

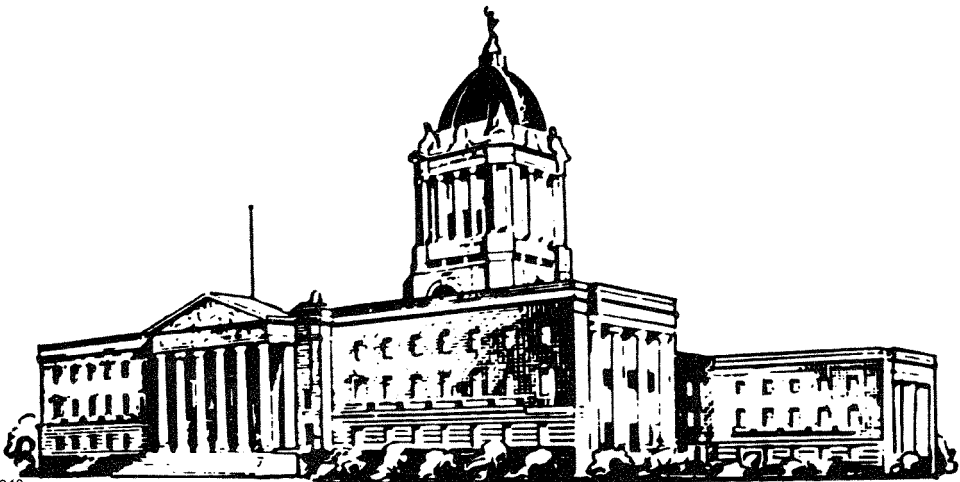


Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, Hon. John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Ellice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODICK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	NDP
DOLIN, Hon. Mary Beth	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virден	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Wolseley	NDP
PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SHERMAN, L.R. (Bud)	Fort Garry	PC
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 13 June, 1983.

Time — 8:00 p.m.

MR. SPEAKER, Hon. J. Walding: Order please. When we recessed for the supper break we were on Bill No. 60, proposed motion of the Honourable Minister of Highways; and the Honourable Member for Lakeside has 38 minutes remaining.

BILL 60 - THE HIGHWAY TRAFFIC ACT (2)

MR. H. ENNS: Thank you, Mr. Speaker. I must, firstly, report to you, Mr. Speaker, that nobody knocked on my door, nor disturbed my supper hour adjournment, to take advantage of that opportunity to change my mind, or to influence my vote on this important piece of legislation before us. That having not occurred, Mr. Speaker, then I can fall comfortably into that conservative path of not changing my mind or my position from what it has been on several occasions when a similar bill of this kind has been placed before the Manitoba Legislature. As my colleague, the Member for Turtle Mountain says, there is always a good time to stay with your friends, particularly on a bill like this, because I do believe that a very substantial majority of Manitobans are with me with respect to this bill.

Now, the Honourable Member for Flin Flon, as indeed, others sometimes point out the role of government, which is to forge ahead and to lead and to have the courage to do certain things. Mr. Speaker, I have, on several occasions, made note of the fact that, even after 16 or 17 years of service in this Chamber, I do continue to have that problem, from time to time, as to when I am a representative of the people that elected me, and as to when I should be forging ahead well ahead of the people that elected me on public opinion. Mr. Speaker, I always maintain that that's a very legitimate role for a legislator, a public servant as we all are, to take. — (Interjection) — Well the Honourable Member for Radisson says, stay behind.

I will list a few reasons why I am voting the way I am voting, and, Mr. Speaker, let me indicate to you that I am not supporting this bill for a number of reasons. Mr. Speaker, it's not because of some the good arguments, particularly coming from the medical community, that I choose not to listen to them or that I'm unaware of them, but I have trouble with the logic of the bill, I really do, Mr. Speaker.

We, in this country, in this province - maybe honourable members are not that much aware of it - we transport thousands of school children every day on our buses, twice a day to school, and they will all be exempt from having to wear seat belts. None of them have to wear seat belts. That logic bothers me, Mr. Speaker. And we have had enough incidents where the ambulance drivers - you know the ones that come at you, screaming at you at 90 miles an hour - they don't have to wear seat belts — (Interjection) — that's just after they've picked up somebody in a bad automobile accident, and have on occasions caused very bad accidents and have themselves been involved

in accidents. They don't have to wear seat belts, Mr. Speaker.

Commercial drivers, cab drivers, Mr. Speaker, I want you to know that although my research staff is monumental and I would be prepared to take issue with every bit of stats that different speakers have brought to bear on this bill, I of course, choose to argue differently, but nonetheless, the one stat that I know they often bring up, that most of the accidents occur - contrary to popular opinion that seat belts should only be worn on highways - most accidents occur within 25 miles of your home, in urban centres, driving under urban conditions. But the very people who drive most under those conditions are, again, exempt from this particular legislation.

So, Mr. Speaker, I have difficulty in accepting the logic of this legislation and when we pass legislation, there is some responsibility on us to make it as logical as we can.

Mr. Speaker, other members have indicated and have used the argument that because of our publicly-financed health schemes, there is a unique responsibility on the driver to help reduce those costs. Of course, that's again, a pretty sound argument, if you just accept it at that. But, Mr. Speaker, there are so many other instances that if you were to apply that argument, that again defies logic, Mr. Speaker, while I'm a stranger to it, I know that alcohol has caused more problems, both social and automobiles in any way you want to describe it. In fact, today I read an article in the Globe and Mail, I believe, where a prominent speaker in the United States said that the importation of Canadian whiskey to the United States is a greater threat than acid rain is to the environment of the United States.

Now, that may be stretching it a little bit, but Mr. Speaker, again, the logic is missing in terms of the argument, because surely, without being in any way facetious or light about the point, we recognize that alcohol does and is and continues to be, along with other drugs, one of the greatest costs and expenses to our public health system, surely, that would make the lack of wearing seat belts or the wearing of seat belts pale in insignificance. But we choose this particular item. Mr. Speaker, it's not because other jurisdictions at other times haven't tried to tackle the problem of alcohol. We did have prohibition in many parts of this continent for a period of time, but Mr. Speaker, all that demonstrated is that you can only impose certain things on a population, and only then if they're prepared to accept it.

Well, Mr. Speaker, I, of course, am somewhat reluctant to advocate some of the other ways that this government, a government could have gone because, not being an advocate for the wearing of seat belts, I nonetheless support fully the kinds of programs designed at education, the kinds of programs designed at encouragement in the wearing of safety devices, the kinds of programs that indeed will, just short of compulsion, bring about the greater wearing of seat belts. Mr. Speaker, I am now speaking about the

possibility of, indeed, penalizing the non-wearers of seat belts. We can do it through our Public Insurance Corporation.

Mr. Speaker, there have been precedents set for us in different ways. There are, in the private sector, insurance companies that pay fairly substantial and significant benefits by way of reduced premiums to, for instance, the abstainer. It is common business that you can reduce substantially your fire insurance costs if you install some of the preventative measures such as smoke detectors and other alarm systems or just generally have good firefighting, housekeeping within your house or within your business premises. These are reflected in your rates and, Mr. Speaker, I would suggest to you they have been shown in a voluntary way pretty successful in bringing about a desired happening. That is either in the case of reducing the loss of property through fire or in the case of encouraging abstinence - not mixing alcohol with gasoline when driving, these kind of programs have been tried and are in effect and have worked, Mr. Speaker, but honourable members opposite choose to ignore them.

Mr. Speaker, my colleague, the Honourable Member for Minnedosa, prior to the supper hour adjournment, indicated the question of enforcement. That is a problem and, Mr. Speaker, I want to approach it in a slightly different way. A very prominent sociologist by the name of Gabriel - I forget his last name - has indicated just recently in an American journal that if laws are broken by the general public, the breaking of everyday laws exceed 1 percent, you get into trouble. If they rise to 4 to 6 percent, you're in real difficulty. Mr. Speaker, I want honourable members to appreciate that if we had more than 5 percent or 4 percent of our population regularly breaking laws that we enact in this House, you would come very close to anarchy. You'd have very difficult problems in terms of enforcing the kind of rules and regulations that we pass from time to time in this House. Sociologists have put that figure, the unacceptable figure at 4 to 6 percent, totally unacceptable. Mr. Speaker, I know that when we passed this law, the day after we passed this law that fully 30, perhaps even 35 percent of my constituents will regularly and continuously break this law.

I'm making another argument right now, Mr. Speaker. I am talking about the responsibility on legislators not to pass laws. We should not pass laws that we know that our constituents, the people of Manitoba, a large number of them will break. That's what worries me about it. There's a name for that, Mr. Speaker, and the name is, this law, this kind of bill is called a scofflaw. People scoff at it. In increasing numbers, legislators are passing scofflaws. I don't know whether the city will be successful in preventing garage sales for instance, or preventing people from putting up little signs on their cars and saying there is going to be a garage sale on the back of Furby Street; but I suggest to you that's the kind of scofflaw that will just be broken continuously and breeds contempt for the law. I don't like to do anything in this Chamber that will encourage Manitoba citizens to have contempt for the law; and by passing scofflaws, you encourage that.

