



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

STANDING COMMITTEE

on

AGRICULTURE

31-32 Elizabeth II

Chairman
Mr. A. Anstett
Constituency of Springfield



MG-8048

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
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DOERN, Russell	Elmwood	NDP
DOLIN, Hon. Mary Beth	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
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HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
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LYON, Q.C., Hon. Sterling	Charleswood	PC
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MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
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PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
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PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
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SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

**LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON AGRICULTURE**

Wednesday, 17 August, 1983

TIME — 3:00 p.m.

LOCATION — Legislative Building, Winnipeg, Manitoba

CHAIRMAN — Mr. A. Anstett (Springfield)

ATTENDANCE — QUORUM - 6

Members of the committee present:

Hon. Messrs. Adam, Bucklaschuk, Uruski
Messrs. Anstett, Downey, Enns, Harapiak,
Malinowski, Manness and McKenzie

MATTERS UNDER DISCUSSION:

Bill 3 - The Farm Lands Ownership Act; Loi
sur la propriété agricole (Hon. Mr. Uruski)

Bill 23 - An Act to amend The Real Property
Act (2) (Hon. Mr. Penner)

Bill 24 - An Act to amend The Registry Act
(2) (Hon. Mr. Penner)

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**BILL 3 - THE FARM LANDS OWNERSHIP
ACT**

MR. CHAIRMAN: Committee, come to order. We have a quorum. We even had one sooner than we thought we had.

We were last discussing Page 17, had passed an amendment to Section 12, and I was about to call the balance of Page 17. Is there any further discussion on Page 17 of the bill? Page 17—pass, on division; Page 18 - Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, if my mind serves me correctly, the penalties in here for contravention of the act are basically the same as they are under the current Farm Lands Protection Act. Is that not correct?

MR. CHAIRMAN: Mr. Minister.

HON. B. URUSKI: Yes, Mr. Chairman. The penalties, I believe, are the same as they are in the present act.

MR. J. DOWNEY: Mr. Chairman, does that also apply to 15(2), "Offence and penalty for aiding or abetting"?

HON. B. URUSKI: Mr. Chairman, the failing to comply with the demand is under the present act with a demand on some reconviction in terms of the present legislation.

MR. J. DOWNEY: It would appear then that the 15(2), Mr. Chairman, the "Offence and penalty for aiding or abetting" is a new section.

HON. B. URUSKI: No. Mr. Chairman, 12(3) in the present act has - it's virtually a direct lift. "Offence and penalty for aiding and abetting" is in the present legislation.

In the present act, there are a number of sections starting with 9(3) as the offence and penalty section and then going to 12(1), 12(2), 12(3), 12(4), 12(5) dealing with certain offences, additional penalties, offence and penalty for aiding and abetting, offence by officers, etc., of corporations. We basically put those sections into our Section 15.

MR. J. DOWNEY: Mr. Chairman, let me just go through it so I'm clear on who could be penalized under this act if it were to be taken that far? Earlier today, we had the example used that an individual who owned shares in a corporation that owns farm land in Manitoba - not a family farm corporation - but owns more than two-thirds of the shares in a corporation, does not actively be involved in farming, as is the discretion of the politically-appointed board; does not receive a reasonable amount of income or a certain amount of income from that corporation, again at the discretion of the board.

An example that was used earlier was my colleague from Turtle Mountain, where if, after the proclamation of this act, he or the corporation which he is the owner of, as a director or a shareholder in that corporation, and they had a neighbour who had a quarter-section of pasture that they wanted to rent to them for the summer of, say, next year because of a drought condition, and they proceeded to do so without getting permission from the board. They would proceed to rent it on even a gentleman's agreement, as sometimes takes place, but the actual rent took place and the leasing of that land took place, that would at that point cause or put that individual in violation of this act and subject to a fine of up to \$50,000.00. Am I interpreting it correctly?

HON. B. URUSKI: If there would be, first of all, all corporations, as they are presently under the act, have to file an annual report and I'm just trying to think. In the annual report, if they were to mislead the board — (Interjection) — no, no, by not declaring what they have done, that's one avenue; or if someone complained that they were in fact breaking the law, because there is no provision in this act to have a bureaucracy investigating people's dealings. The investigations will be carried out on the basis of information received.

MR. J. DOWNEY: So, in other words, the scenario that I drew is correct. I use the example that was used earlier today. That individual who is not a member of a family farm corporation but a corporation that owns land - they've farmed all their lives, they verbally or otherwise rent a quarter section of pasture - if in fact he were to proceed to do that, a neighbour - and we know that sometimes there are small jealousies within

communities where maybe one farmer needs pasture or feels they were more deserving of it than the corporation that ran it - goes off and tells the Farm Lands Protection Board, that would automatically, regardless of whether or not it's reported, be illegal for him to do it. The reporting has nothing to do with it, whether he reports it to the government or not. The very law reads that if that land - and he could report it - he could report it at the end of the year, but he is in violation of the act and is subject to a \$50,000 fine. Is that the kind of heavy-handed legislation you want to impose on the people of this province? That's what he's doing.

I personally could be in the same thing through corporate ownership of land if I'm not actively farming, or any of our friends who are non-farm people. It's gone to the point of being utterly ridiculous and it doesn't even have to be in ownership; a purchase of land by those individuals, it could be a lease, and it's illegal.

Does the Minister not think this is pretty heavy handed where they could subject an individual to a \$50,000 fine over such a common practice being carried out within the farm community?

HON. B. URUSKI: Mr. Chairman, the honourable member should know, and in his legislation right now, that the instrument of leases is an instrument that is being used to circumvent the intent of legislation.

MR. J. DOWNEY: Not by Manitoba farmers to corporate owners.

