

THE LEGISLATIVE ASSEMBLY of MANITOBA
Wednesday, June 1, 1977

TIME: 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Honourable Peter Fox (Kildonan): Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 25 students Grades 5 and 6 standing of the Sandy Lake School under the direction of Mrs. Shindruk. This school is located in the constituency of the Honourable Member for Minnedosa.

On behalf of the honourable members, we welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS: Mr. Speaker, I beg to present the second report of the Committee on Law Amendments.

MR. CLERK: Your Committee met on Tuesday, May 31, 1977 and considered Bill No. 16 - An Act to amend The Garage Keepers Act, and has agreed to report the same without amendment.

Your Committee also considered Bills:

No. 8 — An Act to amend The Highway Traffic Act.

No. 14 — An Act to amend The Landlord and Tenant Act.

No. 15 — An Act to amend The Real Estate Brokers Act.

No. 18 — The Retail Businesses Holiday Closing Act.

No. 21 — An Act to amend The Real Property Act. replied in the negative. That's my information on the matter, but I am not a definitive source for a federal agency's policy position.

No. 51 — An Act to amend The Civil Service Superannuation Act.

No. 52 — An Act to amend The Teachers' Pensions Act. And has agreed to report the same with certain amendments.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I move, seconded by the Honourable Member for Ste. Rose, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK: Mr. Speaker, my question is to the First Minister. I wonder if he can indicate whether there has been any communication by Air Canada to the Province of Manitoba with respect to the purchase by PWA of Transair and its applications before the appropriate regulatory body.

MR. SPEAKER: The Honourable First Minister.

HONOURABLE EDWARD SCHREYER, Premier (Rossmere): Mr. Speaker, I believe it is correct to say that Air Canada was asked in the first instance by the appropriate Federal Minister for an expression of intent or attitude with respect to the possible operation of Transair routes, and that Air Canada replied in the negative. That's my information on the matter, but I am not a definitive source for a federal agency's policy position.

MR. SPIVAK: To the First Minister, I wonder if he can indicate whether PWA has asked the Province of Manitoba to support its application before the national regulatory body.

MR. SCHREYER: No.

MR. SPIVAK: I wonder then if the First Minister is in a position to indicate whether the Province of Manitoba will in fact be supporting its application.

MR. SCHREYER: No.

ORDERS OF THE DAY

ADJOURNED DEBATES ON SECOND READING

MR. SPEAKER: The Honourable Minister of Labour.

HONOURABLE RUSSELL PAULLEY (Transcona): Mr. Speaker, I wonder if you would kindly call Bill No. 56.

BILL (NO. 56) — THE FARM LANDS PROTECTION ACT

MR. SPEAKER: Bill No. 56 proposed by the Honourable Minister of Agriculture. The Honourable Member for Birtle-Russell.

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MR. HARRY E. GRAHAM: Thank you, Mr. Speaker. Mr. Speaker, one of the principles enunciated in this bill quite obviously is in direct contravention of what occurs in the statutes under the Law of Property Act, and that is Chapter L90 on the continuing statutes of the Province of Manitoba. I would like to quote, Sir, from that particular bill. The second section of that bill "On and after the 28th day of February, 1874, every alien says: shall be deemed to have had and shall thereafter have the same capacity to take by gift, conveyance, descent, devise or otherwise, and to hold, possess, enjoy, claim, recover, convey, devise, impart, and transmit real property in Manitoba as a natural born or naturalized subject of Her Majesty."

Mr. Speaker, that principle enunciated and dating from the 28th day of February, 1874, has been in existence in the Province of Manitoba now for some 103 years. That principle has been one that has stood this province in good stead; has been a subject that has in fact been consistent with Canadian principles; has been enunciated on numerous occasions and, Sir, has been the very basis in many cases, of immigration policy in this country of Canada. That is the right of an individual who may not be a Canadian to own property in the Province of Manitoba.

Sir, Bill 56 does not, at least I find no place in there where that principle is not revoked, but, Sir, that principle is being severely bent by this legislation. We do find that there is another bill that has been brought into the legislation and that is the operational aspect bill to amend the Real Property Act, Bill No. 79, which was distributed in this Chamber on the 18th of May and we had second reading of it here just the other day. That bill, Sir, does not change the law of property in the Province of Manitoba. I would conclude that the government has no intention of changing that policy but the government has declared very clearly in this particular bill their intention of bending that principle to the extent that I think it may very severely hamper immigration policy in Canada and in this province.

We find, Sir, that this is happening at a time in Canadian history where immigration policy and the decisions on immigration are being challenged to some extent by the provinces. In fact, I think we just saw the other day where the Province of Manitoba has made a special appointment of the Premier's Executive Assistant to a position which may very well be active in this particular field, in the field of immigration as well.

Sir, it has to cause some concern because we are finding some very strange things happening in immigration in this province. We find, for example, that the Minister of Agriculture and the Attorney-General and several others have been going to the Caribbean; they have been active in Cuba; they were in, I believe, some other countries which are presently under Communist control and have welcomed with open arms people from those countries into our country. We open the doors to the Chilean refugee without any hesitation whatsoever. But it seems in all those cases that we weren't really merely concerned about owning property or anything like that, it was just a question of we'll get them here and the less they have the more we seem to appreciate having their presence here in the Province of Manitoba. However, when we find people that may very well, for political reasons, want to invest in this province, maybe for the purpose of escaping from countries that may be coming under or are being threatened by communism, that we find we are now starting to put restrictions on them. We say that under this bill that we will allow them to purchase Manitoba farms but they must move here under a very specific period of time in order to qualify or else that transfer of land in their name is no good.

It seems that the policy of this government is to restrict those that do have the ability and the capital to make worthwhile contributions to this province. The fact that a person may have sufficient capital to invest in this province and to make contributions, far in excess of those that are coming here as political refugees, is being hampered to some extent, while political refugees are welcomed with open arms and no restrictions whatsoever. It makes you wonder, Sir, just what class of people then, this government really wants to encourage to come to Manitoba. That, Sir, leaves me with considerable doubt as to the real political motives of this government when they start bringing in legislation of this sort.

I don't think, Sir, that really their concern is the protection of farm property. I think it is something that this government, and we have noticed it in many other ways, becomes a little concerned about ownership. I don't care whether it's ownership of a store, a farm, or any other piece of property. We find that this government becomes a little uptight when you start talking about ownership of property. In fact, Sir, the other day we even had the Member for Thompson, I believe, suggest that when two people in a marriage get into a question of dispute over ownership of property, he thought that perhaps the state should own the property.

This government in all of its talk over the last several years, seems to get concerned about ownership of property, and it seems that they almost have a mania about people that have the audacity to own property in the Province of Manitoba.

A MEMBER: The Member for Flin Flon wants all the mines.

MR. GRAHAM: That, Sir, gives you an indication of what this government if they were allowed to continue in office for an extended period of time, gives you an indication of what their real intent

would be.

And, Sir, I think it is a fair assumption after listening to the words of wisdom coming from various members on the other side of the House at various times dealing with various pieces of legislation, that there is a common theme coming out and they are very uptight about anyone other than the state owning property.

We find, however, that whenever the heat gets a little hot, they back off a little bit, but while they may back off in one direction, they will come forward in another direction with another piece of legislation. You find it fairly consistent, Sir, that this government in all of its legislation at some time or another becomes a little bit concerned about who it is that's going to own property. And in this particular bill, again they are attempting to nibble at the corners somewhat afraid, somewhat afraid to come right out in the open and tell people what their real intention is or what their real beliefs are.

So in this respect, Sir, we have to express our concern about the real intention of government. Sir, it has been said before that there is prevalent in society some concern expressed by various people about the ownership of farm lands in this province. Sir, I don't think that concern is nearly as great as the underlying concern that maybe does not get expressed, and that is not so much about the ownership but the use of farm lands in the province of Manitoba. We had this legislative committee a couple of years ago that did hold hearings throughout the province and there was expressed at that time a great deal of concern about the use of agricultural land. We do know, Sir, that in this country there is not an unlimited amount of land that is suitable for agricultural use, and we find daily that some of the prime agricultural land in this province is disappearing and going into sub-division and residential property, and that activity begins right in the Minister's own personal affairs and moves out from that field. Now how can we, Sir, have a Minister of Agriculture who has expressed his concern on numerous public occasions about preserving agricultural land for agricultural use, and then we find that in his own activities he's not that much concerned, when the price is right, to take it out of agriculture production and sub-divide it for other use.

Sir, I have spoken on numerous occasions in this House on the double standard that has been brought forward by this government. We find repeated occasions where that double standard is surfacing and, Sir, in this particular bill we find it again.

I, Sir, am not one that is that concerned about the ownership of farm land in the province of Manitoba. We have had cycles in this country in the past where the ownership of farm land on other occasions has changed dramatically. In fact, I would say, 30 or 40 years ago that almost 50 percent or maybe more of the farm land in the province of Manitoba was not owned by the farmers who were actually farming. But cycles of business activity change, Sir, and they will continue to change — and at the present time we find 91 percent of farm land is owned by the farmers who are actually farming it, and that figure may vary four or five percentage points in the next few years. Sir, that does not concern me. The thing that does concern me is the use that that farm land is put to. As long as the farm land is producing, is producing to its full capability in providing the food that is so necessary for this world of ours, then Sir, the ownership of that land, to my mind, becomes somewhat secondary. It is the wise utilization of the land that is the most important part. And if a person who is a non-Canadian happens to own the farm land, Sir, you can rest assured it will never be dug up and taken away from this country. That farm land will still remain, it will still be used and still be producing for the benefit of Manitobans, Canadians and all people of the world.

