and it's rather lengthy and it goes into the question of having a certain educational, academic training. I also felt it was necessary for them to have a general, almost a liberal arts training, in order to recognize their role in society. It is not enough to know how to work mechanically with one's fingers, one must also realize the impact of what one does generally to the society, to the public.

From that I came to what I think is probably a very important part of the definition, and that is, that a professional who is so highly skilled that others have difficulty judging that professional's capability, that professional must know his or her own inadequacies because a professional has to know where not to tread. A professional has to know the consequences of his or her actions and stop and say, I may have the power and the legal right to do something but I have certain limitations in my own training, in my own capacity and I have to be able to hold back. And it seems to me that when we deal with a lawyer in whom we have confidence, when we deal with a doctor in whom we have confidence, we rely on that professional to do what that person believes he or she can do and to stop at a certain stage and say, this is beyond my ability, I will have to consult others. And that's the important thing that, as a lawyer who's practiced for over 40 years, I always felt that what I wanted my clients to feel in me, the confidence they should have in me, is that I would know my own limitations so that I would not overstep that which I felt was beyond my ability to do. And that is what I think is important in the recognition of a team.

We will go into detail when we're in committee, Mr. Speaker, and it should be obvious that we, on this side, intend to have these bills go to committee. We'll have to learn the different qualifications of the three groups of nurses, how they distinguish, what their prerequisites are, but there are certain principles that I think we want to do. And again we will want to establish that the primary purpose is the protection of the public and the public's representation in this legislation is, firstly, in the enactment of the legislation itself, which means once we look at it once as the bill comes before us, we look at it in discussing the principle on second reading and we look at it in detail in committee, we review it once more in general on third reading.

The other input on behalf of the public is where the Lieutenant-Governor-in-Council becomes involved, in approving regulations where it is a requisite that that should happen. And, Mr. Speaker, I speak with a certain number of years of experience of being a member of the Lieutenant-Governor-in-Council and I believe that my experience will not be much different to that of others, of previous governments, of present governments, of future governments. That is that each Cabinet Minister is very busy, each Cabinet Minister comes to Cabinet with a role to perform, firstly, to present his own

departmental responsibilities; and secondly, to review what the others are proposing. But Cabinet does not have the time and the opportunity to go into great detail on many aspects of the work that comes before Cabinet, especially something like regulations passed by the so-and-so nursing association, and therefore, Cabinet has to rely on the work of others.

And what concerns me very much at that stage, where it's Cabinet's job to protect the public in approving of regulations, to know what facilities are available for an adequate review by Cabinet, what powers are there for the Lieutenant-Governor to look at the regulations. And I will raise, in detail, in committee, the fact that as I read all three bills, where there is a requirement that Cabinet must approve of the regulations there is no authority to Cabinet to vary regulations, or to indeed enact its own regulations and impose them on the association. I think that's necessary. I think that there may be a time when Cabinet doesn't have to come back to the Legislature, you know, during the session and say, we believe that this or the other professional organization is not doing certain things correctly, therefore, we want to pass legislation that changes it. I rather think that, along with the power and responsibility to Cabinet to improve regulations that are presented by the associations, Cabinet should have the additional authority to say, go back, change it and do the other, and I don't think that authority is there although it may be considered that they would have that authority just by their mere presence. I don't think that's adequate.

I'm more concerned in that same respect about the educational qualifications required by each of the professions for themselves. Now I refer back to what is really a basic problem, I believe, when you deal with a profession, such as the nursing profession, where the bills propose that the board of directors shall determine the educational qualifications of the people who apply for admission, and the people who want to continue to maintain their status as members, and where they can even the word doesn't come readily to me but they can even remove from their list of qualified educational institutions certain education institutions which they believe no longer measure up their needs. And the question now occurs to me, who's going to make that decision? Should it be the employer? Should it be, in the case, of the health professions, should it be the hospitals, the clinics, the people who employ these nurses, who decide what the education qualifications should be? Or should we recognize that the nurses have the greater knowledge of the particular requirements and retain that power?

But if you recall, Mr. Speaker, we've had discussions here with the Minister of Education who, in the legislation just recently passed, and not yet passed on third reading, I believe, retains the right as Minister of Education to decide the academic qualifications and the educational institutions for teachers, he alone decides that, the teachers have no say, and yet in these bills before us the nurses have all the say.

I leave it, Mr. Speaker, for future debate as to which of the two is right. But surely, Mr. Speaker, they can't both be right. Are teachers delivering a different kind of service to the public than are the nurses? Are teachers less qualified to decide what

their educational background should be than are the nurses? It's a question which I think does need answering and should be dealt with and possibly by doing that we can start formulating attitudes toward future professions, future bills, future legislation that we're going to pass.

Mr. Speaker, I think there's a secondary purpose of protection by the Legislature and that is to protect the individual members of an association from the hierarchy of the association itself. I think that's rather important because you give an association tremendous powers, I wouldn't say capital punishment, but it's pretty close to that if an association can remove from an individual the right, the opportunity to earn a livelihood; that's very drastic. Therefore, I think that we must study legislation to make sure that the let me call them the hierarchy as I did, or the establishment, or the elite, or whatever the group itself, the executive body, the board, elected or appointed or however created, shall have that tremendous power; we must make sure that there is adequate protection for the individual member who may stray in some way from what is considered by the majority or by the people with the greatest responsibility from being in accord with the finest objectives of that association.

So I think we have to make sure that all by-laws, all regulations, must be submitted to the membership and that is the case I believe in two of the three bills. For some reason I think I didn't see it in one of the bills, but they are after in these bills, Mr. Speaker, the board controls. It may be a slip but in one of the three there seems to be no appeal from the board on the decisions of the board relating to admission, education requirements. It seems to me that the board's decision is final, although in two of them two others there seems to be proper appeal functions and when we get into committee and the understanding I arrived at with the Minister of Health is such that I believe that we will be dealing with them section by section.

Mr. Speaker, you gave me a signal indicating, I think, five minutes. I might be expecting to go somewhat over the five minutes and it's up to the House to decide whether I should go over that dealing now as I am with Bill No. 65, I think I'm dealing formally with Bill 65, or whether I should just sit down at the right time and complete my speech with the next bill you call. We'll see how we go along, Mr. Speaker. It's up to the House. (Interjection) Yes, I gather that there won't be an objection if I go over the time, Mr. Speaker, on the understanding that I am making one speech and I believe I am, although I would hate to think that I'll be provoked into making another one which is always possible and I reserve my right so to do, but that's not my intent.

The Professions Board that I had recommended in the resolution which I filed last year was recommended so they would be able to overview the activities of these various associations. Without that, Mr. Speaker, we are left only with Cabinet review. I repeat again, having been a member of Cabinet for some five years, that I do not believe that is the proper forum in which to review and to approve of regulations and professional associations. I would much rather see an independently set up, well-conceived group of people who have the opportunity

for whatever research is necessary and looks at all of them rather than each individually and from time to time as it occurs. I say that on the basis of my own experience. So, failing that, I think we have to as we go through these bills ensure that we put in all the possible specific qualifications and protections that should go into consideration.