Even in provinces that have had this law for three, four, five or six years, polls and studies have shown that upwards to 30 percent of the people are not abiding

the law, are daily breaking the law. — (Interjection) — My colleague says 30 to 50. I don't like passing those kind of laws, Mr. Speaker, because if you pass laws that people scoff at, and become comfortable . . .

A MEMBER: Like drinking laws.

MR. H. ENNS: Well, we have a problem; we certainly have a problem there. I'm just saying we have a problem there, but it doesn't help to add onto the books more laws that are being scoffed at. It doesn't help to add more laws on the statute books of this province that add to that, Mr. Speaker.

The Member for Minnedosa indicated that, and I think rightly so, the problems that our law enforcement officers have, not just in Manitoba, but throughout the province, are sufficient and grave enough that they need not be burdened with yet another law, such as, the checking of motorists, the stopping of motorists to make sure that they have their seat belts on.

Mr. Speaker, I know that I've been very kind up to now, and I'm always kind. I'm also very fair, because I want to tell honourable members opposite how my constituents will be told why this bill is before us and how I'm going to use it, because you have to put this bill, together with the changes to The Elections Act. They want the fines to help pay for the next election campaign. That's why they want to pass the seat belt law and, Mr. Speaker, they can laugh at me, but I will tell them something; I will comfortably increase my popular vote from 62 percent to 72 percent on that kind of argument in the next election, and if you think I'm kidding, I'm giving you fair warning about it, because you are passing legislation that now will pay for half of your election expenses; we are opposing it. You haven't got time to put a few extra dollars into safety programs; you took them away. You haven't got time or the money or the priority to build some better roads; you took it away - \$20 million; but you've got the time to pass a law that will take money away from drivers for not wearing seat belts so you can pay your election expenses. That is the way I will stump Woodlands and Lakeside, and I'll tell you, I will have a lot of fun with it and they'll believe me.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. H. ENNS: They'll believe me. You bet. They'll believe me. This government has their priorities based on planning ways to raise money: tax the employer with a 1.5 percent payroll tax, create a job and get some taxes out of him; increase the sales tax; increase that tax; increase the gasoline tax; increase the purple and diesel fuel tax on the farms; increase municipal tax and property taxes; double the Crown leases for farmers and ranchers; and now find a way of getting \$25, \$50, \$100 because a farmer hasn't got his seat belt buckled on. Yet, at the same time you are doing that, you are taking \$20 million away from the same Minister that is introducing this bill so that bigger potholes; bridges that need repairs; guard rails that need to be put in place; safety lines need to be painted, but are not being painted; traffic signals should be put up; flashing red lights that should be up at dangerous intersections won't be put up; and the same Minister has reduced the safety program in his department.

Well, Mr. Speaker, I am just being very fair; I never like to do things underhandedly. I want to indicate to the honourable members opposite that if they think that doesn't make good music in the community hall of Woodlands or Warren or Meadows or Reynolds where 85 percent of the people don't like this law - and the timing should just about be right because I do understand the Minister intends to give a period of grace - so the law will be passed on or about the third week of September when we finally get out of here and we have Royal Assent for some of these bills. Then there will be - I think it was even mentioned - a five, six month period, a kind of break-in period before the RCMP will actually be fining people; that gets us pretty close to the next election when the crunch finally comes on, when my constituents have to start paying it because 60 percent of my constituents are not going to be wearing seat belts and they'll be fined, and that's when the purport of my remarks will start to bear fruit.

Mr. Speaker, why are they passing this legislation? Why are they passing this legislation? Mr. Speaker, this bill may well not be my finest speech, but I know one thing, it's going to be one of those issues of many that will be there before them, the next election, that people will remember. And there will not be that much gratitude shown to a government that passes that kind of legislation.

Mr. Speaker, I don't believe the case has been made for the compulsory necessity of this legislation . . .

MR. SPEAKER: Order please. The Honourable Member for Inkster on a point of order.

MR. D. SCOTT: Mr. Speaker, I was wondering if the Member for Lakeside would entertain a question; if he would mind me interrupting his speech for a question, or does he prefer to wait until he's finished?

MR. H. ENNS: Go ahead.

MR. D. SCOTT: The member is going to yield. Mr. Speaker, if the time ever came in this province where the opposition was to form a government, again, and he was to become the Minister of Highways, again, would the Member for Lakeside campaign and, following that fictitious re-election, withdraw this legislation and do away with any kind of seat belt requirements, or any kind of helmet requirements, or any kind of safety restraints for children; in other words, would he campaign to the public and say that we do not agree with this legislation, we want to be the first province in Canada to do away with seat belt legislation, and helmets, and child restraints?

MR. H. ENNS: Very legitimate question. If it is my privilege to be Minister of Highways or, indeed, a member of Cabinet or, indeed the next Premier of this province, I will use the influence that I would have in such a body to repeal the legislation that we're about to pass.

MR. SPEAKER: Has the honourable member completed his remarks?

MR. H. ENNS: Mr. Speaker, perhaps I should finish my remarks. I will take him one step further. I think

that there is an obligation on opposition from time to time to indicate, particularly what their position would be on certain bills that they have expressed opposition to while in opposition. But, Mr. Speaker, obviously one of the reasons why we are in opposition is because we don't have the necessary numbers to form a majority government. When that happens, as it will happen in the next election, then there will be new people that will form the majority of the governing party and that decision will be made under those circumstances. I have no difficulty in expressing that position that I just expressed to the honourable member.

Mr. Speaker, if the Honourable Member for Inkster is taking odds, I remind him that I have twice had the privilege of being a Minister of Highways and Transportation in this province so, I don't know, maybe it'll happen the third time around.

Mr. Speaker, I come back to the point that I wanted to make at the beginning, and perhaps the most important point that I tried to make in this speech. I consider this kind of legislation scofflaw. Too many people will scoff at it regularly, and I don't like to make lawbreakers out of my constituents; not 10 percent of them; not 15 percent of them; not 20 or 25 percent. I would sooner direct my attention on education programs; I would sooner bring in innovative inducement programs. by means that we are very capable of through our Public Insurance Corporation, that would recognize, through reduction in premiums for those who wore seat belts; I would even consider, Mr. Speaker - although while I'm saying all this you've got to remember I'm not speaking pro seat belt legislation - but I would even consider some penalties with respect to the costs associated with serious injuries that again could be applied through our publicly operated medical and health programs. I would go, in other words, a long way in finding some innovative and educational ways to bring out the voluntary wearing of seat belts, child restraint units and helmets, than bring about this thing with the heavy hand of government law which will make, I suggest, not that great a difference.

I know the stats are used and they're used in many different ways. I've been a politician long enough to know how you can play with figures. The Minister of Housing can indicate to us that when we built one more house than last year, because no houses were built last year, we got 100 percent increase in housing. It's dangerous to play with those kind of stats. We don't have the kind of stats really that satisfies me, that proves a great deal in this argument, the stats that have been produced have all been produced from one point of view, pretty well, from those who are proposing the proponents for compulsory wearing of helmets and for seat belts.

I remind you, Mr. Speaker, many states have gone through this route and have repealed them, and there are many indicators that have shown insignificant change.

Mr. Speaker, I suggest that the direction that this legislation has taken, the effort to bring about the passing of this legislation and the enforcement in this legislation, is misdirected; it should be directed at creating more innovative means to induce people, voluntary, to wear and take advantage of these safety features, and I think we would find a greater degree of compliance under those circumstances.

Thank you.

INTRODUCTION OF GUESTS

MR. SPEAKER: May I direct the attention of honourable members to the loge on my left where we have a former member of this Assembly, Mr. Gabe Girard.

On behalf of all the members, I welcome you here this evening.

Are you ready for the question? The Honourable Member for Pembina.

MR. D. ORCHARD: Mr. Speaker, I beg to move, seconded by my colleague, the MLA for Arthur, that debate be adjourned.

MOTION presented and carried.

BILL 55 - THE LEGISLATIVE ASSEMBLY ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 55, standing in the name of the Honourable Member for Inkster.

MR. D. SCOTT: Thank you, Mr. Speaker.

Mr. Speaker, Bill 55, An Act to amend The Legislative Assembly Act of this province is, as the Member for Springfield says, a fine bill. It is a bill which is aimed at permitting members to better service their constituents, to better perform the duties that they were elected to do, to better avail themselves to their constituents, particularly if the members are rural members, or members from the North, a fair distance from Winnipeg, outside of commuting distance from the City of Winnipeg; it covers travel, increased travel allowances for members, not just during the Session but throughout the year; it allows for constituency expenses, an exceptionally modest amount; as well, it provides for a touch more assistance from the public in the presentation of an annual newsletter from each member to their constituents.