HON. B. URUSKI: Mr. Chairman, one does not have to have title to the land in order to have control of the land. All that one has to have is a long-term lease within the lease provisions to be able to take all the revenue from the proceeds of that lease and he has, in fact, acquired control. The legislation does prohibit and will prevent if there is an intent. One has to prove that there was an intent to mislead in the legislation, not that automatically there is a penalty. One has to prove that there was an intent to contravene the act, and that is you have to prove that there was an intent to contravene the act.

MR. C. MANNES: Reverse onus.

HON. B. URUSKI: No, Mr. Chairman, not in prosecutions. The Honourable Member for Morris says the reverse onus. The reverse onus can only be used by the board in its investigations in terms of investigations. It has nothing to do with prosecutions. The board has to be able to then prove that there was an intent on part of the individual or the corporation to, in fact, break the act. It is not that the act has been broken; it has to be proven there was intent to deliberately break the legislation.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: No, Mr. Chairman. The Minister is not clear on what he's saying. The actual transaction of a lease by a non-farming corporation automatically puts them in contravention of the act. It doesn't have

to try and circumvent it. Just by the actual leasing of a piece of property . . .

MR. C. MANNES: Not disclosed.

MR. J. DOWNEY: Not disclosed or disclosed actually contravenes the act, unless he gets permission specifically prior to it from the board.

Now, Mr. Chairman, the reason the penalties were so severe under the other legislation was we were dealing with offshore, non-resident people who were trying to contravene the act, and it was deemed advisable to put in that heavy a penalty; but when we're dealing with the Manitobans who are legitimate business owners in this province, we are now imposing the same kind of penalties on those individuals.

The question is: Do all agreements now between farmers - and I say this between farmers or business people, whether it be farming corporations or non-farming corporations or whatever - do they all now have to be disclosed, whether it be a verbal lease, whether it be a written lease, whether it's a gifting of land, does that all have to be reported to the Farm Lands Protection Board? Every verbal agreement, whether it's for a field of pasture, hay land or whatever, whether it's a corporation or not, that has to be recorded with the Farm Lands Protection Board. Is that the kind of legislation we're being asked to recommend to the people of this province?

HON. B. URUSKI: Mr. Chairman, there has to be an ownership interest in terms of the board. If the honourable member recalls the amendment that we brought in to Section 3(2), we said that we were allowing all the existing non-farming corporations to retain their landholdings and all their leases and have the ability to change either of those leases for other lands without having to go to the board; the same thing with the ownership of land without going to the board. That type of corporation that is a non-family farm corporation would have to go to the board if they wanted to increase their aggregate holdings.

MR. J. DOWNEY: Mr. Chairman, here we have a situation. I am a farmer, own land, and I have some additional land that I want to lease out. I have a legitimate person or individual come along, desirous of renting it from me, whether they be a corporation or an individual or a family-farm corporation, they come and I legitimately lease it to them.

The first question is: Do I have to report that, or does he or she have to report that to the Farm Lands Protection Board? No. 2: If they don't and I don't, am I considered aiding or abetting an illegal act?

So you get it on both sides, Mr. Chairman. Why are we trying to complicate what has been common practice in this country and freedom to do so between different parties for the last 100-and-some years? We're now coming to a bureaucratic screening of daily business practices between neighbours and people within Manitoba.

HON. B. URUSKI: Mr. Chairman, the honourable member is now harking back to the amendments that he proposed to the present act. There is no reporting

to be done by the person who is giving your scenario if you wish to lease to an individual, to a family farm corporation, to whoever, you do not have to report to anyone.

MR. J. DOWNEY: Who does?

HON. B. URUSKI: No one does. No one has to report. If you are a family farm corporation or an individual in Manitoba, the goings on of leasing go on as they have always gone on. There is no reporting to anyone. The onus is on the corporation. If you are leasing to a corporation and the corporation happens to be not a family farm corporation as defined under the act, they would then have to disclose their leasing arrangements. The individual who was leasing has no reporting. There is no onus on the so-called vendor, as I was indicating.

MR. J. DOWNEY: But given the fact, Mr. Chairman, that if I as a person owning land wanting it to lease to a non-farming corporation, is it my responsibility to make sure that they disclose the lease that we have? Otherwise I would be aiding or abetting. How do I know whether they're a farming corporation or whether they are not and what do I care if I get a sufficient return for my property?

HON. B. URUSKI: Mr. Chairman, the honourable member is trying to get me to the same argument that he got himself into with his own legislation. There is no onus on the vendor, whether it be a lease or a sale, to report to anyone. It is the purchaser who has to show that he or she are legitimate under the act.

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNESS: A further direct question in that same area. Is the Minister indicating that the only people or the only corporation that have to be aware of this provision to report the conditions of a lease or of a sale are those that, first of all, know fully well that they are non-farm corporations, or those that are approaching the two-thirds threshold of maybe falling out of being farming corporations?

HON. B. URUSKI: Those would be the ones that would have to be wary of the legislation if they are on the threshold.

MR. CHAIRMAN: Page 18—pass, on division.

MR. W. MCKENZIE: We're on 17.

MR. CHAIRMAN: No, we've been on Page 18. We started on 17, Mr. McKenzie and passed that on division a couple of minutes ago, 10 or so.

Mr. Manness.

MR. C. MANNESS: Before we pass, I believe there was . . .

HON. B. URUSKI: We're still on offences, 15(1), 15(2).

MR. C. MANNESS: Yes, I believe that there was . . .

HON. B. URUSKI: There's an amendment on Section 17.

MR. C. MANNESS: Oh, that's fine.

MR. CHAIRMAN: Page 18—pass, on division.
Page 19, any discussion?
Mr. Manness.

MR. C. MANNESS: Section 16(1). I notice that the way it's presently written that anybody can appeal to the Judge of Court of Queen's Bench, other than those that are exempted under 3(3). Can the Minister tell me why those excluded under 3(2) which has been further defined and expanded by the amendment brought forward today, why that group of people should not also be excluded under 16(1)?

HON. B. URUSKI: Mr. Chairman, if the board rules in terms of excluding a corporation, they would have the right to appeal their decision, I believe.