Let me say, Mr. Speaker, that in general these bills are well drawn. I said they are based on one forum which is clear and in general they are well drawn, well conceived and I think that we will have a good start at it. But I do believe that the Board of Directors has been given too much power, very great powers. In by-laws for example, Mr. Speaker, which do not have to go to the Cabinet, they're just passed by the board, the board itself shall determine the number of board members. It shall determine the term of office of these board members. It shall determine the manner of election or appointment, Mr. Speaker, of the board members and the control over membership meetings. I think that's wrong. I think that the Act should determine these things so there is a form of democratic process whereby the decisions are made by the legislation and not by the board. I agree that the membership has to be notified and must approve of the by-laws, but once done, then from henceforth on it would continue that way unless some group of members decides to attempt to gather their forces to revise them.

The regulations deal with admission, suspension and expulsion, standards of practice, standards of education very important and that, of course, would need governmental approval and I say I would much rather there were an independent board to do that. But there are certain principles I would like to bring in and may I say for the record that it's my impression that the RPNs are the ones that do not have an appeal from the board decisions except on disciplinary matters. I don't know if it's an oversight or intentional, but we'll find that out.

Mr. Speaker, there's one important thing. You will notice from what I've read before that apparently it's the R.N.s or a group of people that want to limit the powers or the operation in the sense of method of work of the LPNs, the licensed practical nurses, and want to see to it that there is proper supervision. I detect that possible difference between the two and I would rather see the kind of thing that would provide that in the educational qualification requirements that there can be an opportunity for an LPN to become an R.N. without having to start from scratch. I think it is very important, Mr. Speaker, in all professional associations, that there be an opportunity, an avenue for upward mobility. (Interjection) A career ladder, as the Member for Seven Oaks uses the phrase to me, that makes it possible in all cases for a person to start as an orderly and become a medical practitioner and make full use and get full credit for the training, the experience, acquired in those other steps of that career ladder.

I don't find it here; I really think it ought to be in all Acts. I think it belongs in all Acts, so that it is possible for us as planners of the society and in control now and responsible for the economics of the health profession to make sure that we take the fullest advantage of the training, the education, that is being given to all of these people who are in the health field.

As I said before, Mr. Speaker, the portion of the bill which deals with complaints, investigation, discipline and appeals from disciplinary decisions, I believe, are well drawn.

MR. SPEAKER: The honourable member's regular time is up. If he has leave of the House, he may continue. Has the honourable member leave? (Agreed)

The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. I appreciate the leave granted but I assure members that it's to the advantage of all of us for me to complete this so that we can proceed with other business.

Because it's not important, Mr. Speaker, for me to distinguish as between the speeches of each of the movers of the three bills, it's not important for me to identify that person. Somewhere in the notes or in the introductory remarks there was a statement made that there would be an advisory council which would be dealing with the educational qualifications. I must tell that member and tell the House that I'm concerned about the fact that my reading of the legislation is that the advisory council is no more than an advisory council. As I read it, all it can do is advise and the board still makes the decision, so that whichever of the members suggested that the advisory council is there to decide on the educational requirements, qualifications, was in error. All it can do is recommend. Maybe the powers of suasion would be such that they would, in effect, be the deciding factor, but they are not under my reading and I think that we should recognize an advisory body for what it is and not attribute to it powers which it doesn't have.

Mr. Speaker, I will have specific suggestions. I think that some of the punitive features in this bill are a little strong. I feel that there must be a greater protection, for example, the question of costs, Mr. Speaker. I am not satisfied with what I read about newspaper accounts about the costs imposed on a certain doctor who was disciplined, Dr. Schwartz, we all know about that. I am not satisfied that the imposition of costs was right and my interpretation again, never having read a decision of the court, my interpretation of what I think was a newspaper comment about it was that the Act makes it possible so the court was not going to interfere. I believe that was the decision.

But regardless of that, I want to look at these specific provisions for that secondary purpose that I named and that is the one that is required to ensure that we are there to protect the individual, as well as the public, I mean the individual member as well as the public. But in the long run, I hope that the work we are going to be doing on these three bills this session, Mr. Speaker, I must say that I will attempt very vigorously to oppose any effort to deal with any other professional legislation during this session, because I think it's important that we give it the proper time give them all the proper time. But I hope that with the work we do on these three bills, that we will be able to improve the provision of health services to the public and lay the groundwork for an intersessional committee which can do much more in ensuring that the professions are carrying

out their function of providing a greater and better, more economical and more efficient service, all in the interests of the public, and that we always bear in mind that whatever we enact in this regard is being done in the public interest and in the interest of a more efficient delivery of the necessary services that most of the professions provide to the public.

MR. DEPUTY SPEAKER, Mr. Abe Kovnats (Radisson): Are you ready for the question? Is it the pleasure of the House to adopt the motion?

The Honourable Member for River Heights.

MR. GARY FILMON: Mr. Speaker, if I may, I have the permission of the Government House Leader, as well as the Member for Crescentwood and the Member for Rhineland, to wind up (Interjection) and the House I hope to wind up debate on all three in response to the remarks of the Member for St. Johns. (Interjections) Well, I'll make the remarks and if they are to be construed as closing debate or not is up to the House and I won't . . .

MR. JORGENSON: . . . point, he can close debate on that one bill, the one that is standing in his name, yes.

MR. FILMON: Yes, but I will be closing debate on the one bill but I intend my remarks to apply to all three bills as did the Member for St. Johns.

MR. DEPUTY SPEAKER: Order please, order please. I think it would be for the Speaker to make the announcement that the Honourable Member for River Heights will be closing debate on Bill 65.

The Honourable Member for River Heights.

MR. FILMON: Thank you, Mr. Speaker. May I say, firstly, that I appreciate very much the comments that were made by the Member for St. Johns. I know from having been involved in the discussions with a considerable number of the health care professions leading to bills which have been drafted, of which these are three, to put before the House now and in the next session, I know that the Member for St. Johns is undoubtedly the most knowledgeable person in the House on these particular areas because of all the work that he did put in previous years and leading towards the general proposition of omnibus or umbrella legislation as he referred to it in health care professions. I know that he certainly has a vast understanding of the health care professions and other professional Acts from the work he has done. I appreciate the comments that he has made.

I'm sure that I express the thoughts of my colleagues when I say that I'm sorry that he has not been feeling well, been a little under the weather, due to the virus and so therefore we appreciate the fact that he has agreed to make his comments now, despite the fact that he may have been able to make them a little more vigorously had he not been under the weather.

Many of the comments that he made are certainly apropos to the thoughts that we had as members in reviewing this legislation. He's quite right in suggesting that a pro forma-type approach was used when these bills were drafted and that the principles are very similar and that they are based on

essentially one document that has been adapted for use by all of the health care professions who have come forward with an indication that they wish to have professional acts in Manitoba.