I'd like to deal, first off, with the travel allowance. It provides for each member, and this is of most value, I would suggest, to the members from rural constituencies and Northern constituencies, in that they won't be as tied as they are currently to the present legislation. They'll have more flexibility to use their 40 trips during the full year, so that during the Session, if there's something that they feel that they want to get back in mid-week, a special event in their community, they can take that extra trip to go back to see their constituents, to service their constituents. If something comes up, an emergency in the area, they can get back again and not have to worry about having to stay in Winnipeg extra weekends, or whatever, because they're running out of their allocation by the end of the year on travel expenses.

It is a particular advantage to those members, I would say, whose residences are 150 or 200 miles away from this Legislative Assembly. That is something, Mr. Speaker, that I think is long overdue, for a member to be able to provide the service that people expect of him. They expect that member to be present; they expect that member to be in easy contact, not only

by telephone, but also to have more reasonable access to their members during the Session and also, I might add, toward their member's duties, both in the Legislature and as members of the Legislature when the House is not in session. There are an awful lot of times during the year when it is very important, when we're not in session, that we come together to tend to our duties, either in the opposition or on the government side, through caucus, through doing research and developing policy positions on our respective sides of the House; in bringing forward constituency concerns in the off-session, to come into town and present these concerns to the Ministers involved and to the departmental officials involved and going directly to them as well.

I'm sure all members have a good deal of those occasions, the members from throughout the province. For me, I consider myself very fortunate in being within 15 or 20 minutes of the Legislative Building, and within 15 or 20 minutes of most of the essential services provided by the province. It's an availability that rural members can naturally not have because of the distance they have to travel, but at least they do not have to worry about taking from their own pockets to be able to make extra trips to Winnipeg to service their constituents.

The next major change in the legislation, I would suggest, is the reduction of our salaries of some \$1,500, of a portion that is included in our taxable incomes presently, and to replace that with an accountable expense allowance which must be passed through the Legislative Assembly itself, it must be approved by the Board of Internal Economy. The amount that is being proposed is, I think, very miserly. I will freely admit I argued for quite a substantial amount of funds above that in the development of this legislation, for I do not feel that \$2,500, when you compare it to other jurisdictions, is that adequate a sum of money to be able to provide for a good constituency liaison. But, nonetheless, I am certainly willing to accept this as, I guess, what I hope will be over time, as all legislation is an evolutionary process and over time I suspect that this will increase as other provinces, as well, increase their amounts that they allow for constituency work by members of their respective Legislatures. This \$2,500, again I must emphasize, is accountable and is based on receipts passed in to the Board of Internal Economy. Someone cannot just come up and ask for cheques; they must be accountable for, they must have receipts for them based on the guidelines that will be approved from time to time by the Board of Internal Economy covering such things as staff, such areas as rental accommodations . . .

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

MR. D. BLAKE: Just a point of clarification. I wonder if the member might permit a question.

MR. D. SCOTT: Sure.

MR. D. BLAKE: Thank you, Mr. Speaker. I don't know whether I was maybe a little presumptuous there. You were starting to list the items that would qualify as

expenditures under that allowance you were discussing. Do you have some guidelines of what expenditures are going to qualify?

MR. D. SCOTT: Mr. Speaker, I was referring to the bill. Within the bill it provides for some specific areas, but without limiting the generality, of office supplies, stationery, utility services, rental for office, salaries for staff and other equipment. As the Board of Internal Economy meets it will be approving the specifics of other bills to be presented, as well. Such things I would expect will be covered will be gasoline for servicing a constituency, especially when you have a constituency as large as the Member for Minnedosa's, and for running back and forth. He should be able to put in some allowances for those sorts of bills, as well; but, as I say, most of the details will be up to the Board of Internal Economy. I expect that when the details are arrived at they will be reasonable; that they will perhaps even err on the side of reasonableness to assist members in covering their constituencies.

When one looks at how other jurisdictions across the country handle these sorts of services, as well, and recognize the responsibility of a member of the Legislature, an elected member, to assist those members in the carrying out of their duties toward representation of their constituency and their constituents, individually; one sees in Nova Scotia something that's really quite comparable to ours, and this is based The Canadian Legislatures, a 1982 comparative study, one sees that in Nova Scotia - and I don't whether, in all these figures, they've updated them or increased them for 1983 yet; we won't find that out for several months I would imagine - there's an allowance of about \$3,000 a year to provide similar services to what we are providing here. Quebec even allows up to two constituency offices. Their constituencies, we must recognize, are much larger than ours but they permit up to \$46,000 a year for servicing their constituents. Ontario allows \$23,536 for operating their constituency offices and hiring staff. The money is discretionary; once again, it's accountable. They can spend it, I guess, if they're following some of the trends today, from what we learn of the recent leadership convention, on computerizing, or hiring staff, or renting one or two office spaces if they have a scattered constituency, or renting, or helping pay someone for shared accommodations in some instances as well. So they're really quite flexible in other jurisdictions, in Ontario in particular.

Saskatchewan, our sister province, offers almost \$10,000 a year for each member to be able to provide services to their constituents. That can be used, once again, for hiring staff or for rental of accommodations and space so that there is somewhere in the constituency that people, when they come by, know where they can go and pick up recent information on government programming. They can know that their member is going to be there at certain times within their community and it makes the members that much more accessible to the constituents.

Alberta provides approximately \$13,700 for their MLAs, and British Columbia - and once again here we're getting into considerably larger constituencies - but their figure is approximately \$20,000, actually \$19,800.

I'd like to emphasize on this that our \$2,500 accountable constituency expense allowance is the smallest of all of these. There are a couple of provinces which we must recognize do not provide anything at all, of Newfoundland, Prince Edward Island and New Brunswick. Those are the only provinces that do not provide any kind of assistance to the MLAs in conducting their duties, and I suspect that they will moving along in the same direction that the other provinces have within a relatively short period of time in assisting their members in servicing their constituents.

One point that's very important here, I think, to get across not only to members opposite but to the public as well and to ourselves and to recognize ourselves as members of the Legislature, not in a partisan sense, but this money is not for us. The money is for servicing our constituents. At \$2,500 for myself, I have approximately 23,000 constituents, so it comes out to a pretty small sum per constituent to be able to service those people.

One other extension of services is the provision of the printing as well as the mailing of one mailing privilege per year and this is for us to do what was termed as a frank, free mailing privilege to send out a newsletter of one sort or a constituency letter to all the members of our constituency and in addition, this year, in this legislation, is for the cost of that one printing to be covered as well. The cost, I believe, is limited to one-and-a-half times the cost of the mailing itself. Since we mail these, not through first-class mail in most instances, but going through the postal code service, we get a very special postal rate and the mailing costs are therefore fairly substantial but nowhere near the Class A, as the post office now calls their 32 cent stamps; it's substantially less than that.

Our constituents look forward to these. Our constituents, I think, have a right to hear from us and for us to communicate to them in whichever way we possibly can. Some of the rural constituencies, one real advantage that they have, in many instances, over the urban constituencies in communicating with their members, is their access to radio stations giving daily or weekly radio broadcasts and also using local newspapers so that they're in regular contact through the media with their constituents. In the City of Winnipeg, one just doesn't have that opportunity of addressing one's constituents because there are 30 constituencies here and our radio and TV stations and our newspapers are not servicing particular constituencies or servicing a very broad constituency base for them of the whole Province of Manitoba, in many instances, or a good chunk of the Province of Manitoba, at least. So we don't have the availability of those sorts of services in the City of Winnipeg to be able to maintain a form of contact with our constituents on a free basis, if you wish, provided by the radio stations and by the newspapers. The provision of this service, not just to urban members, but to rural members as well is that perhaps what we would be able to put out would be that much better quality, so that our constituents are getting something that is an informative piece of information that is coming to them.

We look at mailing privileges; this again is very common across the country. Newfoundland allows for four mailings a year and that's the free postage on it; the members themselves pay for the printing. In Quebec,

there are two mailings per year where the printing is covered, as well as Ontario, two mailings per year with the printing covered. Saskatchewan is limited to the cost of three times a first-class letter rate so at three times a first-class letter rate they can easily put out, I would suggest, three communications a year to their constituents very very easily, because our postal rate is close to about one-third of what the first-class mailing rate is and that can cover perhaps two very professional pieces or very well put together newsletters to their constituents or perhaps they could put out three smaller pieces, three pieces run off. These are at the public cost and these I'm going through to show what the terms and the conditions are in other provinces to make members opposite, if they haven't done any research in this, a little more aware of the services that are provided to members of the Legislature in other jurisdictions.

Alberta has a global allowance that is established each year by the Speaker and it's from that allowance that they are allowed to mail out, and there are no restrictions on the number of mailings there. Their costs are charged to the member's communications allowance and the communications allowance - I'm not sure exactly what that communications allowance is, but it's enough to get out a couple of mailings a year at least.

