



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

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**DEBATES**  
and  
**PROCEEDINGS**

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 4 July, 1983.

Time — 8:00 p.m.

**MR. SPEAKER, Hon. J. Walding:** Order please. Would the Government House Leader please indicate the next item of business.

## BUSINESS OF THE HOUSE

**HON. R. PENNER:** Yes, Mr. Speaker, I'm going to call some of the adjourned debates on second reading; but before doing so, there's one procedural matter involving a matter about which I spoke to the Opposition House Leader.

Bills 80 and 86, which deal with matters of some urgency having to do with The Civil Service Superannuation Act and the early retirements, are presently in the Standing Committee on Industrial Relations. I propose to move them, since they're standing there all by their little lonesome, to Law Amendments to see if there's some possibility of dealing with them more expeditiously.

Accordingly, I would move, by leave, and seconded by the Minister of Cultural Affairs, that Bill Nos. 80, An Act to Amend The Civil Service Superannuation Act; and 86, The Civil Service Special Supplementary Severance Benefit Act be withdrawn from the Standing Committee on Industrial Relations and transferred to the Standing Committee on Law Amendments.

**MOTION presented and carried.**

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

**HON. R. PENNER:** Mr. Speaker, the Opposition House Leader earlier today gave me a list of bills that he suggested I call. I don't see some of his people in the House.

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Yes, on a point of order then, Mr. Speaker. Perhaps if there's a bill standing in the name of one of the government members who is good enough to be here, I'll go out and beat the bushes.

**HON. R. PENNER:** Mr. Speaker, very good. Would you please call the second reading on Bill 96, The Domicile and Habitual Residence Act.

## SECOND READING - GOVERNMENT BILLS

### BILL NO 96 - THE DOMICILE AND HABITUAL RESIDENCE ACT

**HON. R. PENNER** presented Bill No. 96, The Domicile and Habitual Residence Act; Loi sur le domicile et la résidence habituelle, for second reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, this bill is based on but is not entirely the same as the Law Reform Commission Report, No. 53, on the Law of Domicile, dated December 1, 1982.

The Law Reform Commission's Report dealt solely with domicile, but the bill not only enacts the recommendations of the Commission with respect to domicile but will apply to habitual residence so that domicile and habitual residence will henceforth by synonymous.

I should say parenthetically, Sir, because I realize that there are many people here who are privileged never to have been lawyers, that domicile is a very special term. It hasn't got the usual lay notion of just living somewhere. It is a legal artifact based on some fairly abstract considerations, but now, Sir, the notion of domicile and habitual residence will be synonymous.

The Law Reform Commission recommended that two aspects of the present Law of Domicile be abolished. Firstly, the rule known as the revival of domicile of origin and the rule whereby a married woman always took the domicile of her husband, and hereto let me say parenthetically, this is another move long overdue to recognize the independent status of women in our society. These common law rules will be abolished by sections of the bill.

The abolishment of the rule on the revival of domicile of origin gives rise to a new concept, which is that a person will retain domicile or habitual residence until a new domicile or a habitual residence is established. The determination of domicile and habitual residence rests on a person having a principal home in which he intends to reside. So there is a fact and an intention. The two must coincide. This is coupled with a presumption that a person intends to reside indefinitely in the place where his principal home is situated. Like any other presumption, of course, it's rebuttable, but we start with that presumption.

The Law Reform Commission recommended special rules respecting the determination of domicile of minors and mentally incompetent persons. Domicile of an infant depends, to some extent, on the domicile of his parents, and various rules are set out in the bill. The old rule that a child took the domicile of the father is abolished as a single rule, because there again that was the old common law notion of dependency and again the propriety interest of the father placing the mother in a subservient position. That old rule now only applies in the situation set out in parts of the bill where the parents do not have a common habitual residence and the child lives with the father rather than the mother, or where the parents do not have a common domicile and the child does not live with either of the parents, but the father is still living. So that old rule is very much restricted.

The only place where the domicile of the father has precedence over the domicile of the mother is where the parents do not have a common domicile and the

child is not living with either of the parents. If the father is alive and the child has the domicile of the father; if this father is dead, then the domicile of the mother is the domicile of the child.

The domicile of a mentally incompetent person, who is mentally incompetent from birth, is premised on the same rules as the domicile of a child. A person who becomes mentally incompetent after birth retains the domicile he had immediately prior to becoming mentally incompetent.

There are restrictions, Mr. Speaker, on the change of domicile of mentally incompetent persons. That is, there must be the approval of the Court of Queens Bench. There are some special rules provided respecting such applications for change of domicile of a mentally incompetent person. Where the domicile of a mentally incompetent person is outside Manitoba, the domicile cannot be changed except in accordance with the law of the state in which the person has domicile. State here, of course, is used in its legal sense as any foreign jurisdiction; i.e., any jurisdiction other than the Province of Manitoba.

The bill provides a special conflict of laws rule which provides that where an action in the Manitoba court must be tried in accordance with the law of the domicile of the person, the domicile of the person will be determined in accordance with Manitoba law and not in accordance with the law of the domicile of the person. The purpose of this is to avoid a legal difficulty known technically as *renvoi*. The bill provides that it is to come into force on July 1, 1983. As that is clearly now unlikely, to put it mildly, that the bill will receive Royal Assent by that day, the commencement date will have to be delayed. That can be dealt with in committee.

As mentioned above, Sir, the act will be able to be used to determine not only domicile, but habitual residence. Habitual residence is a concept which has been used from time to time in order to avoid some of the anomalies which occurred because of the old rules of a revival of domicile of origin and the determination of a married woman's domicile as the determination of the husband. For instance, the application of The Marital Property Act depends now on habitual residence rather than domicile. The act, Sir, therefore applies in some situations where spouses have different habitual residence. Under the old rule of domicile, married persons always had the same domicile.

So, Sir, what we are doing here, based on recommendations of the Law Reform Commission, is again getting rid of some of the archaic - some indeed would say arcane - anomalies of the common law, and I recommend this bill to the House.

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

**MR. G. MERCIER:** Mr. Speaker, I move, seconded by the Member for Sturgeon Creek, that debate be adjourned.

**MOTION presented and carried.**

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

**HON. R. PENNER:** Yes, Mr. Speaker, would you please call the adjourned debate on Bill No. 3, The Farm Lands Ownership Act, standing in the name of the Member for Kirkfield Park.

## ADJOURNED DEBATE ON SECOND READING

### BILL NO. 3 - THE FARM LANDS OWNERSHIP ACT

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Agriculture, the Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** Thank you, Mr. Speaker. I would like to make a few comments on this bill. I have listened to and read most of the speeches given by members on both sides of this House. As an urban member, my concerns are for the rights of all Manitobans. When certain rights of our citizens, and only some of our citizens, are being taken away, it is our duty as legislators to warn our constituents.

In the Canadian Constitution 1981, there is a section called "Mobility Rights." It says, "Mobility Rights: 6.(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right (a) to move to and take up residence in any province; and (b) to pursue the gaining of a livelihood in any province."

This section gives every Canadian the right to take up residence anywhere in Canada and to earn a living anywhere in Canada; but if you are a Manitoban and own farm land, if you choose to move out of Manitoba for any reason, you will be forced to sell your land. For young farmers, or corporate farmers, this virtually makes their farms a prison. The threat is always there: Either stay or lose your land. Where does the freedom of mobility apply? It doesn't.

The Constitution has another section entitled "Equality Rights." Under "Equality Rights: 15.(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability."

Mr. Speaker, Bill 3 takes away those rights from some of our citizens. This bill effectively makes some of us more equal than others. The Farm Lands Ownership Act discriminates against most Manitobans and every Canadian who does not live in Manitoba.

I resent the fact that my brother, who now lives in British Columbia, will be treated as a foreigner in a province he and his family refer to as home. This bill restricts him to buying 10 acres of land in Manitoba.

When my mother and father emigrated to Canada from the old country they couldn't get over the size of this land, the distances one had to travel to get from one place to another. I know if they were alive today they would be horrified by this bill, as I am. Legislation that would stop their son from buying land as an investment for his children, an opportunity for his children to inherit land and possibly be future farmers in the province that is second home to them.

The act effectively stops my brothers and I from forming a corporation so that collectively we could invest

in a part of this province we call home. What right has this government to treat certain Canadians as foreigners in their own country?

Surely the owning of property has always been a fundamental right of Canadians. Why does this government see themselves as a better farm owner than my brother who has always contributed to society? Owned property, paid taxes, obeys the laws of this land as do thousands of other Canadians. Any law that restricts the rights of Canadians to invest in their own country has to be a bad one.

When the Member for The Pas spoke on this piece of legislation he said, "We, on this side of the House, strongly believe in an active and positive role for government in solving the problems that confront Manitobans. Currently one of these problems is land speculation."

Mr. Speaker, that is the fundamental difference between members of the ND Party and the Progressive Conservative Party. The reason for many of the problems confronting Manitoba is unwarranted interference by this government. The NDP see all buyers of farm land who are not farmers as speculators.

Well, Mr. Speaker, our view is that all Canadians have a right to invest in their country, whether it be farm land, land for recreation, or city properties.