Sir, those are some of the concerns that I have about this bill. I would like to know, Sir, whether or not the Law of Property as expressed in Chapter L90 of the The Statutes of Manitoba takes precedence over this bill. I think it is a subject that has to be established quite clearly because one clearly contravenes the other. I hope that that question will be satisfactorily answered before we give third reading to this bill — whether or not Chapter L90 of the The Statutes of Manitoba takes precedence over this bill. Because there is a very clear principle enunciated in that bill and that principle has stood this province in good stead for 103 years, and if we are changing that principle, then this bill has to contain some clause which cancels out that principle that is enunciated. I don't see that clause in Bill 56. I don't see that clause in Bill 79, the amendments to The Real Property Act. So that as things presently stand, I would suspect that there is a real case here that has to be tested in the courts as to the validity of the Law of Property Act of the Province of Manitoba. And, Sir, so far, I have seen no indication of what the government intends to do with that principle.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BOB BANMAN: Thank you, Mr. Speaker. You know when I look at this bill and I've been listening to some of the comments on different bills by members opposite, I think especially the Member for Flin Flon should be vigorously proposing this bill because I see something here where maybe he could put some more money in the pockets of the people of Manitoba, and that is by allowing all the foreign investors to come in and buy up all our farms lands and then employ his concept of nationalization. That would mean that you'd get all the foreign investment money coming in then you'd nationalize it and you'd be right back where you are, you wouldn't really be hurting any

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of the Manitobans. This is maybe a thought that the Member for Flin Flon would really, really ascribe to. That way you wouldn't have to worry about the Farm Land Lease Program or any programs like that n you might accomplish it in a much easier way because you wouldn't be hurting Manitobans; you'd be hurting foreigners who really you possibly have no feeling for anyway. It's a point maybe that the Member for Flin Flon would like to pursue.

Mr. Speaker, the reasoning as I see it for putting restrictions on investment by foreign owners in Manitoba farm land is before us because the money coming in from out of Canada people is coming here because of political unrest in certain areas, such as Italy. I remember talking to somebody from Toronto just before the Italian elections and they said the amount of money that flowed in, not into the agricultural sector in Toronto area but into the apartment and business block buildings was a very substantial number because of the unrest and the feeling that the Communists might grab hold of that country.

I think there is a real problem with regard to people coming in and, if you want to call it, "dumping" their money here in Manitoba and in Canada, for that matter. I know we have certain anti-dumping laws, t anti-trust laws as far as federal legislation is concerned and I would liken this particular money that is coming in to some of the commodities that could possibly be dumped on our market if we didn't have these particular laws on the federal level. In other words, we are asking our Manitoba farmer to try and compete with the interest rates and with the money that is coming in from other areas. I would suspect, Mr. Speaker, that some of these people who are buying farm lands are not concerned about the return on investment, that they are basically concerned about the retention of their dollar and not that much with the investment. Speaking to several people who have been involved with the sale of farm land to foreign investors, the criteria apparently that the foreign investors are using is a net return on their investment of 5 percent. Now, Mr. Speaker, we all know that the Canadian farmer who is purchasing agricultural land can not even get a rate appreciably close to that particular rate as far as interest when he's trying to buy farm land. So I think this is one of the areas — the viability of the operation — the Canadian farmer has to look very close at; money that is coming in from off-shore is not really that concerned about it.

As I mentioned, the interest rate is one criteria. The other one is the return on investment. I think that any Manitoban that is purchasing farm land now, whether he be a farmer or not a farmer, is concerned about those two particular areas, so that if he or she is buying a number of acres of land for \$500.00 an acre, and it's wheat land, and they don't see that it is going to be a profit return on their investment at our interest rates, plus their amount of time and equity as far as machinery to work that land is concerned, then they are not going to invest.

I'm not scared that a few people in Manitoba are going to buy up the farm land if it's not an economical viable situation. I think the point has to be made too, Mr. Speaker, that there's the worry about the large corporate farms coming in; in other words, people whose business is not basically in farming. . . I would refer to an incident in my particular area where Ogilvie, which is a subsidiary of Labatt's Limited, came in and bought out a hatchery and several other things in the Village of Niverville in my riding. They also put up a large feed plant and, Mr. Speaker, the feed plant has now been sold to the Federated Co-ops. The hatchery I understand has been closed, and the total venture has proven totally disastrous to the particular corporation. I think this is indicative of what has happened to large companies that have tried to vertically integrate or get involved very actively in the farming business. Farming to be efficient, means that usually it's the owner that is working the land. In that way, when there are problems, he has to get up in the morning and make sure that the calves are coming in properly, or there are problems with fans that might switch off, that type of thing; that he's not on a nine to five job, he is responsible for that action, and he's got a definite interest and a definite financial responsibility at stake.

A point that I would like to draw to the Minister's attention is that we have had over the last number of years a certain amount of capital investment coming in from foreigners for the development of land which is not in agricultural use at present. I refer specifically to areas such as the New Fruit Processing Plant in Portage La Prairie where I understand there are people that are willing to put up some money and get some of the land cleared in that area that has not been in agricultural production at this time.

One of my concerns with regard to this bill is that we are worried about the proper use of agricultural land; we're worried about residential use and, as the Member for Birtle-Russell mentioned, the land use. But I think one of the things that the bill will do, it will dry up the capital that is needed for the development of land which is not in agricultural production at this time. Down in the riding just south of me, the Member for Emerson's riding, there have been large tracts of land that have been cleared now, I think something like 5,000 acres in the last two years. I drove by there the other day and it looks like a real good crop coming there. I know they have been working in close relationship with the people from the Department of Agriculture and the Soils Department in the University of Manitoba, and it looks like they might have a viable operation there with the land that they have cleared. So, I would ask the Minister if there would be any consideration given to people

that come in with investment capital for the development of agricultural land which is presently not in agricultural use.

Another area of concern to me, Mr. Speaker, is that there is no differentiation between tourist land and farm land being made as it applies to farmers and non-farmers in the Province of Manitoba. I think that there should be some amendments made to the bill with regards to that particular aspect. I think just because a person happens to choose a certain occupation, that he or she should be limited as far as tourist land is concerned — to make a differentiation there, I think is not right.

Another area in which I object to, Mr. Speaker, is the area where the Minister has the right to determine whether or not a person is a farmer. I think that is an objectional section; I don't particularly like that one either.

Mr. Speaker, there are many other areas which have been touched on by members on both sides of the House, but I would just reiterate that the competitive situation which is caused now for the purchase of this land, that the Manitoba farmer is definitely in a situation where he is adversely affected by the money that is coming in from the foreign investors. As I mentioned, we do have dumping laws, anti-trust laws, to put our farmers on an equal footing so that they can compete properly with the funds that are available to them with the money that's coming in from foreign investors. I think this is the main reason for the bill, and I think that is the thing that we should be dealing with here and not to try and place all kinds of restrictions on fellow Manitobans and people generally in Canada. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. J. FRANK JOHNSTON: Thank you, Mr. Speaker. I have a few words I'd like to say on this bill. I can't for the life of me figure out why this government continues to try and make two classes of citizens in this province. It happened last night when they made a second class citizen out of an independent storekeeper who was born in Manitoba, compared to the big chain stores. This bill is completely surprising to me in this respect. We say that a Canadian can buy or own a section of land, and a Manitoban can own a section of land. Mr. Speaker, as a person who was born and raised in Manitoba, I always thought that I had the same rights as other Manitobans, but I really can't see where I have the same right at the present time. A farmer at the present time can own more than a section of land in Manitoba, and he is the only one that can purchase more than a section of land in Manitoba at the present time. That farmer can come into Winnipeg, Mr. Speaker, and he can buy a very large business. He can live on his farm, he can hire a manager to run it, he can hire people that live in Winnipeg to work in it; he can do all of those things, and there's nothing to stop him from doing it. And Mr. Speaker, I don't want anything to happen that would stop that man from having that privilege in this province. But I, as a Manitoban, cannot purchase more than a section of land if I live in Winnipeg. I cannot have a manager share profits of that if I put him in there to run it. I cannot hire people to operate on that farm, in fact, I am not allowed to invest my money in a venture that would probably make jobs or support people because I happen to live in Winnipeg or I happen not to be a farmer. Mr. Speaker, I just for the life of me can't understand that situation. The only people in this province at the present time that can buy more than a section of land is the present farmer, and it will be the decision of the Minister as to who is a farmer.

A MEMBER: You don't qualify.

MR. F. JOHNSTON: Mr. Speaker, that's right; I don't qualify. But I am now a second-class citizen compared to the Minister.

A MEMBER: Why don't you try to be a doctor?

MR. F. JOHNSTON: Mr. Speaker, I heard the member say why don't I try to be a doctor. I have that privilege. I can start university tomorrow. —(Interjection)— That's right. You will find that the only person that can purchase property in Manitoba — more than a section of land — is the farmer. There is nothing to stop that farmer from going over to Europe and borrowing money at a low interest rate and purchasing acres and acres of land. As a matter of fact you will find that there will be organizations under the table and hidden, that are not corporations, that will pool money together to buy up a tremendous amount of farm land in this province because it is just an opening, it is just an opening to have a group of people take over large quantities of farm land in this province. And it will happen.

One would almost think that the honourable members on the other side have knowledge of some groups that is doing it that they favour because they are passing legislation that will allow that to happen very fast.