British Columbia is similar to ourselves and what we're basically adopting is the B.C.'s provision of one mailing per year and with the province paying for that mailing.

So you see that what we are proposing here in this legislation to the Members of the Legislature is a most reasonable, as a matter of fact it is probably one of the stingiest proposals across the country enabling members to effectively communicate with their constituents. For us at any time at all to say that we shouldn't be moving in this direction, we should be reducing our services, I think is a disservice to the people of Manitoba who are our constituents and do have a right to hear from their respective members to find out what points of view they're putting forward, to have a better idea as to what their members are both doing in the House, where they're speaking or what kind of contributions they're making to the Legislative Assembly of this province.

So, Mr. Speaker, the legislation as is proposed, I would once again say is incredibly modest. It provides for accountability where there is presently none. It provides for the members to expand in a most modest way, the services they can provide without going deeper into their own pockets. Some people in the House, who maybe their families have all grown and left the home, the MLA's income is quite adequate, but for those people who are younger or who have young families I suggest that the public does not really expect us to keep dipping into our pockets to fork up or come up with and fork out the cost of mailing and the cost of publishing and printing a newsletter. It's not that we still will not be dipping into our pockets, most members at least, to add or to supplement the amount of money here because really we will require supplements to this \$2,500.00. I suspect that when people start accounting for this, a good number of members will find that they are spending quite in excess of \$2,500 a year in servicing their constituents.

So it's not any kind of an overly generous provision, to say the very least, when compared with other

Legislatures across the country and in recognizing in particular the role that has become far more prominent with this Legislature than in past Legislatures, and that is the role of the full-time MLA. Whether that member be a member of the government side, whether he be a member of the Cabinet, or whether he be a member of the opposition, the job is far more than it was years ago; the job is far more demanding, there is far more legislation on the books.

There is far more involvement in the peoples' lives or in the communities themselves through the municipal representatives and their provincial representatives as well, the demands of the job itself as well as we understood them when we ran for office, and I hope the people here all fully recognized, and I think they did know what they were getting into. We knew what we were getting into, but there is also the responsibility towards this servicing of our constituents and the public has, I think, a form of obligation as well, just as the public is obligated to pay for the operation of this Legislative Assembly and to pay for the maintenance of our democratic system; that we have here an extension of that - incredibly I repeat, an incredibly modest form to try and assist members to better serve their constituents.

Mr. Speaker, with those few words I would like to conclude by urging all members of the House to accept this. I appreciate that it took an awful lot of negotiations to get it through between the two caucuses and there was a lot of discussion between the two caucuses in basic agreement before the legislation was brought forward into the House in the discussions we had last year and in the discussions that we had this year as well, to work with the members of the Legislature on both sides of the House in trying to come up with a compromise for services for the members.

Last year we were very very close to having agreement on this and the agreement fell through. This year, I thought that we had reached a consensus, a general consensus between the two sides of the House and now I hear the Honourable Member for Turtle Mountain disputing that, that we did not have a consensus from the other side of the House to bring it forward, but in discussion with individual members from the opposite side I felt that I was quite justified in saying that we have been working on this for the better part of a year between the two caucuses and have come up with a package that was pretty well accepted by the two sides of the House. Otherwise if the members opposite don't want consultation on these sorts of things then I suppose the government has the right to be able to just come forward and make proposals and bring forward legislation without that form of consultation.

We're trying to offer a government with an additional or more consultation than has happened in the past and to deal with these things in consultation with members opposite and not just run the House as if because we had a majority that we can just run roughshod over the opposition. That's not quite the intent.

I expected to wrap up a minute or two ago, Mr. Speaker, but with those final comments I would like to urge upon all members of the House to support this bill. I think it is a good step, a good step in the right direction and I am hoping that we will have, and that all members will utilize the \$2,500 allowance, will utilize

their increased transportation allowances to better service their constituents and to better serve their duties as Members of the Legislature, be it through travel or be it back and forth between the Legislature and our duties here and the research and what-not that can be covered here far easier than at home; or be it to individual services through additional mailings to their constituents, or to any other services that they feel they individually wish to provide and provide on an accountable basis to their constituents.

Thank you very much, Mr. Speaker.

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

MR. A. DRIEDGER: Mr. Speaker, I move, seconded by the Honourable Member for Assiniboia that debate be adjourned.

MOTION presented and carried.

BILL 54 - THE PAYMENT OF WAGES ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 54. The Honourable Member for Thompson has 32 minutes remaining.

MR. S. ASHTON: Thank you, Mr. Speaker.

In this Session we've had the opportunity I think to reflect on a number of bills thus far and the debate on those bills has shown the degree to which the philosophies of the government and the opposition differ quite greatly on a number of issues.

I think the bills involving the conflict of interest, the farm lands, highway safety, elections finance, and Legislative Assembly Act; all indicate clearly that there is a distinct disagreement in terms of general philosophy and approach between the two parties. Certainly this has been reflected in the publicity that surrounded the debate on those particular bills.

I have noted, however, Mr. Speaker, that in regard to this bill, which I think also indicates quite distinctly the difference in philosophy between the parties, that not much coverage has been given to the debate or for that matter, to the bill itself. In discussing the bill today, I would like to highlight what I perceive to be the basic differences between the two parties in their approach to this particular issue and, for that matter, in regard to similar issues of the same nature.

As I indicated last time, Mr. Speaker, when I spoke, basically, the amendments to The Payment of Wages Act elevate the priority given to claims for unpaid wages and also clarify strength and provisions relating to the liability of corporate directors.

In debate, the Member for St. Norbert, I think, indicated his prime opposition not so much to the second aspect of the bill but the first aspect, that being the elevation of the priority for unpaid wages. He indicated at that time his concern that this elevation would destroy the present system involving investments, that it would somehow scare investors away from Manitoba, Mr. Speaker, and that perhaps it might not be necessary to make the changes anyway, given the changes that his government introduced in terms of The Payment of Wages Act, I believe, in 1980.

As I pointed out last time, Mr. Speaker, clearly, the latter argument can't hold much weight because if the existing Act did protect the wage earners in a situation such as that, surely the first aspect of his argument wouldn't hold. There would be no threat implied with the present system if it was not to change the previous system at all, Mr. Speaker, if that system was adequate. So, clearly, the basic concern of the Member for St. Norbert and presumably the entire opposition is in regard to the change of the system, which would result in wage earners being given a higher priority in terms of the payment of wages.

Now, let's review the present situation, Mr. Speaker. If you are a wage earner and you are attempting to collect unpaid wages, you aren't first in priority; you are behind a number of other interests, more specifically, real property mortgages and perfected purchase money security interests. Mr. Speaker, you are not only behind it; you are clearly behind it. The priority is clearly given to these particular forms of interest and that is what the legislation would change. It would make the top priority the unpaid wages.

Now, Mr. Speaker, to realize the significance of this, I think one has to look at whose interests are being protected. In the case of the existing Act, the interests of the financial institutions are primarily protected by the protection given to real property mortgages and also the money security interests. In other words, Mr. Speaker, the banks are protected. Now, as the Member for St. Norbert indicated, that is not strictly the case, but I think he would agree that in most cases the interests of the banks would be the ones which are protected. Under the proposed amendments, Mr. Speaker, it's quite the opposite. The interests of the wage earner would be protected, the interests of the individual person. So really, Mr. Speaker, it becomes a trade-off between the interests of the banks and financial institutions as opposed to the interests of the person.

The Member for St. Norbert has attempted to justify that trade-off in his argument by suggesting that it is necessary to attract investment, because surely this is the reverse side of his argument that this change will discourage investment in Manitoba. And, Mr. Speaker, I will say that there is perhaps some merit in looking at there being a trade-off in this particular circumstance. Certainly, I would agree that one has to account for some kind of a trade-off, but I cannot agree with the Member for St. Norbert, who suggests that the trade-off is so substantial that this change to The Payment of Wages Act will result in a severe detriment to encouraging new businesses to locate in Manitoba. As I pointed out when we debated this issue last time, surely any new business is going to look at a variety of factors in its decision as to location, and if this is to be one of them, Mr. Speaker, I would suggest that it would play a very minor role in that decision. Obviously, they would discount it according to their view of the possibility of success and failure in accordance with their cost of raising money, Mr. Speaker, as opposed to the return on investment. There are a whole series of investment decisions that any potential investor would have to make before finally making that final decision to invest in Manitoba.

Now, given this, Mr. Speaker, I think it is clear, if one looks at the amendments, that decision would not

account greatly for the changes to The Payment of Wages Act. Surely the amount by which a potential investor would consider the aspect of failure would tend to be rather small, Mr. Speaker, since most investors, I'm sure, are confident of success when they make their initial investment. But beyond that, this is only one cost, a potentially very minor cost to the particular investor, one which I'm sure he would discount very greatly.