An example is the north of Portage development. This government is anxious for private development. In fact they were prepared to offer tax incentives, freeze developments in the suburbs, but nowhere have we heard that this investment must be owned solely by Winnipeggers. It's amazing how seldom, if ever, we hear the word "speculation" when this government talks about city developments. That dread word, speculation, seems to be used only when anyone but a farmer wishes to buy farm land.

Mr. Speaker, the Minister of Housing in his speech, and I quote, said, "In fact, prices do decrease in that while it is true that it may affect the return to a long-time farmer in some respects, I don't think drastically, but it may affect them. It also has the effect of making that way of life possible for more and more Manitobans."

That's a pretty casual statement to make about someone's lifetime work and investment. I don't ever remember hearing the Minister ask the teachers to take less so that young teachers coming out of school could have jobs. It is the same principle, Mr. Speaker, and I only use teachers as an example because I understand that the Minister of Housing is a former teacher by profession.

When the Member for Emerson spoke on this bill, he said, "If it was good for rural areas, why would we not be supporting it?" A question well worth asking, and I would expect the members sitting on the government side of the House should be asking their Minister of Agriculture the same question. I repeat, "If it was good for the rural areas, why would we not be supporting it?"

Many of my colleagues represent farm communities. Not only do they represent farm communities, but they are farmers themselves. The Member for Pembina is a farmer, so is the Member for Arthur, the Member for Lakeside, the Member for Turtle Mountain, the Member for Rhineland, the Member for Virden, the Member for Portage la Prairie, the Member for Morris, the Member

for Emerson, and even the Member for Minnedosa is a farmer. These members not only represent farm communities; they actively farm. If this was a good bill, why on earth would we be opposing it? It just doesn't make sense.

If the Minister is truly concerned about agriculture and the future of agriculture and the family farm in the Province of Manitoba, he will listen to our concerns, to the Farm Bureau's concerns and to the farmers' concerns.

Again I quote from the Minister of Housing's statement, "My point, and I've made it before, was simply because members opposite represent rural ridings does not mean that they have any priority or any imagined or otherwise right to say they speak for the Manitoba farm community." An unbelievable statement. Surely that is exactly what we, as elected members here, are here for, to speak and reflect the views of the communities we represent. That is probably where this government has gone wrong. They are reflecting their own views, not the views of their constituents.

In the recent Brandon-Souris by-election in the rural areas, the NDP were beaten five to one; in the rural areas, the NDP ran third behind the Liberals. Surely, if the farm community wanted the type of restrictions on farm lands that this bill proposes, it would have been reflected in the vote. If this bill was needed or wanted, farmers and their families would have at least put the NDP ahead of the Liberals, but this did not just happen. The farm community does not support this type of legislation; so why is it being proposed?

This government says it wants to protect Manitobans from speculators, but my own feeling is that this act, The Farm Lands Ownership Act, is a smoke screen for this government to legally get back into the land lease business.

**MR. A. ANSTETT:** I only wish, I only wish.

**MRS. G. HAMMOND:** And the Member for Springfield says he only wishes. Well, we'll see, Mr. Speaker.

This government wants to own the land. They won't be happy, have a moment's peace, until they are the landlords and the farmers the tenants.

Mr. Speaker, we support the concept of restricting foreign ownership of farm land. What we cannot accept is the government's move to restrict Canadians from owning farm land in Manitoba or to tell Manitobans what form of business structure to use.

Surely this NDP government would prefer to have a bill that we can all support and to give this government the time they need to take another look at Bill 3.

I move, seconded by the Member for Virden, that Bill 3, The Farm Lands Ownership Act, be not now read a second time, but be read this day six months hence.

**MOTION presented.**

**MR. SPEAKER:** Are you ready for the question?

The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Thank you, Mr. Speaker. Now we have seen the motion put that was talked about for months and the members opposite had an opportunity

to put their position forward, and I'm certainly pleased to speak to this motion, Mr. Speaker, in dealing with the motion to move a six-month hoist on Bill No. 3.

Mr. Speaker, I want to say that we continue and I continue as a government to support the principles contained in Bill 3. My view, Sir, Bill 3 is a bill which Manitobans can certainly take pride in. As members, Sir, we are aware; we've been debating this legislation for many months and, during this period, I've considered carefully many of the comments and criticisms expressed by farmers, farm groups . . .

**MR. SPEAKER:** Order please. In order to avoid any possible difficulty later on, the Honourable Minister sent me a note the other day. I wonder if he would make clear to the House if that intent still holds.

**HON. B. URUSKI:** Yes, Mr. Speaker, I notified you that, if necessary, I would be speaking as long as required by the rules of this House on this bill.

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

**MR. H. GRAHAM:** On a point of order, Mr. Speaker, I believe that the Minister does have the right of unlimited time when introducing a bill or a piece of legislation; but I believe he does not have unlimited time when he is replying to a motion that has been put forward by a member on this side of the House, unless he has been previously designated as a speaker, the official spokesman for the government.

**HON. B. URUSKI:** Mr. Speaker, the honourable member should be aware that I did advise the Speaker several days ago that I am the designated speaker on this bill and that I would be requesting unlimited time on this legislation.

**MR. SPEAKER:** The Honourable Minister of Agriculture should continue.

**HON. B. URUSKI:** Thank you, Mr. Speaker. As I have indicated, that during the course of this debate, I've considered carefully some of the comments and criticisms expressed by farmers, farm groups and others, and I've even examined many of the arguments presented by members of the opposition. Sir, while I acknowledge that there are differences of opinion on this legislation, I am convinced that the approach we've used is a sensible one. Along with my colleagues in the present government then, we do fully support The Farm Lands Ownership Act.

Members recall that when I introduced Bill 3 for second reading, I stated, and I repeat this evening, the objective of The Farm Lands Ownership Act is to preserve and strengthen the family farm by curtailing absentee control and speculation in farm land. The proposed act, Sir, is biased. It is a biased piece of legislation. It is definitely biased in favour of the farmers of this province. It is intended to enhance the rights and freedoms of existing farmers and future generations of farmers to acquire, own and operate farm land in this province. This is a goal, Sir, which all supporters of what I would say freedom of choice would surely endorse.

Mr. Speaker, opponents of the legislation have had an opportunity to review and criticize this legislation; and what are the chief criticisms of Bill No. 3? Members opposite have raised all kinds of smoke screens, Sir.

First of all, they don't like the statistics used by the government. They object to the restrictions being placed on absentee landlords who reside outside of Manitoba. They are supposedly concerned about the relationship of this bill to the Charter of Rights. They suggest that the proposed legislation is somehow unique even though similar legislation exists in Saskatchewan and Prince Edward Island, both which are governed presently by Conservative administrations, and so on.

Mr. Speaker, I am amused that at this stage of the debate some Tory members have criticized the legislation without making any effort to read and understand it. The Member for Gladstone, for example, states and I quote: "My understanding of this bill is that a Manitoban may own an unrestricted amount of farm land, but only if he actually farms, or maybe if he inherits it." That's what she said, Sir. I am amazed that a member of the Legislature, Sir, would fail to comprehend the most basic provision of this act, and that is that any resident of Manitoba, whether he farms or not, may acquire and hold an unrestricted amount of farm land in this province.

**A MEMBER:** So the Manitoba speculator is going to get robbed.

**HON. B. URUSKI:** Mr. Speaker, this is clearly spelled out in Section 2 of the act.

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

**HON. B. URUSKI:** Mr. Speaker, the same member totally misunderstands the purpose of our proposed rules of procedure for the board. The Farm Lands Ownership Board, in contrast to the former appointed board, will operate under former rules of procedure. These rules will define its role and apprise individuals of their rights with respect to exemption and divestiture provisions.

For the information of the Honourable Member for Gladstone, Conservatives have failed to develop any former rules of procedure to govern the operation of their board. As a consequence, many individuals have been unclear about the powers and the authority of the Agricultural Lands Protection Board and their rights in dealing with it. Most people don't realize, for example, that under the present Conservative legislation, the board can order individuals to divest their land holdings without providing them with a proper hearing. These people, Sir, I believe, would agree that these powers are excessive; in fact, one could call even draconian. The present government plans to administer the proposed legislation in an efficient and open manner, and the ground rules underlying the operation of this board will be open to public scrutiny.

Let's look at some of the allegations made by the opposition about this legislation. First of all, the opposition have spent a good deal of time quibbling

about statistics. Mr. Speaker, in the past, I quoted statistics from a university study which was prepared under the direction of a highly respected economist, Dr. Daryl Kraft. The purpose of the study was to examine the impact of absentee ownership on farm land prices in Manitoba, and it was concluded that there was a substantial impact. For the purposes of the study, an absentee landlord was defined as one who does not farm and does not reside in rural Manitoba.

The study showed that between 1971 and '77, absentee ownership of Manitoba's farm land increased from 1.1 million acres to 1.8 million acres. Now anyone who has any concern about the future of owner-operated farm land and the survival and growth of rural communities must be concerned about the growing amount of land being alienated by absentee owners. Mr. Speaker, Dr. Kraft's figures then are relevant and should be of concern to any thinking person who cares about the future of rural Manitoba.

**MR. D. ORCHARD:** Billy, they're going to confer your LL.B. on you in Morden. And you know what an LL.B. is. A lying little . . .

