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DEBATES
and
PROCEEDINGS

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THE LEGISLATIVE ASSEMBLY of MANITOBA
Saturday, May 28, 1977

TIME: 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Honourable Peter Fox (Kildonan): Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Minister of Mines.

HONOURABLE SIDNEY GREEN (Inkster): Mr. Speaker, with regard to the proceedings of the House. We were not able to finish delegations last night in Law Amendments Committee and therefore we advised the delegations that we would be sitting in Law Amendments Committee this afternoon at 2:30. That being the case, it would seem not to make any sense to convene the House this afternoon because not all members are on Law Amendments Committee, and therefore I am suggesting that we adjourn this morning until Monday and that Law Amendments Committee will meet at 2:30.

MR. SPEAKER: Very well. Thank you. The Honourable Member for Morris.

MR. WARNER H. JORGENSEN: Mr. Speaker, just one question in regard to the Law Amendments Committee. Will that Committee conclude its work whether the briefs have been completed or not at 5:30?

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I would prefer to play that by ear, because we have been able to proceed almost by consensus up until now. If at 5:30 the honourable members see hopelessness in terms of continuing, then we will discuss it at the time. Our hope will be that we will be concluding today, but we wouldn't want to force any position until we see what the situation is this afternoon. From the number of briefs, it looks like we should be able to finish this afternoon.

MR. SPEAKER: Introduction of Bills.

RETURN TO AN ORDER

MR. SPEAKER: The Honourable First Minister.

HONOURABLE EDWARD SCHREYER, Premier (Rossmere): I just have here on behalf of my colleague responsible for Housing and Renewal a Return to an Order filed by the Honourable Member for Morris. (Six copies)

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK: Mr. Speaker, to the First Minister. The information . . . I guess supplied to the media was that he was in the high Arctic or Canadian Arctic. I am wondering if he is in a position to indicate whether he in fact met with any officials of Polar Gas and whether there is anything to report to the House.

MR. SPEAR: The Honourable First Minister.

MR. SCHREYER: Yes, Mr. Speaker, the meeting lasted for three hours each way so that there was ample opportunity to have a discussion in quite some detail. It really is not for me to report anything, certainly not at this time. There is a Board of Directors' meeting of Polar Gas and I should think perhaps several, before any decisions are firmed up with respect to routing.

MR. SPIVAK: Is the First Minister suggesting that the routing has not been finalized by Polar Gas?

MR. SCHREYER: Well, indeed, there is a tentative routing that has been selected. My honourable friend is aware of what that is but certainly it would be correct to say that there is no definitive decision and, indeed, routing will depend on a number of factors, some of which have not yet been determined, including such matters as the decision — a very major decision — as to whether the logistics of the entire proposed eventual production of natural gas in the high Arctic would be whether the proven reserves are such as to warrant a 48-inch or a 42-inch line. In the latter case, it certainly does make a difference with respect to routing.

MR. SPIVAK: Well, Mr. Speaker, is the First Minister suggesting that the declared statements of Mr. Holding, President and Chief Executive Officer of Polar Gas with respect to the routing coming through Ontario are subject to an actual alteration by the company prior to its actual presentation before the National Energy Board?

MR. SCHREYER: Mr. Speaker, I believe that that's what I am suggesting, yes. I am suggesting to my honourable friend that the major decision as to whether the line will be a 48-inch or a 42-inch line has not yet been taken, way, except in a tentative and that in turn does have a determination on the routing. I don't think it's that complicated, Sir, the point being that there is a tentative routing settled

upon but it is not definitive and there are factors to unfold in the course of the new few months, indeed even for the next year or more, which could change that.

MR. SPIVAK: I wonder then if the First Minister can indicate whether the Polar Gas officials again asked Manitoba to join the consortium.

MR. SCHREYER: That is not a closed question. There has been some suggestion that we might be interested in so doing. On the basis of the parameters as they were put down several months ago, there was no particular basis for Manitoba joining. I am advised that now there may well be different parameters, in which case they would be communicated to us and we would consider them.

MR. SPIVAK: I wonder if the First Minister can put a cost to Manitoba for joining the consortium. The cost was known with respect to the previous parameters. I wonder if he can indicate whether the cost is similar or less or what figure we are talking about.

MR. SCHREYER: No, I cannot put a figure on it because no specific figure has been brought forward to us. All I can indicate is that there may be — and this too is dependent upon some decisions that may be taken at one of the next few meetings of the Board of Directors of Polar Gas — and depending what those decisions are there may be a proposal coming forward with respect to a recapitalization and a restructuring of Polar Gas, really under two separate entities whereas only one exists at the present time. But all of this, until it is brought forward, really remains in the realm of speculation and I am beginning to feel, Sir, that it is perhaps improper — I hope and trust there is no harm in it — but I think it is improper for me to put forward impressions or assumptions speculating as to what decisions may be taken by the Board itself. I don't mind bringing forward information to the extent that I have it but as long as it is understood that the information is dependent upon decisions yet to be taken.

MR. SPIVAK: Well, Mr. Speaker, again, I wonder if the First Minister can indicate whether in the discussions that have taken place and the indication that there will be several meetings for decision making, that it is still Polar Gas' intention or PanArctic consortium's intention to apply to the National Energy Board by September for a routing.

MR. SCHREYER: Mr. Speaker, I don't believe there has been a change in the time-table with respect to the filing of the application and that still, as far as I understand, is for the fall, the autumn of this year. But it is important that the Honourable Member for River Heights understand — which I believe he does — that that early filing of an application does not imply that there will be any speedy or expeditious handling of the application. It is not expected that the application will be adjudicated upon by the National Energy Board for a period of more than a year, certainly much more than a year.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Mr. Speaker, I would like to ask a question of the Minister of Consumer Affairs. I would like to know if the government or if his department is planning to make any intervention at the Public Utilities Board Hearing on the proposed increase in natural gas prices. Does the government intend to put any brief forward or make any representation concerning the proposed increase in gas rates?

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

HONOURABLE RENE TOUPIN (Springfield): Well, Mr. Speaker, the Honourable Member for Fort Rouge is aware that the Public Utilities Board falls under the jurisdiction of myself, in my other responsibility as Minister of Consumer and Corporate Affairs I had not intended on having officials make presentations to the Public Utilities Board. They will receive briefs and adjudicate them.

MR. AXWORTHY: Mr. Speaker, I wonder if the Minister can determine whether the Consumer part of his department has looked at the information and data relating to the rationale for increases and has made any conclusions or assessments about the nature of that argument that could then be made available to the consumer groups that are appearing before it.

MR. TOUPIN: Not myself, Mr. Speaker. Officials of Planning and Research Secretariat could have, that is certainly the main responsibility of the Public Utilities Board and naturally any group of consumers is capable of presenting briefs directly to the Public Utilities Board.

MR. AXWORTHY: Mr. Speaker, considering that the proposed 10 percent increase upon equity is an extraordinarily large increase, I wonder if the Consumer Affairs Department would be prepared to take a look at those arguments and determine whether there is any basis for the government making a brief on behalf of the consumer to that Board Hearing?

MR. TOUPIN: Well, Mr. Speaker, I can take that suggestion as notice. I have been satisfied up until this time to leave that type of assessment to the Public Utilities Board.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, I have another series of questions for the First Minister with respect to it. I wonder first of all if he can indicate whether there were any members of the National Energy Board present with him during these discussions at this time?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: No, Mr. Speaker. If my honourable friend is suggesting that some improper numbers of persons or *entourage* was present, the answer is no. There was nobody there from a

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regulatory agency. It is my personal opinion that if there were, it would not only be not a bad thing but I think it would be positively good but there weren't in any case.

MR. SPIVAK: Yes. Was the time-table of the McKenzie Valley Pipeline discussed in relation to the proposal and the probable time-table here and could he indicate as well whether the implications of the Berger Commission were discussed and the possibility that a similar type of report or commission may in fact be requested for this proposal?

MR. SCHREYER: Well, Mr. Speaker, yes, there was some discussion about the implications of the proposed McKenzie Valley route as opposed to the Alcan Route route but it was really in the nature of private conversation in the sense that none of the persons involved in the discussion are in the slightest position to in any way influence or participate in the decision making as between those two alternatives. What is more germane is that the discussion really focused on whether or not either of those two proposed pipelines would realistically now be coming in early in 1980 so as to pre-empt the construction of a Polar Gas line for several years or whether this now meant that the Polar Gas line would be for sure, started construction in the early eighties. Well, that remains really an unanswerable question, at least for the next twelve months.

MR. SPIVAK: Another question. I wonder if the First Minister can indicate whether in the discussions Polar Gas indicated their ultimate desire of transmitting gas to the United States as part of the project?

MR. SCHREYER: That, of course, Mr. Speaker, is the essence of the problem. Every major project has its problem. This one's problem is that while the natural gas fields are proving out much better than in the MacKenzie Delta, nevertheless the economics of amortization of the lines' cost are such that it requires the export of a significant portion of the capacity of the line. And that is what makes the 42-inch line more attractive than the 48-inch, ironically, because it would mean less capital cost to amortize and therefore, less export dependency. But it does not remove the export dependency entirely by any means.

MR. SPIVAK: I wonder if the First Minister can indicate whether Manitoba has been asked to assist in the financing of the pipeline?

MR. SCHREYER: No, Mr. Speaker, Manitoba has not been now' nor in the past, asked to assist in the financing of the pipeline. Of course my honourable friend knows there was an overture with respect to it being one of six or seven or eight equity shareholders.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK: Mr. Speaker, I want to direct a question to the First Minister on the same topic. Is there any evidence of native land claims being filed north of the sixtieth parallel along the route of this pipeline?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I cannot answer that with precision, but I believe that the proposed route of the pipeline in north of the sixtieth degree latitude avoids human settlement by 100 miles or more with one exception, and I am not aware of any direct historical-based land claims, which is not to say that there won't be any, but I am not aware that there is a basis or that any has been made as of yet.