Given that, Mr. Speaker, I can't buy the argument of the Member for St. Norbert that this would greatly destroy the chances of obtaining new investment in Manitoba. You know, he waxed at quite great length about the need for such investment and I agree with him and he, I think, pointed out that given the level of unemployment, we seriously need it. However, my argument to him and to members of the opposition would be that the changes in this Act would not greatly inhibit the chances of obtaining that investment, Mr. Speaker.

As I said, it's really a shifting of priorities. It does mean that some interests will take the back seat, but in most cases it's the interests of the financial institutions and banks. As I said, Mr. Speaker, I have no problem with that; perhaps members opposite do. I know that they identify more closely with those banking interests, with those corporate interests. We saw this weekend at their leadership convention in Ottawa how significant the influence of such interests have become, Mr. Speaker. They have, for example, selected a leader whose prime qualification is that he has been involved with big business with a corporate interest in Montreal, who has no elected experience whatsoever, but who obviously because of his background in business appeals to the Tories.

I think it's not just a matter of selection of leadership, Mr. Speaker. One can see in their approach on bills such as this that when push comes to shove, when there is a choice between the corporate interests and between individuals, they will go with the corporate interests. They feel that basically, Mr. Speaker, what is good for business is good for the country. Now, there may be a certain element of truth in that, Mr. Speaker. I would certainly say that we on this side hope to see a healthy business community. However, to completely ignore individuals, to go completely to the other side, looking out only for the corporate interests, for the banking interests in this particular case, I think clearly is to lose one's balance; it's clearly to move in the wrong direction. As I said, this is what they are indicating not just through their public statements, but by their position on this particular set of amendments.

The bottom line of it then, Mr. Speaker, as I have said, is that there is a distinct philosophical difference that one is seeing in this Assembly in this Session, which has become even more pronounced than it was in the past. I would attribute it to a number of factors; the resurgence of the right wing in the Conservative Party, which I think showed itself quite clearly at the recent leadership convention; that's one aspect. Perhaps it's also related to the specific leadership the Conservative Party has here in Manitoba. I know the Leader of the Opposition is well-known for his right-wing views, Mr. Speaker, and perhaps that is one of the reasons why members opposite are taking their stand the way they are on this particular bill. But beyond

that, I think it goes to the ongoing attitude of the Conservative Party as compared to the ongoing attitude of the New Democratic Party.

They are interested in preserving the status quo; that's why they are opposing this amendment. They are interested in preserving the interests of the banks and financial institutions; whereas we, Mr. Speaker, are interested in looking at changes which would enhance the protection of the individual; in this case, the wage earner, who under the changes to the Act, Mr. Speaker, would have some prospect of claiming up to \$3,500 in unpaid wages, a prospect that he does not have at the present time, in reality, in most cases, given the fact that he is often second, third or fourth in line in terms of creditors.

Members opposite can throw all the arguments they want against this, Mr. Speaker, in terms of the scare argument about investment they control, all sorts of arguments about how this would destroy the property system; I don't think it will. This particular legislation was enacted, in a similar form, in British Columbia. It certainly didn't cause any chaos there. What it did though was give individual wage earners that much more protection and given the harsh economic circumstances we've faced over the last couple of years, I think that's only reasonable.

In the case of a wage earner, you're not talking about investment, Mr. Speaker. The money that person has tied up in that particular business is not investment; it's not there for a discretionary investment purpose. It is there for the sustenance of that particular individual. Without those wages, in a lot of cases, many individuals face significant financial hardship. I've seen a number of cases in my own constituency where people have lost thousands and thousands of dollars in unpaid wages; thousands and thousands of dollars they've been unable to claim, Mr. Speaker, and I know of one particular individual who lost, I believe, \$10,000 in unpaid wages, who faced a great deal of financial difficulties because of that and, under the present Payment of Wages Act, he was unable to collect back any of that money, something that I think has to be changed.

In conclusion, Mr. Speaker, this particular set of amendments to The Payment of Wages Act perhaps hasn't attracted as much publicity as has other bills in this particular Session, but if anything, I think it perhaps more clearly indicates the difference in philosophy between the government and the opposition, in general. I think, as I said, Mr. Speaker, it indicates that we on the government side are interested in doing what we can to help individuals, to help people. I know it's a phrase we use often in this party that people matter more and I think that's the approach that is needed at the present time, given the harsh, economic circumstances, and I would therefore wholeheartedly support the bill, Bill 54, The Payment of Wages Act and perhaps urge the members opposite to reconsider.

I understand they're having a leadership convention fairly soon to replace the present Leader of the Opposition; perhaps they should reconsider their drift to the right, Mr. Speaker, their renewed fascination with turning toward the corporate interests rather toward individuals. I would certainly suggest they do.

I know in my constituency, Mr. Speaker, I think most people look for a more balanced approach which does

account for the individual as much as for the corporate interests, so once again, Mr. Speaker, I support this bill and commend it to the House.

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

MR. R. BANMAN: Mr. Speaker, I have a few brief comments with regard to this bill and would like to make them at this time.

We have just heard the typical response from the Member for Thompson with regard to this particular bill. We knew, at the start, when this bill was introduced, the type of politics that would be played by members opposite with regard to this bill. However the one thing that the member doesn't talk about and the one thing the government doesn't talk about is that, when there are no jobs, you cannot have payment of wages at all, and what we are really talking about here is the problem that everybody has in dealing with bankruptcies of any nature and it's not a pleasant thing at all; but we have seen instances in the last little while where we have seen workers, such as people at the Red River Co-Op, who have been willing to give up 10 percent of their wages just in order to try and see the enterprise survive, so it's not just a matter of black and white whether you've got a different philosophical approach to things.

There comes a certain time and point where some rationale has to be adopted and where there has to be give and take on not only the management side but also on labour side, and what we are seeing here is that we want to make sure that we do not get out of step with what other provinces are doing and with what other jurisdictions are doing with regard to any legislation passed in this province regarding wages, regarding labour laws. The members opposite, I know, will very nicely want to use this particular piece of legislation as saying, "Look, the Tories are against the working man because they didn't vote for this piece of legislation. It was us, the champions of the average man on the street who brought this bill in to ensure," Mr. Speaker, "that the average man was not hurt when a bankruptcy occurred." Well I suggest to you that when a bankruptcy occurs, everyone is hurt. We appreciated this particular problem and as a result, when we were government, we established a fund which looked after this problem because we realized that if we started tampering with the rights on a first mortgage that it would mean a total revamping of the financial situations with regard to many small companies. My goodness, doesn't the Member for Thompson realize how tough it is for a small businessman in Manitoba to get money from a bank?

Do you know what this type of legislation does? It means that the individual who wishes to start up his or her own business, who has a limited amount of capital, who is going to the bank, has mortgaged his or her house and is trying to raise funds, will be turned down because the first mortgagee hasn't got full claim on the property mortgaged. How do you expect somebody who has run a small service station, has worked all his life at that small enterprise, wants to sell it, has to take back a mortgage on it and then finds out that there are all kinds of things that can happen before he can ever claim his mortgage.

Mr. Speaker, it's not black and white, as the member would have it and I know he's trying to paint us in that corner. When we were government, we appreciated the problem. We did establish a fund which looked after this.

I get back to the main premise of my talk today and that was the one that has been made again by my colleagues opposite, that if there is no investment, there are no jobs, and, Mr. Speaker, if there aren't any jobs, you don't have to worry about payments of wages, but let the members opposite be a little intelligent about these things. I know they have a problem with lots of intelligence but there should be a little bit over there. Instead of trying to really destroy, to a large extent, the investment opportunities in this province, we had a system where people were looked after, to a certain limit, with regard to the payment of wages and if the members opposite will have a serious look at what really happens to the small investor, and I'm not talking about the banks, but let's just take the credit unions. Here we are, we just gave the credit unions \$30 million; we propped them up, trying to help them out of a difficult spot and here what we're doing now is we're saying to them, if you hold a mortgage on something, you really haven't got first claim to that property; you really haven't got it. You really don't know what you have because you don't know how many outstanding wages there are. And that's a small Niverville Credit Union that's owned by all the shareholders and that's what you're saying; you're saying that to the small entrepreneur who's selling his business that he or she, really, after a lifetime of work doesn't really know what it is.

I suggest to you that will make those people very very nervous; it will also play on the decisions of selling that to anybody that doesn't have the right amount of capital, and really what that does is just the reverse of what the Member for Thompson wants. You are really playing into the hands of the larger corporations because there will be nobody left to be able to get the finances, to dig up the investment or to find a backer on many of these things. Precisely the blinkers, the ideological blinkers that you have on right now are doing exactly the opposite to what you want. You are destroying small business, small farms and small entrepreneurs, and the young person who is trying to come up through the system and make it. To a big bank, to a big organization who's got a few mortgages out it doesn't make any difference, but it sure makes a difference to the little person who's trying to start up, or the little person who's trying to retire because the sale of his small property almost has to be made to a large entrepreneur who can pay it out in cash because then he or she doesn't have to worry about any first mortgage.