**HON. B. URUSKI:** Mr. Speaker, most people are concerned about absentee ownership, but I guess not the members opposite. Even though I have provided them with the available statistics and cited the source used to develop Dr. Kraft's numbers, they are still not happy. So, Sir, they whine and complain and accuse me and the government of misrepresentation.

So now the opposition have developed their own statistics which purport to show the amount of farm land owned by Manitoba residents. The Member for Springfield has correctly pointed out the hopeless inadequacy of the Tory figures. Sir, their figures, for example, will show that huge amounts of land held by so-called Manitoba corporations are resident-owned.

**MR. D. ORCHARD:** Those were factored out.

**HON. B. URUSKI:** Many of these corporations though, and the Member for Arthur is well aware of this, are simply fronts for owners who reside outside of Manitoba and, in many cases, outside of Canada. So the Tory figures will obviously exaggerate, and in some cases substantially, the extent of resident ownership of Manitoba farm land.

Mr. Speaker, my view is that the quibbling about statistics is simply a smoke screen. Regardless whether we use the Tory definitions or our definition of absentee owner, does it really matter whether 79 percent or 10 percent of the land in Manitoba is owned by absentee landlords?

**A MEMBER:** How about 2 percent? Does it matter then?

**HON. B. URUSKI:** The real issue is that absentee ownership and speculation in farm land creates severe problems for Manitoba farm sector and rural communities. Mr. Speaker, therefore, it is time that this province joined by other provinces, including Quebec, Saskatchewan and Prince Edward Island, in enacting effective legislation to deal with these problems.

Mr. Speaker, members of the opposition have alleged that this act will deprive 23 million Canadians of the right to buy land here. Mr. Speaker, the allegation is at best highly misleading. As I have stated in the past, the proposed legislation will allow many Canadians to acquire land here. Mr. Speaker, for example, farmers may transfer land to relatives even if they reside outside the province. Residents of Manitoba and retired farmers or their spouses may . . .

**MR. SPEAKER:** Order please. The Honourable Member for Springfield.

**MR. A. ANSTETT:** Mr. Speaker, on a point of order, twice in the last minute, I've heard the Member for Pembina from the rear of the other side call across to the Minister that he was "a congenital liar." Mr. Speaker, I am sure that other members in this Chamber heard him utter those same remarks. I think it's proper that he be called to task for that and be asked to withdraw those statements.

**MR. SPEAKER:** The Honourable Member for Lakeside to the same point.

**MR. H. ENNS:** On the same point of order, I sit closer to the supposed member; I heard no such thing. But on the point of order, it's become a practice for members to rise on a point of order. There is one thing when a member stands in his place and says something that is on the public record and another thing that comprises of a passing comment from his seat.

**MR. SPEAKER:** The Honourable Member for Brandon West to the same point.

**MR. H. CARROLL:** On the same point of order, Mr. Speaker, the Member for Morris was distinctly heard by me to say, as alleged by the Member for Springfield. I find it disgusting . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. H. CARROLL:** Pembina. Mr. Speaker, the Member for Pembina is the one that I was condemning.

**MR. SPEAKER:** The Honourable Member for Morris to the same point of order.

**MR. C. MANNES:** Mr. Speaker, I must confess innocence here. I was sitting in my chair not saying a word.

**MR. SPEAKER:** The Honourable Member for Turtle Mountain to the same point.

**MR. B. RANSOM:** Mr. Speaker, there is a clear example, Sir, of how one cannot go by hearsay because there are two different members who thought they heard a different person make a comment, Sir. What the Member for Springfield has done is interrupt the Minister of Agriculture on an alleged point of order which was, in fact, itself out of order. He has interrupted the Minister of Agriculture when he should not have done so.

**MR. SPEAKER:** Order please. The Honourable Minister of Agriculture on the same point.

**HON. B. URUSKI:** Mr. Speaker, I was about to overlook some of the comments, but having heard the Member for Turtle Mountain make that allegation, the Member for Pembina did use those words as alleged by the Member for Springfield.

**MR. SPEAKER:** The Honourable Member for Fort Garry to the same point.

**MR. L. SHERMAN:** On the same point of order, Mr. Speaker, the person who is legitimately wrong would, one would expect, be the person to complain the most about it and the Minister of Agriculture has been in this House a good length of time. He understands what happens in debate. He appreciates the interplay that goes on back and forth across the Chamber. He had no difficulty, and no objection, to the comments that were coming from this side of the House until the Member for Springfield interjected. And in his comments right now, as a matter of fact, the Minister of Agriculture raised no objection to that kind of criticism so I think we should get on with the Minister of Agriculture's speech, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member for Thompson on the same point.

**MR. S. ASHTON:** Yes, on the same point of order, Mr. Speaker.

We get quite an echo on this side of the Chamber and I did hear that comment coming from that side. I know there is some question as to which of the two members made that comment but it's much like when one watches a ventriloquist and a dummy, Mr. Speaker. The real question is here, who is the ventriloquist, and who is dummy, and who made the remark? In choosing between those two members, Mr. Speaker . . .

**MR. SPEAKER:** Order please.

**MR. S. ASHTON:** . . . I think it is clear coming from this side that it was the Member for Pembina who spoke.

**MR. SPEAKER:** The Honourable Member for Morris to the same point.

**MR. C. MANNES:** On a point of order, Mr. Speaker.

I did too also hear that echo and I think it came from that other side. I think it was one of those members that issued that statement.

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

The Honourable Member for, I believe it was, Lakeside is quite correct. Those words were not issued in debate and Beauchesne makes it clear that unparliamentary language of those words which are spoken during debate - perhaps the honourable member who uttered the remarks would care to clarify for the House.

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

The practice of heckling in this House has a long tradition in the democratic system. I cannot see that it improves the decorum of the House when members resort to unparliamentary language, even heckling across the floor when their remarks do not appear on the record. I would ask members to bear in mind the decorum of the House is in their own hands. If they wish it to improve they should perhaps watch their language.

The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Thank you, Mr. Speaker.

As I was indicating part of the opposition on the — (Interjection) —

**MR. D. ORCHARD:** I heard "congenital liar" from the Attorney-General. I did. I heard it.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**HON. B. URUSKI:** Mr. Speaker, the members of the opposition . . .

**MR. D. ORCHARD:** The Attorney-General called you a congenital liar.

**MR. L. SHERMAN:** He didn't, he said he was a congenial liar.

**MR. SPEAKER:** Order please.

The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Mr. Speaker, I think we've given virtually every member of the opposition an opportunity to speak. I would hope that they would give me the courtesy to speak to some of the concerns that they have raised, and to deal with some of the questions that they have posed, and some of the issues that they have raised because they have raised some fairly fundamental issues, and I wanted to deal with some of them. If they don't wish to hear the debate that's up to themselves, Sir.

Mr. Speaker, the members of the opposition have alleged that this act will deprive 23 million Canadians of the right to buy land here. Mr. Speaker, as I said, the allegation is at best highly misleading.

As I've stated in the past the proposed legislation will allow many Canadians to acquire land here. You know, farmers may transfer land to relatives even if they reside outside the province.

**MR. D. ORCHARD:** How about buying land? Deal with buying land.

**HON. B. URUSKI:** Residents of Manitoba, and retired farmers, or their spouses may will land to anyone anywhere in the world.

**MR. D. ORCHARD:** Deal with buying land. Deal with buying land.

**HON. B. URUSKI:** Farmers who reside in Saskatchewan, near the Saskatchewan-Manitoba



border, will be able to secure land in Manitoba, Mr. Speaker, and individuals who make a commitment to take up residence in Manitoba within a reasonable period of time, say five years or so, may purchase farm land. Thus if a young person decides to build up his equity by working for a few years in Ontario, or Alberta, or British Columbia, he may purchase land here provided that he or she make a commitment to return to Manitoba.

Mr. Speaker, so you see many individuals who don't reside in Manitoba will be able to secure farm land in this province. The only residents, Sir, who are likely to be disadvantaged by the legislation are absentee landlords, speculators, and land dealers. — (Interjection) — Mr. Speaker, these are the groups whose interests are being defended by the Tories. In support of the speculators the members opposite deny that land dealers have been purchasing large tracts of land in Manitoba. The land dealers and speculators are the great guys. Furthermore, the speculators they say, they don't drive up land prices.

The Member for Pembina insists that farmers are responsible for the escalation of land prices in the latter 1970s and early 1980s. He defends the land dealers when he accuses me " . . . of putting the misrepresentation out there, that it's absentee ownership that raises the price of land. That's not correct." December of 1982 when he spoke.

Well, let's take a closer look at the purchases and the inflationary impact of the purchases made by some non-resident absentee landlords. The landlords, who according to the Tories don't exist. These purchases, by the way, were made in the period from 1978 to the present, mainly during the Tories' term of office.

Mr. Speaker, since 1978 Canadian and foreign speculators have made significant purchases of farm land in Manitoba primarily through the use of non-farm corporations. Mr. Speaker, let me give you a case.

In recent years an Eastern Canadian lawyer has acquired 8,928 acres of prime agricultural land, valued at \$5.2 million. To finance the land deals this individual enters into an agreement with another Ontario lawyer who puts up all the money through a mortgage agreement. The lawyer in turn secures funding for the deals from offshore sources. The land appears to be beneficially owned by European investors.