MR. CRAIK: Mr. Speaker, a further question. In view of the fact that the MacKenzie Valley line problems are principally involved around native land claim settlements, is it a safe assumption to make on the part of the Manitoba Government that the native land claim problems for the Polar Gas route are minor in comparison?

MR. SCHREYER: Well, I think, Sir, I could say, even as a layman in the matter, that there is no question but that that is correct. That there is a great deal of difference between the plausibility of any land claim with respect to the Polar route as compared to the MacKenzie Valley route, which route is in close proximity to a number of human settlements.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM: Thank you, Mr. Speaker. I have a question for the Acting Attorney-General. I would like to ask if the report of the committee that investigated the operation of the Small Debts Court would become a public document?

MR. SPEAKER: The Honourable Minister for Mines.

MR. GREEN: Mr. Speaker, I don't know. If the honourable member will await the return of the Attorney-General, it will be faster than me taking the question as notice.

ORDERS OF THE DAY

ADJOURNED DEBATES — SECOND READING

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, with regard to the Adjourned Debates on Second Reading, Bill 51, it was indicated to me by the Honourable Member for Flin Flon on the previous occasion that he stood this on the basis that he thought it would be spoken to by another member. So I wonder if we could let

it go out of his name and proceed. The Minister of Labour was going to speak, but of course he doesn't preclude anybody else because he would be closing debate.

BILL (NO. 51) — AN ACT TO AMEND THE CIVIL SERVICE SUPERANNUATION ACT

MR. SPEAKER: The Honourable Minister for Labour shall be closing debate.

HONOURABLE RUSSELL PAULLEY (Transcona): Thank you, Mr. Speaker and members of the Assembly. I appreciate very much the discussion that we had in respect to The Civil Service Superannuation Act amendments. It seems to me that there is general consensus that this is a further progressive step in the treatment of our retired civil servants, in that it is an opportunity to continue the application of the cost of living index to those on retirement. The Honourable Member for Fort Garry and the Honourable Member for Assiniboia made contributions to the debate. I want to thank them particularly.

When I introduced the bill, Mr. Speaker, for consideration on second reading' I made particular reference to a process that is going on not only here, but elsewhere as well, of attempting to gradually reduce the age of retirement of a compulsory nature, if it exists, from 65 downward. I did say at that particular time that it is a trend that is developing, and I made reference to a resolution that was passed at a recent convention in Brandon of CUPE, where a resolution was unanimously passed to reduce the age of retirement from 65 to 60. I also believe I referred to a trend in Great Britain where the retirement age is to be, if it is not at the present time, reduced from 65 to 62. Now I appreciate and realize that there may be some difficulties in some fields, and it may be necessary for us as legislators to give further consideration, or more consideration to the amount that a person would receive by way of pension at a reduced age.

The Honourable Member for fort Garry in his contribution to the debate really didn't argue against what I was saying, but said that at this particular stage, that the suggestion of a reduction with full benefits may not seem practical. But he did say that further in his remarks on Hansard of May 13th, Page 3012, that he appreciated too that it is a matter that will have to be given consideration on an ongoing basis. And he said in effect that while agreeing that it is a subject we are going to have to face in this Legislature, and no doubt other Legislative bodies, in the next few years in this country, I would hope that there is a growing awareness on the part of all of us that age 65 is not the end of constructive living. I agree with him because there are some, I believe, even making the contribution, if it's called a contribution, in this House that have passed the age of 65, and sometimes their contributions are considered as being constructive — sometimes otherwise, of course, as well.

However the honourable member then went on to say it is not the end of constructive living, constructive service, and I heartily agree with him after that particular point. We are going to have to face up to the fact, Mr. Speaker, of better provisions for making it economically feasible for people to retire.

As far as I am aware it is only in some collective agreements or agreements that have been negotiated between employer and employee that there are retirement provisions at age 65. It is not a general law as such, although I want to reaffirm that I am of the opinion that while not putting the horse out to pasture, so to speak, we are going to have to face up to this fact one of these days, /. Even under our present human rights legislation which some think that there is compulsory retirement at 65 that should be extended, there are other methodologies that any employer who would desire to get rid of an employee can do so regardless of age, be it 65 or otherwise, by a week's notice of termination. So it is really a fuzzy sort of an area.

However, Mr. Speaker, I will not tarry any longer. I thought I would reemphasize the point that I made. I am glad to know that the honourable members representing the two parties agree that this is something that we are going to have to face up to sooner or later for two reasons, in my opinion. One is to give to those who have made a contribution up until the age of 65 a decent and acceptable pension; and to make provision for the younger people in the community to obtain employment. So I am glad that we have a general consensus of the other provisions of the bill, and I would suggest that the matter be handled as expeditiously as possible in Committee, Mr. Speaker, because the effective date is July 1st, and if we can get the legislation through — I beseech the House Leader accordingly — we will have no problems with the dates.

MOTION presented and carried.

SECOND READING — GOVERNMENT BILLS

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, to introduce Second Readings I'd like to deal with Bill 52.

BILL (NO. 52) — AN ACT TO AMEND THE TEACHERS' PENSIONS ACT

MR. SPEAKER: The Honourable Minister of Education.

HONOURABLE IAN TURNBULL (Osborne) presented Bill (No. 52) An Act to amend The Teachers' Pensions Act for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. TURNBULL: Mr. Speaker, I will give some brief explanation of this, seeing the meers opposite doesn't desire it. It need a great deal of elaboration because it is, in fact, very similar to the bill that is being piloted through the House by the Minister of Labour.

Bill 52 is an Act to amend the The Teachers' Pensions Act. Many of the proposals contained in Bill 52 will be familiar to the members. The introduction of companion bills is in keeping with a long established principle of this government to ensure that the major benefits available to retired teachers and retired civil servants shall be the same, while at the same time allowing for some flexibility where circumstances may dictate that the differences in secondary benefits

I be established. wish to say also, Mr. Speaker, that the amendments contained in this bill have been the subject of discussions between the representatives of the Teachers' Society and representatives of a Management Committee Task Force on Superannuation and Group Insurance. The Teachers' Society finds the proposals in the bill acceptable. There are a number of additional items which are of concern to both the Society and to the Task Force and discussions will continue to be held on these items.

The proposals in Bill 58 can be divided into several categories. Some are housekeeping amendments, some deal with improvements in benefits available to retired teachers and others are required to make the improved benefits operational. Since those of a housekeeping nature are largely self-evident, I will limit my remarks to those proposals which offer improvement in benefits.

In 1970 this government introduced a legislation providing for the payment of a supplementary allowance to retired teachers in order to compensate for the erosion of their retirement incomes by continued inflation. Provision was made for the payment of such allowance annually for a three-year period ending June 30th, 1973. Since inflation showed no signs of abating, this supplementary allowance was extended for a further three years. In 1976 the government again extended the allowance, this time for one year, in order to allow for further study of the concept of long-term supplementary allowances. That study was completed and a recommendation made to introduce a long-term program of supplementary allowances. As a result of this, retired teachers and those nearing retirement will have the assurance that their incomes will be permanently protected from erosion during their retirement years. I should say that controls have been built in to this program which will allow for constant monitoring to ensure that the supplementary allowances do not get out of step with future and existing circumstances.

The long-term program also takes into consideration an often expressed concern about the 18 to 28-month delay before pensioners receive their first supplementary allowance. This waiting period has been considerably reduced in the proposed bill.

The second area of improvements, Mr. Speaker, are in the early retirement provisions. At present, a teacher may retire any time after reaching the age of 55, but the pension is reduced by one quarter of one percent for each full month that the date of retirement precedes the teacher's 60th birthday. Since a teacher retiring at age 55 will receive a pension for an additional five years, some reduction of benefits is justified. However, in order to make this reduction as small as possible, the rate of reduction is being set at one-eighth of one percent per month. In keeping with past practice, this benefit will be extended to teachers who have already retired early in respect of their future benefits. Also, Mr. Speaker, the monthly rate of reduction for persons on partial disability allowance is being set at one-eighth of one percent since this rate and the rate for early retirement are traditionally the same.

I would like to mention also, Mr. Speaker, that the teacher's contribution rate is being raised from 4.4 percent to 5.1 percent of earnings to the yearly maximum pensionable earnings and from 6 percent to 7 percent of earnings above the yearly maximum pensionable earnings. This is the first time teachers' contribution rates have been raised since 1963. The amount of increase, though, Mr. Speaker, has been approved by the Manitoba Teachers' Society. It is a recognition that when increased benefits are made available, at least a portion of the additional costs should be borne by those for whom the improvements are intended.

A further improvement of a limited nature deals with retired teachers who had military service during World War I. These people will receive immediate credit in the calculation of their pension for such military service and at no cost to themselves.

Another proposal, Mr. Speaker, increases the size of the Teachers' Retirement Allowances Fund Board from six persons to seven and gives the teachers three representatives on the Board in place of the present two. The other memberships on the Board remain unchanged.

As I mentioned, Mr. Speaker, other sections of the bill are designed to correct reference errors, bring this legislation in line with that of the The Pension Benefits Act and make the improved benefits to retired teachers operational. I do not propose to go into detail on this at present, but I do urge that the bill be proceeded with and brought into Committee. At that time and in Committee, the actuary who worked on this proposal and the government people who also worked on the proposal will be

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there to answer questions of detail that members may have. These remarks then cover the general proposals of the bills and I hope that members will speed the bill along to Committee stage.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL: Mr. Speaker, I beg to move seconded by the Honourable Member for Rock Lake that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 32, Mr. Speaker, introduction of second reading.

BILL (NO. 32) — AN ACT TO AMEND THE HOSPITALS ACT

HONOURABLE LAURENT L. DESJARDINS (St. Boniface) presented Bill 32 — An Act to amend The Hospitals Act for second reading.

MOTION presented.

MR. DESJARDINS: Mr. Speaker, all amendments are housekeeping and consequential upon the change in the reporting year of the Manitoba Health Services Commission, and this is being proposed in a separate bill, The Health Services Insurance Act, and insofar as the Commission changes its reporting year, hospitals will be expected to submit reports on the same basis.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. ARNOLD BROWN: I beg to move, seconded by the Member for Gladstone that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GEN: Bill No. 48.