So I say to the members opposite, I know what your game is on this one; I know what you're trying to do, but the average person will appreciate that there was a fund in place, that the system that was in place with regard to first mortgages is crucial in dealing with proper investment in this province, and it is a foolhardy bill and really should not be dealt with. If you felt, for instance, that the program that had been put in place wasn't quite adequate you could have made certain changes to it. My goodness, that can be done without all kinds of legislative changes, and that would have

kept the existing system in place. But I say to members opposite, to move in this way, I know what you're trying to do, you're trying to make some political hay out of it but it will, in the final analysis, hurt exactly the people that you want to protect because, by driving out investment, you're going to have fewer jobs and then you won't have to worry about payment of wages.

That's the bottom line so I would ask them all to reconsider that and, instead of playing crass political politics, let's be more concerned about the 52,000 people that are unemployed; let's be concerned about them. Let's get some investment going; let's not bring bills in that further tie the hands of anybody that wants to create a new job. Goodness knows you've done enough of that; let's put people back to work.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker. I would just have to reiterate, Mr. Speaker, some of the comments my colleague from La Verendrye has just given to you because there is no question about it that this legislation is, I suppose, brought in at the suggestion of Dick Martin, the Deputy Premier because, as the Honourable Member for La Verendrye mentioned, there has been a fund in place that was working very very well. This legislation is going to do nothing more than that fund would have done to protect the workers and we know that's why it's been brought in; they're the great champion of the working man and there's nobody on this side of this House, without any question, that wants to see someone that has put in their two weeks of work

A MEMBER: Who are you speaking for, the first mortgage holder?

MR. D. BLAKE: I'll get to that in a minute. For those that have put in their two weeks of work, there's nobody on this side of the House, to a man or woman, that would want to see them denied their wages; that's why the fund was set up, but there are better ways to do things. Members on this side of the House sometimes look for a better way, rather than go blindly on and bringing in damn-fool legislation that's going to cripple investment and cripple the economy, rather than trying to build the economy. You know, there's no question, Mr. Speaker, there's going to be a contraction of the credit facilities available in the business sector because the lenders are going to protect themselves, and when there is a risk involved naturally there's going to be dilution of the traditional security.

There's been a comparison done, Mr. Speaker, between the bankruptcy laws in the United States and in Canada. There's been some lower levels of credit necessary down there because of the increased costs involved. It's a fairly lengthy report but I just want to quote one or two sections from it. "The American business community has become familiar with both the frustrations of their bankruptcy laws and its debt-oriented philosophy. As a result, they attempt to compensate for these factors by lowering the extent of their risk in each individual situation. Accordingly

they have developed their business practices in other areas to compensate for additional risk. The result over the long term is that there are higher levels of equity in American businesses, and the U.S. has a healthier small business sector more able to withstand economic downturns and interest rates."

That's the experience they've had, Mr. Speaker, with their bankruptcy laws that are far more complicated and frustrating than ours. This legislation, no doubt, Mr. Speaker, as I said is going to result in the lowering of Capital funds available for the business sector which creates the jobs, and we even have the Federal Prime Minister now, and the Federal Finance Minister, admitting that the private sector is the steam and the wheel that drives the machinery in the business economy, and it took awhile but, when you get them admitting that, you're probably accomplishing something at least.

Mr. Speaker, we're beginning to recover now from, I guess, the worst recession we've had in 50 years and it's times like this when you don't need additional hampers and obstruction thrown in the way of businesses that have to have their working capital requirements increased if they're going to get the economy rolling; and the effect on small business, there is no question about it, is going to be very very significant. The amendments in this Act, Mr. Speaker, ignore the fact that monies have been loaned out for the purchase of plant and machinery, and various other things like that, without which there wouldn't be any employees and there wouldn't be any need for this legislation, because nobody would be working and there would be no money required to pay wages or used by any other corporate or expansion.

It's a secret hidden lien, Mr. Speaker, and it's contrary to modern commercial legislation. There's no doubt about it, anytime you hamper the business section, you're hampering the creation of jobs and movements that will keep our economy going. One of the worst features of it, I think, Mr. Speaker, is that it's retroactive. There could be someone sitting with first mortgage security now that's got a few years to run and this bill comes in, this legislation is going to take prior claim over that first mortgage, so it can't be anything but retroactive. I don't what other security that it's going to take the place of, Mr. Speaker, because there are going to be great problems created by these amendments to the Act. What it does to the credit requirements of the business entrepreneur is, you're going to increase his credit requirements by about \$3,000 or \$3,500 times the number of employees that he has because if the businessman has 100 employees, the lender is going to say, well, we've got to be careful with this legislation now. You're going to need, roughly, \$3,000 an employee in case you go broke and you have to pay those wages, so you'll just borrow an extra \$30,000 and put that aside in a trust fund to cover the wages of your company and that's just going to add to the cost and it's going to be taken away in other forms of taxation or cutbacks in the number of employees in the plant.

There's no doubt, Mr. Speaker, that bankruptcies will occur a lot sooner; receivables will be called in more quickly. The receivers will probably be happy with this law because they'll probably get a little more business, but a lender is not going to be prepared to run the

long risk. He's probably going to move in sooner and put that company down the tube, rather than run the risk of waiting until the last minute when it becomes unavoidable, and then his security is second to the wage claims and he could lose all his security. I don't think there's been any thought given to that on that side of the House, Mr. Speaker. There's no question that this legislation is going to place Manitoba in a less attractive position to bring business and entrepreneurship into this province to create the jobs that might give those fifty-odd-thousand people a chance at a job. This legislation is not designed to do any of those things. It's contrary to that, Mr. Speaker, there's no doubt about it.

There's no doubt the mortgage money is going to dry up. I don't know what methods the mortgage lenders are going to bring in to monitor wages of the company, but there's going to have to be some way where they can monitor the operations of that company if they're lending them money to make sure that it is operating properly and there are going to be funds there to pay the wages.

Mr. Speaker, I don't know what other legislation they've got contemplated because they're piling them in by bill after bill, that it makes you think maybe that they're shooting their whole bolt this Session in case they might have to call a snap election and they won't be around again to bring any more of it in. There's no indication in the legislation, Mr. Speaker, to indicate what priorities other security has over the payment of wages; there's nothing said about Section 88 or assignment of receivables. The lender is no doubt going to require far more additional security than he did with taking a first mortgage. But there's no question, as I mentioned earlier, that the desire of labour and government to ensure that the wage earner is protected, there's never been any question of that, but there are so many other ways that it could be done.

There has been a fund set up that was working well and if that is underfunded, I can suggest, Mr. Speaker, that this government look toward taking some of the funds from their 1.5 wage tax that they've put on all companies, the sales tax on wages; there could be funds taken out of that. They could set up some type of insurance fund through the Public Insurance Corporation, where there was a premium paid to guarantee the workers their wages, should the company run into financial difficulties, something beyond their control in these economic times, but no thought has been given to that at all. They've gone blindly along with some advice from some left-wing labour leaders that this has to be done to protect the workers and, of course, the Attorney-General's probably very susceptible to picking up ideas like that and they seem catchy and he'll probably be running around next election saying, look at this wonderful legislation that we brought in; you're all protected.

But there's not much point in being protected, Mr. Speaker, if there are no jobs out there. The big thing is keeping the jobs there and creating more jobs. We've got a great and wonderful Jobs Fund; we've just blown in \$150,000 on a Save the Crow or whatever the advertising says, "Don't Eat Crow." Well, that might be all that's left to eat with this government in power much longer, Mr. Speaker, and I'll tell you, that's not very palatable, I can assure you. There are all kinds

of funds out there for other things but there doesn't seem to be any money available to continue with the fund that was set up to protect the workers. That's what it was set up for because there is no question, this side of the House is concerned with the wages earned by workers and want to see them get their just due as much as anyone else does.

Mr. Speaker, the direct effect of the legislation is going to be to dry up capital or put so many additional security requirements in there or additional qualifications on lines of credit, that it's going to be far more costly to the borrower. That is either going to be passed on to the wage earner or passed on to the consumer; there's no doubt at all about it, Mr. Speaker, and that's how the system works. The Member for Thompson wouldn't understand that because they probably didn't teach him that in university; how the real world is out here, when you have to meet payrolls and you have to give a fellow a full day's wages for a day's work. I'll tell you, Mr. Speaker, these people have no idea of the implications. — (Interjection) —

The Member for Thompson says, am I speaking for the Royal Bank. I'll tell you, the Royal Bank are big boys, Mr. Speaker. They know how to play hard ball if it has to be played and they can very well look after themselves without any government help and they don't need any government intervention either. You didn't have to toss \$30 million into the Royal Bank or any other bank to prop them up. Their shareholders are the losers if they go down the tube, so just don't get too cocky with your remarks about the banking system in the country. It's one of the most solid banking systems in the free world today and they don't need obstructions thrown in the way when they're trying to put out risk capital and put out funds to keep the economy rolling.