So, Mr. Speaker, I just for the life of me, don't know why the farmer can come in and buy my house and the five houses next to it, and if it is so zoned, can put in three apartment blocks. Nothing to stop him from doing that. He can buy more than a section of land in this city if he so desires for development purposes. He can go to a development company and he can say, I've got so much money and I'd like to invest it with your development company purchasing land and I'd like to you put my money with you to do that. He can do all of those things. Yet anybody who the Minister doesn't

think is a farmer in Manitoba, says to another Manitoban that you haven't got the right to invest in what you would like to invest in in this province. I thought property of Manitoba belonged to all Manitobans and if I was a good citizen and a good manager and doing something for the benefit of this province, that I'd be allowed to do what anybody else can do. But I am not allowed to, Mr. Speaker, and that just makes second-class citizens out of anybody in Manitoba that has that desire if they don't happen to be a farmer.

aren't Mr. Speaker, I am well aware that there are an awful lot of people in the City of Winnipeg who are interested in purchasing over an acre of land or a section of land, a lot of land, I don't think that there's many of them have the means, but I assure you that right now they couldn't do it if they wanted to. They could go in and decide to become a small farmer overnight and then they could go and borrow money from the bank to buy land. Who is going to loan money to anybody for the purchase of land except a farmer because the farmer is the only one that will be able to own more than that section or develop a farm.

Mr. Speaker, I now walk down the halls of this Legislative Building and I look at my colleagues here that I think an awful lot of and I wonder why I can't do what they can do. I'll have to look to the Member for Ste. Rose and wonder why I can't do what he can do.

Mr. Speaker, they think it's a joking matter but the Minister has decided to put this legislation in which will be also, also a very, very hardship to the farmers when it comes around to the other situations that have been mentioned in this House such as my colleague from La Verendrye just mentioned, and other things have been mentioned. I can only say, Mr. Speaker, that if I wanted to develop . . . or go into cattle, you know it takes almost a section of land . . . I believe the figure if I am not mistaken . . . How many cattle to a section of land? —(Interjection)— The value of the land? you know, I might have 20 cattle. —(Interjection)— Well it may be wrong to take in on acreage. I don't profess to be a farmer but I'd need so many acres of land for every animal and I end up that I couldn't go into the cattle business. I couldn't go into the cattle business all that profitable depending on the land that I buy.

Mr. Speaker, this is just a bill that makes second-class citizens . . . and that Minister jokes about it. That Minister who has every single time been beaten down by the agricultural community of this province, they've actually taken him and shaken him and stood him on his head and kicked him. And you know what happens? He goes back with his Deputy Minister, between the two of them, and says I'll do it another way. I'll get these people one way or another. That is that Minister who sits there with a smile on his face and has as much regard for people as that book has.

Mr. Speaker, we will now just calm down again because I can't speak quietly when I speak of that Minister, but nevertheless, I am now in the position, and the Member for Ste. Rose thinks it's a joking matter, that he can come in to Winnipeg, buy as big a business as he wants, hire Winnipeg people, live on his farm and I don't have the same privilege. I do not have the same privilege unless, Mr. Speaker, I had decided to be a farmer instead of wanting to be a manufacturer's agent which I prefer to be and a small businessman in this province, and I don't have the right to take my money and invest it the way I want to even if I am going to be a good corporate citizen in this province.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON: Mr. Speaker, I beg to move, seconded by the Honourable Member for Brandon West, that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 40.

HONOURABLE SAMUEL USKIW, Minister of Agriculture (Lac du Bonnet): I believe the intent was to proceed with Bill 65.

MR. SPEAKER: Proceed with which?

MR. USKIW: Bill 65?

BILL (NO. 65) — AN ACT TO AMEND THE EMPLOYMENT STANDARDS ACT (2).

MR. SPEAKER: Bill 65 proposed by the Honourable Minister of Labour. The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN: Mr. Speaker, I am happy to proceed with debate on Bill 65 but I am sure that the Minister of Labour would like to know that that was taking place —(Interjection)— fine. The members on the other side assure me that he is being advised of that.

Mr. Speaker, our basic objection to Bill 65 is as stated in our general position already taken in this House on the subject of Manitoba's economy and the manner in which this government is mishandling it and mismanaging it. I recognize what the Minister of Labour has attempted to do in Bill 65, An Act to amend The Employment Standards Act (2). I recognize the difficulties and the pressures that he was under for many months in his own caucus in attempting to resolve the highly inflammatory issue of compulsory overtime and the respective positions taken by the different groups in the government caucus, the groups who could be identified as the hawks and the doves — the left-wing hawks who wanted a total ban on compulsory overtime and the doves who were

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prepared for something a little less punitive and restrictive because they recognized what was at stake here in terms of industry and in terms of the economy generally. So, the Minister has come up with a compromise bill which contains a trade-off intended to satisfy both sides of the dispute and both sides of the argument.

I recognize that the Minister has had that difficult kind of internal struggle and internal battle in his own caucus and in his own party to contend with. In Bill 65 and in his introductory remarks introducing it for second reading, he very carefully threads his way through the forest of problems which have confronted him in this area and attempts to rationalize the decision taken in the bill and to sell it to everybody as a pacifier on all sides of the industrial coin.

I emphasize, Mr. Speaker, that I recognize the problem that he had in trying to grapple with this whole question of compulsory overtime. I am sure he would have been far happier and I know that many many Manitobans, thousands of Manitobans, would have been far happier if the particular union involved at the Griffin Steel site dispute had not catapulted the question of compulsory overtime into the political arena and into the publicity arena in the way they did. It is my understanding, in fact my conviction from many members of the labour community to whom I have talked, that the majority of members of the labour movement in the Province of Manitoba would have been far happier had that question of compulsory overtime not come into public exposure and examination the way it did because the vast majority of them recognize that overtime is an issue which they believe sincerely should be a part of the collective bargaining process, should be a subject of negotiation between employer and employee where, of course, there is an organized work place.

So I know that the Minister would have been far happier and that, in my view, the majority of the labour movement would have been far happier and the majority of Manitobans, generally, would have been far happier had this issue not been catapulted into the political arena the way it was. It was, in fact, Sir, a non-issue to a certain extent for the very reasons that I have cited; the reason that the labour movement generally did not want it discussed as a topic of political argument. The labour union generally recognizes the value of the overtime concept as part of the collective bargaining process as an item to be included in negotiations and as a very desirable opportunity in many many instances for persons to increase their wage package.

However, Sir, we are into it and the Minister has attempted to wrestle with it and to come up with a compromise and to do the best he can. I recognize that job but I cannot, Sir, and my colleagues cannot accept Bill 65 as a piece of legislation that would be beneficial to the people of Manitoba or to the economy of Manitoba and for that reason we have to place ourselves on record as being opposed to it.

It may be that in the Committee stage examination of the bill there will be some changes effected, either at the initiation of the Minister or at our initiation that will make it a piece of legislation that is more palatable. We can't be sure of that and at this stage, second reading, it is not palatable or acceptable legislation because in its present form, Sir, it would do, in our view, enormous damage to an already damaged provincial economy.

So, as I said at the outset, our basic position is the position that has been stated generally in this House during the past three and one-half months of this session in all debates having to do with the condition of the economy of the province and that is that the economy is being mismanaged and mishandled by this government and the bill in front of us, 65, would be a further step in that extremely dangerous direction.

We have, Sir, very serious unemployment, 32,000 Manitobans out of work. We have before us 1976-1977 job creation record in Western Canada with a faster deterioration of our employment picture generally than any other jurisdiction in Canada in the past twelve months and we get a like Bill 65 which is going to make it harder, in the extreme, for businesses to operate in Manitoba, for jobs to be created and for the unemployment problem to be brought under some reasonable form of control.

We have a special employment program that by the First Minister's own admission in this House the other day would appear to be getting nowhere. The First Minister in this House said that it was his understanding that there have only been something like 200 applications in a job creation program that was designed in its high-flown introduction to create something between 3,000 and 5,000 jobs. So there is a special employment program which the government holds out with the one hand in an attempt to inspire growth and development of the business sector along the constricting lines of this government's own particular doctrine. And what do we get? We get Bill 65, An Act to amend The Employment Standards Act which will make business harder and harder to operate in this province; make it more difficult in the extreme, as I have said, for jobs to be created for unemployment to be brought under control.

We already, Sir, have a reputation the length and breadth of this country as a difficult province in which to do business. That is an unfortunate and unenviable reputation that we have developed over the past eight years. We are known as a very difficult province to do business in. Very few people want to come in from other parts of Canada to do business in Manitoba, very few executives want to be

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moved into Manitoba into business positions here. I am not saying that as a sweeping generality, I am saying that on the basis of personal knowledge with personal individuals whom I don't wish to identify for obvious reasons and my colleagues have spoken to as many as I have, or more, of persons who are not interested in coming into Manitoba to do business here at the present time because of the posture of hostility and locked-in opposition that this government steadfastly takes for philosophical reasons, as far as I can see, where business and the private sector is concerned.

So what do we have, Sir, in the face of that reputation as a province in which it is very difficult to do business? We have in front of us a bill that is going to make it a tougher province in which to do business, that's going to make it less attractive for business to develop here, to come in here and to expand here.

So for all those reasons, Sir, we find Bill 65 totally unacceptable as an instrument of legislative policy in Manitoba and we'll be taking a strong stand against it with the hope that some wide-ranging improvements to it, that would make it acceptable, can be introduced at Committee stage.

Sir, if one looks at Bill 65 in its present form, one has to conclude, in our view, that it will operate against everybody in the province. It will operate against employers because of the punitive overtime wage rate prescribed in the bill.