I concur as well with his suggestion of the principles under which we should operate in reviewing these bills, that we are aiming to have the bills create the highest standard of professional practice in each of these health care areas as well as going as far as possible to protect the public interest in the practice of these professions in Manitoba. The fact that they will be able to be reviewed, these three bills in committee, concurrently, and looked at with respect to their overlaps and the common interests that they may have as members of the health care team, I think as well will be very beneficial not only to the various professions but to members of the House in considering them.

I agree with him to the extent that we should be aiming to have those professions utilize their talents to the best of their ability and not have members of professions who are qualified to do more, do lesser jobs as it were in the health care field, if those can be turned over to other professionals practising in the field.

I think there is some difficulty and the petition that he spoke of certainly indicates that the difficulty is in arriving at agreement amongst the professions as to what are the limitations in which they will act. There is some disagreement as to who is qualified to perform certain procedures and functions in hospitals and in the health care field and these are the areas of difficulty that hopefully we will be able to address in committee having regard to the interface and the overlap that occurs amongst at least these three together.

As a matter of fact, I can share in an aside, that initially there was consideration to my presenting more than one of these three bills and I had discussions with a number of the professions and it became obvious after considerable work and time was expended that because there is not an agreement amongst them, that they felt that I might have a conflict of interest in attempting to deal with more than one of the professions. I don't believe that's true, and in committee I believe it will be in the interests of all of us to address all of them as equally as possible in arriving at the conclusions that we can, and the best bills that we can put forward on behalf of the citizens of Manitoba.

The comment that was made with respect to one of the bills and the advisory council setting standards is absolutely correct, and that is the LPN's bill, and indeed that is something that should be addressed at committee. It's the LPN's bill that suggests that the advisory council will set educational standards, but they are only advisory to the board of the LPNs and the advisory council does not make the final decision on educational standards. That's a point that has been brought up in discussion and has been brought up by members of the other health care professions who are concerned with the provision and should be a topic for discussion at the committee stage.

The provisions for complaints, investigations, hearings, discipline procedures and appeals which involve the criticism that the Member for St. Johns had about punitive measures such as the application

of costs to parties in the hearings and so on, are all appealable of course to the Court of Queen's Bench, and it is hoped that this provides a kind of protection for any individual involved in a complaint that leads to a hearing or a disciplinary procedure and certainly would, I believe, overcome most of the concerns that have been expressed with respect to Dr. Schwartz's situation. All aspects of the decision itself, including the assessing of costs, are appealable as I understand it under all of these bills.

In concluding my remarks on it, Mr. Speaker, I concur wholeheartedly with the Member for St. Johns that in setting these three bills before a committee and allowing them to review them simultaneously and having regard to the interface amongst the three professions, we can arrive at a framework and attitude of approach that can then be translated into the other health care bills which I know some of which will come before an intersessional committee, some of which I know are intended to be brought forward in the next session of the House, and I believe it is very important that we give sufficient time and consideration to these, knowing that this will provide a blueprint for future action on behalf of all the health care professions in Manitoba.

With those remarks, Mr. Speaker, I recommend the bill to be forwarded to committee and hope that the House will adopt the motion.

QUESTION put, MOTION carried.

BILL NO. 66 THE REGISTERED PSYCHIATRIC NURSES ACT

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

MR. CHERNIACK: This bill stands in the name of the Member for Logan, who held it for me. As I previously indicated, the comments I made on Bill No. 65 would apply to this bill.

QUESTION put, MOTION carried.

BILL NO. 87 THE LICENSED PRACTICAL PRACTICAL NURSES ACT

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

MR. CHERNIACK: Mr. Speaker, this bill too was held by the Member for Logan on my behalf, and as I indicated earlier, my comments under Bill No. 65 apply to this as well.

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

MRS. WESTBURY: Thank you, Mr. Speaker. I was under the impression that there were to be some changes made before this went to committee and I was hoping to hear what those changes were to be before I made my speech.

Mr. Speaker, most of what I have to say will be said and can be said at committee and at third reading because I want to be specific on certain

areas of the bill, but I do think that it is important now to point out that there are certain omissions from the bill.

There are certain omissions in the definitions which seem to omit any need for perhaps adequate or full-time supervision of the LPNs. There is a reference to under supervision of a medical practitioner but, Mr. Speaker, I want to point out that that supervision has to be continuing supervision. It is not enough for the medical practitioner to drop in once a day or twice a day. The supervision has to continue and I think that definition has to be a little more specific.

There is also a reference to permitting the LPN to prepare and administer medication whereas I feel that, and a lot of people in the health field, Mr. Speaker, feel that the training of LPNs does not include training in how to give intramuscular and intravenous injections and so perhaps the definition should include within the scope of the LPNs preparation or education as the LPN is prepared to do, for the reason that it is generally accepted in all medical areas, all medical fields of endeavour, that people shouldn't give medication without knowing all of the possible ramifications, all of the possible effects that can develop.

Somebody has suggested, I think, that under a doctor's supervision, the doctor would know what the possible ramifications are. But if the doctor is not present or very close during time that the medication may be injected, this could result in problems for the patient, who after all has to be the person of our primary concern.

Also, Mr. Speaker, there have been, while this act very closely follows the first act, I think 65, The Registered Nurses Act, there were some changes made in the definitions but those changes were not related throughout the bill and I think perhaps when it comes to committee or before it comes to committee the Minister might like to have a look at that and make sure that those things that were changed in the definition are related throughout the bill so that the same qualifications which apply in the definitions will apply throughout the bill.

In the by-laws section, part 2, the board of directors, some of this was copied verbatim, apparently, somebody copied it from someone, either the people who prepared this bill copied it from the Registered Nurses bill or vice versa. The board may make, amend, and repeal by-laws not contrary to this or any other act, Mr. Speaker. I am quoting from the bill. I don't believe that the profession of licensed practical nurses can have a separate code of ethics from that of registered nurses because they are working under the supervision of registered nurses much or most of the time and surely the confidential aspect and the relationships should be the same between the two, so I think that perhaps this needs to be amended. These are just changes in wording rather than in the spirit, and I think that they should perhaps be looked at before the bill comes to the committee stage or we are going to have people coming and making unnecessary presentations to committee on some of these aspects.

The whole business of the code of ethics and the regulations which come in further down are copied from the R.N. Act and are suggesting that the profession of Licensed Practical Nurses, their own

board should develop standards and so on, and if they develop them separately rather than in concert, they are going to have two different sets of standards between two professions who are working side by side and with one of them in a supervisory role, Mr. Speaker. So I do think that this is something that the Minister should have a look at before we see it at committee. As I said I will be more specific at committee if these changes are not made, but I would hope that they would be.

Mr. Speaker, on the advisory council aspect of this bill . . . I'm sorry, I thought somebody was speaking to me. The advisory council is made up of mostly licensed practical nurses who are to evaluate schools of nursing in the province and, Mr. Speaker, I suggest that the course which is taken by LPNs, really I question whether it qualifies the graduates of the course to evaluate schools of nursing. I would like to see that looked at and I would imagine that we will hear more about that at committee, but I would like to know the rationale for having schools of nursing evaluated by people with the limited training of less than one year that is required for this particular license.