BILL (NO. 48) — AN ACT TO AMEND THE INSURANCE ACT

HONOURABLE SAUL A. MILLER (Seven Oaks) presented for second reading. Bill 48 - An Act to amend The Insurance Act

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. MILLER: Mr. Speaker, this bill corrects a number of errors, technical errors, typo errors in The Insurance Act itself. There is really only one clause of any consequence and that deals with the Red River Valley Mutual Insurance Company. I know the Member for La Verendrye is interested in this particular one. It sets out the requirements for the reserve funds which is to be maintained by a provincially incorporated mutual insurance company, which is what Red River Valley Mutual is.

Originally, the provincial mutual companies wrote only fire and weather insurance and principally they served rural farm communities in the Red River Valley; the were risks mainly for farm operations and dwellings in small towns. But in recent years, to enable the companies to become more competitive with other insurance and to expand their operations, company charters have been amended to authorize the writing of additional risks such as liability, property damage, plate glass, etc. The writing of the homeowner policies included possibly a hundred thousand dollars in liability cover, has caused the reserve fund requirements as presently set-up to become very burdensome, and also even though a is in good company financial position, the reserve fund requirement, which is originally required, may make the company appear to be in a deficit. position.

So by agreement, the Federal Department of Insurance is responsible for the financial solvency inspection of Manitoba provincial companies and that agreement . . . it's a number of years that that has been established, federal officials are in agreement that this particular — won't refer to I section number — that under present-day conditions this requirement in this particular case is unduly onerous for the company. So federal officials are also in agreement with the proposed amendments that we're bringing in to bring the reserve requirement in line with corresponding requirements under the Federal Reserve Act, or the Federal Act, which regulates federally registered companies. That basically is the main thrust of this particular amendment; the others are small technical matters which can be dealt with, as I explained, if need be — I don't think it need be — in Committee of the Whole.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. BROWN: Mr. Speaker, I beg to move, seconded by the Member for La Verendrye, that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would like to indicate that the Minister of Labour will be introducing second reading of the Bill No. 65 on Monday. I would accordingly wish to proceed now with Bill No. 78.

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BILL (NO. 78) - THE STATUTE LAW AMENDMENT (TAXATION) ACT (1977)

HONOURABLE SAUL A. MILLER presented Bill (No. 78), The Statute Law Amendment (Taxation) Act (1977), for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Finance.

MR. MILLER: This particular bill, Mr. Speaker, provides amendments to the Motive Fuel Tax Act, the Retail Sales Tax Act . . .

A MEMBER: Quit shouting, quit shouting, now.

MR. MILLER: . . . and the Tobacco Tax Act . . .

MR. SPEAKER: Order please. Maybe we need an ear piece for the Member for Lakeside.

MR. ENNS: I apologize. Mr. Speaker.

MR. MILLER: Mr. Speaker, the amendments concerning the Motive Fuel Tax Act will correct an omission from last year's amendments relative to butane used for carburation. It was an oversight, apparently. This will assure a tax rate of 18 cents per gallon rather than 21 cents currently provided. It was an oversight at the last sitting of the Legislature and I am told that although the incidents of incidence use of such fuel for is indeed small — if in fact it does exist, I am not even sure. But nonetheless, it is felt necessary to provide this amendment for purposes of equity. The amending bill will also extend the monthly filing date for licensed purchasers.

The amendments to the Retail Sales Tax, Mr. Speaker, will provide the necessary vehicle to exempt insulation materials used in residential housing.

Mr. Speaker, as the tobacco industry is converting to packaging of cut tobacco to the metric system, this bill proposes amendments to accommodate that conversion at their request. There was apparently some report on the radio yesterday morning where someone in the media misinterpreted this particular bill and announced that there was an increase in tobacco tax, not cigarette or cigar but just tobacco tax, which was totally erroneous. All we are doing here is making possible through this bill the using of the metric system in conforming with what's going to happen across Canada as requested by the industry itself. This is for sales tax purposes.

That's the extent of the amendments in this bill, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Gladstone.

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

MOTION presented and carried.

BILL (NO. 67) THE CREDIT UNIONS AND CAISSES POPULAIRES ACT

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would like to call Bill No. 67.

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

MR. TOUPIN presented Bill (No. 67), The Credit Unions and Caisses Populaires Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. TOUPIN: Mr. Speaker, it is an honour for me to present this Assembly a bill which will provide new and improved legislation to govern the affairs of credit unions in this province. The last fifteen years or so have witnessed unprecedented growth within the Credit Union movement in the province demanding a higher degree of sophistication both in terms of management and in terms of legislative framework.

To illustrate, Mr. Speaker, in 1960, the total value of assets in the Credit Union movement stood at about \$42 million. Today, the assets of the movement are up to about \$750 million. The average annual rate of growth during this period was 20.1 percent. Considering the period 1971 to 1975 independently, the average annual rate of growth of the movement was close to 29 percent.

Credit unions have been recognized by legislation in this province since 1946 although they started in 1938 when the first Credit Unions Act was proclaimed. The first credit union started in 1911 but without any recognition by statute. In 1938, there was some recognition but 1946 was actually the year that we gave the Credit Union movement legislation and proclaimed same. The legislation basically remained in effect until 1970 although it was subject to numerous amendments during the period in question. In 1970, the Government of Manitoba, after consultation with the movement, repealed the previous legislation and brought into force new legislation to govern the Credit Union movement. Since this time, the legislation has been subjected to review and scrutiny by the Credit Union movement and by the Department of Co-operative Development.

In addition, during this period, major changes have come about in company law at both the federal and provincial levels as a result of the adoption of the Canada Business Corporations Act, The Manitoba Corporations Act and the Manitoba Co-operatives Act. A major change involved the adoption for business of the powers of a natural person. The Act before us now, Mr. Speaker,

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recognizes the basic changes which have been brought about in company law and adopts these where practical for credit unions. This will bring about a greater measure of consistency in basic law pertaining to business. This kind of consistency is important to proper functioning of certain matters which are common to all the Acts mentioned previously. Therefore, it is anticipated that this Act will be modern legislation and that it adopts a new philosophy of prevailing company law and that it will bring about a higher degree of consistency in business law generally.

At the request of the Credit Union movement, and in order to be consistent with the approach of other company law in Manitoba, the bill before us establishes broad legislative guidelines and policies. The specific details for implementation of these policies will be provided by regulation rather than in legislation itself, rendering the legislation less restrictive and more enabling. While the present Credit Unions Act has served the movement well, experience has shown that the incorporation of too much detail in legislation can lead to a lack of flexibility making it impossible to meet some of the future requirements of the movement as indicated by changing economic conditions.

For example, liquidity reserves and allowances for doubtful accounts previously described by the Act itself will now be established by regulation. This will provide a higher degree of flexibility and a greater ability to amend these requirements to meet changing economic conditions as they arise.

In addition to introducing a greater degree of flexibility, the Act contains measures intended to strengthen the movement at all levels. Starting with the individual member, the bill before us places a high degree of importance on human rights, members' rights, and provides an avenue for members to dissent and have their case heard by higher authorities such as the courts. For example, the bill entitles members eligible to vote at annual meetings to submit proposals prior to the meeting. Such proposals, if submitted in accordance with the Act, must receive proper notice and calling of meetings. If a proposal is refused by the credit union, the matter can be appealed to the courts. In addition, the credit union can apply to the court to have a proposal set aside. This new feature reinforces the member's right to be heard at an annual meeting and provides an avenue for independent judgment on the matter for both the individual and the Credit Union itself.

In democratic institutions such as Credit Unions the majority viewpoint controls the direction the organization will take. The bill before us, therefore, retains the essential co-operative principle of one member-one vote and no proxy voting as embodied in previous credit union legislation and in all co-operative legislation generally. This, Mr. Speaker, is essential to the proper democratic functioning of credit unions. However, given the overall size and complexity of the Credit Union movement today, the government and the movement alike recognize the importance of providing an opportunity for all members, including those who represent a minority point of view, to have the right to have their positions heard and considered by the membership of the credit union. It is to be hoped that the provisions enabling members to submit proposals to the annual meeting will make it possible for all members to participate more effectively in their organizations. In addition, the bill provides that members shall have the basic information they require to participate.

The provision of adequate information to the member has always been a responsibility and a challenge for the leadership of the movement. It has now been agreed that the new Act will lay down guidelines for the provision of information to the membership. The leadership of the movement recognized the importance of a well-informed membership. Member education is of particular importance in this present society when all institutions are becoming larger and more sophisticated. While the present Credit Unions Act did not describe the financial matters which must be reported to the membership, it was recognized that of all institutions credit unions should have very high standards of reporting to their members. Therefore, the bill before us provides that reports to annual meetings must now be complete, accurate, approved, comparative and that financial statements must be audited. The bill guarantees that members will have a right of access to specific documents and information. All of these provisions will serve to strengthen the Credit Union movement right down to the individual member level by providing the mechanism for members to obtain information and to utilize that information effectively in governing the affairs of the credit unions.

Bill 67 also clarifies and strengthens the responsibility of the Board of Directors in directing the affairs of their organization. The powers of directors to delegate to others, and their responsibilities, are clearly defined within the bill. In every respect, a director and officer is expected to exercise his or her powers and discharge his duties honestly in the best interests of the credit union, and with care, diligence and skill. The bill makes it a duty of a director to comply with the Act, regulations, articles and charter by-laws, and no contract, resolution or by-law can relieve the director of this duty. The directors of credit unions are in a position of high trust. Their decisions have a great bearing on the financial lives of the many thousand members who are borrowing and being depositors. Over the years, the boards of credit unions have certainly lived up to this high level of responsibility, and I can say, to the best of my knowledge, that not one penny has been lost by depositors in credit unions in Manitoba over their entire 40-year history. In recognition of this trust relationship, the bill before us clarifies the responsibility of boards of directors in managing the affairs of the credit union. Directors

will be more accountable for their decisions and, under certain circumstances, could be held liable. In the same token, a formal procedure is established under the Act to enable a director to dissent and thereby remove himself from the position of possible liability as a consequence of the decision which had been taken. While the right of dissent has been incorporated for a number of years in other company law, it is only now being established for credit unions.