There are also some other features of the bill that will operate to the great disadvantage of employers, but the primary concern that most have at the present time is the time and three-quarters overtime rate. It will operate to the disadvantage of workers who will not now get the kind of overtime they used to be able to look forward to. There will be much less overtime available to workers. Businessmen, enterprisers, industrial plant operators, employers generally, where it is possible, will simply close down at five o'clock or four o'clock in the afternoon instead of going into that overtime period that they might otherwise have undertaken. So there will be an opportunity for additional income lost to workers generally.

And make no mistake about it, Mr. Speaker, it will operate very very severely against the consumers of this province. This legislation contains built-in cost increases in terms of operating a business. What we're looking at here, in even the simplest terms, is a 16 2/3 percent increase in the cost of doing business for anybody who engages in overtime and, in fact, Sir, that figure is a floor, that is a base, that is a minimum figure. Depending on the kinds of collective agreements that have already been worked out in the past few months between employers and collective bargaining units, the increase in the cost of doing business could be even greater than that because the employers who have concluded new agreements with collective bargaining units in the past few months would have included in them a certain rate of increase of pay without being aware of the fact that the overtime that they were going to have to go into was going to cost them 16 2/3 percent more than has been the case in the past. So that in total, and I have a number of documents from different companies who have found themselves in this position, in total, some employers will find themselves with an increase in the cost of doing business on an overtime basis greater than 16 2/3 percent, but that's the absolute minimum because time and a half is 16 2/3 percent less than time and three-quarters.

Now that cost, Sir, is going to have to be passed on right through the economy and who will pick it up?

A MEMBER: Consumers.

MR. SHERMAN: One's customers and one's consumers. So that again the person who is fighting against the cost-price squeeze, inflation, the cost of living, the spiral of all these ingredients in our economy, again he gets pinched. Again he or she gets hit and hurt. Again the person on fixed income, the pensioner, those people who can't improve their particular earning position, get hit and get hurt by a government that has postured far too long and should have been exposed for the fraud in this respect long ago, that it has always postured far too long as a government concerned with little people. The little people are those who are going to get hit harder by this kind of legislation.

Sir, this bill will discourage productivity because of the imposition that it places on businesses that would otherwise undertake some overtime in order to achieve particular production targets or to achieve imposed requirements. It will eliminate the opportunities for workers to earn overtime wages to the extent that they've had in the past. It will close some small businesses. I have no doubt that it will close some small businesses. It will greatly increase the cost of municipal and provincial government, which is a point that I want to come back to in a moment with the Minister. It will discourage new businesses from starting up in Manitoba and it will generate further inflation in terms of costs and prices in the marketplace to consumers. So how could anybody, Sir, with the economy of Manitoba in the state that it's in at the present time, accept a bill of this type.

The Minister said in introducing the bill a day or two ago, Mr. Speaker, that it was designed to discourage the practice of overtime by making it more costly. Well, Sir, I suggest that the Minister starts from a totally illogical perspective when he looks at overtime. No employer wants to go into overtime. People don't go around engaging willy-nilly in overtime for the sake of engaging in overtime. That has always cost employers money. Where it is possible to avoid overtime, an employer does so. He goes into overtime or she goes into overtime when he has to, out of necessity, to meet

production quotas or schedules, to meet specifics that have come up, to meet specific orders that have come up and to cope with the seasonal and cyclical kinds of objectives and goals and requirements that occur throughout the industrial and business sector. But that employer doesn't go around engaging in overtime just for the sake of it or just for the fun of the exercise. So it's not necessary for this Minister to discourage the practice of overtime. The practice of overtime is discouraged by definition in that it costs an employer more than he would like to pay.

Sir, the Minister said that employees who desire overtime under this bill can still get it; that the bill clearly establishes that and recognizes this desire as one of its main features. But, Sir, that's rhetoric, that's words. In actual fact, in actual reality, what employer is going to give that employee overtime when it's going to cost more to do so? Right now, as I've suggested, employers don't go about looking for opportunities to provide overtime. They go into it out of necessity but raise the rate as being done here and what employer is going to provide those opportunities even under pressure and duress. If there's any possible way of closing down at four o'clock or five o'clock or whatever closing time is established at the work site, the close down will occur and whatever the Minister feels is contained in the Act in terms of a recognition of the desire of some employees to work overtime, is mere words, mere rhetoric, totally meaningless in the face of the increased rate that will operate as the effective reality in the marketplace.

So, Mr. Speaker, I suggest that employees throughout the province beware of the Minister's bland assurance that their desires in this area are recognized in the bill. They are recognized in such a way as to lull them into a false sense of security. The reality is that the overtime will not be there for them.

The Minister has said, Sir, that he is prepared to entertain an amendment that would hold overtime rates to time and a half if fringe benefits are included because he has pointed out to the Legislature that his main concern in this whole area has been the question of fringe benefits and how to include them and accommodate them in overtime pay. Well, I can't understand the Minister's reason for concern here, Mr. Speaker, with respect to fringe benefits and I know that many industrialists and many employers in the province share my question and share my puzzlement on this particular point.

What is the Minister talking about when he talks about having to take into account the question of fringe benefits where overtime rates and overtime rate increases are involved? Fringe 'benefits are based on gross pay. Canada Pension is based on gross pay. The Vacations With Pay Act talks in terms of gross pay. The Unemployment Insurance program is based on gross pay. Worker's Compensation is based on a standard deduction per payroll. All of these fringe benefits are based on gross pay so really I am at a loss and I must suggest that many employers have conveyed the same kind of puzzlement to me, Sir, as to why the Minister has to build this argument and build this case for going to time and three-quarters in order to accommodate fringe benefits or, if staying at time and a half, has to build in something to cover fringe benefits. —(Interjection)— Well, my colleague the Member for Lakeside says, "What's wrong with collective bargaining?" and I say "Hear, hear," to that. I say, "Hear, hear," to ' that. Those items could and should rightfully be, in our view, the subject of collective bargaining but beyond that, Sir, I don't see that they are the issue here that the Minister has suggested they are because of the situation to which I have just referred.

A very serious defect in this bill, Mr. Speaker, lies in its narrow restrictive definition of what constitutes and what doesn't constitute an emergency. This part of the bill has drawn wide and troubled reaction from right across the industrial and business sector. I want to make reference to a number of briefs that I have received from many groups and many individuals on the bill generally and I am sure the Minister has received as many or more which outline the concern of many employers with the definition of emergency and they are concerned generally with the whole principle and direction of the bill. Essentially, their message is that Bill 65 in its present form will have an extremely damaging impact on their own businesses and, as a consequence, on the livelihoods of all those who work for them; and, as a consequence, on the livelihoods of all those who are affected by all those who work for them; and, as a consequence, on the economy as a whole.

Now I am sure, as I say, the Minister has a wide number of briefs of this kind too but there are many members in this House whom, I suspect, have not received them, would not have had those briefs or positions presented to them and I think it is important to acquaint members of this House with many of these individual situations, Mr. Speaker, so they all understand just what economic damage is potential here in Bill 65. I want to refer to a few of them.

There is the position of the Winnipeg Builders' Exchange which essentially encapsulates the concerns of the construction industry generally. The Winnipeg Builders' Exchange makes specific reference, Sir, to the difficulties that will accrue in the construction industry because of the continuous work flow principle that is applied in that industry. They cite, for example, this kind of situation and I quote from a presentation from that Exchange. "For example, the pouring of large quantities of concrete require a continual pour until such time as the full amount has been placed. In many applications it is not possible to bulkhead the concrete that has been poured and stop pouring until regular working hours the following day. While normal scheduling calls for the pouring of concrete during regular working hours, inclement weather, breakdown of machinery such as hoists

and other unforeseen events may delay the regular schedule and require the continuous pour to go beyond the end of a normal working day and into overtime."

There are many similar examples in other fields. The Builders' Exchange in its position refers to the placing of tile and the difficulties that can occur there. They referred to the section of the bill dealing with emergency and emergency work and are very concerned in that area, Sir, and I want to say that it seems to us, Mr. Speaker, that a much broader and better definition of the term "emergency" is required in this bill than is contained therein at the present time. It has to be a definition that means the terms does not apply only to factory type operations. At the present time, that's about all the definition applies to.

The definition of "emergency" in the Saskatchewan Labour Standards Act, as the Minister knows, is "any sudden or unusual occurrence or condition that could not, by the exercise of reasonable judgment, have been foreseen by the employer." It seems to us, certainly to me, and I am sure to most employers in the province that that would be a much fairer, much more reasonable and acceptable definition of the term "emergency."

Sir, other presentations expressing similar concerns have come to me from the Mining Association of Manitoba which needs to be described to no one or explained to no one in this House for its impact and its effect and its value to the economy of this province. The Mining Association feels very strongly that the legislation will have a very serious effect on the free collective bargaining process. Their primary concern is with the fact that, in concept, all overtime is to be voluntary overtime and that the implied right of the employer to impose compulsory overtime at the work site is now removed. They feel that this is a direct infringement on the free collective bargaining process and that it is a strange suggestion, a strange innovation, coming from a government that has always professed to be a strong defender of that process.

Mr. Speaker, the Manitoba Fashion Institute says the following — and I would like to put this on the record, it is fairly brief. "Raising the overtime rate would have the following effects on the apparel industry: serve to make us less competitive since over 90 percent of our product is shipped out of the province. Tend to diminish the overtime which most employees seem to desire — this will most likely occur to people of fringe productivity who most require the overtime. Make it impossible for the companies to accept borderline orders which are used to balance capacity and merely contribute to fixed costs. Will not result in the hiring of any new employees since overtime is normally a seasonal phenomenon. No factory can plan for and administer a second shift to replace the few hours of overtime which occur at certain times of the year. Lack of a provision for some compulsory overtime will lead to more uncertainty for the customers of products manufactured in Manitoba. Delivery dates become erratic and planning becomes uncertain." End of quote from the Manitoba Fashion Institute, Inc., Mr. Speaker.