I am going to leave it at that, Mr. Speaker, and let it go to committee and then perhaps we can go in a clause-by-clause way through the bill and perhaps amend it as we go, if the Minister hasn't had a look at some of these really quite important concerns that have been brought to my attention.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Would you call Bill No. 87, Mr. Speaker? Oh, did we just finish that one? I think I had indicated that Bill No. 83, would be the next bill.

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

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, it gives me pleasure, at this time to speak on Bill No. 83, following the remarks of the Minister this morning and particularly in view of the amendments which the Minister tabled in the House earlier.

I believe, Mr. Speaker, it's correct to say that there had been some hopes raised, some expectations that were developed insofar as the intended amendments that the Minister tabled this morning. There was some thought that indeed his amendments might protect tenants from unfair rent increases. Instead the Minister, Mr. Speaker, has brought in a description of intended amendments which, for the most part, will only assist the moving companies in this province. The attitude basically displayed by the amendments are to the public, take your lumps and move; not the right to fair rent but the right to move. That is the embodiment of the amendments which the Minister tabled this morning, Mr. Speaker.

This will be a cold comfort, Mr. Speaker, for the senior citizen who has lived in the same apartment

for some 20 years and then finds that his only alternative to protect himself from an unfair rent increase is to move; to move from the neighbourhood which that person has enjoyed throughout much of his life.

Mr. Speaker, it will not, these amendments will be of no help for the young family which is affected by way of condominium conversion. Mr. Speaker, we had expected that the Minister would attempt to do something to remove the inequities that were created by his bill pertaining to condominium conversion, and it was certainly a surprise, Mr. Speaker, that there were no amendments, unless the Minister is intending to bring in something that he refers to by way of a minor amendment in dealing with condominium conversion. The Minister appears to have a left a total vacuum in this area.

What the Minister has demonstrated, that in preparing this Act only one thing was sacred to the government opposite, the right of landlords to raise their rents even if the increase in those rents were to lift them to unreasonable levels. A stable rental market, the facts about rent decontrol in Manitoba, all this must bow before the landlords' right to unfair and high rent.

The affect of these amendments, Mr. Speaker, is not entirely clear from the Minister's remarks. It appears that tenants who have received illegal rent increases that go into effect before October 1st will lose their right to have those increases, either rolled back to the guideline levels or to be justified by the landlord. It seems that a tenant who signed a lease for increases in the order of 20 or 30 percent may not break the lease if those increases take place after October 1st. There will be questions about the actual amendments, Mr. Speaker, but those questions must await the committee hearings.

The meaning of these amendments is clear from the Minister's speech. In a few words, Mr. Speaker, those words mean the public be damned. The attitude is unfortunate, although not unexpected, from a government that has already governed so poorly that so many Manitobans have had no other opportunity but to join in the greatest peacetime out-migration that has taken place in the history of Manitoba; people have been moving from Manitoba in unprecedented numbers. This government introduces a bill and amendments that replace the right to fair rents, Mr. Speaker, with the right to move.

Mr. Speaker, we have a bill before us in which the government has failed to see how tenants are affected by rent decontrol; a bill in which the government fails to see what is happening in the housing market in Manitoba; a bill in which they won't see what is within the powers of the province when it comes to ensuring a fair and healthy housing market. It is a government, Mr. Speaker, that is so based upon its do nothing philosophy that it just does not see what is happening in this province. Indeed, it is a government and a bill which are so negative that, Mr. Speaker, their grandmother wouldn't even trust them to take milk money to the corner store, much less than rent money to the landlord.

The Minister of Consumer Affairs has had a great deal to say, in order to attempt to explain this bill, by trying to suggest, Mr. Speaker, that when rent

control was first introduced that indeed it was the intent of the New Democratic Party government of that day to only allow rent control to remain for a two-year period. In fact, it was the Minister without Portfolio that only yesterday attempted to present that case in a speech in this Legislature.

Mr. Speaker, the Minister of Consumer and Corporate Affairs, on June 27th, 1976, had this to say, 'It was clearly indicated at the time that it was the intention of the government to pass the bill as complimentary legislation to the Wage and Price Control legislation that had been introduced in Ottawa,' and it also indicated fairly clearly by both the Minister, and was indicated by the Minister who introduced the legislation and later by the Premier, that it was the intention of the government to remove the legislation when this is what the Minister of Consumer Affairs is indicating when Wage and Price Controls in Ottawa had been removed.

The First Minister was more brave. In a July 4th interview he stated that the Schreyer government, 'acknowledged at the time the bill was before the House that it would terminate with the termination of Wage and Price Control'. A look at the record of debate in this House will indicate how wrong both the Minister of Consumer Affairs has been and how wrong the First Minister has been.

In introducing The Rent Stabilization Bill for second reading in this House on March 4th, 1976, the then Minister of Consumer Affairs said that a New Democratic Party government had introduced a number of measures which, 'have sprung from what I can only describe as the social conscience which has governed the government in the introduction of many programs. I wish to introduce a bill', said the then Minister of Consumer Affairs, 'that is in much the same tenure, a bill to stabilize the rents in the province of Manitoba'. The Minister of the day said the bill was intended both to deal with inflation and to compliment the national price control program. On page 651 of Hansard for that year he said, 'It is one that I hope will be of a temporary nature, but there is no guarantee', said the then Minister of Consumer Affairs, 'that we can remove the controls'. There is no guarantee, he said, because the bill was related, he indicated to the rates of inflation. It is related to vacancy rates and these things he said were variable.

Mr. Speaker, the Minister of Consumer Affairs obviously has a short memory because in 1976 it was a Conservative attempt, Mr. Speaker, in committee to tie in an amendment in committee, an amendment which was to gain a commitment from the then First Minister that there would be a termination of rent stabilization to be linked with the termination of price controls.

Mr. Speaker, I am proud to say this afternoon that no such commitment was made by the then First Minister, despite the pressure, despite the efforts to amend that legislation back in 1976, and, Mr. Speaker, I believe that this clearly demonstrates the falsity of the claims and the statements by both the Minister of Consumer Affairs and by the First Minister that in some way, in some manner, the introduction of rent control, by the New Democratic Party government in Manitoba, was not related to other variable factors but was only related to price and control. If it had been as they suggest, Mr. Speaker, their amendment that they attempted to

have passed through committee would indeed have been accepted.

Further, Mr. Speaker, the First Minister indicated that day, confined himself to the observation that rent controls were introduced as a part of a national program and would remain at least as long as the national program continued, at least as long as the national program remained. But it was the intention clearly, during the process of that debate, that rent control might be extended if indeed the housing market was not improved, the levels of vacancy existed, and would depend upon the rate of inflation. There need be no doubt about that, Mr. Speaker.