The provisions I have outlined are all intended to strengthen the democratic functioning of the Credit Union movement right down, and right at, the local level. In addition to this, the bill contains measures which are intended to enhance the economic position of the movement starting with each individual credit union. The only way in which the movement itself can be strong and flourish is if all components are in a healthy economic position. This, in itself, cannot be achieved solely by legislation. Credit Unions must have an active and participating membership, strong and committed boards of directors and competent management. The role of legislation in encouraging a dynamic Credit Union movement is to establish a framework in which this kind of development can take place.

When considering measures to strengthen the economic picture of the Credit Union movement, one must recognize that the movement is unique among financial institutions and that it is composed of some 200 individual and autonomous credit unions, each of which is responsible for its own financial affairs. While it may be possible within the banking sector to transfer funds from branches in one region to another, to counter unfavourable economic conditions in any given locality, this is possible only to a limited extent within the Credit Union movement where each credit union is independently owned and operated. This renders credit unions more vulnerable to unfavourable economic conditions in their communities than banks, where losses can be spread over a vast financial system. It goes without saying, Mr. Speaker, that to be successful, credit unions must take proper care to set aside adequate reserves to meet unforeseen situations which could result in drains of their finances and liquidity requirements.

Under the Credit Union Act of 1970, the establishment of reserve was not a mandatory requirement. As a result, credit unions have not established a level of reserving which was adequate in view of the unprecedented growth which has taken place over the last five years or so. In fact, the growth of the movement has been paralleled by a relative decline in general reserves.

To illustrate: In 1971, the Credit Union movement had total liabilities and shares of approximately \$217 million with corresponding general reserves of about \$8.6 million. In 1975, the liabilities and shares had increased to over \$630 million, but reserves had declined to a low of \$6.7 million. In 1971, general reserves stood at almost 4 percent of liabilities and shares. In 1975, this figure had dropped to about 1 percent. This trend Mr. Speaker, cannot be allowed to continue as it has in the past if the movement is to remain active and healthy.

The intent of this bill, therefore, is to provide a means to reverse this trend through the re-establishment of compulsory general reserves at the local credit union level. In addition to strengthening the credit union movement at the local level, it is the policy of the Government of Manitoba to strengthen the movement as a whole at the central level. This general policy is reflected in the Act which provides the stabilization funds with more responsibility and authority to supervise the operation of credit unions. Previously, this supervisory and regulatory role had been the exclusive responsibility of the government through the Department of Co-operative Development. The previous Credit Union Act established a responsibility for audit and examination of credit unions with the chief supervisor of credit unions in the department. Acknowledging the ability and the desire of the movement to regulate itself, and the request by leaders of the movement to assume more responsibility, the department has, in the past three years, delegated more of this audit and examination responsibility to the respective stabilization funds through formal agreements. The bill before us is consistent with the intent of these agreements to place more responsibility upon the movement itself to regulate its own affairs.

Prior to 1970, the establishment of, and participation in stabilization funds by credit unions, was achieved on a volunteer basis. In 1970, recognizing the importance of stabilization funds in safeguarding deposits in credit unions, required that participation in stabilization funds be compulsory. Under its compulsory provisions, the stabilization funds must guarantee loans, make grants in aid or direct grants to credit unions in financial difficulty to either maintain solvency, meet the claims of members or pay member savings, deposits and shared capitals. The bill before us, Mr. Speaker, goes further than simply the establishment of stabilization funds for the purpose of protecting the members of credit unions against financial losses. It provides a legislative mandate for what had previously been achieved by formal agreement, that is, the establishment of sound financial procedures and controls for credit unions.

In addition, the funds will also be able to provide blanket or group insurance to credit unions. It will be possible, upon approval of the registrar, to place a credit union under the supervision of the Stabilization Fund in situations where such action is deemed necessary to protect the interests of the members. This increased responsibility of the stabilization funds for audit and examination of credit unions is consistent with its duty and responsibility to guarantee members' shares, savings and

deposits in credit unions. Levies or assessments of credit unions for the funds will be set by a regulation based upon a formula which takes credit union general reserves into account. In addition, the boards of the funds must submit any reduction of levies or refunds of levies to the Registrar for approval. The legislation proposes minimum funds of not less than one percent of the total of shares, savings and deposits of the credit unions assigned to each fund. It is anticipated that through adequate measures governing the stabilization funds and general reserves, the foundation will be laid for a solid Credit Union movement far into the future.

Although a great deal of supervisory responsibility has been delegated to the movement, the ultimate responsibility for enforcement of the Act remains with the government. The government will not abrogate this responsibility, but will continue to fulfill its regulatory role through close co-operation with the stabilization funds and with credit unions generally.

The Department of Co-operative Development will continue its inspection to ensure that credit unions are complying with the Act, but will rely to a large extent on the work that is carried out by the stabilization funds for the information. The inspection program will therefore, be more selective selected and more effective in that it will be able to zero in on identified problem areas. The regulatory responsibility under the Act has been changed from Chief Supervisor of Credit Unions to the Registrar of Credit Unions to achieve consistency with co-operative legislation and to avoid duplication in regulatory responsibility.

The Act also provides, for the first time, a means to appeal decisions of the registrar to higher authorities. This measure is intended to ensure that regulatory agencies are more accountable for their decisions in the same way as boards of directors are being held more accountable for their actions.

Credit unions were organized in this province to provide financial services to their members and to counter some of the unconscionable practices of loan sharks and other money-lenders in operation at that time. The basic idea was that people, through practising thrift, could pull their savings and thereby make loans available to the membership for provident purposes. These basic goals are still very relevant today, Mr. Speaker. Certain segments of the population are still inadequately served by financial institutions. Often those who can afford it least have to pay the highest interest rates because loans are unavailable to them from traditional sources. Families today must learn to practise thrift and sound family budgeting if they are to cope with every increase in cost of living. I believe that the credit union idea is as significant today as it was back in 1938 when the first credit union in this province was established in St. Malo.

From very small beginnings, the movement has grown to include a membership of over \$300,000 people in this province, with combined assets in excess of \$750 million. The credit unions and Caisses Populaires have established centrals which today have combined assets of over \$110 million. This tremendous growth is a tribute to the many hundreds of citizens in this province who have contributed their time, energy and skills by serving on boards of credit unions in this province, managing many millions of dollars. There are now some 159 credit unions with some 55 branch operations and 33 Caisses Populaires providing financial services to their members throughout the province.

Credit unions have played a major role in meeting the needs of the communities they serve by financial services. In this regard, credit unions are unique financial institutions; because they are owned and operated by the people they serve, they are able to be responsive to local conditions and requirements.

In many cases, Mr. Speaker, the kind of service offered by credit unions would have been unavailable if the job had been left to traditional financial institutions. This spirit is carried forward into the present day in some communities in the remote north where financial services are presently unavailable and where there's a great deal of interest in the formation of credit unions. The community of Norway House is one example which can be cited. In addition to the many benefits which the credit union movement has provided to its members, the movement has generated many benefits to the provincial economy as a whole. In 1975, these direct benefits from credit unions, not including the centrals and stabilization funds, account for \$10.4 million in salaries and wages, business and property taxes, patronage refunds and interest rebates, replacement payments, repair and maintenance of buildings, all of which contributed significantly to the provincial economy.

Credit unions employed over a thousand people in 1975. It is apparent to me that a movement of such significance requires a proper legislative framework for its continued success and development. It is my hope, Mr. Speaker, that the legislation before us will meet the requirements of the movement today and well into the future. It is therefore my pleasure to table for second reading, Bill 67, which will provide a new and improved Credit Unions Act for the Province of Manitoba.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. BROWN: I beg to move, seconded by the Member for Gladstone that debate be adjourned.

MOTION presented and carried.

MR. BROWN: Mr. Speaker, if we could have a copy of the notes, it will greatly speed up the

passage of this bill. (Agreed)

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would like to call Bill No. 68.

BILL (NO. 68)— AN ACT TO AMEND THE SOCIAL SERVICES ADMINISTRATION

MR. SPEAKER: Bill No. 68 — the Honourable Member for Swan River.

MR. JAMES H. BILTON: Mr. Speaker, I adjourn this debate to my colleague, the Honourable Member for Fort Garry.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN: Mr. Speaker, I have some serious reservations about Bill 68 which I would like to put to you, Sir, and the House at this time. I fear that in some ways Bill 68 could represent a backward step by this government in terms of its overall position and approach to social services generally. I want to say and make quite clear the fact that we are not opposed to licensing as such, and specifically the matter of licensing in the field of such social service outlets as foster homes, boarding homes, child care facilities, day care facilities and others specified in the bill that this proposed legislation deals with. It's the licensing of those operations that is at the central part of this bill, but that is not the primary aspect that I think is at issue here — or at least it is not the one that should be at issue because we are not opposed to licensing as such. We believe there has to be some kind of orderly administration. There are no standards right now where institutions of this kind are concerned and certainly, Mr. Speaker, standards are necessary for proper operation and administration of institutions of this kind. Right now there is nothing that health officers and inspectors can do to enforce a standard level, a high level of operation and maintenance. But that brings up the whole point about standards. What are the standards, Mr. Speaker, and what are they to be? The problem is that we don't know the answers to those questions. They should be spelled out in this bill. This bill does not specify or spell out such standards so one is left faced with that very important question. Here we are talking about setting up a system of licensing and insisting on licences; here we are talking about implicit recognition, tacit recognition at least of the need for standards in this field, and we don't know what kinds of standards we are talking about. All this bill does, really, is give the Minister of Health and Social Development a *carte blanche* to lay down the standards that he deems fit. So one has to ask oneself, what are we voting for here? Are we voting for a Minister who has supreme authority as it were to call the shots in this particular field and answer in effect to no one. Unless there are some specific guidelines laid down in this area of standards, then I suggest that we are giving the Minister a rather dangerous and unreasonable degree of authority in this field.