The Canadian Manufacturers' Association registers wide-ranging concern. On the question of raising the overtime rate to time and three-quarters, the Canadian Manufacturers' Association has this to say and I think it is important that Members of the House know this, Mr. Speaker. "There are many companies that because of the special nature of their operations, are compelled to schedule periodic overtime for production purposes, many of these being small operations and the cost increase that will have to be borne in such cases could be horrendous. To argue that the bill will force employers to hire more full-time employees instead of utilizing overtime work by the present force is not valid in our opinion. Even in such cases where this does, in fact, hold true, we foresee many situations where such short-term employees would be faced with a regular diet of lay-offs.

ROYAL ASSENT

MR. SPEAKER: Order please. I wonder if we can have the indulgence of the honourable members to have Royal Assent.

DEPUTY SERGEANT-AT-ARMS (Mr. R. Cadger): His Honour, the Lieutenant-Governor.

MR. SPEAKER: May it please Your Honour, the Legislative Assembly, at its present session, passed several Bills, which in the name of the Assembly, I present to Your Honour and to which Bills I respectfully request Your Honour's Assent:

MR. DEPUTY CLERK: Bills:

No. 2 — An Act to amend The Securities Act.

No. 4 — An Act to amend The Land Acquisition Act.

No. 5 — An Act to amend The Expropriation Act.

No. 7 — An Act to amend The Provincial Judges Act.

No. 11 — An Act to amend The Legislative Assembly Act.

No. 20 — An Act to amend The Social Allowances Act.

No. 27 — An Act to amend The Health Services Insurance Act.

No. 28 — An Act to amend The Elderly and Infirm Persons' Housing Act and The Health Services Act.

No. 31— An Act to amend An Act respecting the Holding of Real Property in Manitoba by The Manitoba and Northwestern Ontario Command and Branches of The Canadian Legion of British Empire Service League.

No. 33— An Act to amend The Licensed Practical Nurses Act.

No. 38 — An Act to amend An Act to Incorporate "Winnipeg Bible Institute and College of Theology".

No. 44 — An Act to amend The Marriage Act.

No. 46 — An Act to amend An Act to incorporate "The Community of the Sisters of the Holy Names of Jesus and Mary".

No. 68 — An Act to amend The Social Services Administration Act.

No. 78 — The Statute Law Amendment (Taxation) Act (1977).

MR. CLERK: In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these Bills.

MR. SPEAKER: We, Her Majesty's dutiful and faithful subjects, the Legislative Assembly of Manitoba in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for Your Honour the acceptance of these Bills:

No. 66 — An Act to Authorize the Expenditure of Moneys for Capital Purposes and Authorize the Borrowing of the Same;

No. 74— An Act for Granting to Her Majesty Certain Sums of Money for the Fiscal Year Ending the 31st Day of March, 1978 and to Authorize the Expenditure of Moneys for Capital Purposes and Authorize the Borrowing of the Same;

(No. 75) — An Act for Granting to Her Majesty Certain Further Sums of Money for the Public Service of the Province for the Fiscal Year Ending the 31st Day of March, 1978.

MR. CLERK: His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to these Bills in Her Majesty's Name.

BILL (NO. 65) — CONT'D

MR. SPEAKER: The Honourable Member for Fort Garry. The honourable member has 12 minutes.

MR. SHERMAN: Thank you, Mr. Speaker. The Canadian Manufacturers' Association in its registry of concerns, is concerned deeply that the time and three-quarters overtime rate would badly cripple business and industry as I have suggested, and it is also concerned, Sir, along with many others in the economy about the narrow definition of an emergency. That Association points up the needs of many manufacturers to allow for regular maintenance work to be done on machinery or equipment which in many cases, as the Association says, is a regular and vitally necessary occurrence. There is no leeway, no provision made for that kind of regular, ongoing, ingredient condition of industry in Bill 65.

Sir, I want to refer specifically to one other brief, and I am foreshortening my references to those briefs because of the constraints of the clock, but I think it is important to put on the record the shortened concerns of the Manitoba Sugar Company, a major component of this province's economy. The Sugar Company says in its expression of concern: "The sugar industry makes a significant contribution to Manitoba's economy, that during the last year, over \$14 million was paid to farmers in Manitoba for beets, an additional \$2 million was spent for operating supplies and \$1.2 million was spent for fuel and electricity.

"Sugar produced in Manitoba must compete with sugar produced in other parts of Canada and in the United States. The base labour rate for Manitoba sugar is higher than in the sugar industry both in eastern Canada and in Minnesota and North Dakota. Vacation allowance and other fringe benefits for our employees are, in most cases, better than in industries with which we compete.

"We object to Bill 65," says the Manitoba Sugar Company, "because of its adverse effects on our industry. Sugar beets are processed in Manitoba for a period of about four months beginning in late September. During this processing period, the plant is required to operate 24 hours per day, seven days per week. Employees required in continuous operation during the processing period must work an average of 42 hours per week. To this must be added the emergency overtime necessitated by the unavoidable breakdown of equipment and the much larger factor of overtime required because workers failed to report for work. In all these cases overtime is paid for work over eight hours per day or 40 hours per week. The necessity of reporting in detail all cases of emergency overtime imposes an additional and, in our opinion, unwarranted burden on the employer." End of particular quotation from the Manitoba Sugar Company, Sir.

I have other representations from Ancast Industries Ltd., from G 111 Ltd., from TEMRO Automotive, from Kipp Kelly, from Mr. John A. Ingraham and many more. And Sir, I don't have the time to deal with them individually, but suffice it to say, and I want members of this Assembly to know, that they all, representing the broad cross-section of the economy of this province as they do,

register very very serious and deep concern over the impact of Bill 65 on their businesses, on related businesses, on the economy generally. And we cannot at this time, Sir, with our economy in the damaged condition in which it is, entertain any further legislation that will do other than invite and encourage the private sector to expand, to grow, to move with vigour and with hope and with ambition so as to make our position competitive once again with other provinces in this country and with other jurisdictions on this continent.

Bill 65 does the direct opposite, makes us more uncompetitive. I know of no other jurisdiction in Canada — the Minister of Labour may be able to correct me — but I know of no other jurisdiction in Canada and none in the United States, Sir, that has this provision of time and three-quarters for overtime. There is a provision in British Columbia where double time comes into effect after 11 hours a day or 48 hours a week but otherwise, the norm is time and-a-half after an eight-hour day or a forty-hour week even in that jurisdiction.

So Sir, how can we, how can we with an economy that already trails theirs, with employment which has already deteriorated faster than that of any other part of Canada in the last year, with a Job Creation Program that is so miserably inferior in comparison to those of other jurisdictions, how can we dare to go into this kind of overtime wage rate which has not been adopted or accepted or is seen as reasonable in any other jurisdiction on this continent? It just doesn't make sense. It's economic madness.

On the one hand we have the Minister of Industry and Commerce standing up in this House yesterday telling us that part of our problem here is that our plants and factories and industry generally are operating at 20 percent below capacity both in terms, I assume, of volume and potential employment because we haven't got the markets, because they are not getting the demand. Well at the same time, Sir, as he is saying that in this House, his colleague, the Minister of Labour, is bringing in a bill which is going to make it increasingly difficult for anybody to serve a market, to meet a market and to create demand. We're putting strictures on them that will not allow them to develop a market and to create a demand. They are being priced out of the market by the kinds of measures that this government is introducing, and Bill 65 is another of those measures which will price our industries, our businesses, our enterprisers out of the midwest North American market which is our home market, not to mention all the markets beyond that heart of the continent area. It's economic lunacy. It cannot be described in any other terms, Mr. Speaker.

What is this bill going to do to productivity generally? It is going to stifle it and smother it. How are workers going to get the overtime pay that they want? They're not. What is it going to do in terms of discouraging business and industry coming into Manitoba? It is going to do a beautiful job of discouraging those who are not already discouraged, Mr. Speaker. What is it going to do to unemployment and job creation? Worsen both. What is it going to do to consumer prices? Shoot them higher. How does a bill like this jibe with the government's special employment program and its protestations and pronouncements about attacking the unemployment problem and getting the province moving?

What is the effect of this legislation on the economy of the north? Devastating, Mr. Speaker, devastating. Most people go into the north to earn overtime. Most people go north to make the extra money. You are now discouraging employers from going into overtime by imposing this higher rate on them and that removes the incentive for many many workers, many many industrial workers, skilled and unskilled in the Province of Manitoba that go north because they went north in the past and they would continue to go north if they had the opportunity to make the overtime pay, but they are not going to go up there without that opportunity.

Mr. Speaker, in the two or three minutes that I have left, let me get me back to a point I've referred to earlier. I want to ask the Minister what he thinks this bill is going to do in terms of cost of government. I can tell him that it is going to increase the cost of provincial and municipal government in this province enormously. And yet we have a government here who supposedly or purportedly is preaching restraint; talked at the time of the preparation of the Estimates last winter before the session got under way in terms of ordering various departments to cut their spending Estimates by 10 percent; talked in terms of holding the line, talked in terms of the kind of provincial initiatives that could be taken to set the tone and set the pattern for our Canadian counterparts generally. Now what have we got? We've got a bill here that is going to increase and intensify the cost of municipal and provincial government all down the line because of that time and three-quarter overtime rate.