Mr. Speaker, the falsehoods have come from the Minister of Consumer Affairs and no degree of braying by the Minister of Consumer Affairs will deflect the fact that the statements which he has been . . .

MR. SPEAKER: Order, order please. There have been charges of falsehood going back and forth across this Chamber. May I suggest to all members that interpretation of the words of a third party may indeed give different meaning to different people and they are not falsehoods, they are differences of interpretation, so I wish members would temper their words accordingly.

The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, we respect your intervention at this stage. The timing of the rent stabilization program was linked to national price controls, but the rationale in Manitoba at that time was based upon a government with a social conscience; a government willing to make an open-ended commitment to fairness for tenants as well as for landlords, Mr. Speaker.

We have heard much, Mr. Speaker, from the First Minister about a cloud cuckoo land. Mr. Speaker, obviously the First Minister is speaking from personal experience. Nothing, better indicate's the Premier's experience with cloud cuckoo land than his attempt to say that rent stabilization was intended solely as a part of the price control program in 1976 cloud cuckoo, Mr. Speaker.

Mr. Speaker, there's unfortunately none so blind as those that do not wish to see and the Minister of Government Services fits very well into that category.

Mr. Speaker, the record clearly indicates that rent stabilization termination was to depend upon rental market circumstances. Those conditions at the present time do not justify the repeal of rent stabilization and there is no way that the Minister of Consumer Affairs can sell Manitobans on the idea that, at this time, the repeal of rent controls is just and proper no way, Mr. Speaker.

However, present conditions are irrelevant to this government; a government which won't see anything; that gets in the way of its own philosophic urges. For more than two years ago the present Minister without Portfolio had this to say, Mr. Speaker, when he announced that there would be no rent guidelines issued after June 30, 1980, two years ago, the then Minister responsible for the Rent Stabilization Program said that there would no rent control program after June 30, 1980. Come what may there would be no rent control program. No matter how high decontrolled rents rose, no rent control

program; no matter what the inflation rate would be in 1978-79, no rent control program. That's what the Minister without Portfolio said two years ago. No matter what the vacancy rates would be, there'll be no rent control program, Mr. Speaker, after June 30, 1980. That's what the Minister without Portfolio said two years ago.

This government, Mr. Speaker, does not want to do anything about costs. It has become blind, bind to the cost to the public. On June 27 of this year, the present Minister of Consumer Affairs confirmed his government's policy of floating freely above the hills and the valleys of the real world when he said, and I quote the present Minister of Consumer Affairs, "The monitoring that was taking place was not carried with a view" he said 'to using that information as a determination as to whether or not the final phases of the program were going to be entered into, it was a monitoring program that was intended to give us information as to what was actually happening in those areas where rents had been removed from controls'. Information. Monitoring. Information and Monitoring. Mr. Speaker, we want those words chiselled in stone for the Minister of Consumer Affairs.

One could paraphrase the Minister's attitude, Mr. Speaker, as 'don't bother me with facts, they will confuse me'. Indeed the doctoring of the rent monitoring reports in 1978 seem to indicate that this government is afraid that the public might also be confused by the facts, or at least confused about why their elected government is so busy abolishing a valuable program. Mr. Speaker, some facts this government refused to see, even in the report which they tabled, the doctored report, Mr. Speaker, indicate a number of facts, interesting facts: duplexes in Neepawa had a rent increase of 30 percent; rent increases for houses in Swan River, the Minister of Municipal Affairs isn't here, increased 18.6 percent; increases in rents for houses in Altona, the Member for Rhineland isn't here, averaged 16.1 percent. Mr. Speaker, none of the landlords in the decontrolled area were required to justify those increases and, Mr. Speaker, the report tabled by the Minister indicated that older units consistently and repeatedly had the highest rent increases. The average rent increase was 6.41 percent among the decontrolled units surveyed, yet more than 68 percent of the two bedroom suites built before 1949 had rent increases higher than 5 percent. About half of them had increases above 10 percent and a quarter of the total were higher than 20 percent, and no justification required, Mr. Speaker. 54 percent of the one bedroom apartments built before 1949 had increases above 5 percent, 16 percent of these apartments had the rent go up by more than 20 percent.

Recent events prove, Mr. Speaker, that this government has adopted a habit of tabling doctored reports. Mr. Speaker, it seems that this government is too afraid of the facts about rent decontrol and, Mr. Speaker, 8, and thus again, I know the Minister challenged these figures yesterday, but we've double checked them, 8 single-spaced pages of analysis in the interim report on rent decontrol, reduced to 7 double spaced pages, in the doctored version. 10 pages of text in the second report on rent decontrol reduced to four. The Minister in his calculations

didn't include the analysis of non-urban rents, ten reduced to four. Some of the facts which have been removed entirely from the report that was tabled in this House, Mr. Speaker, are indications that in non-urban areas, the undoctored second report notes that the rent levels, limits on continuing tenants are likely to be higher than levels at which suites might be rented to new tenants. Perhaps, Mr. Speaker, people change apartments less frequently than they change coats.

Page after page of comparative data about rents outside Winnipeg and Brandon, removed. Leaving readers of the report to either forget about comparisons or try to reproduce the work on their own. Some information, Mr. Speaker, removed completely from the comment in both reports about urban rent decontrol, including the fact that landlords broke the law by increasing rent more than once a year and the lack of direct relationship between rent levels and vacancy rates. Deletions from both reports attempt to obscure the trend toward rent equalization which began in uncontrolled apartments and the tendency for poorer quality buildings to have large increases, which eventually forced the tenants to move elsewhere. In fact, all references, Mr. Speaker, in the two reports, to the quality of housing stock, removed.

A prime example of the attempt, Mr. Speaker, to mislead can be found at the bottom of page 2 of the doctored interim report. It states "Table 9 purports little or no change as a result of decontrol, with respect to rent level differences for age of buildings". That's what it says, Mr. Speaker. At first glance this would appear to indicate to the casual reader that rents continue to vary between buildings of various quality. However, Table 9 does not show rent increases, it shows differences between rents. No change in the difference means that rents for poorer quality units went up by just as much as the rent for better quality units. So while there was little or no change as a result of decontrol, this is a figure which would have changed under controls and under an orderly rental market system. There were rent increases of more than 10 percent in 40 percent of the one and two bedroom apartments built in the 1950's; 35 percent of the one and two bedroom suites built in the 1960's had increases above 10 percent; and the suites built between 1970 and 1973 had 19 percent share of these high rent increases. Clearly demonstrating, Mr. Speaker, that the amount of rent increase was greatest with the older apartments, the older suites, decreasing in respect to the decrease in the age of that apartment or suite. Across the city, only decontrolled two bedroom apartments, built in the 1970's had an average rent increase which was below the overall average. There's a very clear pattern and the pattern can be called rent equalization. Apartments with below average rents tended to have above average rent increases. Those increases did not have to be justified, thanks to the guidelines announced in 1978 by this government.