I know you've got a nice new venture capital or some fancy-sounding name for Crown investments set up that's going to solve all these problems. But we know what happened to the last government bank in Manitoba, 1925 or '26, they went down the tube. It was taken over by the other financial institutions that were kind enough to take it over.

MR. A. ANSTETT: What kind of government set up that bank?

MR. D. BLAKE: Well, it wasn't an NDP Government because they hadn't been heard of then and it won't be many more years before they're not heard of again. The NDP are down to 16 percent in the national polls and sliding. It's not how high is the water, Mr. Speaker, it's far down are you and how low are you going?

If they want a little advice over there, Mr. Speaker, maybe they should be taking a long look at who's leading them down that 16 percent trail. It hasn't improved much in the last number of years, and I would suggest that they maybe do it before the next federal election is called, because there are four or five seats even in this little province that are pretty pretty dicey. They better take a long look at them. Your people down in Ottawa know it; the boys out there know it; and you should maybe take a long look at doing something to prop up your own image.

So we don't need any remarks from that side, Mr. Speaker, on helping out the banks; they can look after

themselves. It's the credit unions we are looking at, the credit unions that we're worried about, and we are worried about them enough to throw in \$30 million of taxpayers' money to make sure that they don't get into any more difficulties. If they can get their act together, to work out their problems and, hopefully they will, because they have been a strong force in developing some of the economic and business sectors of this province. We don't want to see them have any more difficulties and, hopefully, the infusion of funds have enabled them to make some adjustments in their method of operating and they'll be able to recover some of their bad losses and get back onto a sound basis that comes from sound business judgment and sound business practices; not airy-fairy ideas like we get from the members opposite, like the great financial experts from Inkster and Thompson. If they ever put any of them in charge of a lending institution, God help the shareholders, Mr. Speaker, with some of the ideas that they espouse.

But, Mr. Speaker, I haven't much more to add, other than to say that there is no way at all that I am going to support this bill. There's a better way to do it. If the Attorney-General, the Minister that brought in the bill, is prepared to bring in some amendments we might be able to get the bill in shape where we would be able to support it on this side of the House, because there is no doubt at all that it is going to be detrimental to the business community. When that happens, Mr. Speaker, it's detrimental to the worker. If the man is not able to get into business the worker is not able to get a job, and we have 50-some thousand of them in this province. This government has thrown in \$200 million, supposedly to give them all jobs; they haven't created any.

Speaking of jobs, Mr. Speaker - and I know this came up the other day when I wasn't here - but just out walking around the grounds tonight, I am just shocked and amazed at the mess our legislative grounds are in. Surely to goodness we can cut the grass and kill the dandelions. And I know how you fear by a little bit of spraying out there, but my God the members wouldn't even allow their lawns to look that bad. This is a showplace, Mr. Speaker; these grounds are a showplace, there are thousand of visitors coming here now, and the grounds are a damn mess - \$150,000 to top the Crow up when they could maybe have this place looking like it used to look, neat and tidy. It hasn't much to do with the bill, but it would create jobs. I just thought I might throw that in, because I'm running out of notes.

Mr. Speaker, to close on, we are going to oppose the bill, there's no question about it, unless the Attorney-General can bring in some amendments that will go back to the type of fund that was set up. He's got a dozen ways to do it; I've given him some good examples - take some money out of the 1.5 wage assessment, wage tax . . .

MR. R. BANMAN: It's an anti-worker bill.

MR. D. BLAKE: Anti-worker bill, that's right, there's no question. My honourable friend, the Member for La Verendrye says, it's an anti-worker bill, and it is. Mr. Attorney-General, it is an anti-worker bill because there

are other ways that you can protect the worker without destroying the whole basis that first mortgage security, and Section 88, and all the various other forms of security were brought in under The Bank Act to provide Capital to business, to run and to generate the jobs that are necessary. The cost is going to be passed on to the wage earner and to the consumer just as sure as we're standing here, and as sure as day follows night.

So with that, Mr. Speaker, I thank you for giving me this opportunity to say a word or two on the bill.

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

MR. C. SANTOS: Thank you, Mr. Speaker. I would like to reply to some of the points made by the Member for Minnedosa.

First of all, Mr. Speaker, it is a fact of life that we now live in difficult times; no one can deny that. The other day I overheard two businessmen talking to one another and in their conversation one of them said, "Do you remember that business concern, which was a going concern, that you sold me a couple of months ago?" "Yes, I do," he said. "I bought it as a going concern; now it's gone."

A MEMBER: NDP times.

MR. C. SANTOS: But even in difficult times, and these are not merely NDP times, there are difficult times in Tory Saskatchewan, as well. There are difficult times in Alberta, I was there last Sunday. In fact, my brother who worked with the University of Alberta will be terminated in his employment.

MR. H. ENNS: That's probably because you're here doing what you're doing.

MR. C. SANTOS: No, he is on a contract term, and the contract is expiring and they are not renewing it, despite the fact that he is doing an excellent job.

But, even in difficult times, it is possible to run a successful enterprise. There was a group of salesmen the other day in the hotel lounge and all of them were complaining about low customer demands, difficulty of selling their products, and all of them were whining about the difficult situation in the business community. But there was this one quiet salesman amongst them, and he said, "Don't you agree that we live in difficult times?" The quiet man replied, "Never before, since I have been on the road, have I found success in my line." "What is your line?" everybody was asking now. "What are you selling?" He said, "I am selling red ink." And he was successful at that.

So in business, just like any other enterprise, it is still possible to be successful if you know how. There is nothing that succeeds like success in any kind of enterprise. But what does success in business mean? Success in business means profit. What is profit? Profit means labour plus capital, and together you multiply it by good management, then you will have success. Labour and capital are both resources that you can buy, you can hire; but only good management is a thing that you have to develop yourself. The reason why many

businessmen fail is because they lack this capacity to manage their enterprise with knowledge, with ability, and with skills.

Success is based on excellent performance. To achieve excellence in any line of enterprise, including in the commercial world, we, as managers of our own enterprise, must know the right thing to do, what to do. That is the first thing that we have to learn, what line of enterprise must we enter into? We shouldn't be afraid of the risk because the higher the risk, the greater is the probability of success if you are not afraid to risk your capital. But what do we want profit for? You want profit because you want to make use of the resources to which you have control. If you use it only to increase your wealth, and accumulate, what does it signify? It signifies that you want more than what you can handle.

If you become too ambitious, and you can no longer handle all your line of enterprise, naturally there will come a time there is a possibility of failure; but failure is nothing to be feared about. Difficulties that you meet in running your enterprise are there; the more difficulties, the more obstacles you have to overcome, the more you are challenged to utilize your creativeness, your ingeniousness, your inventiveness, in order to overcome those obstacles. The greater the risk, the greater the glory of you overcoming them if you're successful. But, if you fail, it doesn't mean that you're going to give up, you have to find some other way until you find success.

MR. SPEAKER: Order please. The Honourable Member for Turtle Mountain on a point of order.

MR. B. RANSOM: Yes, Mr. Speaker, I wonder if we might invoke the rule of relevancy.

MR. SPEAKER: This is second reading on Bill No. 54. The Honourable Member for Burrows.

MR. C. SANTOS: Can I carry on, Mr. Speaker? The real question here is whether we shall put a higher priority to pay the wages of those who labour to bring this profit that we want, over those who merely lend their accumulated capital in the form of mortgages. I say, if we are to make good use of our resources at our command, it is better to make good use of that extra money that we earn to help people whose only means of livelihood are their wages; rather than those who are already enjoying the benefits of the accumulated wealth that they already enjoy and, therefore, they are able to lend money as mortgagees, because people are more important than profits. Without people there can be no profit in the enterprise; without loyal employees who work loyally for their employers, you cannot have a successful business enterprise. In fact, one of the good skills of management is that the manager should know his people well; he should know his employees well; their needs; their wants and their demands. In that sense, you will elicit that undying loyalty, that they will exert the best of their talents in order to make the enterprise a successful one.

The success of a business enterprise is a partnership. It is a partnership between labour and capital, and it

is based more on the notion of co-operation, rather than competition. If they realize that the more profit the enterprise will make, the bigger share should be given to labour; then the employees will be loyal and will exercise their best effort in order to make that enterprise a successful one. You have read about business propositions in Japan, how the employees can be loyal to their employers. It is because the employer thinks of them as human beings. They are not only interested in making profits and making money; they are also interested in making contributions to the improvement of the lifestyle of their employees. That is why it is important to have a second look at our industrial enterprises, our industrial giants. Are we making profit to make life for people more comfortable, or are we making profit for the sake of profit?

If we are merely piling up money after money, none of the wealth that we accumulate we can carry wherever we may be going. I said it before, we came here naked, we will also leave this world naked. But if we make use of our wealth to help the needs of those people who work to make an enterprise a successful one, and if we observe the notion of equitable sharing in the profits of our enterprise, and if we share it with human beings who spend the only wealth they have, namely, their labour which is their life, then we shall find that they shall be loyal to us, as employer, and they shall exert the best of their energy and we will make a successful enterprise.