MR. C. MANNESS: It's an exemption . . .

HON. B. URUSKI: They don't have to go to the board for 3(2), except if they want to expand their holdings.

MR. C. MANNESS: Well, right, that's the point. We had a major discussion on that, amended under 3(2). Why would a decision made at the board level under that section, 3(2), why would it not end there, particularly if that board ruled in favour of the corporation?

HON. B. URUSKI: They would make a ruling under 3(3). Mr. Chairman, they would be making a ruling under 3(3). The ruling under 3(3) does not have to be appealable, but if they ruled against the board, they're ruling under 3(2) of the "Exclusion of certain corporations," then a negative decision of the board is appealable. An exemption created by the board for anyone is not appealable, and that's what the Section 16(1) says.

Section 16(1) clearly says, as I understand it, that any negative decision of the board is appealable to the court; any exemption allowed by the board is not appealable.

MR. CHAIRMAN: Further discussion?
Mr. Manness.

MR. C. MANNESS: I guess then what the Minister is saying is that the determination made under 3(3), if one is to be made, could follow after any consideration made after 3(2). So all decisions fall under sub (3) somewhere, all decisions by the board?

HON. B. URUSKI: No, the only decision that falls under 3(3) is the actual allowance of an exemption. Any negative decisions would fall under other sections such as exclusions, debt obligations, provisions of change in residence, ownership of retired farmer, under all other than 3(3). All negative decisions would fall under other than Section 3(3). Section 3(3) deals with the exemptions and, for the sake of those applicants, are positive decisions.

MR. C. MANNESS: I will use an example in the question and that may clear it up. If, for instance, the Member for Turtle Mountain wished to approach the board requesting under the amended Section 3(2) that his non-farm corporation be allowed to expand and that was granted by the board, could anybody appeal that decision?

HON. B. URUSKI: No.

MR. C. MANNESS: Fine, thank you.

MR. CHAIRMAN: Page 19—pass, on division.
Page 20, Section 17 - Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT Section 17 of Bill 3 be amended by adding thereto immediately after Clause (c) thereof the following clause:

“(d) establishing exemption guidelines for the purposes of subsection 3(3).”

MR. CHAIRMAN: Any discussion on the amendment?
Explanation - Mr. Uruski.

HON. B. URUSKI: This clause authorizes the Lieutenant-Governor-in-Council to make regulations that set out exemption guidelines under which the board will operate for the purposes of Section 3(3).

MR. CHAIRMAN: Any further discussion? The amendment as moved—pass.

A MEMBER: On division.

MR. CHAIRMAN: It's passed on division. The balance of Page 20 - sorry - Section 17, as amended, and the balance of the page - Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, the government in this bill are providing themselves with the opportunity of breaking the kinds of regulations which I think were brought out earlier in our debate on the kinds of definitions and expressions used by this act.

For example, 17(a), if to define any word or expression used in the act, and the Minister indicated when we looked at some of the incomes, or how would you determine what a farmer is or what amount of income would determine a farmer, and the Member for Lac du Bonnet made reference as well that a lot of this detail would be handled by regulation, we have some pretty serious concerns, Mr. Chairman. I have in particular.

Is this basically in most legislation, these kinds of parts that refer to the writing of regulations, that kind of scope of ability for the government to write regulations under?

HON. B. URUSKI: Mr. Chairman, most regulatory acts provide for the setting of regulations to provide the flexibility to deal with situations that today may not be thought of and would normally be allowed under legislation, but if those kinds of exemptions and all those details were put into legislation, there would then be no room to allow certain areas of exemption or dealings under this legislation if the flexibility of regulation was not there.

Frankly, one today might think up of 99 or 90 percent of the exemptions and details that we would want to put into legislation if it was desirable to put in, but you may leave out the 10 percent and then you would be stuck holding people up that you would have normally allowed to purchase land or have dealings under this legislation for the waiting of a Legislature to be called. There has to be, in no uncertain terms, that kind of flexibility and we certainly believe that while we certainly don't have all the answers and all the ideas, we want to look at the kind of applications that have come in and deal with them as quickly as possible.

MR. J. DOWNEY: Well, we didn't get very clear answers earlier today. We referred back to Page 2, which will now give the Minister, by writing regulations, the open-handed authority to state what a significant portion of a farmer's income is or a person's income is; or the time that he is actively engaged in farming, will determine whether they're eligible to own land or not as a corporation or as an individual owning a corporation. That now is all left within the hands of the government.

There was another comment made some time ago, and I haven't seen it within this act, but there was a question asked or reference made to the fact that people living near the Saskatchewan border would qualify them, or if they live near the Saskatchewan-Manitoba boundary would qualify them to own land in Manitoba. The question was asked, what was the Minister's interpretation of "near the Saskatchewan boundary"?

This, again, leaves the Minister a lot of discretion, and I think we aren't satisfied with some of the explanations we're getting. I am not satisfied that with this kind of, what has been referred to by many people, draconian legislation, this kind of open-handed regulatory power is left in the hands of government because of the influence and effect that it can have on people presently living in Manitoba, people who are wanting to use the instrument of incorporation, either for the transfer of family farms or other than family farms, or for tax purposes or income balancing type mechanisms, this is all left in the hands of the Minister of Agriculture through regulation. I would hope that we have some means of keeping a handle on precisely what he hopes to write in regulation in future.

Does he propose any immediate regulations following the proclamation of this act? Has he got some prepared? Do his staff have regulations prepared, because I know there are very aggressive people in his department, and I'm sure there's a whole list of regulations that they've got written ready to come right in tomorrow after this is ramrodded through this House. Does he have regulations in mind that he is presently preparing, and will be following through with this legislation?

HON. B. URUSKI: Mr. Chairman, there will be a fairly lengthy period of time after this act is passed in this House prior to all the regulations being drafted. So the assertion of the honourable member that the regulations are being already drawn up, there is preliminary work that has gone on, but it will be some time before this act will actually be proclaimed and all the regulations put into place.