What will the cost of these new standards be, Mr. Speaker, when they are determined? There is going to have to be an awful lot of money available, available from somewhere, if day care centres, foster homes, pre-school facilities, institutions of the kind specified in the bill are going to have to meet sharply upgraded standards.

Mr. Speaker, the reservations that we have are in those areas plus one other. As I suggested at the outset of my remarks, this could be a backward step. I think in terms of its impact in the native community there is a grave danger of its being such a step. I think the thrust of most members of this House has been towards a recognition of the fact that native children, native persons generally, in need of social assistance of this kind, should be maintained insofar as it is possible, to the greatest degree in their own cultural environments, in their own cultural community. That means, of course, native foster homes wherever that is possible and practical. One can only fear for a continuation of that kind of environment when native foster homes, along with all others are going to be lumped into a situation where it becomes mandatory to meet certain standards, as yet unspecified, by any Minister occupying the Health and Social Development portfolio. The threat to effective continuation in respect of maintenance of that kind of environment for native children is a very real one, Mr. Speaker, and until it is clearly met by the Minister and until we are satisfied that there is not a danger that homes of this type will find it impossible for them to continue operation, we cannot rest easy with Bill 68. I would hope the Minister, when he closes debate, would address himself to some of these specifics.

If he does so and he can satisfy us that he is concerned with these issues, and they will be met by him and dealt with in Committee before the bill reaches third reading stage, then we will be much happier with the legislation. As I say, we are not opposed to the concept of licensing as such, but pending those kinds of assurances from the Minister, I would think we would find it difficult to have much enthusiasm for the bill, Mr. Speaker, so at this juncture, unless there are others who wish to participate in this debate, I would suggest that the ball is in the Minister's court.

MR. SPEAKER: The Honourable Minister of Health shall be closing debate.

MR. DESJARDINS: Mr. Speaker, I thought that the concern of the Conservative Party, the Official Opposition, had been expressed by the official health critic of the Opposition, a few days back when

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he felt that they were ready to let this thing go to second reading. Of course, the representative of the Liberal Party spoke and expressed some concern and these were repeated here today. I guess it unifies the Opposition because I think the honourable member today just said "Me too" to what was said by the Member for Fort Rouge a few days ago.

I am somewhat puzzled when we are trying to improve standards that there would be some, I don't know, some opposition. I think that there might be some legitimate concern but opposition. . . and it is felt by some of the members of this House apparently that we should have all the information at this time. Now, if this was the case, if I bring in the regulations on this bill, it would be the first thing I would be criticized for, not having discussed this with the people that will run these homes. First of all, let me say that we have had very little standards. It has been very very difficult to have standards in the City of Winnipeg. Let me say, first of all, that we do the licensing in rural Manitoba, outside of Winnipeg, we are doing that now. Now, we will certainly bring in some standards and, of course, it would be kind of ridiculous if the standards and the lack of funds were in the nature that these facilities would have to close. If we want to close these facilities, I don't think that we would go at it that way. We would just inform the House, I would inform the House that we no longer want to pursue these programs, that we don't want to go ahead with these programs.

I think that, as I stated for the last two years, we have been trying to improve the situation. I admitted very clearly in the House last year that we were in a difficult position, something should be done, I accepted responsibility. We set up this office of continuing care; we are building up slowly, and many of these regulations will not be ready immediately. They will be part of the regulation and nothing will be secret but they will be discussed with the operators of these facilities.

For instance, one of the reasons for this — and I should say that as far as I can understand with the meetings that I have had with representatives of the City — this is something that they welcome. They welcome this. You know, they had a responsibility to do certain licensing and so on. This was clear years and years ago but there are many more programs that are coming up; they haven't had . . . I was forced to admit at a meeting with them that they didn't receive any — certainly not as much as a new program — any increased funds to do this. They have had difficulty with staff and we have gone ahead and met with them on a number of occasions and I think that we have certainly had a meeting of the minds. Some of the inspecting will be done by the City, will continue to be done by the City, and we will do the licensing. Now, as I say, the licensing is done by the Provincial Government in the rest of the province.

For instance, let me give you an idea why this was brought about. One of the reasons it was brought about is that we have never had a chance to take the family day care homes off the ground. The family day care is a day care for five or fewer children in a provider's home. That is what family day care is all about. Now, the province has licensed family day care outside of Winnipeg since the beginning of the day care program in September 1974. In 1975, the City introduced a separate family day care licence, the City of Winnipeg that is, and Winnipeg family day care was required by the City of Winnipeg to have fire, health, building, electrical, plumbing inspections with a police certificate for the applicant. **ow, although the province has repeatedly requested the City of Winnipeg to simplify the family day care licensing procedure, it has in fact been made increasingly restrictive and, as I say, that program could never get off the ground. In October 1976, it became necessary for the provider's home to be zoned as a conditional use and a procedure requirement payment of an unrefundable \$75.00 fee and appearance before a committee. Some people would be willing; they would go ahead and put in an application and then all these inspectors would descend on the home and at times they were refused and besides that they had a bill for . . . they were ordered to change the electrical installation and so on, maybe a bill of a few hundred dollars so you can just imagine that the people would say, "To heck with that; we're not going to take a chance of doing that."**

Now, you know, there is one good thing about a kind of a partnership between the government and non-profit organizations, the private sector, that I believe makes the Minister's life sometimes a hell of a life, I can tell you that, with the pressure, but it has a system of always demanding and requesting better standards. I think that if you know you have to say no sometimes, as I say, you are not very popular but the pressure is there and eventually all the programs are increased in the standards, whereas if the government is running it themselves, well the civil servant can't very well attack the government too often and say we want to increase the standards.

The standards — it has to be remembered it doesn't matter who is in power and who is on the Opposition — the Opposition can always, very safely, criticize the standards as not being good enough. I think that we have to remember that's the responsibility of whoever is in power to make sure that all the programs are improved together, that is that one program is not improved at the expense of many other programs and then you have to look also at the cost and what the people of Manitoba can pay. You know, it would be very easy to have very strict standards in everything but the concern that my honourable friends have, certainly would be valid because you would have to close some of these facilities because the people of Manitoba could not afford it. I can't see why, when you are bringing in this kind of legislation, that all of a sudden you feel that the standards will slip, or that

there is going to be less financing.

As I said, the standards for for group day care, the draft licensing regulation for these group day care centres is not expected to be finalized for some time and not before they are circulated thoroughly, that is both from within and outside of government. You know, that's a commitment that I can make quite easily because this is our intention. Once introduced, these group day care standards would of course permit the existing day care centres an adequate length of time to comply with the new standards. Now, you have, it depends on the program. Some programs we fund, we look at the budget, we take the responsibility for the budget and of course all the responsibility is on us as far as the standard is concerned; we certainly have to fund it in such a way that they can meet the standard imposed or legislated.

Then there are other programs where you say to the people, fine, if you want it, we are not accepting, it is not a question of accepting a responsibility to pay for all your budget; it is something that we feel with the grants that we are making that you can run a program that might not be as rich as you would like to see it but certainly is in line with what the people of Manitoba can pay for. Then, if you want something extra and if you can get some volunteers or some more financing, well be our guest. I don't think that's bad.

I think there are many people who are talking about volunteers. I certainly have stated many times and I certainly would want to repeat that that I would like to do everything possible to get more volunteers too. But I am talking about volunteers, not just a board, a volunteer, a few people that will meet maybe once a year and then, that everybody is on the payroll. You know, that's the private sector doing something without volunteers. You can always say that the volunteers are members of the board, the same as the hospital as far as that goes, but I think that it is unfortunate that the more the government is involved in programs, the less volunteers you have. You know, the less volunteers, and I think that we must remember that and the same goes — we've heard an awful lot about day care during the session because a group of people decided that they wanted more money for the day care and they've used scare tactics with many of the people that have their children there — very unfairly I would think — the same people that were saying a year ago, "This is the most generous program, and we know we could run this program," but all of a sudden have decided that this is a way to form maybe a new profession. They decide on the standards that they would have and the kind of service that they would have, they would have a speech therapist and they would have all kinds of things — which is laudable, which is very good. But then there is no such a thing as volunteers anymore; it becomes just a pressure group that expects the government will give them all the money that they want, practically blindly and I think that we have got to have the guts to stand up and say, "Here, that's enough." We've got to say no once in a while.

The situation that you have here, it seems that more and more governments are run by pressure groups. Individually, if you look at a request that sounds good, you can't accuse people of not being interested, of trying to paralyze the government, but they're well meaning people, but whatever program they had, it is the best and you must be able to give them everything that they want. What does that mean?

For instance, through other responsibility that I have in the department, I have had some people phone me and I'll give you an example. Mr. X would say, "Well, what I would like to do, there's a chance for this young hockey team to go to Switzerland or to go to France and this is going to be great. It is going to be a terrific education for these people; this is something that they will remember and they will put Winnipeg and Manitoba on the map and this is really going to help these people the rest of their lives." Well, I can't argue with that. I can't argue with that but maybe this person should stop and think and if the government should grant this requested grants to do this well worth program or trip for these young people, well then it is only fair I would say — and I don't think that anybody would disagree with me — then we should have a policy for the rest of the people of Manitoba. There are hundreds and thousands of very good groups, youth groups, who would like to travel so, therefore, we would have to have a policy and you would see in the Estimates — travelling youth groups \$1 or \$2 million. These things would go up. It would be fine, it would be like motherhood, once we have it. Politically it would dynamite if you say you shouldn't have these kind of policies. Who would be the first one to attack and say — you know, we have had an example of that even on day care. Even on day care the Conservative Party was saying, "Well, give us more. Give us more." Not too long ago they wouldn't go along because politically it is dynamite. It would be dynamite.