Case No. 2, Mr. Speaker. An Eastern Canadian land dealer who purchases in conjunction with offshore investors has secured 7,031 acres of prime agricultural land valued at \$7.3 million.

No. 3. A former lawyer in British Columbia who now resides full time in Europe acquired over 3,000 acres of prime agricultural land, valued at \$2.5 million, through his Manitoba corporation.

No. 4. A Canadian land dealer who has a Quebec address but resides most of the year in Europe has purchased over 5,000 acres of prime agricultural land valued at \$3.1 million through two corporations. To facilitate his transactions he enters into an agreement with a resident of the province who negotiates with local farmers. In some cases the local resident, through his numbered Manitoba holding company buys and registers the property and then resells it to the other corporations. Farmers and rural councillors in the area have expressed concern about the inflationary impact of purchases by these corporations.

Mr. Speaker, the honourable members opposite will heed some of the profits involved by these corporations, which incidentally didn't go to the retiring farmers, who they spoke about, Sir. Mr. Speaker, I'll give you a number of examples.

**MR. C. MANNES:** Who has the property?

**HON. B. URUSKI:** A small parcel of land, 75 acres - who has the properties?

**MR. D. ORCHARD:** Identify this one, Billie, where it is and who owned it.

**HON. B. URUSKI:** Mr. Speaker, 75 acres purchased by the local holding company for \$37,500, and then transferred to one of the two corporations, that I earlier spoke about . . .

**MR. D. ORCHARD:** You're a phony. You're a phony.

**HON. B. URUSKI:** . . . for \$41,250 six days later, an increase of \$3,750, only 10 percent, Sir, in six days - only 10 percent.

Seven hundred and forty-five acres purchased by the holding companies . . .

**MR. D. ORCHARD:** You guys are sucked in by him, like you are the Attorney-General.

**HON. B. URUSKI:** . . . for \$375,000 and transferred to one of those corporations . . .

**MR. D. ORCHARD:** You're absolute fools.

**HON. B. URUSKI:** . . . for \$409,000, an increase of \$34,000, approximately two months later. Two months, 10 percent, \$34,000, that that ain't peanuts, Mr. Speaker.

**MR. H. ENNS:** Is he furnishing food for our country, that's the question?

**HON. B. URUSKI:** Three-hundred and twenty acres purchased by the holding company for \$131,000, and then transferred one month later to one of the two corporations for \$174,900, an increase of \$43,900.00.

Two hundred and forty-four acres purchased by the holding company for \$84,000, and then transferred six days later to one of the two corporations for \$134,000, an increase of \$50,000, Mr. Speaker - more than 50 percent increase, Sir.

One hundred and fifty acres purchased by the holding company for \$67,000, and then transferred to one of the two corporations six days later, Sir, for \$90,000, an increase of \$23,168.00.

Mr. Speaker, 240 acres purchased by the holding company for \$120,000, and then transferred to one of the two corporations for \$132,000 two months later.

They are the profits that are going away from the retired farmers that they are speaking about, Sir.

One more, Sir. A Manitoba lawyer has acquired and holds 25,000 acres of farm land valued at \$10.8 million. The purchases have been made through a variety of numbered Manitoba companies, but, Sir, the lawyer

has advised that many of the purchases are financed by offshore investors.

In addition to the 25,000 acres, another 14,000 acres of land valued at \$4.8 million have been acquired and then rolled over to landed immigrants, who apparently have not taken up permanent residence in Manitoba. In a number of instances, prices paid for land by the numbered Manitoba companies exceed the going market prices in the local area.

Mr. Speaker, No. 6, a Canadian land dealer, who resides most of the year abroad, purchased approximately 6,900 acres of farm land valued at \$2.8 million through a numbered Manitoba company. This individual buys land through her corporation and in some cases transfers this land to individuals who are successful in obtaining landed immigrant status. Mr. Speaker, a substantial profit, and hence escalation of land values is involved in these transfers.

For example, part of that transaction, 640 were purchased for \$160,000 and resold in two months time for \$350,000, an increase of \$190,000, well over 100 percent in two months. Eight hundred acres of land were purchased for \$625,000 and then transferred four days later for \$670,000, an increase of 45 percent.

Mr. Speaker, another land dealer, who has landed immigrant status has purchased a whole or one-half percent with individual in No. 6 of 3,904 acres valued at \$2.2 million. Purchases by the land dealer in this case have been made through three Manitoba numbered companies. He, in turn, sells off the land to offshore investors, who succeed in securing landed immigrant status . . .

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

**MR. H. GRAHAM:** Yes, Mr. Speaker. The Minister has quoted from numerous documentation that he has. I'm asking the Minister will he table the documentation that he is referring to in his speech? I think it's important that he do so.

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

**HON. B. URUSKI:** What I have read from my notes here will be in Hansard and he certainly will have it. These are part of my notes, Mr. Speaker. There's no document. It's on a clear piece with my notes.

**MR. H. GRAHAM:** It is incumbent in our rules that if any member quotes from a letter or any piece of documentation, and he is asked to table it, he must table the whole documentation. I would ask the Minister now to table all the documentation of every case he has referred to.

**HON. B. URUSKI:** Mr. Speaker, these are part of my notes. If the honourable member wants a copy of my notes, I'll certainly be pleased to give him that copy dealing with those sample cases that I've quoted.

**MR. H. GRAHAM:** Mr. Speaker, that is not good enough. It does not meet the Rules of this Assembly and I would ask the Minister of Agriculture to table the documentation he is referring to.

**MR. SPEAKER:** The Honourable Minister of Agriculture to the same point.

**HON. B. URUSKI:** Mr. Speaker, I can't believe that there is any rule in this House that I have to table from the notes I have, but I will be pleased, after I conclude my remarks, to give him a copy of my notes.

**MR. H. GRAHAM:** You don't refer to the documentation unless you're prepared to table it.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. The Honourable Member for Virden is quite correct in referring to private letters that a member might quote in the House. It is never, as I can recall, been a practice of the House that members would be required to table their speaking notes. It seems rather, perhaps too much, to expect that the Minister would be able to remember all of those statistics and figures that he has quoted. Many members have brought speaking notes with such statistical numbers in them. The Minister has volunteered to table the figures if they are required by the House, but otherwise it has not been the practice of this House.

The Honourable Minister of Agriculture may proceed.

**HON. B. URUSKI:** Thank you, Mr. Speaker. I am using statistical notes because they are, in fact, transactions that were compiled by the Farm Lands Board, but certainly the member will be able to read them from Hansard and if I do quote from letters or the like, then I would certainly agree that I would be prepared to table those documents.

As I was indicating, Mr. Speaker, Sample Case No. 7 . . .

**MR. SPEAKER:** Order please.

**HON. B. URUSKI:** . . . of the land dealer who has landed immigrant status . . .

**MR. SPEAKER:** Order please. The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Will the Minister permit a question? Mr. Speaker, how are the members on this side supposed to know that the figures being used by the Minister are authentic? From whence does the Minister get his information? When members on this side have cited statistics, we have cited the source of those statistics and members opposite have an opportunity to substantiate that. Can the Minister tell us where this information comes from, or must we simply accept the Minister's word?

**HON. B. URUSKI:** Well, Mr. Speaker, it's kind of a bit odd that the honourable member now says can he find out where we got our statistics, where we got our numbers, Mr. Speaker.

First of all, they didn't accept our statistics that we provided to the Leader of the Opposition that were done by the University of Manitoba. As I indicated earlier, Mr. Speaker, these statistics come from the Farm

Lands Protection Board. These numbers were compiled by the Farm Lands Board of the present administration, the staff of the Farm Lands Board. We gave the honourable members all the statistical information that we had. They didn't like it, Mr. Speaker, because they criticized the very nature of studies that we did not do, but we did not form our entire policy just on the basis of statistics, Mr. Speaker, and I will go on in my remarks and I will show the honourable member of whence they were coming from when they were in office, Sir.

As I was indicating, another land dealer who has landed immigrant status has purchased in whole or in one-half interest with the individual that I quoted, Case No. 6, 3,904 acres valued at \$2.2 million.

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

**MR. H. GRAHAM:** Could the Minister please identify who that landholder was that he is now referring to? I think it's important for us to know from whence he gets his source of information?

**MR. SPEAKER:** Order please. That was not a point of order. It might have been a question.

The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Mr. Speaker, first of all, I do not have that information at my purview, Mr. Speaker. Even if I had that information, I would not divulge the name of the landholder, Sir. Mr. Speaker, even if I had that information, I would not divulge it. Purchases by the land dealer in sample Case No. 7 have been made through three numbered Manitoba companies. He in turn sells off the land to offshore investors who succeed in securing landed immigrant status. Once again sizable profits are involved in these transactions. For example, 1,000 acres were purchased for \$237,000 and resold within three months for \$450,000; an increase of \$213,000 or a 90 percent increase. As this acreage was all located in the same area, Mr. Speaker, it had a direct impact on the price of land in that community.