A recent study of housing data, collected in the census of Canada, on demand for housing in Canada, written by one Marion Steele, shows that income is the single most important element in Canadian's choice of housing. Professor Steele also found that senior citizens, to keep the quantity of

living space that they enjoyed during their lifetime and became accustomed to, tended to rent lower quality housing space, since this is the only way that they could obtain the space which they were accustomed to during their lifetime. Professor Steele, like many experts, has helped to confirm, I think, what common sense tells us. Those above average rent increases for below average apartments, Mr. Speaker, that I made reference to, are squeezing the lower middle income groups in Manitoba; they are squeezing the senior citizens in Manitoba; they are squeezing the young people, the young people just starting out in life without any of the advantages that so much of the rest of the community enjoys. Those are the groups, Mr. Speaker, that are being affected by rent decontrol in Manitoba. The government has offered rent subsidies to some of the people who will be squeezed and who are already squeezed by rent decontrol. Common sense again, Mr. Speaker, tells us, one, that it is a waste of dollars to subsidize rents which are unjustifiably high, but that is what this government is doing.

Rent equalization, Mr. Speaker, helps the big developers, the big developers who have taken advantage of the federal tax provisions to build large apartment blocks for income tax purposes. Mr. Speaker, again we find that these can not be easily filled, those apartments, in a province which has a declining population and a stagnant economy. That's where the vacancies are. There's no problem in ascertaining where the vacancies are. People will be forced into new, expensive buildings, which maybe offered cut-rate prices in the present desperate situations that are faced by these same developers, but which are no bargain in the long run, and clearly the government's decontrol measures coming into a housing market where new expensive apartments are trying to entice tenants out of older, cheaper quarters means a major step away from the goal of affordable, decent housing for all Manitobans.

The First Minister suggested in that July 4th interview that I made reference that the best response to a 20 percent rent increase is for the tenant to move. Isn't that encouraging advice for the same senior citizen who has lived in an apartment for some ten to fifteen years, surrounded by friends and familiar circumstances, landmarks? It may be news to the First Minister of this province but this is not a province of nomads, constantly folding their tents and moving away. I should say it was not a province of nomads before October 1977 but perhaps the overall Tory goal is to encourage still greater out-migration, and we wonder that in view of the amendments tabled this morning. A move at the most recent report on apartment vacancies in Winnipeg shows that the most significant information is neighbourhood by neighbourhood. Many vacant suites and large apartments in East Kildonan, for instance, that are demonstrated in the tables that the Minister filed, are but cold comfort for someone who must find an affordable, three-storey walk-up apartment suite in Fort Rouge.

The rent decontrol program in Bill 83 is the most prominent sign that this government is blind, blind to the situation of tenants. There are many other provisions that one could also describe as only regressive in this bill. Families with school children can be evicted during the school year, when the

landlord wants to turn an apartment into a condominium. The path is being cleared for more conversions to condominiums, at the expense of the tenants.

One might note in passing that this bill both abolishes rent control and, with the condominium amendments, helps reduce the number of apartments for rent in the province of Manitoba. The situation which will exist under this bill is one in which tenants will need every right they now have, not less rights. This bill opens the door for rent gouging, with repeal of the one-rent-increase-a-year rule. This encouragement of frequent price increases contrast cursorily with the First Minister's statement of July 7 in this House when he stated that the one cause of inflation over all others which this Legislature has controlled is government spending. Right under his very nose, his Minister of Consumer Affairs is repealing in another way a method by which this government has the opportunity to control price increases, namely, rent price increases. That's a way that this government can demonstrate some commitment in its struggle to reduce price increases. It would seem that reality is being altered only to fit appearances.

The First Minister spoke on July 4 about his government's concern, and I quote, 'It is desirable, as most other jurisdictions have found, to get out of control.' Now, Mr. Speaker, we questioned the Minister only this morning so we could find out from the Minister as to what other jurisdictions had gotten out of control. The Minister either was unwilling or unable to provide us with that information this morning. Mr. Speaker, we would think from the statement by the First Minister that most other provinces had, indeed, gotten out of rent control. Our research, however, shows that only one other province which does not control rents is the province of Alberta. Alberta, the province of highway-robber housing costs, one province that does not add up to other jurisdictions. The very fact of rent control in so many provinces shows that both it is an altogether separate issue from 1975-1978 price controls, and that even other Conservative governments are willing to assume their responsibility to stop unfair rent increases under present economic conditions.

Mr. Speaker, it seems that the only available means of proving the Premier to be correct, if we look at this bill, we find that evictions have become easier under this legislation, and a point which was dealt with by the Member for Wellington. It is no wonder, Mr. Speaker, that the Minister's speech on opening debate on second reading on Bill 83 did not touch upon these additional regressive measures in the bill, except for a brief display of his confusion, his confusion about civil rights. The Minister, Mr. Speaker, is either blind to the impact of the bill or perhaps he is too ashamed of these clauses to discuss them in any detail. This bill is the government's major initiative so-called in the field of housing during this session of the Legislature. It follows three years of drift and inaction, three years of a lack of leadership. The Manitoba government, Mr. Speaker, was notable by its silence when interest rates were increased during the term of office of the Clark government in Ottawa, interest rates which created hardship and despair for many homeowners and affected the market for home buyers, but this

government was silent, Mr. Speaker, when the Clark government increased the interest rates last year. Mortgage defaults have increased by alarming proportions, throwing more and more Manitobans into a rental market which this government is destabilizing. In the first two months of this year, the Land Titles Offices indicated that the number of orders for sales had more than doubled. Orders for sale across the province went up from 490 in 1978 to 700 in 1979, a jump of 43 percent. Residential construction has halted almost completely in the face of fewer potential buyers in Manitoba. Depopulation, especially among skilled workers, has meant an increase in the number of home sellers and continued depression of Manitoba home prices.

The information about the housing market is significant, Mr. Speaker, for two reasons. First, it explodes the myth that's been propagated by members across the way that rent controls are a cause of reduced construction, and the converse myth that removal of rent controls will improve the housing market. Home ownership has not been affected by rent controls, and yet we find that it is precisely with home ownership that there has been a bigger tailspin than in the rental unit market field. The housing market information also demonstrates a parallel to this government's blind eye toward tenants. Homeowners are not being favoured or even given any preference. This government is content to leave its hands off and watch both groups struggle helplessly.

The Minister of Finance distributed with his budget tables showing that the start of all types of housing decreased by 52 percent in 1979. Statistics Canada now report a further decline of about 67 percent for the first five months of 1980, a decline of 67 percent in housing starts for 1980 compared to 1979, which was another rock-bottom year. The Statistics Canada investment outlook for 1980 distributed in May predicts another drop in current dollar investment in housing in Manitoba compared to an increase in Canada as a whole. The usual decline in this province is so severe that for the first five months of 1980, urban housing starts in Manitoba were a mere 1.6 percent of the national total compared to 4 percent in 1979. We can only hope that in the not too distant future those figures will improve, but there has been under this government, under this lack of leadership from this government pertaining to housing policy in Manitoba, a continued dip insofar as housing starts are concerned in relationship to the rest of Canada. Three years of inactivity have produced this rocky situation. This government now tries to put tenants over those rocks.