Sir, you don't remove snow in the wintertime on a nine to five basis. You don't clear highways and clear lanes and clear streets on a nine to five, Monday to Friday basis. You don't undertake bridge repairs, bridges that are washed out or damaged . . .

A MEMBER: They think the snow can be cleared in July.

MR. SHERMAN: Well my colleague says they are going to leave the snow to be cleared in July. That's what they are going to have to do if this bill takes effect.

You don't repair bridges and put them back into commission on a nine to five basis, Monday to Friday. You do those things when they're necessary and if it's Saturday afternoon or Sunday

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afternoon or Sunday night or three o'clock in the morning, the repair crews, the highways crews, the municipal crews do it. They do it because it is necessary and it has to be done. But those things are not identified in this legislation as emergencies. The emergency definition in this legislation doesn't cover that kind of thing. So we are going to be in to either a situation where the streets and the lanes and the highways are not cleared of snow and the bridges are not repaired or we are going to be into a situation where in clearing them and in repairing them, the taxpayers of Manitoba are paying 16-2/3 percent more money than was necessary. That's exactly what is going to happen.

What about road and street repairs? What about paving jobs? All these jobs, all these functions are part and parcel of the responsibility of government and government operations be they municipal or provincial. And all of them, Sir, are going to be in this overtime category where the costs are going to be time and three-quarters rather than time and-one-half and that means, as I have said, 16-2/3 percent more.

So I ask the Minister before proceeding any further to consider the damage that he is wreaking across the economy of the province with this kind of legislation and I tell him, Sir, that if he won't consider it, we do and we, at this point, flatly reject Bill 65.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. Again we have an example of the Member for Fort Garry trying to overwhelm us with words. The honourable member has been regurgitating here all morning the alphabet soup and dictionary pie that he has been trying to digest for the last while. I said to the honourable member the other day when we were in Law Amendments when, I think, he was writing out his speech, that he should try and use a little bit more simple English because one of the people that he admires very much was the late Honourable Winston Churchill and he used some very simple language that all of us could understand. The problem the Honourable Member for Fort Garry seems to have, he seems to have a facet for using 75-cent words, dollar and-a-half words, try to overawe us, overwhelm us, but really, Mr. Speaker, that doesn't really cut too much ice in this House. — (Interjection)— Well I think I understand what the Honourable Member for Fort Garry is trying to say. We've had an exhibition of repetition of the same theme and topic for a 40-minute period and I can assure you, Mr. Speaker, that I am not going to be repetitious for 40 minutes.

You know, the Honourable Member for Fort Garry states that this bill when it's passed is going to deprive workers who are now working overtime of that possibility of getting that overtime. I don't know of any one contract or even where there is an unorganized shop, that an employer guarantees to his employees a certain amount of overtime. Maybe the Honourable Minister of Labour can tell me if there is one. But I can tell you that I don't know of any single place where this takes place. — (Interjection)—

Now the honourable member states that some people count on overtime for various things. There is nothing in any wage agreement signed with anybody in this country, I think, that guarantees you're going to get X number of hours of overtime per week, or per month, or per year. In fact, even the wage agreement you sign doesn't even guarantee that you will work 40 hours, because there may be something that happens — a plant shutdown comes about — and you will not even work the 40 hours that you are guaranteed.

You know, the Honourable Member for Fort Garry has been ranting and raving about this time and three-quarters, 1.75 that has now been put forward as what overtime rates will be in the Province of Manitoba. The Honourable Minister has had many representations I'm sure. I've had some myself from some employers who state already that they do include within their rates of overtime as a base rate of pay, their fringe benefits. And to make it very simplistic for the Honourable Member for Fort Garry, if a person was receiving \$1.00 an hour and his fringe benefits were 25 cents, then the Honourable Minister has already said that time and a half will be calculated for those people at time and a half. For those who are just paying on the base rate of \$1.00 it will be time and three-quarters. — (Interjection)—

The Honourable Member for Morris can get up and make his contribution to this House. He makes some of the best contributions sitting on the seat of his trousers. — (Interjection)— Well that won't be very much for your contribution from what I've heard in this House.

The honourable member states that we shouldn't be involved in this thing, that this bill changes the whole spirit of what the Employment Standards Act was in this province prior to the introduction of this bill. It was always my contention and it was always my thought that the spirit of the bill said that overtime was voluntary. It was not the right of management; it was negotiable, certainly, and that is still left within the spirit of the Act. If some group of employees through their bargaining agent or their union wish through the collective bargaining procedure to arrange for a certain amount of overtime, that's not prohibited. It's not prohibited within the In fact, the type of legislation that my honourable friend, the Member for Assiniboia, was going to bring in was one that I, in all conscience, could not have supported. Because I think that if there would have been anything that would have been introduced and made into legislation in this province that would have destroyed the collective bargaining process, it would have been making for each employee that the employer could come

along to the Honourable Member for, say, Lakeside, "Will you work overtime tonight?" And you can make a private agreement and perhaps maybe even give him time and three-quarters. Who knows what kind of an arrangement he might make with that one employee? And then come to the Honourable Member for Assiniboia, "Will you work overtime and perhaps I can give you time and five-eighths?"

It's a nice little game they could play. They could break unions — would be real union busting legislation, and I would not have any part of anything like that. I have been a trade union member for the last 35 years and I'm very proud of the association that I have belonged to I can tell you that we have always worked overtime on the railways, it's been part and parcel of the collective agreement, but in the last 30 years I have never worked overtime. I have had the opportunity to do so, but I have never worked overtime. No one has forced me to work overtime. The Honourable Member says I haven't much ambition. Well, I can tell the Honourable Member for Morris I have just as damn much ambition as he has. He can run around his chicken yard cackling, that's fine and dandy. — (Interjection)— Yeah that's the red hens. Sometimes I think it might be — what do they call these deneutered chickens? — but anyway I'm not going to let the honourable member distract me.

As I said, Mr. Speaker, the bill still leaves within the spirit of the Act that working of overtime is still negotiable between a trade union and its employer. But I'll tell you one thing that it does do, and I'm glad to see that it's in. I don't want to refer to the particular section of the Act because I know I'm not supposed to refer to it, Mr. Speaker. But it does take away the doubt that has existed in the Act, that it was management's right to say to John Doe, "Tonight at 4:30 you're going to work overtime period." It is no longer a management right. It is negotiable; is something that can be worked out.

I can tell you in my experiences working, not just on the railway, , but in the construction industry. I worked in the construction industry at one time. The honourable member spoke about the construction industry and having to work overtime. I can tell you that working for the construction industry is quite a difference to working somewhere else. You know, the honourable member is talking about 40 hours a week guarantee — I can remember one June a few years back — it was a particularly wet month and we were putting in forms; building forms, putting in footing. It's a pretty messy job, and it rained a lot. We would go in, we would work as long as we could and then the boss would say, time to go home. You know, Mr. Speaker, at the end of one week, not 40 hours, I received the remuneration of eight hours. Now the Honourable Member for Morris says I had no ambition. I went there every day, it cost me car fare to go, to come back. At the end of, from Monday to Friday, I had put in the grand total of 8 hours, one day. So now the Honourable Member for Fort Garry is saying, well, we're going to guarantee these fellows overtime. The godfather. They can't even guarantee you in the construction industry 40 hours in the week. You're there when they want you. If it's too cold for the bricklayers to work, you go home. Send them home. No. the pay doesn't go on, I can assure you. The hours that you put in are the hours that you get paid for, no more, no less. You still get hungry.

You could perhaps, Mr. Speaker, recall working in the packing house. I can recall a few years back when they had a great big layoff at the packing house. One week. Low and behold, the next week, the remaining employees were all worked overtime. All worked overtime. Why? Very simple, Mr. Speaker. I believe the packing house industry — I'm talking about the industry, I'm not talking about the union — are perhaps a little more honest than other people in negotiation, because I understand it's practically standard within the packing house industry that when they negotiate with the trade union they lay out and exactly say what the fringe benefits cost. Not too many industries, where negotiations are taking place, are these actually laid out. Therefore, when the Honourable Minister has introduced this legislation, time and three-quarters, he has already said that he is willing to consider an amendment in Industrial Relations or Law Amendments, wherever this bill happens to go, that basically what this came in for was to make it easy to calculate.

Now if an employer is using his fringe benefits, as I said before, it's part of the base rate of which he is at the present time paying time and a half, I don't think he has anything to worry about. But for the employer who has fringe benefits which are 35, 40 cents per hour and he is not calculating them at the present time, or the base rate is time and a half, then time and threequarters will be what will be taking place. If he wants to go down to time and a half, it's very simple. Calculate what it is and include that as the base rate.

Basically, Mr. Speaker, there is not that much in this bill. It really isn't worth the 40-minute tirade that we received from the Honourable Member for Fort Garry. But of course, we're used to that 40-minute tirade; we get that on every bill. I guess he figures if he puts enough words on paper he's going to impress us that what he said was really something of great import. And it really hasn't been anything; it's been much ado about nought. Since my honourable friend is so fond of quoting Shakespeare, if I can have a little bit of poetic license, it was a Tempest in a Tea-Pot. He gets up and rages and puffs and huffs, much like a puff-adder, but really I don't think he has any teeth. , Mr. Speaker, basically all that I

And that have to say to this bill. I think, as I said' it was something that is being straightened out — 40 hours is the work week; no employee will be required unless by a collective agreement. I think that's fair enough. I don't think anyone is going to be forced to work overtime. I'm not going to refer to what happened at Griffin. I think that some very bad negotiations were taking place on both sides of the question. People who I think were — if they had been my negotiating team, I would have been calling for a special meeting in my local and having them removed, because I think that that sort of a deal could have been brought to a very successful fruition in much less time than what has been taking place.