MR. CHAIRMAN: Further discussion? Page 20—pass, as amended, on division; Page 21 - any discussion?
Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, that takes us to the proclaiming of this act, Section 21 that the Minister referred to. He made reference to the fact that it would be some time until he would be proclaiming it. He is repealing what was in place as, I would think, reasonable legislation although not perfect. I think there was an attempt, over our years in office, to try and restrict, and I go back to the point that was made again by our Leader this morning, that the objective that should be before us, and was before us, and that was to restrict or to control foreign ownership of farm land in Manitoba.

The Minister of Agriculture said, no, that isn't the case, that they want to go far greater than that, they want to control who owns land in Manitoba, Manitobans and everyone else. They have some particular desire to go far and beyond the kind of objective that must have been in place even during the Schreyer years in government.

So that is the question; will the Minister of Agriculture, will he, Mr. Chairman, because it has to be proclaimed, take two or three years because we are in an economic slump? The problems that he is trying to tell us dealing with farm lands haven't been substantiated; they haven't had back-up statistics to substantiate the kind of legislation that he is imposing.

There have been recommendations at committee stage by the Manitoba Institute of Agrologists that there should be a study done to put in detail the kind of land transfers that are taking place, to find out the percentages, go back to some of the figures that we have presented, Mr. Chairman, to the Minister. Those have been the informations that have been gleaned from the rural municipalities, where probably less than 3 percent of agricultural land in Manitoba is owned by absentee people, not foreigners, but people living outside of Manitoba. With such a small percentage of land owned by people not living in Manitoba, it doesn't or shouldn't create the cause to bring in such heavy-handed legislation by any government.

So I'm saying to the Minister, in all sincerity, because I know the Member for The Pas sitting here as if he's had gas pains when this is being pushed through as it looks like it's bad legislation. I know he's got problems with it; I know the Member for Ste. Rose has problems with some of the legislation that he is being asked to sit here and support.

We introduced an amendment earlier which would allow all Canadians to own farm land in Manitoba, and they all voted it down. I know he wanted to support it, but he said, no, he's going to discriminate against other Canadians.

So I'm talking about the proclamation of this act, Mr. Chairman, where the Minister can, again, if they ramrod it through - and that's, I'm sure, what they are intending to do, to continue to ramrod it through - discriminate against people who want to use the instrument of incorporation to own land in Manitoba, discriminate against other Canadians without basic statistics or back-up information to substantiate the kind of move he's taking. Would he take some time, and I'm pleading with him on behalf of the farm people

who either want to sell land or want to buy land or just be free Canadians, I'm pleading with him to reconsider.

You know, it's probably too much to ask of the Minister to withdraw the bill, although I'm going to request of him to do that, to withdraw the bill and rethink it. The least he can do is not proclaim the act for two or three years, and it will give us a chance, Mr. Chairman, before it has the effect or impact on the people of Manitoba and Canada to withdraw or repeal the legislation as we have committed to do when we are elected after the next general election. That's a commitment by the Progressive Conservative Party that we will not stand for this kind of legislation to be imposed on the people of Manitoba, Mr. Chairman. We have no problem campaigning to the people of Manitoba on the removal of this kind of legislation. That's why I'm asking him not to get anxious to proclaim the act because it isn't going to be around very long.

We have had good recommendations from the Manitoba Farm Bureau; we've had good recommendations from the Manitoba Chamber of Commerce; we've had the Manitoba Institute of Agrologist; we have had individuals like Dawn Harris, who has done a lot of writing and laid very accurately before this government and the people of Manitoba what it will do to stop her from getting into agriculture.

Is this the kind of legislation the Minister feels comfortable with? We have got young people like Dawn Harris and her husband, who want to become a part of the Manitoba farm community, and he is prohibiting them by this legislation from becoming part of it. That's not right, Mr. Chairman. It's a free country, and it's not right that he can impose that kind of legislation, supported by the Member for The Pas and St. Johns and Ste. Rose. Are they proud of that on their record? Well they better not be, because it's the worst kind of legislation that this House has been asked to pass.

I would hope, Mr. Chairman, that before the Minister has his department draw up an Order-in-Council - and I know very well he's got lots of regulations written, because that is what his department have been doing for the last six months, they can hardly wait to get this passed so they can bring in more regulations to restrict the people's rights in this country. That's what they're doing, it makes their job a lot easier if everybody has to prove their eligibility, even within the province. It is going to be an administrative nightmare to try and control or to administer this act.

So I make it very clear, Mr. Chairman, that the Progressive Conservative Party and my role as agricultural critic at this point will be to work very hard to have this act repealed and the kind of proper legislation put in place that is necessary to control foreign ownership. We weren't too far from it with the act that's currently being in place and is being repealed on this Page 21.

We've got a pretty good act in place. The Farm Bureau made some sound recommendations which, if adopted, were going to serve the purpose of the Manitoba Farm Community. — (Interjection) — As my colleague from Morris said, they were never answered. They were asked to sit down and participate in discussions on this and then their recommendations ignored.

The Minister made reference to meetings held throughout the province. They weren't properly

advertised meetings. They weren't very widely held. The Minister, when asked to tell us how they were set up and where they were held, still hasn't answered the question. He made an attempt at it yesterday in committee, but he didn't do anything to satisfy the opposition that they were properly held and people spoke out. It's almost as important an issue to the people of Manitoba as the bilingualism and I think the same kind of hearing process should have been set up to hear the people on land ownership in Manitoba. It's not coming from just the opposition party. A very credible group, the Manitoba Institute of Agrologists, people who carry responsible jobs and are actively involved in farming suggested to do a study, to do some research on this whole matter of land ownership. I think that's a sound recommendation, very sound, and I can't see why the Minister won't yield to that.