Sample Case No. 8, Mr. Speaker: In 1979, a locally based corporation acquired a parcel of farm land for \$462,000 or \$3,000 per acre. The land over the next one-and-a-half years was rolled over to related corporations in three successive deals. The result is that the land escalated in value from \$462,000 in mid '79 to \$939,400 by early 1981.

In 1978, Sample 9: A section of land was sold to a land speculator who resides in Ontario for \$600 an acre. It was sold to another corporation in 1980 for \$1,048 per acre and in 1981 was transferred to another corporation for \$1,125 per acre. In three years then, the land almost doubled in value. Mr. Speaker, it might be noted that the latter corporation is controlled by a landed immigrant who resides abroad.

Mr. Speaker, these types of purchases will certainly be restricted by the proposed legislation, and I'm confident that most Manitobans will agree that it is sensible to do so. As I have stated on various occasions, the rights of a small elite of non-resident absentee landlords will be limited in order to enhance the rights of local farmers to acquire, own and operate farm land in this province. So, Mr. Speaker, I say, let the Tories

support the Canadian and foreign speculators, Sir; we, on this side of the House, support local farmers.

Mr. Speaker, the Tories have also raised the concern about a possible conflict with Canada's Charter of Rights and Freedoms. I think it's fair to say that the issue has been raised not because the Tories are worried about individual's rights and not because the provisions of the act may be declared ultra vires, they've raised it because it's another red herring which they hope can be used to stall implementation of this act and that it will mean trouble for their friends in the land speculation business.

Mr. Speaker, my advice is that in general Bill 3 is consistent with the Charter including the Mobility Rights section. I have taken note of the specific concerns raised by the Member for St. Norbert who quoted a study conducted by Professor Dale Gibson and I certainly appreciate the member's comments, but I don't believe that most of the issues raised by him will be cause for any major concern vis-a-vis the charter.

Furthermore, the constitutionality of legislation similar to Bill 3 has already been reviewed and upheld by the Supreme Court of Canada, Mr. Speaker, but the key provision of the Charter I believe is Section 1, to guarantee the rights and freedoms. The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits and the key is whether or not this is a reasonable limit. There is no doubt in my mind, Mr. Speaker, that either this act, or the Saskatchewan legislation, or the Prince Edward Island legislation, or the Quebec legislation, any one of those legislations may eventually be tested in the courts of this country and many provisions of the charter will be tested. It will no doubt, if this provision, this act, is tested, have an impact on all legislation that is now in place in this country similar to ours - not only the Manitoba legislation, but present legislation that is in place in the provinces that I have mentioned.

One other issue that they have raised that I commented on was the uniqueness of the legislation. Finally, the comment is made over and over again that the proposed legislation is somehow unique, but even the members opposite should know better.

The Member for Pembina indicates that it's not legitimate to compare Bill 3 to existing legislation in Prince Edward Island. But, you know, it's ridiculous to ignore the comparison between the legislation in the two provinces, simply because Prince Edward Island has a smaller land base than Manitoba.

Opposition members have totally ignored the similarity of Bill 3 of farm lands legislation to legislation in Quebec and Saskatchewan. You know, I want to remind the Tories, Mr. Speaker, that their counterparts in Saskatchewan could have abolished The Saskatchewan Farm Lands Ownership Act when they came into office, but they didn't. They didn't because they know this act is popular legislation in Saskatchewan, and in fact the Member for Minnedosa assures the House, "that you will see some relaxation on that," meaning the Saskatchewan legislation, "because they're open for business out there and they've proven it." That was his comment in June when he spoke.

Well, they've proven it all right, Mr. Speaker. The Saskatchewan Government in the current Session of

the Legislature will be taking action to tighten its farm lands legislation even further by imposing controls and purchases of land by limited partnerships, Mr. Speaker. That's how they're going to relax the legislation in Saskatchewan, Sir, they're going to tighten it up. So much, Sir, then for the argument about the uniqueness of Bill 3 and about its socialistic nature.

Mr. Speaker, in brief, I believe that Bill 3 is an effective and sound piece of legislation. It is based, as I have stated earlier, on a firm commitment to support the family farm through restriction of speculation in one of our more most precious resources, farm land.

Let's turn our attention now to the alternatives proposed by the Tories. The Conservative position at best is unclear. Several members would like the public to believe that they support restriction of land purchases by non-residents of Canada, but the real philosophy of the Conservative Party, I believe, is most effectively summarized by statements made by the Members for Sturgeon Creek, River Heights and Assiniboia and even when the leader was in opposition, the present leader who has resigned.

The Member for Sturgeon Creek states, and I quote, "Mr. Speaker, my philosophy is that I should have the right to be able to accept the price that I want for my property." The Member for Assiniboia goes on, and I quote, "Canadians should be able to sell to whomever they choose and to whomever is willing to pay the price." He goes on to offer the opinion that, "If you as a landholder could sell to a foreigner, I don't have any objection to that if he is willing to pay the price for it." Finally, let's listen to the words of the Member for River Heights. He says, and I quote, "If the farm has a value of X on it, why should somebody be forced to take something less than X just because they want to help some young farmer from down the road?"

Mr. Speaker, I suggest that the Conservatives don't give a damn about our young farmers from down the road, and they don't give a damn about restricting purchases of farm land by Canadians or foreign speculators. Mr. Speaker, their position is that the so-called free market should be allowed to operate even if it destroys existing farmers, and even if it precludes the young farmers from down the road from entering agriculture, Sir, and building up his own farm operation. That's their position, Sir. They just want the free market to let the one with the thickest wallet have his say, Mr. Speaker. That is the freedom of choice that they believe in, Mr. Speaker. Needless to say, Sir, the Conservative approach is founded on greed, short-sightedness and absence of concern for the future of rural Manitoba.

Mr. Speaker, as they say, the proof of the pudding is in the eating. When the Conservatives were in office, they had every opportunity to plug loopholes in their legislation, thereby precluding foreign speculators from buying farm land in Manitoba, Mr. Speaker. I hope the Member for Arthur will be here listening to what I have to say. Mr. Speaker, as we know, the loopholes are enormous.

In 1981, Mr. Speaker, amendments were introduced supposedly to plug them. Statements by the Member for Arthur lead some people to believe that they succeeded. Of course, Mr. Speaker, we all know that the 1981 amendments didn't plug the loopholes, because they were never intended to do so. In fact, Mr. Speaker, the Tories opened up a few more major

loopholes for their friends, the foreign speculators, by allowing them to buy land through the use of mortgage agreements and options to purchase.

Mr. Speaker, enforcement of The Agricultural Lands Protection Act was as incompetent as the act itself. The former Minister of Agriculture was paraphrased in a newspaper article as stating, "The violators of the act were not being prosecuted, because there was no clear evidence that contraventions of the legislation were taking place."

Mr. Speaker, now I quote from an article of the Winnipeg Free Press, October 17, 1980. "Agricultural Minister, Jim Downey, says the absence of prosecutions under the legislation doesn't mean the government lacks the courage of its convictions. Rather, he said, there has been no definite proof that non-Canadians are breaking the law."

Mr. Speaker, that was the Minister of Agriculture of that administration. His own board wrote to him in July of 1980, and this was in October. He has the letter. Mr. Speaker, that letter was made available to the public of Manitoba. His own board wrote to him and said that we are recommending to you for divestiture - Mr. Speaker, and he did not act upon some of that legislation or some of that advice.

**A MEMBER:** Did you table your proof? Table your proof and the other stuff you were reading from.

**HON. B. URUSKI:** Mr. Speaker, here is the document. Mr. Speaker, that is what the Minister of Agriculture, the former Minister, received from his board. As I said, in the letter dated July 22nd, he was advised by the board that certain corporations had indeed contravened The Agricultural Lands Protection Act. The Minister's board advised him to order immediate divestitures under Section 7.2 of the act. What was the Minister's response? Mr. Speaker, he refused to order the divestitures.

Why did he refuse? The decision was certainly not based on advice from the Department of the Attorney-General because, Sir, I have checked with that department. Perhaps, Mr. Speaker . . .

**A MEMBER:** Table the evidence.

**HON. B. URUSKI:** I have it right here. I'll table it. Mr. Speaker, we have checked with the Attorney-General. There were no memos from the Attorney-General to your department. How can there be a memo if there's nothing there, Mr. Speaker?

Perhaps the real reason for his refusal is found in a document which the Tories overlooked in their haste to destroy all files when they left office, Mr. Speaker. The document is dated March 30, 1981, and I would like to quote from some of the passages, Sir — (Interjection) — bluffing, Mr. Speaker? Here, Sir, "Proposed Amendments to The Agricultural Lands Protection Act, the proposed bill attached." — (Interjection) — Proposed, those are the amendments that were brought in in 1981. "Improved definitions to better describe an ineligible person or corporation for the purpose of land purchase, effective control of land, foreign-controlled corporations . . ." These are to get at foreigners using corporations to circumvent the act,

"land holding . . ." again to designate shares that constitutes a land holding giving the Lieutenant-Governor-in-Council power to designate shares and thus keep up to corporations who try to hide the fact that they are foreign-controlled. "Defining family farm corporation, agricultural corporation and non-agricultural corporation."