I said at the beginning, Mr. Speaker, in my remarks, that this government won't see what is within the power of the province when it comes ensuring a fair and healthy housing market. Bill 83 demonstrates so well, this government is preoccupied with what it can stop doing with activity to be avoided or wound down with decreasing its own power, with its own authority. Their do-nothing attitude is starting to catch up with them, one by one. The regions of Manitoba, the sectors of the economy, communities and individuals are left in the cold by another provincial government restraint program. We do not in opposition glory in this government's failure, because that failure is dragging

down the entire province. We are annoyed at what is being done to this province, a province which once led the way in so many fields of provincial activity.

In the field of landlord and tenant law, our record is being copied by other provinces. It was only last year that in Ontario, that one-increase-a-year rule that was passed some years back in The Landlord and Tenant Act, was copied in the province of Ontario. Mr. Speaker, we have observed there has been a reduction in the impact of the Critical Home Repair Program in Manitoba during times when the construction industry requires stimulation and some initiative. It follows a period of time when there's been a gradual but definitive eating away of the social program in Manitoba, a program involving housing for the elderly, a program which provided some housing for poorer families, for lower middle-income families, for senior citizens' housing programs, all these affected by the gradual slowing down on the part of this government, this Minister that presently is not in the House, the Minister of Economic Development, the Minister for housing. It comes during a time when there has been a slowdown insofar as programs to revitalize the rundown housing in the inner core of the city of Winnipeg. It comes in the place of a lack of commitment to rural and native housing programs in northern Manitoba. Indeed, this legislation accompanies a serious undermining of that northern program by this government.

Mr. Speaker, we are committed as an opposition to these kind of programs, developing these programs for Manitobans. If the government does not withdraw this bill and eventually sends this bill to committee, which we certainly expect they will do, this side of the House will present its alternatives by way of amendments. Mr. Speaker, we will work to retain the provision which presently exists that there will be no rent increases except once a year, that rent can be properly reviewed insofar as ensuring that there's only a fair rent increase and the mechanics are provided within the legislation for that. Most of all we will insist and urge, demand that the rent situation in Manitoba be stabilized, at least, until the housing market provides affordable and adequate housing for all Manitobans. Mr. Speaker, much can be done. We can do that.

Manitoba is still rich in its natural and human resources. What it will take is a will to act and a belief in this province and this province's future. This government has, through the introduction of this bill and its conduct during debate of this bill, shown that it is negative, it is untrustworthy and is blind to the situation in Manitoba today. We condemn this bill. We oppose this bill and the concepts that rest behind this bill. We look forward to the day, and it will be here soon, when Manitobans will throw out of office these architects of doom across the way. On that day progress can begin again, begin again with a stable rental market, rent control policies, housing policies, updated and progressive landlord and tenant legislation, an overall housing policy.

Mr. Speaker, we shall be working to attempt to defeat this bill in committee during third reading. We shall be voting against this bill in second reading. This is one of the most backward and regressive and abhorrent pieces of legislation that has been introduced during this session. It will cause harm to

many thousands of Manitobans and we will do all within our powers, all within our ability to attempt to dissuade the government from forging ahead with this legislation.

QUESTION put on the Amendment and defeated.

MR. FOX: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members. Order please. The question before the House is the proposed amendment moved by the Honourable Member for Inkster to Bill No. 83.

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

YEAS

Messrs. Adam, Barrow, Bostrom, Boyce, Cherniack, Cowan, Desjardins, Doern, Fox, Green, Hanuschak, Jenkins, McBryde, Miller, Parasiuk, Pawley, Schroeder, Uruski, Uskiw, Walding, Mrs. Westbury.

NAYS

Messrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Domino, Driedger, Einarson, Enns, Ferguson, Filmon, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Kovnats, MacMaster, McGregor, McKenzie, Minaker, Orchard, Mrs. Price, Messrs. Ransom, Wilson.

MR. CLERK: Yeas 21, Nays 26.

MR. SPEAKER: I declare the amendment lost.

We are now dealing with Bill No. 83, An Act to Amend the Landlord and Tenant Act and the Condominium Act. Are you ready for the question? The Honourable Minister of Consumer and Corporate Affairs. The Honourable Minister will be closing debate.

The Honourable Minister.

MR. JORGENSON: Since I spoke earlier on this particular debate today my remarks, I hope, will be concluded in time to have the vote before the adjournment hour. But I do think that I should make a few comments with respect to the statement just now made by the Leader of the Opposition.

We have been waiting for the Leader of the Opposition to state his position on this bill because, in listening to the honourable gentlemen opposite, it seemed to me that they were ambivalent on this particular subject. The Member for Brandon East for example, when he spoke, indicated that as far as he was concerned this was the right time to remove rent controls and that they should be removed. The Member for Logan during the Committee of Supply, when we were discussing matters relating to the Rent Stabilization Board, asked if it was the intention of the government to remove rent controls. I indicated it was and he was honest about it to say, in view of the position that I take, and my party and I presume that included the Leader of the Opposition took on the question of wage and price controls, we can't very well take an opposite position on rent controls.

You can't suggest that, on the one hand, it is wrong to impose controls on one group of society and then permit them to be imposed on another group of society. Only people who sit on the opposite side can do that, Sir. They can do it because they count, they know where the most votes are. and regardless of principle, regardless of what damage it might do to the economy or regardless of what damage it might do to the housing industry, regardless of what damage it might do to the tenants themselves, there is one prime consideration that my honourable friends take and that is simply how many votes is there in it for the party.

Perhaps on a short-term basis that is a smart political thing to do and that's the attitude that they are taking here. My honourable friend, the Leader of the Opposition, very carefully avoided a very pertinent comment that was made by the Premier of the province at that time, the Honourable Mr. Schreyer, when asked what his position was going to be on the question of rent controls. I tried to point out to my honourable friend and asked him to quote from Mr. Schreyer's comments. He refused to do that. I'm sure it isn't because they didn't look for it. I am sure it isn't because their researchers didn't find it, but he chose not to use it, Sir, so I'll put it into the record. And that question was asked on May 19th, 1976, and the question was asked by the Minister of Finance with respect to the length of time that the rent control program would be in force. He said could he confirm to the House that this is now a fixed government policy that this move is to be made; that is the question of whether the rent control program would expire at the same time that wage and price control expired.

Here is what the Premier had said at that time, 'Mr. Speaker, there never was any doubt about that. The matter of rent control was tied in with the matter of the anti-inflation guidelines in Canada. That is a necessary part of that program and our commitment is with respect to the period of that program.'

How dishonest can my honourable friend get, to try to suggest that the Premier of that day said otherwise when he didn't? He knows that and he knows other comments that were made. He took some pains to point out the self-congratulatory introduction of this program by the Minister of Consumer and Corporate Affairs at that time, Mr. Turnbull, who tried to create the impression that it was a program (Interjection) A remark over there was just made that he'll be back. He is going to have to find a seat to run in first that the impression was being created that this was a program that was brought in simply for the protection of the tenants. It was brought in as a part of a guidelines program and that was admitted. It was a bit of deception on the part of the Minister at that time to try to convince the House otherwise.