So I'm prepared to support the bill. As I said Mr. Speaker, it's not really anything very drastic. I don't know what my honourable friend is getting so uptight about. But then he gets uptight about anything. Thank you, Mr. Spera Speaker.

MR. SPEAKER: The Honourable Member for La La Verendrye.

MR. BANMAN: Thank you, Mr. Speaker. I would like to briefly deal with the effect I feel this particular piece of legislation will have with the small service industry — the service industry in general in Manitoba, and also the tourist industry in the province

I'm going to quote several examples of what I feel will happen with the bill and when I finish producing some of the figures, I think it will be very clear that the person that is going to pay for it of course, again in the final analysis, is the consumer of the province. And there's no question about that. It's going to increase the amount that the consumer pays for services and for goods in the province of Manitoba.

I think one of the areas that the Member for Fort Garry touched on, and one that we have to be concerned about — and this, I think, is part and parcel of the whole problem — is one of productivity and one of relative status as far as being in competition with our neighbouring provinces and our neighbours to the south, the United States. If you look at some of the studies that have been produced now, our labour rates and our productivity versus the United States, it becomes pretty shocking. We're definitely becoming a high cost country as far as our productivity and outputs are concerned, and I think this should be of concern to all Canadians. Our economy is tied in very close with the United States; we are not an island unto ourselves as I mentioned, and I can definitely see that if we continue to go in the direction we have, we are going to price ourselves out of the market, with the eventual result of a lower standard of living for our people in this country.

The bill, I believe, as far as it applies to the small service industries and especially the tourist industry, is totally out of touch with reality as to what will really happen. Now, for instance, let's take a shop that is involved in the service industry; it's employing about three or four people, many of them working a 44-hour work week right now. What they are doing is they are paying the four hours' overtime, but when a person comes to the shop and says — whether he be a repair person or a technician the employer says: Listen, we're working from 9 to 5 but we are working four hours on Saturday morning from 8 to 12; we're paying time and a half for that time but part of the job stipulation is that we are providing the service for the consumers of our particular product and we are having our doors open for that extra four hours on Saturday morning. So if we take a labour rate of \$6.00 an hour that we're paying the technician for a 40-hour work week, we're looking at a gross pay of \$240; then you add the four hours of overtime, that's \$9.00 an hour for Saturday morning, that brings it up to \$36.00 gross pay for that four hours' overtime; that means the total gross paid before deduction of \$276 for this particular person. Now, under this particular bill, you can hire this person, he can then come and say, "Listen, I don't want to Saturday mornings anymore."

The employer in a particular small business has no option about hiring additional people. If you're only employing two or three people, that means you're only taking eight hours of your working week out of production as far as your facility is concerned. So this means there is no way there is going to be another job for you here. What is going to happen, is that the employer then has to cut down to a 40-hour work week. The Minister knows very well that there is no way in negotiations with these people that they will be able to reduce the gross pay. In other words, the \$276 a week will have to be maintained. If not in that immediate instance, then a month later the employer will come back — I think that is the principle that the Minister has put into legislation when he reduced the work week, part of the law was that even though the work week was reduced, you were not allowed to reduce the wages to that employee. So you are looking now at a service industry where an employee is going to be working 40 hours. You're reducing that productivity by four hours and yet you're giving him the same take-home pay. Now in most service industries you've got a ratio of about 2.5 times the labour rate that you're paying the particular individual in order to arrive at a retail labour rate. And that's quite common throughout the industry.

The other thing that I should point out, for about every 2.3 productive people on your floor, you have one non-productive. In other words, those people sitting and filling out the forms, taking orders, sending in different government reports and that type of thing. So if you're paying \$6.00 an hour at present and you multiply that by 2.5, it means that the labour rate you'll be charging for the service that you're providing your customers, is \$15.00 an hour, and that's about standard for the industry

now.

Now, if you calculate what happens when you bring the work week down to 40 hours, you're looking at an increase of 80 cents an hour, and you multiply that by 2.5 that means in effect, that what's going to happen is your retail labour rate is going to go up to \$17.00 an hour.

Mr. Speaker, this might be beyond the members opposite to figure this out, but this is how the industry works. So this means that in a small business where you are employing two or three people, you are providing a service to the consumer, the consumer is going to be paying \$2.00 an hour more. It's as simple as that. It's very simple calculations and this is how these people figure it out.

It is absolutely ludicrous to feel that the industry or the business is going to pick up that slack because they won't. You know, this is one of the big misrepresentations I think that has happened in the past, when a certain input into that commodity is caused to go up, it is reflected directly upon the selling price of that particular produced item, and it's the consumer in the end that pays for that increase. It's not the company or the small entrepreneurial business that pays for it. It is the consumer that pays. This is I think something that should concern the Minister of Consumer and Corporate Affairs, because in the present form, if this goes through what will happen is there will be a definite increase in the retail labour rates as far as the service industries are concerned, and as far as the tourist industry too, which is basically a service industry.

It's also interesting to note, Mr. Speaker, that this comes up exactly during the time when the Minister of Industry and Commerce and the Minister of Finance are trying to stimulate job creation in the Province of Manitoba. You've got them spending \$33 million on trying to get people to work, and on the other hand they are trying to throw all kinds of obstacles in the path of people that want to hire people to work. It seems like the left hand doesn't know what the right hand is doing.

I appreciate the other point that during the upcoming elections the Minister of Labour and the members opposite will say, "look here is the members opposite 100 percent against labour and look what they are saying in the legislature." But, I think, Mr. Speaker, it's time that we all accepted a little bit of responsibility. I think the bill, just to throw in an arbitrary figure of one and three quarter overtime, I think it's a political ploy in an election year, to try and conjure up more support for this Provincial Government. It's a give-away. Mr. Speaker, I think people in this province are beginning to be concerned. You know, we as politicians are entrusted with the provincial purse here and we are supposed to be good stewards of that provincial purse. Well what is happening is that we are giving more and more away, without proper scrutiny of our particular funds that are entrusted to us. It's very easy to give something away and it's pretty hard to take it away once you've given it, that is something we all learn very early in life. When somebody gives you something, it's pretty hard for that person to come back and take it away. And this is what's happening here right now. I think that a time has come where we as politicians shouldn't be getting up and doing everything to try and conjure up votes at the sake of the provincial economy or the federal economy. I truly believe that it's not just a problem in this particular arena, it's a problem throughout I think the democratic society. Politicians are too susceptible to starting to give everything away and bowing to small pressures.

Mr. Speaker, I have outlined briefly what I think it is going to do to the small service industry — I'm not talking about the larger construction industry, the Member for Fort Garry touched on that, but the small entrepreneur at present is having a hard time struggling, the service industries are having a hard time. The Minister of Labour knows that your corner service station and these people are having a hard time making ends meet, and I'll tell you that this bill will compound that problem. It's not going to help the situation at all, and what you are going to do is you're going to drive more small people out of business and you're going to leave a vacuum for larger corporations to come in. The larger corporations can look after themselves, Mr. Speaker, I'm not up here defending them at all— and so can the larger Unions, but it's the small person that's caught in between.

This government has many times enunciated its... The Minister of Industry and Commerce got up the other day and crowed like a rooster about his fondness of small business in Manitoba. Well, I'll tell you, Mr. Speaker, what he should do is get up and speak on this bill and tell the people of Manitoba, the small business community, what exactly the ramifications of this bill are going to be. Mr. Speaker, I think the bill is unacceptable and I think it shows a total lack of the understanding of labour-management and consumer relations by this particular government.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK: Mr. Speaker, I beg to move seconded by the Honourable Member for Swan River that debate be adjourned.

- **MOTION presented and carried.**

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I wonder would you call the items at the top of Page 2 in order, Mr. Speaker.

MR. SPEAKER: Bill No. 67. The Honourable Member for Rhineland. (Stand)...

BILL (NO. 72) - AN ACT TO AMEND VARIOUS ACTS RELATING TO MARITAL PROPERTY

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

Wednesday, June 1, 1977

MR. GRAHAM: Mr. Speaker, dealing with Bill 72. While we only had second reading of this day before yesterday I believe, there are two or three things in this bill that do cause a great deal of concern to me, Mr. Speaker.

Number one falls under the actions that will occur with the changes in the devolution of Estates Act. That is where the estate of a person who dies leaving a widow and children where that estate will be divided up, and we now find that there is a significant change occurring from what occurred before.

Under Section 6(2) of the Devolution of Estates Bill, Sir, if I may I would just like to read it. The present section reads: "Where the estate of an intestate who dies leaving a widow and issue, does not exceed the value of \$10,000, the whole of his estate shall go to the widow." Well, we are changing that, Sir, and we are upgrading it — it's not \$10,000, it's now \$50,000, and that is consistent with the views that we have now on succession duties. And wherever this refers to \$10,000, the new figures are now \$50,000.00.

Then the next section: "Where the estate of an intestate who dies leaving a widow and issue, exceeds the value," which now will be \$50,000, "the widow is entitled to that \$50,000 and has a charge upon the estate for that amount without interest, and (b) where the intestate leaves a widow and one child, one-half of the residue shall go to the widow. But where the intestate dies leaving a widow and children, one third of the residue shall go to the widow."