"2. Non-agricultural corporation will be required to submit an annual disclosure statement to determine if they are foreign-controlled. It must also inform the board within 90 days of sale or transfer of shares. Requiring that a landed immigrant must reside in Canada for at least 183 days per year conforms to Immigration Act.

"4. No ineligible person can own directly or indirectly more than 20 acres - requires persons, partnerships and corporations who may be eligible to hold land now, but if they become ineligible for any reason will have to reduce their land holdings to 20 acres or less."

Mr. Speaker, it sounds like socialist legislation in terms of the amendments. "A one-year option to purchase land held by an eligible person is permissible for one year only. This will allow persons to obtain landed immigrant status. Board can now order divestiture of land where they are satisfied that effective control is held by an ineligible person. The word "board" is substituted for "Minister" in a number of sections. This allows the board to act instead of the Minister to order divestiture.

"10. Offences and penalties are increased including the penalty to aid and abet.

"11. Two-year time limit to prosecute up from six months.

"12. Lieutenant-Governor-in-Council given added authority to establish guidelines to the board regarding exempting certain persons or classes of persons from the provisions of the act, to designate the kinds and types of shares in a corporation that constitute a land holding.

"13. The board given added authority to (a) administer regulations made under Section 33 of The Citizenship Act, Canada; (b) prescribe forms to be used, exempt persons or classes of persons as outlined by the Lieutenant-Governor-in-Council."

Do you know who that was signed by? The Member for Arthur under whose signature it appears, Mr. Speaker. That's who submitted that document dealing with legislation signed by the former Minister of Agriculture, the Member for Arthur.

Mr. Speaker, along with that legislation there are three paragraphs. I'd like to quote from the document dealing with these amendments, Mr. Speaker. Here is the rationale for submitting that document to Cabinet, Sir.

I quote Paragraph 3: "Problems started to arise when foreigners would form a Canadian corporation naming Canadian citizens as majority shareholders. Often a lawyer, real estate agent, or a secretary with all financing supplied by foreigners as well as effective control through instruments as power of attorney, options to purchase, by-law agreements, etc. Other problems are encountered with individuals with landed immigrant status in Toronto, Vancouver, or Manitoba, who purchased land in their name but financed entirely by foreigners who are suspected to have effective control of the land. Often these purchases are made for speculative purposes or to hold the land until the

foreigner obtains landed immigrant status at which time he obtains title by device of value, etc. The Agricultural Lands Protection Board is aware of these methods to circumvent the intent of the act and have documented evidence that some land is foreign controlled even though title is vested with Canadian corporations or individuals. However, they have been advised by the Attorney General's Department not to demand divestiture since some private lawyers argue that only the Canadian Government has the jurisdiction to deal with foreigners and therefore the Manitoba Act is ultra vires."

Mr. Speaker, for a Minister of Agriculture who got up a few months earlier and told Manitobans that they had plugged all the loopholes, that there was no evidence to say that there were any wrong dealings in the act when he said there has been no definite proof that non-Canadians are breaking the law in October of 1980.

In the spring of 1981 he says, "Look we've got a problem, our act may be ultra vires; the act is not good; the act is being circumvented by virtual amendments making the case for the NDP to bring in tough legislation. The very paragraph that could be characterized as socialist amendment, the Minister of Agriculture brought that kind of document to his colleague.

Now to say there is no need - either he misled Manitobans in 1980, Mr. Speaker. Either he knowingly, or his colleagues, Sir, or the Premier of the province at the time said, "Mot on my life are you going to bring in legislation, bring in those amendments that will effectively deal with the problem as you perceive it, Sir. Is that the way the Tories operated? They either misled the people of Manitoba, and certainly he can't deny that he didn't bring those documents in there, Mr. Speaker. That's the basis of the Tory . . .

Now, Mr. Speaker, they get up in this House and say this legislation is not needed. The board either knew and they didn't want to act on it, Mr. Speaker, because they certainly were following the true philosophical expressions as put forward by honourable members and he was not allowed to do his job, or he deliberately misled Manitobans in this case, Mr. Speaker. One of the two. They can't have it both ways.

Well, Mr. Speaker, the evidence is clear. When the Tories were in office they were fully aware that The Agricultural Land Protection Act was being circumvented and contravened, but they refused to do anything about it. They refused, Mr. Speaker, because they believed that any restriction should be imposed neither on foreign speculators or Canadian speculators. — (Interjection) — Mr. Speaker, the Member for Sturgeon Creek reminds us. my philosophy is that I should have the right to be able to accept the price that I want for my property. Very clear, what could be clearer than that?

The Member for Turtle Mountain says be a little bit more honest. Mr. Speaker, what could be clearer than that?

**MR. F. JOHNSTON:** Right, what could be clearer than that?

**HON. B. URUSKI:** Right. I accept the Honourable Member for Sturgeon Creeks philosophy and his clear statements, Mr. Speaker.

In the case of farm land, Mr. Speaker, I don't accept that. Mr. Speaker, I accept the honourable member's position vis-a-vis this legislation. I don't happen to agree with it when it comes to farm land legislation. There's no doubt about it, that's why I quote the honourable member. He does epitomize the clear Tory thinking on this whole matter. Some of the rural Tories don't want to accept that. They want to try and fudge the issue and say, yes, we're going to plug some of the loopholes when they really haven't, and they haven't even tried, Mr. Speaker. Because the former Minister of Agriculture knows of what I speak, Mr. Speaker. If he doesn't know, then he is more ignorant of the fact than one can ever imagine in this case.

Mr. Speaker, Bill No. 3 is fair and it's reasonable. There is little doubt that it will offend the Tories' friends, Mr. Speaker. There is no doubt about it - the land dealers, the speculators, and the absentee landlords, Mr. Speaker.

We're convinced that the proposed legislation will benefit existing, beginning, and future generations of farmers in this province.

Mr. Speaker, along with my colleagues we give this bill our full support and we say that the motion, the six-month hoist that was earlier proposed by the Member for Kirkfield Park, should be defeated.

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

**MR. H. GRAHAM:** Mr. Speaker, I beg to move, seconded by the Honourable Member for Sturgeon Creek, that debate be adjourned.

**MOTION presented and carried.**

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

**HON. R. PENNER:** Mr. Speaker, would you please call Bill 47, The Municipal Council Conflict of Interest Act, standing adjourned in the name of the Honourable Member for Lakeside.

### **BILL 47 - THE MUNICIPAL COUNCIL CONFLICT OF INTEREST ACT**

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 47, the Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I want to assure honourable members that I've spent the supper hour preparing for this bill and I want to make some comments with respect to this bill.

Mr. Speaker, I can't help but speak to this bill in the same light in including the Conflict of Interest Bill that is being suggested for the members of the Legislature as well. They are somewhat companion bills.

Though I, Sir, more than anybody else, with the possible exception of the Minister of Municipal Affairs, who has made it his business, as it should be, to attend the different regional meetings of municipal officials throughout the length and breadth of this province. Sir, he knows the concern that municipal officials have with respect to this bill. — (Interjection) — Well, if he doesn't,

Mr. Speaker, then he'll have to lose that name that he abrogated onto himself, "Perfect Peter," because then he has somewhere lost some of the information that he should be getting.

But, Mr. Speaker, I want to evoke the memory that very few members in this government now will recall, the Minister of Agriculture being one of them, the former Speaker of the House. I'm trying to look at who else is here that could remember it. It's the name of Ed Schreyer. Does Ed Schreyer ring a bell with anybody in this House? Does anybody remember Ed Schreyer? Ed Schreyer was not all that bad of a Premier, Mr. Speaker, but Ed Schreyer introduced this kind of legislation into the House, then he realized it was a mistake and he withdrew it.

Now, Mr. Speaker, I don't ask honourable members opposite to take it from Harry Enns, Conservative, but I just want to put that on the record, that Ed Schreyer, present Governor-General of this country, introduced this kind of legislation into this Chamber; Ed Schreyer said it stank, it was not good legislation, and he withdrew it. Now, quite frankly, if it was good enough for Ed Schreyer, why isn't it good enough for these lefty radicals that we've got looking across this way now? That's No. 1.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. H. ENNS:** Mr. Speaker, I would like to evoke another name in this Chamber that a few people will remember, and he spoke at length on this kind of legislation, and that name used to be the Honourable Sidney Green who used to be a Cabinet Minister of the New Democratic Government, and Sidney Green used to like to tell us a story about that British parliamentarian who kept getting thrown out of the mother House of Commons, of Parliament, in England, but kept on getting re-elected.

This is where my friends opposite don't really appreciate the parliamentary system, because you see, Sir, this is a system that elects; the people decide who shall have the privilege to sit in these benches and represent them. It's not the rules and regulations or the laws that we pass. If the people want to elect Harry Enns or Mr. Roland Penner or Mr. Andrué Anstett, or something like that, to have the privilege of sitting in this House, that is the ultimate decision that is made by the people. That is the sense of democracy as we practice it, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. The honourable member should not refer to members of the House by their names. He should refer to them by their constituency.

The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I apologize. You are, of course, right, Sir, and I am the first one to recognize it. I would say the Member for Fort Rouge, the Member for Springfield, the Member for Lakeside. It's been suggested to me by learned advisers that in the sense that I was using it, it was in a rhetorical sense, that it was not really in a personal sense, that I could hardly

refer to one Harry Enns in a personal manner; I mean he is such a hard person to be personable about that I had to do that in a rhetorical sense.