That's why I'm pleading with him to withhold the proclamation of this bill for at least two years, to see if in fact the kind of problems that he thinks are out there, continue because I don't think they're there, Mr. Chairman. I think it's strictly that the Minister thinks there are spooks in the closet that are going to do something to agriculture that aren't going to happen. In doing so, he's using a sledgehammer to drive a finishing nail and it's just going to smash the whole thing, Mr. Chairman, and I would hope he would take the comments of the people who presented briefs, as well as the general public at large, into consideration before proclaiming this.

Mr. Chairman, we'll have more to say after we go to report. Some of my colleagues probably have comments too on the proclamation.

MR. W. MCKENZIE: What stage are we at, Mr. Chairman?

MR. CHAIRMAN: We're on Page 21.

Further discussion on Page 21? Page 21—pass.

Mr. McKenzie, this is not bill be reported, I still have to call Title and Preamble, if that's what you're looking for.

MR. W. MCKENZIE: I have an amendment. Mr. Chairman, I've been here listening to the hearings on this bill. I've travelled this province getting the consensus of people about the need for this kind of legislation. There is no support for this type of legislation in this province, Mr. Chairman. All the witnesses we had in this committee were opposed to the type of legislation that we're trying to pass by this committee.

Where is the Farmers Union? One wing of the farm community that I thought would show on this committee to support the government in this type of legislation, they haven't shown, Mr. Chairman. Foreign ownership of land is not the subject matter of this bill. This is state control of farm land in the province. This is the first thin edge of the wedge of state control by this government or the lands in this province.

Just let's go through what MARL said about this piece of legislation that we're dealing with. A non-political group, who at committee stage refuses to get involved in political debates, they said - and let's just put in the record what they said again for the committee - "Throughout the proposed act there are examples

of sentences so involved that the meaning is either difficult to derive from them or ambiguous in the extreme. Imprecise definitions and ambiguous wording diminished the clarity of the act. Some examples have already been noted throughout the body of this paper discussing the definitions such as control, significant portions of income, material part thereof," etc., etc., and it's all through this legislation.

Section 1(3), and we've been through that today where two members of the Legislature here, one is in conflict of this legislation and the other is not and they're both members of the Legislature. That is a sick day for Manitoba when we're passing legislation which puts one member of this House in conflict and the other is not in conflict.

Look at Section 3(5). Its sentence is so long and twisted, the MARL people said, and weighed down with subordinate clauses and modifying phrases that its meaning has gone astray. Somewhere between the subject of the sentence, presumably at the beginning and the verb in the last line, the meaning has been lost. Consistent with our belief, MARL says, "That laws which affect people directly should be intelligible to the people they affect. We urge that this act be read and carefully edited," and we don't see any additions in it. MARL says, "We understand and accept the need for certain terminology but we maintain that an important objective of all legal draftsmanship should be the simplicity of structure and clarity of expression." Many of these sections in this act are lacking in both.

Now what more damning evidence, Mr. Minister, could you have for legislation such as this, affecting our No. 1 industry in this province, agriculture?

So, I move, Mr. Chairman, seconded by the Member for Arthur, that for reasons I have spelled out and the reasons that MARL has spelled and others, that the Minister of Agriculture call in all the ag reps from across the province for questioning by this committee during the recess of the House pertaining to Manitoba's No. 1 industry and Bill 3, before we proceed to give this bill third reading.

MR. CHAIRMAN: Moved by the Member for Roblin, no seconder required. Now, I'll read the amendment but I do have a problem with it and I'd appreciate any advice from members on the amendment.

The amendment as moved reads:

THAT for reasons I have spelled out and others, that the Minister of Agriculture call in the ag reps from across the province for questioning by this committee during the proposed recess of the House pertaining to Manitoba's No. 1 industry, agriculture, need for Bill 3, before Bill No. 3, moved on into the Manitoba Legislature from the committee for third reading."

My reservation about the amendment is that we are presently considering Sections 20 and 21 on Page 3, and I would suggest to the member that, although his amendment in my opinion would not be in order at this time, I would be willing to hold it until the motion that the bill be reported and then his motion should perhaps be redrafted to read: THAT the bill not now be reported but that the following . . . and if the Clerk can hand in back to him and he could add in those words, I'd be happy to declare it in order at the report stage.

Is that agreed? (agreed)

Page 21—pass, on division.

I believe there is a further amendment and a desire to return to - which page is it, Mr. Minister? - Section 3(2), Page 6. I believe there is a sub-amendment to be proposed. Has it been distributed? I'll wait for distribution.

HON. B. URUSKI: There's a bit of a further amendment on that.

MR. H. HARAPIAK: Mr. Chairman, I would like to move:

THAT in a sub-amendment to the amendment we moved this morning in the 6th line of Section 3(2) as amended, the words "any of his" would be inserted after the word "of," and delete the word "such."

MR. CHAIRMAN: I take it from the tentative draft I have in front of me that the amendment moved by the Member for The Pas, in Section 3(2), that the 6th line would read "termination of any of his interests" if the sub-amendment is accepted. Is everyone clear on that? Is there any discussion?

Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, perhaps we should read the entire changes and then have a discussion on the amendment.

MR. CHAIRMAN: Mr. Harapiak.

MR. H. HARAPIAK: The second sub-amendment is in the 6th line of Section 3(2) as amended, the words "whenever taken, acquired or received" should be inserted after the word "part."

The third amendment is in the 9th line of Section 3(2) as amended, the words "from time to time" should be inserted after the word "person."

MR. CHAIRMAN: Explanation? The Minister please.

HON. B. URUSKI: Mr. Chairman, the intent of the amendment is to allow clarity in terms of the corporation to allow a person to acquire interest in farm land and sell existing interests. There was some ambiguity as to whether new interests acquired after proclamation could in fact then be again reacquired. It's to allow the transition to continue time after time after time, and that is the reason for this further amendment, because we were approached by legal counsel and they indicated that while it is allowed in the first instance, it may not be allowed in the second or third instance on the same parcels of land. This is a further amendment to clarify that.