The real issue here is shall we prefer to add to the wealth of those who already have, or shall we prefer to add to those who are obviously in need; that's why they have to sell their labour. Therefore, to put a higher priority on the payment of wages is to put up humanity at a higher level and higher category than the level of mere materialism and accumulation of wealth for the sake of accumulating wealth.

As Franklin Delano Roosevelt puts it, the philosophy of every government is not to add to those who already have much, but to add to those who have very little.

And in that sense there will be a greater sharing of the resources of this world; then we will close the gap between the rich and the poor; the haves and the have-nots, because everyone will now have a stake in the success of the enterprise, both those who provide the capital, as well as those who provide the labour.

The very reason why there are so many bankruptcies is because of the original sin of covetousness, greediness on the part of those who want more money at the expense of sweat and blood of their own employees. But if they think of their employees as human beings I assure all employers that they will exert their best efforts because they will consider the success of the enterprise their own success because they share in the profit of this enterprise.

But, like anything else, there must be a sense of timing. The businessman must have an accurate sense of knowledge, not only of his own line of business; knowledge of the needs and wants of his own employees, he must also have a knowledge of the demands of the times, the environment of his enterprise. It is the right moment, this day of technology to engage in such a line of business like electronics and technological line of enterprise. That is a sense of appreciation of the climate of our times when it is now demanded to have many of those gadgetries in the

technologies and communicative instruments; that is where you should invest.

The road to excellence then is having good management; to develop co-operation between labour and capital; to overcome all these difficulties if we put the hands of labour and capital together in an honest way and if we have the highest regard and concern for the welfare of human beings, because that is in the ultimate analysis the only wealth that we can count on; there would be a monument after we have gone because of what we had done to other people.

I thank you.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, I move, seconded by the Member for Turtle Mountain that debate be adjourned.

MOTION presented and carried.

BILL NO. 24 - THE REGISTRY ACT

MR. SPEAKER: On the proposed motion of the Honourable the Attorney-General, Bill No. 24.

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I want to assure honourable members that, unlike the Member for Burrows, it has never been my ambition that we built monuments to ourselves here; and, I suppose, after a day like today, where we've dealt with legislation all day, the difference between a Conservative and a Socialist becomes very apparent. We really mean it when we say that it is not our ambition to clutter up the lives of our citizens with legislation upon legislation and more legislation. And when we say, honestly and genuinely, that we believe in minimum government, as they believe in maximum government, we have had a day of demonstration of that fact.

Bill 24, Mr. Speaker, is just yet another piece of legislation that's before us that doesn't need to be before us, doesn't have to be before us, and would not be before us if the Minister of Agriculture had briefed his caucus and his Cabinet on the lack of the issue that now concerns Manitobans with respect to ownership of land, and the subsequent need for Bills 23, which I spoke to some 10 days ago, two weeks ago; this, now Bill 24; both those bills are before us, Mr. Speaker, because of Bill 3, The Farmland Ownership Act, because you see, now, Mr. Speaker, we have to put everybody through a red tape hoop, everybody that has anything to do with registering property, anybody that moves, has anything to do with transferring property, the 99.9 percent, Mr. Speaker, who will never be touched by The Farmland Ownership Act. But we all now have to go through another bureaucratic hoop, pay a lawyer more money; this could be also called a lawyers' enhancement bill for the otherwise difficult times that they have.

Perhaps, Mr. Speaker, if I noted there are, of course, a lot more lawyers sitting on the other side than we have on this side, then maybe that's understandable, too.

But, really, Mr. Speaker, I said it all on Bill 23 and maybe I should just ask Hansard to pull back the speech on Bill 23 and take it as read and apply the same thing to it. Honourable members opposite should know that in their rush to clutter up the lives of ordinary citizens of this province, and if they think they are going to somehow gain great electoral rewards for being able to say, after the session is ended, that X-number of bills have been passed, I beg to differ with them, Mr. Speaker, because that surely doesn't enhance the livelihood and the ordinary conduct of common-sense business in Manitoba, makes it any easier, makes it more expensive, makes it more prying, makes it more interventionist. Now, anybody and everybody that has all manners of private arrangements with other parties that have ownership in land, that have a private lease, that have a private arrangement whereby they exercise an interest in a piece of property and that piece of property has to be registered, under the changes in this Act, now has to fill out a form, has to declare, in front of a Commissioner of Oaths, no doubt, properly filled out through the help of a law firm, to effect a transfer to effect a registry of land.

Mr. Speaker, the facts, the evidence are there that in most cases, if we go municipality by municipality, then it is as high as 99.6 percent, 100 percent, 93 percent, 94 percent of the cases that are not ever going to be affected by that. And this is even worse, Mr. Speaker, because we are now making those 99 percent, those 96 percent jump through a hoop, who have no concern about The Farmlands Ownership Act; they are simply registering a piece of property; simply registering a piece of property from one change of ownership to another change of ownership.

Well, Mr. Chairman, it's been said the Act, which I don't have before me right now, but the Act covers all possible interests of land, lease, private arrangements, not just . . . pardon me, it specifically exempts, I believe, the government agencies, the Crown corporations, the Manitoba Agricultural Credit Corporations. They save themselves from some of the bureaucratic red tape that they make the ordinary citizens jump through, such as Crown corporations, etc. They're exempt, of course, but the ordinary citizen has to go through this exercise.

Mr. Speaker, I said it on Bill 23 and I'll say it again, it really does lead one to the conclusion that deep down in the bosom of their heart, they of course don't worry about how difficult they make it for individual citizens of Manitoba to register their private property as, Mr. Speaker, I suppose if they keep on making it more difficult and more difficult and more difficult and more expensive and more costly then sooner or later, a beleaguered citizenry will come reluctantly to the agreement that, why not let the government own the land; it would make it so much simpler. We'll have one landlord in this province; we'll have one landowner in this province and we'll just get down on our knees every once in awhile when we need a little plot to grow some grain on; when we need some pasture to pasture our cattle on; when we want to build a home on some property or when we want a recreational lot somewhere in the finer parts of this province where we can enjoy some leisure time.

Mr. Speaker, that is what they're doing. They are asking us to pass two additional pieces of legislation

because the Minister of Agriculture thinks there is a great crying need to control foreign ownership of land. We agree with him. We will help him pass Bill 3, with certain modifications. I just don't like to call fellow Canadians, foreigners. A person in Toronto is not a foreigner and that's what we tried to demonstrate, in fact, this past week in Ottawa, that even people from Quebec, I don't consider are foreigners, but this government does. This government believes they're foreigners and I'm proud to stand up in this Chamber and say that anybody living in Saskatchewan, in Alberta, British Columbia and Ontario is not a foreigner, by my definition, and ought to be able to own land in this province.

Mr. Speaker, they want to pass this kind of legislation that sets up these kinds of walls; that sets up these kinds of hurdles for ordinary citizens to jump through, to pass, when they try to conduct business. Mr. Speaker, I want to tell you, even today, transferring land, registering land, can be a very frustrating experience, a very frustrating experience. It often is responsible for holding back important business arrangements that could very often create a business. It very often chases away, frustrates a prospective job creator from doing what he wants to do and providing jobs in this province.

Mr. Speaker, when you start tallying them up, what we've just dealt with here today, one bill after another shows an utter and complete disregard by honourable members opposite for the difficulties that they're putting in front of people that want to do business in this province. I don't want to be unkind to those honourable members opposite but the truth of the matter is, it's

because so very few of them have any experience in this business and I believe that. If honourable members check their own dossiers, on their own resumé's, they'll have to agree with that, Mr. Speaker.

We've seen tonight several pieces of legislation that show that kind of disregard and were showing it by passing Bill 24, Mr. Speaker. Bill 24 is not necessary; it is unnecessary paper work that's being added to the already voluminous piles of paper work that have to be undertaken when land is registered; it adds to the cost of registering land. It provides a bit of extra money for the lawyers; I'll agree to that, consent to that, but it certainly doesn't facilitate the smooth transfer and registry of land in the Province of Manitoba which, by the way, is a pretty important item when it gets down to the various development proposals, when it gets down to developing areas of land, whether it's for industrial, commercial or residential requirements or even if it's just in the realm of the private individual who's transferring land between members of his family, for very private reasons, it adds to that cost, it adds to that burden. Mr. Speaker, I remind you, I'm speaking of the 98 percent or 99 percent of the people who should not be affected by this legislation because they're not foreign owners, and this bill is here because of Bill 3.

MR. SPEAKER: Order please. The time being 10:00 o'clock, when we next reach this bill, the honourable member will have 30 minutes remaining.

The House is adjourned and will stand adjourned until 2:00 p.m. tomorrow (Tuesday).