**A MEMBER:** Who is Harry Enns?

**MR. H. ENNS:** Well, Harry Enns is quite a guy actually, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. H. ENNS:** Mr. Speaker, the point I'm making is that there is a uniqueness in the manner and the way in which people get to become representatives of the people in this Chamber. All the rules and all the laws are not going to change that, and somebody else has said it before, and others in the introduction of debate, that this kind of legislation doesn't make dishonest politicians honest.

If we're going to have dishonest politicians, the people better find out about it, and there are enough and maybe we should strengthen those kind of procedures to make sure that there are ways and means of finding out what politicians are up to. By the way, Mr. Speaker, there are many ways. A matter of land registry is open to the public; a matter of corporate holdings, directorships, open to the public. Indeed, maybe we should be talking about more of freedom of information legislation if we want to do that, but this kind of legislation, Mr. Speaker, is not going to do the job that honourable members want to do.

Mr. Speaker, I only refer to one more case in the provincial scene, because I know I'm speaking out of order and I'm testing your patience because we are dealing with the municipal conflict of interest law; but, of course, the classic case that involves this Legislature with respect to conflict of interest is a former colleague of mine that I have a great deal of respect for, Mr. Maitland Steinkopf, who was accused of a conflict of interest at the time that most Manitobans now acknowledge and respect that involved the development of the Man and Nature Museum, the Centennial Hall, etc., but Mr. Steinkopf, because of some land holdings, was accused in this Chamber by a Liberal member of the House that there was a conflict of interest involved. Mr. Steinkopf took the matter very seriously. He resigned his seat and his position in Cabinet and then came and took the matter to his constituents and they re-elected him and put him right back into this Chamber and Duff Roblin put him right back in as a Cabinet Minister.

So, Mr. Speaker, I'm saying to you there are ways and means that are of some tradition and of some validity about dealing with questions of conflict of interest. Now, Mr. Speaker, I could even accept to some extent the fact that in the bigger pool of provincial legislation where different Premiers, for instance, have set down their own guidelines as to when Ministers of the Crown become Ministers of the Crown, that they have to make certain declarations or make certain divestitures or something like that; that's a matter of — (Interjection) — There are some certain rules, but more importantly even, it's a matter of integrity of that administration to carry out those rules; but, Mr. Speaker, at least in that larger pool, there is some, you know, not quite the same pressure of invasion of privacy as you have in the case of small rural councils.

Mr. Speaker, I know the Minister of Municipal Affairs has been made aware of this. I can tell you that a number of our members have made it their business to attend these regional meetings. We've had representations at all of the municipal meetings and, Mr. Speaker — (Interjection) — At all of them, and all of them. — (Interjection) — Which one? Well, Mr. Speaker, I'll refer to the Minister of Municipal Affairs if he can tell me which one we weren't at.

**A MEMBER:** We were at them all, Pete.

**MR. H. ENNS:** Well, Mr. Speaker, that's a little unfair of me. I don't want to challenge "Perfect Peter's" record in terms of deciding who was at which meeting and who wasn't, but I can tell you, Sir, we made it a business, the official opposition made it a business to have delegates at each and every regional municipal meeting.

**MR. SPEAKER:** The Honourable Minister of Municipal Affairs on a point of order.

**HON. A. ADAM:** The member wanted me to - he mentioned in his remarks that it hadn't been raised at any meeting and I said from my seat that that was incorrect.

**MR. B. RANSOM:** That isn't what he said.

**HON. A. ADAM:** It wasn't raised at every meeting. There was one meeting that it never came up at all in the question period . . .

**A MEMBER:** We can't hear you.

**HON. A. ADAM:** . . . from the area that he represents.

**MR. H. ENNS:** That is not what I said at all. I simply made the statement that we on our side, doing our job as members of the — (Interjection) — Made up one. You made sure that there were different members of our caucus attending these seven regional meetings . . . (inaudible) That's all I said. I didn't say what was being raised at those meetings.

I might also say that after the Minister made his opening remarks or speech and then left, and for the rest of us that stayed for all day, there were a lot of things that were raised that were not necessarily brought to the attention of the Minister. The point is, I'm simply telling the Minister, Sir, that we had representation at all these municipal meetings and, Mr. Speaker, they do express a very real concern.

Now, Mr. Speaker, if the honourable members opposite don't want to agree, I took the time to go back to history a little bit, and as has been mentioned, what will happen in that smaller pond, in that smaller pool that we're talking about where courtesy does have a bearing, it will detract, it will deter a lot of people from entering public life at the local level.

Now, Mr. Speaker, some of the members here, maybe some of my own members here, aren't aware of the fact that personally that has always been a grand design on the part of my socialist friends opposite. I want to quote from I think what is documented, The NDP Manifesto, Guidelines of Public and Co-operative

Enterprise, that was - where's Bud Sherman? He always helps me with the big words.

**HON. H. PENNER:** Every time he starts speaking, he leaves.

**MR. H. ENNS:** It kind of preceded the guidelines of the '70s documents. — (Interjection) — Something like that.

**HON. H. PENNER:** No long preamble.

**MR. H. ENNS:** It was the original unabridged document that finally came out in kind of bound form called "Guidelines for the '70s." But another interesting thing that particular document had, and members opposite should really be able to retain a little, because at that time they wanted to develop a bunch of Crown corporations to get into business, you know, to stimulate business in Manitoba, and they chose one particular item and I read from Page 14 of that document: "Laundry detergent is produced in a variety of colours and box sizes. The short length of production runs plus the high cost of advertising results in extremely high prices to the consumer." Now, a Crown corporation that produced a phosphate-free detergent to stand to specifications like what colour, what size, could undoubtedly provide a strong element of price competition to this market, you see. This is what our friends, the socialists, were dreaming about in the mid-'70s. — (Interjection) — More germane to the argument, Mr. Speaker, was: The proposal was that they would establish these municipal development corporations to make the standard size detergent boxes and one colour toothbrushes. — (Interjection) — Well, it could be pinkish slightly and you'd only have one choice of a toothbrush.

The trouble is, and I quote from the same document, and this is how I tie this to Bill 47, Mr. Speaker, because I do want to be in order. "Because the boards of directors will be composed of the locally elected representatives, the institutions will to some extent reflect the political preference of the areas they serve." Thus, if a local council that tended towards conservatism and retrenchment were replaced by a more activist body, then you could accomplish the one box detergent and the one colour toothbrush. So deep down in the bosom of their hearts they realize that there is a hub of conservatism and entrenchment, and entrenchment in rural and municipal councils . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. H. ENNS:** Mr. Speaker, the name escapes me, but the signature under which this document was released was somebody by the name of Marc Elieson, who had some position, I understand, in the present government. — (Interjection) — He's a Deputy Minister in the present government. I do to bed comforted.

**MR. SPEAKER:** Order please, order please. I hesitate to interrupt the honourable member's most entertaining remarks, but I have been requested by the recorder that there is some mechanical difficulty being experienced by the microphone and if there were to

be a recess for a couple of minutes it would probably be repaired and the honourable member could continue. So if he would take his seat for a couple of minutes, the circuit breakers or whatever it is can be fixed.

**MR. H. ENNS:** Mr. Speaker, I want to assure you that all my comments are not made for posterity or for somebody else, I make them heart to heart to my fellow legislators. I hope to exercise what influence on their minds as I'm speaking, not necessarily on what is recorded in Hansard. Hansard is an added service that has come lately into the business of parliament, but my job, Sir, is to try to make some cogent comments, some reasonable arguments that will make some of these fellows opposite and indeed some of my fellows on this side of the House believe in some of the things that I . . .

**MR. SPEAKER:** Order please, order please. It is not just to have the honourable member's comments recorded for Hansard, it is for the protection of the whole system itself.

**A MEMBER:** What system?

**MR. H. ENNS:** On a point of privilege, Mr. Speaker, I was coming very close to a very important argument and this has been a delaying tactic that was engineered by the government to stop me in full flight.

**A MEMBER:** That's right.

### (SHORT RECESS)

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

The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, the matter is a serious matter and I suggest to the honourable members opposite that at most what we should be doing, if necessary to amend The Municipal Act, would be to enable the various councils to pass such necessary by-laws that they deem necessary to resolve this issue because the circumstances differ from region to region. The scale and scope of responsibility differ widely in a province such as Manitoba. The responsibilities for a City of Winnipeg councillor as compared to a councillor for the smallest municipality in the province, which happens to be in my constituency, are vastly different. To apply blanket rules is again the problem that my friends opposite have. The blanket kind of legislation that we will all fit, we will force the square pegs or the round pegs into the square hole or the round hole, whichever way you have it, but that's what we're doing in this instance. I'm telling honourable members opposite that they are doing a disservice to the future good of local government in the Province of Manitoba.

There will be many good people, many good men and women, who will be deterred from entering into public life at the local level because of this legislation. Again, Mr. Speaker, there is not the crying need for this. There simply isn't the crying need for it. You see in the belief that there needs to be some kind of



legislation, my friends always err in the wrong by using the sledge hammer where you know a slight tap with a far daintier tool would do. Why not? Why not simply put the responsibility? They say that they have the greatest respect for local government, for bringing the affairs of people down right to where the people are at, whether it's at the factory, whether it's on the farm, whether it's at the local council.