MR. CHAIRMAN: Any discussion on the sub-amendment to Section 3(2) as proposed by the Member for The Pas? The amendment, as moved—pass.

A MEMBER: On division.

MR. CHAIRMAN: Pass, on division. Are there any further amendments to the bill? Hearing none, Preamble—pass.

Title - pass? Mr. Downey.

MR. J. DOWNEY: This is, of course, part of the concern that we have had since this bill was presented to the Legislature, and that was the change of the title of the bill, the terms in which are used to describe what the government are trying to accomplish, and I guess I feel important to point out to the people of Manitoba that it really is, as my colleague from Roblin-Russell indicated, a thin edge of the wedge to state control of who, in fact, will be buying and selling or owning and farming land in Manitoba.

It's unlikely, what was formerly known as The Farm Lands Protection Act, which the intent was to protect it for Manitobans and Canadians and, in my belief, that's what the objective of it was; but the name change to farm ownership does in fact back up what we have been saying as an opposition since Day One and the major concern that the people throughout Manitoba have, that it is now the state controlling who is owning or who has the right to own land through a politically-appointed board and that's wrong. We've indicated that it's wrong on many fronts and we will continue to try to point out to the people of the province that it's not a matter of farm land protection; it's a matter of controlling the ownership of land by government, and it's spelled out very well in the title that we're being asked to pass and we don't agree with it.

MR. CHAIRMAN: Title—pass, on division.

Bill be reported - Mr. McKenzie.

MR. W. MCKENZIE: Mr. Chairman, I move, seconded by - you say I don't need a seconder?

MR. CHAIRMAN: Not in committee.

MR. W. MCKENZIE: Bill 3 be not reported at this time, that the Minister of Agriculture in the House grant authority for this committee to call in the ag reps from across Manitoba for questioning by this committee and others during the post-recess of the House regarding the need for Bill 3 and the impact Bill 3 will have on Manitoba's No. 1 industry - agriculture.

MR. CHAIRMAN: The amendment as moved by Mr. McKenzie, do you want it read again? Is there any discussion?

Mr. McKenzie.

MR. W. MCKENZIE: None.

MR. CHAIRMAN: Any further discussion?

Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, what the member is doing and what the opposition is doing is trying to give the members of this committee an opportunity to find out from the people who are on the front lines dealing with the rural communities daily, they're dealing daily directly with farmers, and I think it would be a good opportunity for each member of this Assembly sitting in this committee to ask specific questions of ag reps, although I'm sure they would be somewhat reluctant to speak out because of the consequences they may have to pay under this kind of administration if they were to dare say anything against what the government

are intending to do, but I think we could ask them some specific questions dealing with what kind of a problem they see it is in their districts or their communities. That, I think, is the reason for the proposal.

We do have time; we are coming back to this Assembly, Mr. Chairman. The bill has been gone through clause by clause, or page by page. It would be a good opportunity to have the committee fully informed as to what is happening, as I indicated, on the front lines with the ag reps in this province. I think it's a reasonable suggestion and I would hope if the members opposite of the committee, the Member for Gimli, the Members for Ste. Rose and The Pas who have some agricultural land in their constituencies - I am not sure about the Member for St. Johns, whether he has a lot of agriculture, but I know some day that he'll have to answer for his actions and I'm sure that he would want to be on the right side of the good Lord when he has to answer and would want to support this proposal by my colleague from Roblin-Russell.

We have made the point over and over again, Mr. Chairman. We have made it that you cannot restrict the rights of other Canadians from owning land in Manitoba - it divides this country - and we want to, Mr. Chairman, specifically give the people of this country an opportunity to be fully heard and to fully inform us before this kind of law is put in place.

We believe firmly that there isn't enough background information available. It's been spelled out time and time again. It has been pointed out that they are eliminating the use of a corporate structure, something that has been used for years by a lot of other people in business, or to do business in other areas other than agriculture, and is now restricting Manitobans from using that instrument to own and operate farms if they're not family farm corporations. You can go and buy any other business through a corporation; you can do business in Manitoba in whatever business you so desire, there aren't any government restrictions on you, but you can't buy farm land. How discriminatory can this law be? It's horrendous that they're trying to suggest that we should be passing this. It's discriminatory, it's unfair, and I would hope that the Minister would take time, as I pleaded with him before, to consider or reconsider, what his position is. The Premier has made no bones about it, he is determined that he's going to force this law on the people of Manitoba.

I can refer to clippings that I've taken out of the press recently and the headline says - "Closure threatened to end debate on Farm Lands Protection Bill." We, as an opposition, have had a gun at our head, we've had a gun at our head by the Premier of this province saying that we have no chance to influence them by debate; that he doesn't believe in the democratic system, that if we don't like what he's doing he's going to force closure on us.

So, Mr. Chairman, we knew the ultimate was going to be here, that he would pull the trigger, the Premier threatened that, and of course, we know why that is. That's to save a Minister of Agriculture who, if unable to pass Bill 3 this would be his swan song that he's been talking about, because if Bill 3 went down the drain so did the Minister of Agriculture because it was his second attempt. Bill 54 was his first attempt, Bill 3 is his second attempt to impose state control on the

buying, and selling, and the ownership of farm land in Manitoba. So it would have been the end of him and he had to fight for it with his life.

I'm sure if he were to go back to caucus and be honest with them, and tell them the truth, that that's what they're doing is saving him, some of them might just back off a little bit because he has been somewhat of a dismal failure in a lot of other areas, as well.

Mr. Chairman, the case has been made, not by the opposition in all cases, but had been made by individuals. I again refer to a young woman by the name of Dawn Harris who has the desire to come back and farm in Manitoba, and use other than a family inheritance, or direct connection, to get into the land ownership, but could use outside people, or other people through corporate ownership, to provide capital for her to get into the farming operation. But the Minister of Agriculture in Manitoba today is prohibiting her, and her husband, from doing that, prohibiting her from doing it.