So this is what I am saying, that you can't win. You can't win in this position if you bring in new programs. You must remember that when these new programs are started, you will have a group of people who will say, "Just give us seed moneys." You know we've got, for instance, in day care, we've got the pastor or priest or the minister said we could use this room in the basement, and if we had just a few bucks, we've got volunteers and so on, we would have a terrific program. And you go along, and the next year it is more, and in about two or three years, well, then you are expected to pay the whole thing or you are going to have all a bunch of delinquents, and the government is responsible. The same people who tell us that the government is involved in too many parties and too many programs

are the first ones to criticize. Exactly.

So I say that that's fine, what we are trying here is just going to cause more trouble. If you think, if anybody thinks on the other side, and I think there seems to be a movement that the government and every asset we have, it seems like a plan of action that any Act that we have, that Minister is going to have so much power, he wants to determine this. Well, I've got news for you. That is the worst thing in the world for anybody, any Minister, to have these responsibilities. To have these responsibilities on licensing and so on, it is just going to bring you grief. It is not going to bring you popularity. It is not going to bring you anything else, but it is a responsibility that nevertheless we must face.

So as I said earlier, I am very surprised that the same people who would say that this government doesn't want to discuss, they don't plan, they don't want to talk to doctors, they don't want to talk to anybody, so we should have right now, the Minister should tell us before we go in third reading, the Minister should give us all the rules and so on. Well, I don't intend to. It is just legislation that we will concentrate and co-ordinate the licensing to have it universal. Why there should there be higher standards in one part of the province? It might come. It might be difficult in certain areas because of lack of population or lack of facilities and so on, but we should strive to have uniform legislation, uniform standards.

As I said before, we will discuss these things with these people. We will not impose our will. We will not impose our will without discussing with them. You know, what the hell, I am not an expert in these facilities, and just because I was elected I don't become an expert from one day to the other and we will discuss this with these people and we will bring legislation. We will, as I say, when this passes, you won't see the next day that everything will be licensed and facilities will be closed. This will not happen. The one on day care, for instance, will be presented with the people in the field. There will be a good discussion, and we will bring the standards, and at times we will have to be careful. The standards probably will not be high enough in some areas and in some new programs to please everybody. And as I said, that is the way to start, but that is also the way that you have big government and that government spends more and more money. You can't stop it, I don't give a damn which party is in power. I don't give a damn which party is in power because you know you have now the Leader of the Official Opposition who is saying in two sentences we will accept all the programs on health and all the programs on social development. —(Interjection)— Well, all right. I challenge — I said the Leader of the Opposition. I challenge any member then, to give him a chance, because maybe the leader doesn't want them to talk too much, but I invite them to tell me which one of the programs they are going to change, refute, or slow down or maybe lower the standards, because they haven't said so. They are the same people who are saying, "You're spending too much money. You are spending too much money. You let us know." But the people of Manitoba would want to know now, and I think they are entitled to know. I think they are entitled to know what will be the cost, because you know all we hear now is this, "Pretty well the same program but we will do it better. We will do it better."

Well, you know, maybe, but not because you have any ideology differences and so on because you might have a Minister that is a better administrator. You might be fortunate in having — (Interjection)— You through me off, that's what you did. —(Interjection)— Read it in? Should I read it in the record? —(Interjection)— Keep it cool, I don't want a division. I don't understand that, I only speak French. Two minutes ago he told me to speak quite awhile; now he is telling me to keep it cool. —(Interjection)— I didn't think I had it in me anymore. I thought that was gone.

Mr. Speaker, I think that this would be indeed a service to the people of Manitoba, and if the ideologies are so different, well then that should be presented to the people. For instance, many of the people on the opposite side talk about standards, but also feel that we should have users' fees. I don't think it is that bad of an idea, speaking for myself now, personally. But nobody is going to say this is a platform, this is what we are going to do. They all think it is a good idea but they are not going to bring it up.

Well, maybe this is this kind of an honest type of open campaign we should have but there is a difference. But if there is more than one-third of the total Budget for the province, it is in my department. More than one-third. In his last address of a few days ago, the Leader of the Opposition said, "We will keep on of course. You have no monopoly." Of course we have no monopoly. And, as I say, these people on the other side have no monopoly on brains either. They have no monopoly on compassion. They have no monopoly on honesty and on brains and that kind of thing. So it seems that there is not that much difference. And if there is not that much difference, how do you feel? You know you are going, as the Member for Roblin, I think, said, "You don't win an election, you lose an election," and that's understood. That is said many times. The people wanted change. But you are relying on that too much because you are not coming in with any — what are you going to do differently? What are you going to do differently?

Sure, you are going to run — you won't have such a thing as Flyer Industries, and we wouldn't have had CFI, and it's the same thing. You know some of those things that were mentioned were by the Leader. He took a very active role. It was okay awhile ago, before this new Leader came in the House, and it was all right. Many of the new members say, "We weren't there. We can't be responsible

for what has happened for past generations." But he was very much involved in CFI and the people, the Board, Manitoba Development Fund, didn't know what was going on. It was done exactly by the Cabinet. The Cabinet, though, at the time was saying, "Well, this is not the way it is going; it is up to the Board, we don't butt in."

So I would welcome, and I think the people of Manitoba would note where is the big difference. You know it's just there is a party and we are playing games. We are playing games. Somebody will say, "Well, the main thing," to try to make a point, they say, "what we want to do is close the gap between the people at the bottom of the ladder and those people that are on the top of the ladder." Now right away we will get up and we will use the two-and-a-half and ridicule this and change that around, the same, same, thing. You know that sticks. There is no doubt. I guess it is there. It sticks, but is it honest?

I was at a meeting where supposedly the First Minister said to the farmers of Manitoba, "What do you want me to do, sell your wheat?" And I still hear that and it was said completely in a different way. He was out there and answered in a joking way and said, "What do you expect of me? Go ahead and sell your wheat?" And all of a sudden it became the big thing, that, you know, he wasn't interested in the farmers. By the same people who are saying that government should not be involved. So I think that this legislation, I think this bill, I didn't expect that we would have much discussion on that. I felt that once in awhile anyway the Opposition should say, "Well, all right, you are trying to bring these" My honourable friend shakes his head. No, that will never . . . —(Interjection)— Eh? I do it all the time. I have done it personally many times. Oh, yes, I have. —(Interjection)— Yes, but I've learned since then, I've learned. No, I will admit I came into the House on a white charger and I was quite a crusader. I admit. I admit. I think I was honest, I did what I thought I would do. But I know better. I know the difficulty now that once you have been in power, of the responsibility that you have, I know that. —(Interjection)— Who? —(Interjection)— Well, you know I would like to keep this in a joking way, but not completely ridicule, you know. —(Interjection)— No, I think that I won't say what I think on him, because I would probably get kicked out of the House. —(Interjection)— He is something that you have to carry around your neck. I am sorry; it's not my fault. He is something that you will have to carry for awhile, but is that okay now I've said it? Can I quit? He's not listening.

Well, Mr. Speaker, I think that the members get the point all right. I hope they do, and I know that we won't have any trouble in third reading on this bill.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would like to deal with Bill 10.

BILL (NO. 10) — AN ACT TO AMEND THE COUNTY COURTS ACT

MR. SPEAKER: The Honourable Member for Birtle-Russell.

A MEMBER: Take it away, Harry.

MR. GRAHAM: Mr. Speaker, dealing with Bill 10, I am a little sorry to . . .

MR. SPEAKER: Order please.

MR. GRAHAM: . . . that the Attorney-General is not here this morning. He probably has some very pressing election concerns that seem more important than the affairs of the House, but that is his business.

Mr. Speaker, the amendments to The County Courts Act which are in Bill 10 are somewhat, a little more than what the Minister indicated when he introduced this bill for second reading.

When he introduced the bill for second reading, he made some references and they are on Page 3160 of Hansard. He said that one of the most fundamental things in this bill is the operation of the Small Debts Court and the change that will occur with the passing of this bill. At that time he made reference to a committee that had been set up and I would imagine that that committee was an in-House committee. I know we haven't seen the copy of the report, but we have to accept the words of the Attorney-General that the recommendations were somewhat different than what appear in this bill. And it was for that reason, Mr. Speaker, that I asked if it was possible that we could get a copy of that report. According to the words of the Attorney-General, that committee did recommend an increase, but only to \$800. Here we find that they have decided to increase it to \$1,000 and that it would be the upper limit of any case that is taken to Small Debts Court.

But, Mr. Speaker, you have to consider what happens when a case goes to Small Debts Court and the implications that it may have on further decisions on that particular matter. Yes, certainly there is the right of appeal. And when we look at the statistics — the last statistics that I have anyway was in 1975 — that out of all the contested claims that were heard in Small Debts Court, there was a total of 1,523, and out of those there were 141 that went to appeal. That is almost ten percent. So we assume from that the Small Debts Court has been operating fairly effectively. I would suspect that a ten percent appeal rate is about the average that you would find in the courts in Manitoba prior to the recent activity of Legal Aid in the affairs of people in the Province of Manitoba.

However, there is one or two things about the operation of the Small Debts Court that does

concern me, and that is the handling of affairs once a judgment has been awarded by the courts, and there seems to be no apparent method here, or there seems nothing in this bill that will straighten out some of the problems that exist in that course at the present time.

Once a judgment has been awarded by the court and the settlement of that judgement seems to be out of the hands of the court, from that day on then the court is finished with it, except that the court has to keep a record of all those judgements, the decisions of the court. It is my suspicion, Sir, that there are probably many settlements that are made of the decisions of Small Debts Courts that are not wiped off the books once that settlement has been made. There seems to be an area here where there is some confusion about who is responsible for ensuring that the decision or the payment that is made, does in fact get removed from the record once that payment is made. There is nothing in this bill that would clarify that situation whatsoever.