Then who are we, in Winnipeg, far removed from Piney, Coldwell or from Ellis to tell them what to do? Why not simply instruct them and say that situations have developed over the years? We will pass the kind of amendment to The Municipal Act that says to that council, if conflict of interest is a problem, has developed into being a problem in your area, you have the authority, you have the power to pass by-laws from time to time to meet that situation. Now surely that is the reasonable approach. Surely that is the democratic approach, and surely that is the approach that would gain more acceptance for this concept than the approach that's embodied in Bill 47.

Mr. Speaker, I can't support Bill 47. I believe that the local people, particularly in my constituency of Woodlands, we know our councillors and we know that if they do their job, they'll be re-elected. Unfortunately, what happens too often in local government - we have far too many acclamations, because it is difficult enough to get local people into local government councils. We are making it a little bit more difficult for a lot of the kind of people that should be in local government offices to serve in that capacity.

Well the Honourable Minister of Municipal Affairs shakes his head. I can only say that the Minister of Municipal Affairs has not been listening to his councillors, has not been listening to rural municipalities and he will regret passing this kind of legislation.

Thank you.

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

**MR. C. MANNES:** Thank you, Mr. Speaker. I too, would like to add a few comments to this bill. I had the opportunity to work through the dinner hour on the same research that the Member for Lakeside accomplished, so some of the things we have to say may seem a little redundant.

Mr. Speaker, I spoke a little earlier on Bill 18. Of course, these bills are similar and almost identical in many respects. I would just briefly like to restate some of the comments I made at that time.

My concern was first of all that these bills, both of them, are incorrectly named. I believe that the total area and spectrum of conflict is not covered in these bills. Therefore, I think it would be more adequately named if they were called, Disclosure of Asset Act. As I've said about Bill 18, I say the same thing now about Bill 47.

I haven't heard any comment from the government opposite as to why that suggestion of mine and indeed of others, why these bills should not be called Disclosure of Assets, why they should not be so named. I would hope sometime as we wind down this Session over the next few weeks, whether that argument of mine or indeed of others could not be addressed.

Mr. Speaker, at that time, I was terribly concerned as to the broad area to which conflict could be directed,

because I could see any individuals, anybody making decisions, anybody involved in money decisions, whether it was in this House, indeed on municipalities, indeed on school boards, church bodies, almost any aspect of our society — (Interjection) — sure, certainly church boards too. There is potential conflict. I was wondering when and who would decide the total extent of this type of legislation. I am wondering how the members opposite can say, it should apply only now, firstly to MLAs under Bill 18 and, secondly, to councillors under Bill 47, and whether they believe the line should then after that point be drawn.

I think it's fair, it's incumbent upon the members opposite to explain why they draw the line there, because conflict in public life does not end there. Because people sit on rec clubs; they sit on hall boards; they sit on community clubs. They give of their time in many aspects of society. How come it is that the government decided that two government institutions of the whole gamut of public life should be emphasized and, therefore, legislation passed?

I think they have to explain that to be fair not only to the members of this side of the House, but indeed all Manitobans, because as all legislation comes forward particularly from the members opposite, they don't seem to heed the advice of those of us who say, look, you have set it in place today for one sector or one part of society, and yet you don't rationalize why it should not cover all. It's indeed the reason that many of us get up and speak, because we can see that to be fair to everybody, logically it should cover all. That never comes forward, Mr. Speaker. I haven't heard the Attorney-General; I haven't heard the Minister of Municipal Affairs; I haven't heard anybody address that specific concern of mine and others. I think again, Sir, it's incumbent upon them.

**MR. A. DRIEDGER:** He can't even address the municipal people.

**MR. C. MANNES:** Mr. Speaker, I was at the Altona Meeting of the rural municipalities, the eastern district as it is called. I heard some concerns expressed directly to the Minister. I can tell you that I have had numerous, under a dozen though, but numerous comments made to me by councillors. They're specifically concerned with one aspect of the act. If the Minister is going to be fair at all not only with the members in this House, but with the councillors to which he made an address that day, he will indicate that he has a concern also and the government has a concern about one aspect specifically. That's the spousal and dependant disclosure area forcing or requiring spouses and dependants to disclose their assets.

I think the Minister was candid, and I compliment him for that, because at least in answer to a question put forward by one municipal official, he indicated, and again I don't want to put words in his mouth, but I took the interpretation that he realized that there was potential for concern in that area. Because you are trading off the personal, private rights of one individual, that same individual in many cases that these members opposite have fought for by way of all legislation, the other person in the marriage, the other person in the family, that person's right so they would not be subjugated in any respect by the other person.

Yet in this bill, they're turning their back on that and saying to that other person, no, you have no rights in this regard. If your husband or if your wife or if your son or whoever that lives under the same roof wants to become involved in public life, this is expected of them. Mr. Speaker, that is a major weakness of this particular legislation, and I think the members realize that and I think and I honestly hope that right now within their caucus and within their Cabinet, they are prepared to bring amendments specifically to that area if they feel like they've got to push this bill forward.

**MR. A. DRIEDGER:** The Member for Springfield says, no way. That shows their thinking.

**MR. C. MANNES:** If you feel, Mr. Speaker, and if the Minister of Municipal Affairs believes for one second that this isn't a concern of municipal officials, then one of two things. One, he has deliberately chosen not to accept some of those comments that have come forward in these meetings, or two, he believes that there is no substance to them.

Mr. Speaker, I can tell you, I spoke this evening, while the Member for Lakeside and I were conducting some in-depth research for this, to a former Cabinet Minister, a Liberal Cabinet Minister of the federal Parliament about this specific bill. I asked the individual, I said, what is the situation with conflict of interest in the federal House? He said, there is federal legislation in place that forces all members to disclose assets. I asked him the next question. Are you required to disclose the assets of spouses and dependants? He said, no. We would dare not go that far.

His reason was very simple, the very same reasoning that members on this side have been trying to convince members opposite that must be brought to bear in this whole discussion. How can you force your spouse to declare those assets? Sometimes moving into this business or this occupation is hazardous and difficult enough.

Mr. Speaker, there are many people who put an awful lot of effort into working hard in maintaining marriages in this business, but the individual I was talking to, the former Federal Cabinet Minister, said that when they made the decision to bring their legislation in and leave out the spousal declaration aspect, he said, it was based on that particular concern; that indeed there were many, many spouses who did not feel that they should be required to disclose their own assets.

**MR. A. DRIEDGER:** Pete doesn't care. He doesn't understand.

**MR. C. MANNES:** Yet members opposite are not only imposing that argument by way of Bill 18, but also of Bill 47.

That particular person went on a little further, Sir, and just like many members of this side have said, there are no rules that will prevent any person in power from passing comments, ones that may end up being

beneficial to others, not necessarily his spouse or her spouse, not necessarily a dependant, but a business partner, but a friend. I am wondering when the members opposite can tell us, or they can conceive of any legislation that could possibly prevent that type of situation. Mr. Speaker, of course they can't. To us and to most people that look at this, they realize fully well that is the greatest potential for conflict of interest. Nothing and absolutely no law can prevent it.

Well, Mr. Speaker, then it begs the question. What is the only aspect of human nature that will prevent that type of event from happening? Of course, it's only one thing. It is a person's integrity. That is the only unwritten law that will prevent conflict of interest, a person's integrity. No law will do differently.

Many of us on this side have spoken to that end, and yet members opposite have told us and told us that this law, first of all Bill 47 and 18, will make us better people. I am wondering, do they honestly believe it, or do they feel their consciences will be cleansed by saying, we did this. We enacted this law. I think it's a legitimate question.

Mr. Speaker, that same day that I was in attendance at Altona with the Minister, three municipal councillors approached me and said, they will not be subject to this law. First of all they said, they don't need the hassle. They just don't need it. The prestige associated with being a municipal councillor is not that high. They are not held in that high of esteem within the community that they need to do that; that they have to feel that they have to disclose those assets.

Everyone in the community knows everyone else, and I think the Member for Lakeside just said this, knows everyone else, but there is one thing they don't know. They don't know the private financial affairs of their neighbours. They don't know that, but you can bet in rural communities that's the one thing they don't know and the one thing they want to know. Why should they? Why should individuals who are running for public office feel like they have to disclose that? To what end? So that they can cleanse their souls along with others as the government would have them do?

What is next, Mr. Speaker? First of all we have school boards. Today, how many of the positions in Manitoba in school board elections are being filled by acclamation? How many? Well I could tell you, Mr. Speaker, I don't know how many, but I am prepared to bet in the rural areas it's one-quarter. It's 25 percent.

Are municipal councils next? Is this going to be the final push that drives us to the point - and today, many many ward elections, there are no ward elections. One person puts their name up, and are declared as the winner.

**MR. SPEAKER:** Order please. The time being 10:00 o'clock, when this motion is next before the House, the honourable member will have 26 minutes remaining.

The time being 10:00 o'clock, the House is adjourned and will stand adjourned until 2:00 p.m. tomorrow.