Plus, Mr. Chairman, imposing laws on people who now own land through corporate structures, and may want to continue to develop that business, and lease or buy land, from doing so. And it's wrong; it's wrong, his colleagues know it's wrong, and yet he's asking them to ramrod this past the Legislative Assembly. He hasn't been able to put one good argument forward, and the only argument that he's put forward is that he is going to control speculation of land. He uses the example of a foreign corporation coming in, or a corporation buying land for X-number of dollars today, and two weeks, or three weeks later selling it and making a profit. Well there's the problem, somebody made a profit.

Mr. Chairman, as an individual, and this is where he's so wet, this is where he's out-to-lunch on the whole thing, is that an individual, the Member for Ste. Rose as an individual, can go and buy a piece of property, and turn that property over in the same period of time and make a profit. That's speculation, that's making a profit, and yet this law isn't stopping that. So he is totally out-to-lunch when he's saying he's controlling land speculation. The only people that are being discriminated against are the farmers and the people who want to do business in this province.

No other business, there isn't another business in Manitoba that's having imposed upon them the kind of restrictions that are being imposed on the farm community, and other Manitobans who want to do business, and other Canadians. That has to be, again, spelled out very very carefully. We know why he's got problems with it because it started from Day One in the way in which he tried to present this bill to us. He didn't have the intestinal fortitude to introduce it in the Legislative Assembly; no, he tabled a scanty little press release after he was embarrassed into doing it, and then he went and had a full explanation to the press afterwards, after Question Period in the House, and told them some misleading statements, Mr. Chairman.
— (Interjection) —

MR. CHAIRMAN: Order please.

MR. J. DOWNEY: Mr. Chairman, I will withdraw that statement. He put some statements on the record that

weren't accurate to the media, used a Daryl Kraft study saying that over 20 percent of the land in Manitoba had been purchased, or owned, by absentees, which isn't accurate, Mr. Chairman. He maybe didn't say it, he says he didn't say it, but he left that kind of feeling with a lot of people. That was that kind of a problem, it had tremendous problems on the farm community. That's the impression that he left on the media and the people that they reported to, so he hasn't been as straightforward as he should have been and, as I said, the main reason has to be that he is swimming for his life with this bill.

If forced to withdraw, as he should, it would mean the end of his term as Minister of Agriculture, because how many times can you lose on a piece of legislation. I would say this would have been it, and his colleagues would have called for his resignation, as will the rest of the people of Manitoba if he passes it.

So I, with those comments, Mr. Chairman, will support my colleague's amendment, that this bill not be reported; that we have the ag reps in to question them to see if we can get some more information on the record. We do have time to do it because we are going to adjourn for some time, and I think we could put that time to meaningful purpose and get more information.

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNES: Thank you, Mr. Chairman. I would like to re-echo some of the comments made by my colleague. I would support the motion brought forward by the Member for Roblin-Russell because I would hope that if the government could see the wisdom, particularly in those members opposite. I can understand why the Minister, of course, is in a rush to push through this legislation, but I would hope that the members opposite, after having had the opportunity to listen to some of the briefs presented, and also to some of the actual discussion, the actual implications of what some of the sections mean to individuals, not only in our midst, but in their own midst. After having seen all this that they may bring pressure to bear on the Minister to change his mind.

Mr. Chairman, what I see here is an attack on the corporate instrument, the instrument of doing business. Even though the members opposite, and the government, believe that speculation is the goal to attack, in this particular legislation, they feel that they will attack anybody, and everybody who, of course, has used the corporate instrument virtually in 98 percent of the cases towards a reasonable way to set up their farm affairs, I think it's been proven today, and hopefully, if ever a point was made to those members opposite as to how discrimination is coming forward by this particular bill.

The Member for Turtle Mountain, in an emotional plea almost to the Minister, indicated how he was being precluded from setting up a base, a base for the next generation, so that they could continue farming, because of the fact that he and his brothers, in their wisdom sometime earlier, had used the corporate instrument. Whereas in my case I had chosen not to use that, and will have no restriction whatsoever placed upon me.

Now, to make the comparison even a little bit more significant, let's compare the Member for Turtle

Mountain to the Member for Inkster, for instance, who failing of having no restrictions placed upon him and who probably doesn't know the difference between a cob of corn and a spike of wheat can go out and buy all the land he wishes in his name, can rent it and do anything he sees fit with it. But my colleague, who has chosen some years previous to use the corporate instrument for which to own land and to manage and to operate that farm . . .

MR. CHAIRMAN: Order please.

MR. C. MANNES: . . . is being denied that very same opportunity. In his own name, he isn't, I agree. But in the name of putting his assets and that asset by way of the corporate instrument into a corporation, yes, he is being totally denied that.

So certainly one person is being discriminated against in comparison to another. Now I think the Minister has to tell us why he is prepared to allow that type of discrimination, even though his real goal is to attack the corporate instrument because that obviously has to be the goal. I don't think sincerely, deep down, that he wants to prevent the Member for Turtle Mountain and others like him from going out and building a base. I don't believe that he does. But in their zeal to attack this instrument of incorporation, they would gladly trade away the rights of an individual who's incorporated and large numbers of them, of farmers in Manitoba, futuristic ones with managerial skills who have decided to use that particular type of device to order their affairs. He would gladly trade away their system of management under the belief that he can, through this bill, attack those that are speculators. To me, that's totally an illogical act, and one that shows absolutely no understanding of the problem.

I won't dwell on the government's lack of analysis in this whole area to the degree, I feel, that they've accepted rough figures at best, of course, tied into a philosophy which they want to subscribe to. They have used that as justification and rationale for bringing forward a whole bill. Within that bill, they are prepared to trade away the rights - I can't say individuals, but you can indirectly say of individuals, who have decided to use the corporate instrument to order their affairs.