One of the other aspects of the Small Debts Court, that you will get considerable variance of opinion from anyone in the legal profession, is in the field of the limit of the case that is being heard. We now see that this is going to be raised to \$1,000. Mr. Speaker, a \$1,000 in some people's lives is an awful lot of money, and to have that decision being made in a Small Debts Court, where ordinary rules of evidence don't apply, seems to be a fairly significant amount, and I know there are some members of the legal profession who are somewhat concerned that a person who is certainly not a judge but is acting as a judge, a person who is trained as a clerk or a deputy clerk now assumes the role of a judge and can make decisions in amounts as high as \$1,000 which have a significant impact on a person's life. Naturally, there is the right of appeal that is preserved. I gave you the last statistics for 1975 — the last ones I have anyway — in almost ten percent of the cases that decision is appealed.

Some of the other aspects that I see that may cause us some concern are the ones where we remove from the The County Court Act the section dealing with juries. And that is done quite properly because there is another bill, a companion bill for this, which has not, as yet, had second reading, establishing the The Jury Act. So it is somewhat strange that we should be dealing with these this bills out of sequence; they should be, I would suspect, be dealt with together because there is that interrelationship. If we should, for instance, not pass The Jury Act, Bill No. 6, and approve the changes and pass Bill No. 10, we would be in quite a predicament here in the Province of Manitoba. So I would suggest that Sections 58 to 64 of this bill should have a rider placed on the passage of those sections that applies only if the other bill dealing with the juries is passed and becomes law. Then those sections shall be repealed. But that is not what this bill says. This bill says they are going to be repealed the minute this bill receives Royal Assent, with the exception of some sections. But the irony is that the sections that do not come into force when the bill receives Royal Assent aren't the ones dealing with the juries at all; they're the ones dealing with the increase in amount from \$500 to \$1,000 as the upper limit. I think there could have been a little more clear thinking there. I can see some possibility of relative slackness on the part of the Attorney-General in not ensuring that this be drafted in a different manner.

There is one aspect of the bill, Sir, that I think we should point out — that is in my estimation anyway quite a good aspect — and that is the extension of the time for appeal from the decision of the Small Debts Court. In the past, that was only ten days; it has now been increased to thirty days, which gives a person that time to check for legal advice and to get independent advice as to whether or not the ruling of the Small Debts Court was in fact a thoroughly fair one. So it does extend the time for appeal. I think that is a very good deal.

One of the sections though that does concern me is the . . . I think there is a significant change being implemented, Mr. Speaker, in the way that added costs can be arrived at and awarded in the settlement. Under a particular section in the bill — I am not referring to Bill 10 but to the original Act — there is a very definite procedure spelled out to the upper limits that could be imposed when the court awards costs; where that amount is not exceeding ten percent of the amount of the judgment. Now, we find here that the Minister is doing two things. First of all, he is removing that upper limit in a section of the bill and at the same time he is doubling the amount that the courts can hear, so that where the amount that could be heard in a Small Debts Court before was \$500.00, \$50.00 would be the maximum cost that could be awarded. Here he is removing that and making room for additional amount and at the same time he is raising the upper limit so that we can see court costs well in excess of 100 percent increase. — (Interjection) — No, it can exceed that. So you can see increases in court costs exceeding 100 percent if this amendment takes place.

MR. SPEAKER: The Honourable Minister of Mines have a question?

MR. GREEN: I just want to ask the honourable member so that I can be sure of the point that he is making. If it wasn't in the Small Debts Court — the present limit is \$500 — if it was in the County Court, and it was \$700 and it went to County Court, the costs could exceed in the County Court, the amount of \$100, so it wouldn't be in excess of what it is now. Or would it? I am putting the question. At the present time, if it's over \$500, the costs could well exceed \$100.00. Would the amendment provide for costs more than they could be recovered in the County Court at the present time? I am asking the

question. I really haven't looked closely at the bill, but I am asking his opinion on it.

MR. GRAHAM: Well, Mr. Chairman, the thing that concerns me is a very basic one. When we established the whole philosophy and the principle of the Small Debts Court, it was to eliminate costs or to minimize costs. It was going to be a very simple procedure where it would not be expensive for anyone — they could go in the Small Debts Court and for two or three dollars, they could get their case heard in a quasi — I shouldn't say quasi-judicial — in a fully judicial manner. Here we find that we are now expanding the area of jurisdiction of the judge who can be a County Court Clerk or a deputy County Court Clerk, but in all aspects, he is now a judge and we're giving him expanded authority in the field of assessing costs. And the whole philosophy of the Small Debts Court was to eliminate costs. I would suspect, Sir, that if this is what we are going to be doing, then I would say that we are lessening the effectiveness of the Small Debts Court and may in fact be pushing more cases into the higher courts.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, just a question. I appreciate the point the honourable member is making. I wonder if he would clarify whether he thinks that we should not raise the limit, in other words, keep the limit as it is at \$500.00. Because if one increases the limits, then the costs probably are not much different than they would be in the County Court. As a matter of fact, they would still be less. But is he concerned about increasing the limits or is he concerned about reducing the costs if we increase the limit? In other words, should we go to a \$1,000 but in some way limit the costs? Or is he merely asking us to assess either situation. I am not sure exactly which way he'd like to go although I appreciate the point he is making. I think it's a substantial point, but I am not certain whether he wants us to retain the limit or try to limit the costs.

MR. GRAHAM: Mr. Speaker, I believe the Honourable House Leader probably was not listening to me when I first started, because I did raise the issue of the increase from \$500 to \$1,000 and I did express a concern that exists within the legal fraternity at the present time. There are some that don't feel too worried about it and then there are others that do become very concerned. When you get varied viewpoints and then you find out that the special committee that was set up by the Attorney-General to look into this came up with recommendations that are inconsistent with this legislation, then I have to express my concern about the upper limit being set at \$1,000.00.

Mr. Speaker, I think those are the main concerns that I have at the present time with this bill. I certainly look forward to when this goes to Committee. I have already asked if the Attorney-General would be prepared to release the report of the committee that did the study on this and I would hope that he would be favourably inclined to giving us the benefit of that report. When this goes to Committee, I would hope that perhaps there could be further suggestions being made then with respect to certain amendments.

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

MR. D. JAMES WALDING: Mr. Speaker, I beg to move, seconded by the Honourable Member for Gimli that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I just want to inform the Member for Birtle-Russell that I have asked that the debate be adjourned because I think that perhaps it would be useful for the Attorney-General to be able to say something in debate before we get to Committee. I think that the points that the honourable member was making are certainly worthy of a reply and I would think that the Attorney-General would want to say something concerning them.

Mr. Speaker, Bill No. 60.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Stand please, Mr. Speaker.

MR. GREEN: Bill No. 61. (Stand)

MR. SPEAKER: The Honourable Member for Gladstone.

MR. JAMES FERGUSON: Stand.

MR. GREEN: Bill No. 56.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Stand please, Mr. Speaker.

MR. GREEN: Mr. Speaker, Bill No. 17. Page 5 of the Order Paper.

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. GREEN: Mr. Speaker, I am asking them to send for the Honourable Member for St. Matthews to be able speak for the Honourable Member for Flin Flon not being present.

MR. SPEAKER: Will it stay in the name of the Honourable Member for Flin Flon?

MR. GREEN: Yes, Mr. Speaker.

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

MR. WALLY JOHANNSON: Thank you, Mr. Speaker. The bill before us of course is an amended bill which is very similar to the bill that was before us last year. Last year, I opposed the bill in

principle, and this year, I intend again to oppose the bill in principle. However, before I get into the detail of my reasons, I wanted to refer back to something that was brought up in the Legislature by the Honourable Member for Fort Rouge. The honourable member made a fuss over a memo that I sent to a number of executive assistants. He asked a series of questions of the First Minister and he made a great fuss over a memo that I sent to executive assistants. He seemed to imply that — (Interjection)—

MR. SPEAKER: Order please. The Honourable Member for Fort Rouge state his matter of privilege.

MR. AXWORTHY: Mr. Speaker, I don't know what the member is talking about. I asked a series of three questions in the House. I think that the member should quit the editorializing. I simply say, I asked three questions. That's not a big fuss.

MR. JOHANNSON: Mr. Speaker, I was never aware that the term "fuss" in the English language was a very derogatory one. I thought it was a rather mild descriptive term and that's why I used it. He was concerned, let us say, about a memo that I sent; and he was concerned that I was acting on instructions possibly from the Premier or the government, trying to determine from the departments, he said, what was confidential, what was privileged information and what was public information.

Well actually, Mr. Speaker, just to clarify, I'd like to read my memo into the record so that there is no uncertainty. It's dated March 30th and it is to all executive assistants. "Re: Information made public by your department. There is a bill before the Legislature called The Freedom of Information Act. The implication of the bill is that the government restricts availability of information to the public. I know that each department makes public a great deal of information through Information Services Branch annual reports, publications, Orders-in-Council, and the Manitoba Gazette, etc. For purposes of the bill and also for the caucus office files, would you please list the means by which your department or area of jurisdiction makes information available to the public and the types of information made available. I should like to have this back as quickly as possible. Yours sincerely."

Now, Mr. Speaker, this letter as far as I am concerned, could have been sent by any member of the public to any department. All I was asking for was the information made available to the public. To me, any MLA should have a right to ask that information. To me, any member of the public should have a right to ask that information. It was a totally innocuous memo.

I have just been handed a dictionary which defines the term "fuss." Among the definitions are, "to pay undue attention to small details, to become upset, to complain and argue." I think that defines very well what the honourable member was doing about an entirely innocuous minor little letter. — (Interjection)— But it's a very minor, innocuous four-letter word.

Now, Mr. Speaker, I got information back from the department. I got a great deal of information back from the department and I would like to share with the members here the kind of information that I got. This is from the Department of Mines' Resources and Environmental Management. This is the kind of information that they make available to the public and the Member for Lakeside would be aware because he was at one time the Minister responsible for that portfolio. The amount of information made available is staggering, in fact, I would . . . Mr. Speaker, from the listing of information, I have to assume that very little is kept secret.