Well we are changing that, Mr. Speaker, and now it doesn't matter whether there is one child or five children or ten children, the widow is going to get half anyway. That means that we are, by legislation, changing an Act which presently provides for the property rights of children and we are doing that at a time, Mr. Speaker, when we in this province have no authorized person by statute authorized to speak and to protect the rights of children. This matter of a children's advocate has been a subject that has been quite an issue with the Law Reform Commission, and the Law Reform Commission were prepared to do some work on it, but so far to my knowledge nothing has occurred in that respect.

The Attorney-General tells me that the public trustee is going to be the spokesman for children's rights in the Province of Manitoba. But where was the public trustee when this bill was before the Special Committee of the Legislature to look into the changes of the Marital Property of the Province of Manitoba. Sir, he never appeared before us at all. And furthermore, Sir, I suggest that he will not appear before the committee when it goes to Law Amendments. But in the meantime, Sir, the rights of children, the present property rights of children, which are enshrined in legislation today, are being taken away by this type of bill. And, Sir, if we do not stand up in this legislature, those of us who accept our responsibilities not as legislators, but as parents, and defend the rights of children, then, Sir, it is a very sorry day.

I look across the aisle and I see the Minister of Labour sitting there. He is a father, he has a family, and he is a grandfather, and he has grandchildren, and I want to know if he is prepared to stand up and defend the rights of his grandchildren' rights that are presently enshrined in legislation. I want him to get into this and tell us where he stands on this. — (Interjection) — You are taking them away. Mr. Speaker, it's a pretty sorry day when this government, this government that has consistently tried to tell us that they are the supporter of the little person. Mr. Speaker, there is nobody smaller than children in the this province, and they are taking those rights away from children.

I've heard the Member for St. Johns on several occasions in Committee say, no, no, we will defend the children. We will guarantee that they will be looked after, he said we will look after them, and the Maintenance Act that they have brought in he says will guarantee that. I'll admit that they have strengthened the maintenance section of it, but what does that do? That provides them with clothes on their back, a roof over their head and maybe some food on the table, only until they are 18. But their rights as individuals in society, their rights to property that the Minister of Labour has, that I have, that you have, Mr. Speaker, those rights are going to disappear or a portion of it. And that, Sir, is what I object to.

We find that is occurring also to some extent with the amendments that are going to occur under the Dower Act. But, Sir, when it comes to the protection of the rights of children, then I think that every Member of this Legislature — every member — should be concerned and should do everything they can to ensure that what we have done for children up to now in society in the protections that we have enshrined in legislation, is not going to be removed.

Sir, when this goes to committee, I would hope, I would sincerely hope that the man that the Attorney-General has labelled as being the person who is going to protect the rights of children in this province, in the person of the Public Trustee, I would sincerely hope that he is there protecting those rights, but somehow, Sir, I doubt it. I think the Attorney General is a man who wants to see this legislation pushed through and he doesn't care about children at all.

A MEMBER: I've got two of my own.

MR. GRAHAM: I know he's got two of his own, but I think he is that concerned about his own public image, his political image, that he would forget about the rights of children because he would

say, "Oh no, they're not going to vote for me. I'll go after the votes and forget about them." And, Sir, that's a very sorry day because children will be the voters of tomorrow and the day will come, Sir, when those whose rights are now being trampled on because they are not old enough, they haven't got the knowledge and maybe they don't understand what is happening, but somebody has to defend their rights and, Sir, I hope that this government, in its wisdom, will make sure that any rights that children have at the present time are not taken away from them.

If the Attorney-General would nod his assurance right now, I will just sit down and cease. But he is not prepared to do that, he's not prepared to do that and, Sir, I just want the people of Manitoba to know that it's that man there, the Attorney-General of this province, who is going to be taking away from children the rights of contesting.

But, Sir, there are other issues involved in this bill and those other issues I will leave for other people to discuss. I got into this debate at this particular time, Sir, to try to alert everyone in this chamber and the public at large that children's rights are being tampered with and trampled on by this type of legislation and I hope that we in this Legislature will not allow that to happen.

MR. CHAIRMAN: The Honourable Attorney-General shall be closing debate. The Honourable Attorney-General.

HONOURABLE HOWARD PAWLEY (Selkirk): Mr. Speaker, I must say I'm surprised and saddened by the remarks of the Member for Birtle-Russell. I did not think, Mr. Speaker, that I would have to prove to members of the House that I have any more or any less compassion for children than any other member in this House. I have two children of my own and I certainly have concern as far as the welfare of children are concerned, as I'm sure every other member in this House, and I'm sure the Honourable Member for Birtle-Russell has concern for children and not for a moment would I accuse him of lacking any regard for children, because I'm sure his concern for children is as much as is my concern for children and I really must say that I'm saddened that we should, in such a way as has been displayed by the Honourable Member for Birtle-Russell, inject partisan politics into an issue which is so fundamental, and so important to us all and that relates to the care and the concern for children which I always assumed that each and everyone of us in this House shared similar concern for and I never thought the day would arise when we would lower ourselves to the point that we try to take some sort of political advantage in this House by suggesting that some member or members are not concerned about the welfare of children and it saddens me that those sort of charges have been levelled. I really thought that the Honourable Member for Birtle-Russell would by this time have known me better that he would not make such a charge as that and certainly I would never make that charge pertaining to him because I accept that he has a fundamental and far-reaching concern for children.

And insofar as The Devolution of Estates Act is concerned, Mr. Speaker, one of the areas that we are talking about children that most depressed me when I was practising law is the many many instances when a mother and widow, a mother, often with a number of small children, would arrive at my office and advise me that her husband and father of her children passed away without a will. She might have farm property, other assets. Those assets, mainly dealing with the same type of constituency that the Honourable Member for Birtle-Russell deals with, a lot of farm people, had to be distributed according to The Devolution of Estates Act, and The Devolution of Estates Act because there was no will applied and it stated that the first \$10,000 would be automatically paid to the widow. The remainder would be divided half to the children, half to the widow, if there was one child plus the widow; two-thirds to the children, one-third to the widow if there was more than the one child. But here we have an instance which, we're talking about children, a large number of children, and the widow would have to deposit her moneys into a trust account or into some other trustee arrangement; those moneys would not be available for her to use so that they could be used in her discretion to raise her small family, her small family that she was left with as a result of tragedy within her family, the loss of a young father and husband. But the moneys had to be placed in some trust arrangement because she couldn't be trusted to use that money without some outside interference, through a trustee arrangement.

Mr. Speaker, there are many widows and many mothers that I wish they would come to the Law Amendments Committee hearings tonight to tell the Honourable Member for Birtle-Russell just how the present legislation has, in so many cases, imposed an unfortunate burden upon young mothers with young children, with young children in this province. What we're trying to do here is at least provide — and I, Mr. Speaker, I thought if this would be criticized at all would be criticized to the point of view that we are still tying up considerable resources that would not be available to the young widow and the young mother. I had expected that the honourable member would attack me from that direction and I would say that that probably would have been a more humane attack if he had approached it from that direction than from the direction which he approached it from. — (Interjection)— Well, I'm sorry. First I have no concern for children, now the honourable member tells me I am sick. I guess I just have no business being here this morning. I don't know on what side of the bed the Honourable Member for Birtle-Russell got up this morning. I've never seen him in such a

mood.

A MEMBER: Over the back of the bed.

MR. PAWLEY: Now, I've lost the train of my thought. I shouldn't have allowed the members to do that. No, I thought that that would be the criticism rather than the criticism that exists. Now, I suppose it can be said that the only people here that will receive less in benefit from this change in legislation will be the children if they are more than 18 years of age, because if they are more than 18 years of age, then they will receive, of course, outright and immediate their share as a result of the Devolution of Estates Act provisions. And here, of course, they will receive less because we are providing more to the widow and to the mother than is the present situation. So, if the Honourable Member for Birtle-Russell is expressing concern about children, in this instance the only concern that he can be relating to would be children that are more than 18 years of age that would receive a little less share than what they would under the existing provisions.

Now as well, Mr. Speaker, the Public Trustee, in fact, there again is a move on the part of government to attempt — and I think if the honourable members were in office that they would be doing something like this too, I don't want to take all the credit for what we are doing in the unified family court project — and I indicated that the Public Trustee would have a fundamental and important role in that operation insofar as children's rights are concerned, not in so far as the entire province at this point because we are only testing out an entirely new concept — the unified family court — with some input from the Public Trustee. But I never, at any time, indicated that the Public Trustee was going to receive a province-wide responsibility at least until such time as we can evaluate the results of that pilot project.

I am pleased, Mr. Speaker, that we will be able to process this bill this morning so that we can encourage it on its way to Committee so that it can be dealt with with the other two bills, the one dealing with property and maintenance and hopefully we can receive submissions this evening — if there be any — in connection with this particular bill.

QUESTION put, MOTION carried.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, the Honourable the Attorney-General while speaking indicated that it was the Law Amendments Committee that would be meeting tonight. Incidentally, Sir, I have also heard over the air on a couple of occasions reference to the Law Amendments meeting tonight. I would like to correct that, Sir, by indicating it is the Committee on Statutory Regulations and Orders that will be meeting tonight and not the Law Amendments and I wouldn't want members of the Assembly to be guided otherwise. It is the Statutory Regulations.

I have one other piece of business, Mr. Speaker, non-controversial. I would move, seconded by the Honourable the Attorney-General, this resolution:

RESOLVED that the White Paper on Accident and Sickness Compensation in Manitoba, Volumes I, II and III, tabled in this House on Thursday, May 26th, 1977, be referred to the Standing Committee on Statutory Regulations and Orders for study and report to the next session of the Legislature.

MOTION presented and carried.

MR. SPEAKER: The hour of adjournment having been agreed upon, the House is now adjourned and stands adjourned until 2:30 this afternoon.