Let me read what the Member for St. Matthews said at that time, another gentleman who occupied a very prominent position on this side of the House. He never quite made it to the Cabinet but it wasn't because he didn't have greater ability than some of them that did; there were perhaps other reasons for that. But what he said, and my honourable friend was careful not to quote those remarks, and I am sure that the researchers dug up that one, too. So I should put in on the record in order to make the

record complete. This is what Mr. Johansson said, 'Not one of the members of our caucus has made the argument better than I could possibly make it on this question, that is that if you have a 10 percent vacancy factor in the rental market you don't need rent controls.' You don't need rent controls because the market will regulate itself. They are backing away from that now. Now they say that doesn't make any difference. (Interjection) Oh, but that's what they had been saying. They have been saying it doesn't matter what the vacancy rate is, you need rent controls. That's what my honourable friend has said. If you have a zero percent vacancy factor then rent controls really don't work very well and they have a marginal effect.

Now this is not my particular argument, but I agree with the argument so I am making it. The government, in my view, would never have introduced this bill had it not been for the anti-inflation program. Let me repeat that because the Leader of the Opposition should have that impressed upon his mind. The government would never have introduced this program had it not been for the anti-inflation program. (Interjections) My honourable friend is trying to divert attention from that comment and I'd say that's a perfectly legitimate tactic, Mr. Speaker. I don't blame him for that.

One can never be absolutely certain about these things, but in my view it would never have been introduced except for the anti-inflation program. The Rent Stabilization Act that we have introduced is basically a means of provincial co-operation with the federal anti-inflation program. The provinces were all requested by the federal government to co-operate in this respect and they are all co-operating in this respect.

Then he goes on to say, 'The leader of the opposition concentrated at some length on the long-term effects on the housing market of rent control', and I would tend to agree pretty largely with what he says and honourable members who were there at that time will remember what was said, but the only problem is that it doesn't apply in this case because we are not applying rent stabilization for any length of time. We're applying it for the period of the guidelines program. I would think it might be even for a shorter term, if the federal guidelines program does not prove to be equitable and effective, in our judgement. The criticisms that were made of the long-term effects of rent control do not apply in this case.

Mr. Speaker, how deceitful can one get? To try to create the impression that it was their intention to introduce this program and have it remain as a permanent part of this program. (Interjection) The amendment that was brought in was brought in to attach to the Rent Stabilization Program a final decision, period. In other words, that it would become ineffective upon the removal of the guidelines program of the federal government. My honourable friends voted against that. They voted against that, naturally. That's the proof. Yes, that's the proof. I'll tell you what that's the proof of, because notwithstanding the words that were uttered by the Premier of this province and other members of that caucus at the time that bill was being processed through the House to the effect that that program was not going to remain; to the effect that

that program was only here for a temporary time, they voted against that.

They voted against that, Sir, so one has to question as to what their real motives were in introduction of this program. Well, we know what the real motives are. There never has been any question about that. The Member for Churchill made that very clear this afternoon when he said this is an ideological debate. It's a philosophical debate, and philosophically honourable gentlemen opposite believe that's been stated by so many members on that side of the House that it doesn't need to be repeated believe that there should be one oil company, one farm, one house for everybody, or the government owning all the houses. And that really was the effect of the amendment that was introduced, that the government should be building all the housing in this province. We disagree with that. We disagree with that. We believe that the private sector are in the best position and can do the best job of providing housing for people in this country. Now there are some exceptions and those exceptions are provided in our housing program

(Interjection) but that is philosophically the attitude of this government and they know full well that if they control the housing, they control the people and that really is the ultimate

(Interjection) The Opposition believes that if they control the housing, they can control the people. If they control the economy, they can control the people and that is what they want and if you take economic control, you have political control. That is exactly what they want. A monolithic system of government, that controls everything. Well, they are welcome to that kind of government, Mr. Speaker, because in any country that that is in practice, it is demonstrated that it does not work.

Mr. Speaker, as I indicated, I would like to conclude my remarks in time to have this vote taken. But I do want to make one important statement in connection with this. (Interjections) My honourable friends have made much of what they say are the particular weaknesses of this Act. What they're suggesting is that the arbitration procedure that has been brought in as a part of this bill is not going to be acted upon. Mr. Speaker, I can assure them that arbitration procedure has been brought in there for a purpose and in a sense, although there was a great deal of criticism of the fact that this bill came in late, I think perhaps, in a sense, it may be salutary in that we've had some practical experience before the bill passed as to what actually is going to happen.

We've had that experience and I know it wasn't intentional, I'm frank to admit that. I tried to get the bill in much sooner but I'm just as happy it didn't come in much sooner now, because now with the rent increases that are coming in, we have a fairly good idea of where the trouble spots are. I can tell my honourable friends that I intend to take advantage of that provision in the Act to make sure that those people and those agencies that think that they're going to indulge in gouging are going to get a surprise because it is not going to happen. We certainly intend to utilize that provision of the Act to its fullest, and I can assure my honourable friends

(Interjection) Well, the Leader of the Opposition, keeps muttering in his seat about pea shooters. You

know, every time a bill has been introduced in this House, they've taken the same position. If it's intended to restore to the private sector some freedom, or if it's intended to restore to anybody a little bit of freedom, they object to it. Sir, they don't want the people of this country to have the freedom to do what they want to do. Nothing to them is worthwhile unless they can take the money from the taxpayer in the first place and then dole it back. That they call an activist system of government.

Mr. Speaker, we reject that kind of government. We are attempting to introduce into this legislation the removal of rent controls, while at the same time affording as much as possible, without bringing in an alternate system of rent controls, protection for those people who are going to be adversely effected in the way that has been indicated by some of the rent increases that have been announced. We intend to take action on those.

QUESTION put, MOTION carried.

MR. FOX: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The question before the House is that Bill No. 83, An Act to amend The Landlord and Tenant Act and The Condominium Act, be now read a second time.

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

YEAS

Messrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Domino, Driedger, Einarson, Enns, Ferguson, Filmon, Galbraith, Hyde, Johnston, Jorgenson, Kovnats, MacMaster, McGregor, McKenzie, Minaker, Mrs. Price, Ransom, Wilson.

NAYS

Messrs. Adam, Barrow, Bostrom, Boyce, Cherniack, Cowan, Desjardins, Doern, Evans, Fox, Green, Hanuschak, Jenkins, McBryde, Miller, Parasiuk, Pawley, Schroeder, Uruski, Uskiw, Walding, Mrs. Westbury.

MR. CLERK: Yeas 24, Nays 22.

MR. SPEAKER: I declare the Motion carried.

The hour being 5:30, the House is adjourned and stands adjourned until 8:00 p.m. this evening.