This is a listing of information made available to the public by the various sections or divisions of the department. The Departmental Annual Report and there is a list of the information made available and the means by which it is made available. Information series and a listing and the means by which it is made available. From Environmental Management: manuscript reports, scientific publications, annual report, presentation of papers, information series booklet, and again the type of information available and the means by which it is made available. Regulations, the subject, the means by which it is made available. All publications of Environmental Management Division, various pamphlets and brochures. Environmental Impact statements, review of Environmental Impact statements, pamphlets, regulations, reports, manuscripts, monitoring data, regulations from different divisions of the department, pamphlets, accidents at mines, general information, reports and maps, notices — this is under the Mineral Evaluation and Administrative Branch of the Department— Exploration Operations Division, public meetings, reports, press releases, pamphlets, and I can go on *ad nauseum*, Mr. Speaker.

The fact is that a great deal of information is made available. There are technical reports, there are lists of titles or reports and maps, publications catalogue — and I am quite willing to provide these for the honourable member for his perusal. I have no objection to providing them for him. There is a great deal of information made public.

I think the reason that I am opposing this bill, personally, is that I think the bill will achieve the release of less information rather than more information. I happen to believe that the parliamentary process will make more information available than reference of matters to courts.

Mr. Speaker, as I pointed out through detailing these publications that are made available through the Mines Department, I think — and I think history will prove me correct — that government in Manitoba has been evolving more and more towards openness, towards less secrecy, towards more disclosure. I have only been in this House for eight years but even in these eight years, there have

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been, I think, pretty significant advances. In the days of the Campbell administration and prior to that, the question period was a time in the House when virtually nothing was done. There were almost no questions, I gather. Now, we have an extremely active question period and — (Interjection)— yes, it does, there's no question about this, but the fact is that the question period has evolved into a significant part of our parliamentary procedure and a great deal of information is made available through it. It is also a time for the Opposition to bait the government; to make political points; to make a fuss, yes, over minor details.

Under this government, while I have been in this House, Estimates time has been expanded to the point where there are now no minutes on the debate of Estimates. I am not claiming credit only for the government. This procedure was evolved through our Rules Committee which has representation of all parties. So there are now no time limits on the debate of government Estimates. — (Interjection)— I have simply been pointing out to the honourable member and others that government is evolving towards more openness, more disclosure. This is the means to provide that. There is no time limit in Estimates, and the Opposition has the control over which departments will be heard outside of the House. They can control which departments are heard in the House and I think that the Honourable Member for Morris made a very significant statement on that.

Now, last year I pointed out that there are all kinds of means by which government now makes information public and available: Government Information Services; public hearings on non-tax bills; Orders-in-Council — any action of Cabinet has to take place through Order-in-Council, usually, and this is public information; the Manitoba Gazette publishes a great deal of information. We now have MDC reporting to the House whereas it was formerly a secret operation; that is, the Manitoba Development Fund was a secret operation when our friends opposite were in government. MHSC now reports . . . was that secret before?

Mr. Speaker, Crown corporations, since I have been in this House, Crown corporations and agencies are now audited by the Provincial Auditor whose report is filed in this House and whose report is debated in Public Accounts Committee. This is the kind of access to information that was not made available when members opposite were the government.

Mr. Speaker, the Chairman of Public Accounts, for example, is now a Member of the Opposition — (Interjection)— a very fine fellow, yes, very competent, but — (Interjection)— who is it? But this was not the case when members opposite were in government and I think this is an additional contribution towards open government.

Mr. Speaker, this government brought in the office of Ombudsman. The Member for Fort Rouge last year stated that it took ten years to achieve this development. **ow, the ten years that he is talking about are the ten years of Tory rule. It took one session for our government to bring this in; it was brought in in the first session of our government. Mr. Speaker, the office of Ombudsman is, I think, a significant protection for the private citizen in our province against abuse by provincial civil servants. If a citizen feels that he is aggrieved; if he feels he has been abused by a provincial civil servant, he can lay a complaint before the Ombudsman. Mr. Speaker, so far there has never been a file refused to the Ombudsman by any department or any Cabinet Minister in connection with cases that the Ombudsman is investigating. A department or a Minister have never refused a file; there's no secretiveness there; there is an openness about the release of information. There is no secrecy; there is an openness on the part of the government. The Ombudsman, of course, reports to the Legislature. His report is debatable and of course is always used by the Opposition in debates of this House.**

Mr. Speaker, the procedures of the House also provide for Orders for Return as the Mines Minister pointed out. Orders for Return have almost always been accepted by this government. Orders for Return are almost always accepted. If a member wants information, it is made available — almost always — to the Members of the Opposition. If a citizen wants information, all he has to do is contact a Member of the Government or a Member of the Opposition. If he contacts a Member of the Government, the Member of the Government can obtain the information through his Ministers. If he contacts a Member of the Opposition, the Member of the Opposition can use the vehicle of the Order for Return.

Now, the Member for Sturgeon Creek says that the information will be made available two years later. Well, I admit that there are delays in providing of information but when one looks at the list of Orders for Return — when one looks at the list of Orders for Return and the massive amounts of information that are asked for by the Opposition — then it is obvious why there are delays.

Now, if an Order for Return is refused, the matter is debatable and the government must defend its position in refusing some information. This is responsible government; this is accountability and to me, this is the best method of — (Interjection)— Yes, of course. This is House Procedure, yes. But it is used more now than it has ever been used in the past and there is more information being made available now than there ever was in the past. Government is more open now than it ever was in the past.

I would point out also to the Member for Sturgeon Creek, that the massive amounts of information provided through Orders for Return are costly. They cost money to provide because a great deal of

time and effort is required from the civil service to provide this information to the Opposition. However, it is good and useful, but it is costly and members opposite should not ignore that fact.

Now, Mr. Speaker, the major reason why I am in opposition to this bill is because I think it is wrong in principle. I support the position of the Minister of Mines; I support the position of the Honourable Member for Morris. I think that we should not let judges make decisions on parliamentary matters; we should keep the courts out of the Legislative process. The Minister who stands in this House is accountable for what he does. He is accountable if he releases information; he is accountable if he does not release information. He is accountable to the people of this province and, of course, the Ministers and this government will be accountable this year to the people of this province for what we have done. I think that this procedure is more open; I think that this procedure is more open than if we were to refer matters to judges. —(Interjection)— The member last year and the member this year brought up the U.S. Freedom of Information Act and I frankly do not want to follow American examples. Our system is different; we have a parliamentary system; the Americans have a congressional system where the executive does not stand in this House, the executive does not stand in the Legislature and answer for its actions. In our Legislature, the executive members must stand in their places in this House and must answer for their actions to the Members of this House. I think that the system is not perfect but it is one of the best in the world and I would not trade this system for the American system any day. —(Interjection)— Mr. Speaker, the Swedish system is rather different from ours. It is not like the British Parliamentary system.

I have a great deal of faith in our system; I think it is evolving to more and more openness and I have a trust in it. The honourable member has more trust in the courts and that may be, Mr. Speaker, that may be because his party appoints the judges. Now it may be because his party appoints the judges that he has so much faith in the judges. Mr. Speaker, if I appointed the judges, I might have more faith in them than I have in the parliamentary process too. If I were in a position where I couldn't elect a government and I appointed the judges, then I would be even more inclined to have faith in the judges, rather than in the parliamentary system. —(Interjection)— Well, the member will have his chance.

Once again, Mr. Speaker, I intend to oppose this bill because it is wrong in principle. I intend to oppose it because I think it will lead to the release of less information rather than more information, and I intend to vote for it because I have faith in our parliamentary system, and therefore, I move, Mr. Speaker . . .

MR. SPEAKER: Order please. That is out of order.

MR. GREEN: The honourable member should be aware that the bill standing is in the name of somebody else.

MR. JOHANSSON: I'm sorry, I forgot that the Member for Flin Flon is still holding the adjournment, so someone else is going to have to have the pleasure of moving the hoist. I will not. The Member for Flin Flon may have that pleasure. Mr. Speaker, we intend to move a six month hoist on this bill. It will be done by another member . . .

A MEMBER: Thy will be done.

MR. JOHANSSON: . . . not by myself. This measure I can support because I don't accept the principle of the bill.

MR. SPEAKER: The bill shall remain in the name of the Honourable Member for Flin Flon. The Honourable House Leader.

MR. GREEN: Mr. Speaker, it's almost 12:30, but the Member for Radisson says he has a bill which he can introduce in two minutes.

BILL (No. 71) — AN ACT TO AMEND AN ACT TO INCORPORATE THE SOCIETY OF INDUSTRIAL ACCOUNTANTS OF MANITOBA

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY presented Bill No. 71, an Act to amend an Act to Incorporate the Society of Industrial Accountants of Manitoba, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Mr. Speaker, this bill deals with the Society of Industrial Accountants of Manitoba, which was incorporated under the name of the Industrial and Cost Accountants of Manitoba in 1947, and in 1967 the name of the Society was changed to the Society of Industrial Accountants of Manitoba. I did provide a copy of these same notes to the Honourable Member for Gladstone, so that his party will be able to peruse the import of the bill.

Basically what the bill proposes to do is the deletion of Section 3 of the Act, which is the general objects of the Society and the insertion of new objects, describing more adequately the services performed by its members. The bill proposes a change in the name of the Society to the Society of Management Accountants of Manitoba, which more adequately describes the Society and its members.

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The members of the Society, in essence, are not industrial accountants but management accountants. Mr. Speaker, the Society is associated with the national association which has changed its name to the Society of Management Accountants of Canada. There is a society in each province in Canada, and each provincial society has, or is in the process of . . .

MR. SPEAKER: Order please. Let's not be discourteous.

MR. SHAFRANSKY: . . . in line with the change of name proposed in the bill before you today, should the Legislature pass the bill as presented today. It will facilitate the Society in Manitoba in maintaining a high degree of uniformity, not only in Manitoba, but throughout Canada.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BANMAN: I move, seconded by the Member for Sturgeon Creek, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The hour of adjournment having arrived, the House is now adjourned and stands adjourned until 10:00 a.m. Monday.