Therefore, I would hope that the members opposite would see some wisdom in supporting this motion so that they may have time themselves, if they don't believe our word, to hear from other sources within the department or whoever that this is bad legislation; that the same end probably could be achieved through maybe the system proposed and presented by the Manitoba Farm Bureau, one which - and I'll just use a second here - to our way of thinking has never been fully discussed and fully indicated to the Farm Bureau as to why their system cannot work.

I think it was incumbent upon this government at some time up to this point to be very clear and definitive to that particular group as to why the dual system, one of requiring residency and also - what's the proper word? - nationhood, why that system as they proposed it would not be acceptable and cannot be workable.

So I think, on those bases, I would hope that members opposite would see fit to support our motion, and therefore give themselves time to convince the Minister

that this is not a good bill in the interests of Manitoba agriculture.

MR. CHAIRMAN: Further discussion on the motion?

HON. B. URUSKI: Mr. Chairman, having heard some of the debate on this motion as to wanting to call in staff from the department to hear certain information, if ever there was a piece of legislation that was debated widely and taken out of this Legislature and discussed widely in rural Manitoba, this bill was.

Mr. Chairman, as a result of misinformation and attacks a year ago, not on the principles of the legislation, on a completely misinformed attack on the legislation, we did withdraw the bill to have it redrafted in a positive form. During that period of time, sir, we went around Manitoba, the Premier, my colleagues, myself, at all our tours - and I held several public meetings in various communities around this province. If ever there was a piece of legislation that was discussed by myself - you know, Mr. Chairman, I find it amazing that members of the opposition would sit here - you know, I guess there is an attitude problem with members of the Conservative Party, being that they represent a certain part of rural Manitoba or a great part of rural Manitoba, that they have the God-given right that they know what is good for rural Manitoba, that an NDP Government cannot and is incapable of bringing in legislation that might be somehow acceptable to the farming community and to the citizenry of Manitoba. That's really what is at issue here, and that's why they have actually ground themselves to a halt.

They first of all complained that this was the wrong time of year now to be passing this bill, because it's harvest. Mr. Chairman, this bill has been before the Legislature since last December. Where were they? Where were the members of the opposition? Mr. Chairman, they not only had one opportunity on this bill. They even moved a hoist, and they had a second opportunity. They stalled it. There was certainly ample opportunity to put this bill into committee, not in late August. They could have had it in June after seeding, or early July, in between seeding and harvest. We could have had all the hearings and representations they wanted, but no, Mr. Chairman.

They now want to carp and, I say, bitch - excuse the expression - that . . .

MR. CHAIRMAN: Order, order. I would ask the Minister to reconsider the use of words that might tend to antagonize or in some way . . .

HON. B. URUSKI: Mr. Chairman, I withdraw that statement gladly. I gladly withdraw that.

MR. CHAIRMAN: Order please, order please. This Minister has withdrawn. Please carry on.

HON. B. URUSKI: Mr. Chairman, I gladly withdraw that statement, but certainly they have been insulting, to say the least, by saying that there hasn't been ample opportunity to debate the bill.

They talk about having to justify this legislation on some statistical evidence that here is the problem. Mr.

Chairman, the former Minister's own submission to his Cabinet about Canadian corporations bears it out, and I'll just quote one sentence. He says, "The Agricultural Lands Protection Board is aware of these methods to circumvent the intent of the act, and have documented evidence that some land is foreign-controlled even though title is vested with Canadian corporations or individuals."

Mr. Chairman, if ever there was an indictment and a lack of . . .

MR. CHAIRMAN: Order.

MR. J. DOWNEY: Point of order.

MR. CHAIRMAN: Mr. Downey on a point of order.

MR. J. DOWNEY: Mr. Chairman, the Minister of Agriculture is putting material on the record that is not correct. I ask him if that document that he referred to is signed by me.

HON. B. URUSKI: Mr. Chairman, I . . .

MR. CHAIRMAN: Order please. The question asked by that member is not a point of order. If he wishes to interject with a question, he may. The only point of order he could raise on that question is a request that the Minister table the document, if he has not already done so . . .

HON. B. URUSKI: It's already done so.

MR. CHAIRMAN: . . . at which point the member could inspect the document. The member has another point of order? I would be happy to entertain it.

Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, will the Minister table that document here in this committee, that he just referred to?

MR. CHAIRMAN: I would have to ask the Minister if that document has already been tabled in the House or in committee?

HON. B. URUSKI: It has been tabled in the House.

MR. J. DOWNEY: And the question, Mr. Chairman, was that document signed by me?

MR. CHAIRMAN: Will the Minister yield to a question?

HON. B. URUSKI: Mr. Chairman, I will yield to a question, I will take that question, because I want to explain it.

The honourable member says, was the document that I am referring to signed? No, Mr. Chairman, it was not signed, but one has to relate that to the signed document . . .

MR. J. DOWNEY: Oh, no, you don't relate to anything.

HON. B. URUSKI: . . . where he talks about, improve the definitions and strengthen the amendments to The

Agricultural Lands Protection Act that was signed by Jim Downey. Mr. Chairman, non-agricultural corporations will require to submit annual disclosure statements to determine that they are foreign-controlled and must also inform the board within 90 days. Mr. Chairman, they talk about requiring a landed immigrant who must reside in Canada for at least 183 days.

Those are the kind of proposals they were putting in, signed by the Minister which, Mr. Chairman, no matter how the former Minister tries to get away from saying this document wasn't signed, when you read the two in tandem, one can reasonably not say that they are somehow completely different from one another, from the signed document to this one. One is an explanation of the proposed amendments and one detailed the kind of amendments that are going to be put in.

Mr. Chairman, the former Minister can filch all he wants. The fact of the matter is they knew that there were abuses, that there were individuals who were circumventing the act, and now to somehow come to this committee and to the government and say you don't have statistical evidence to provide information, that there is no need for the strengthening of this act.

Mr. Chairman, we have been accused, via this legislation, somehow of saying that we are now going to take over and control all the land in the Province of Manitoba. Mr. Chairman, that statement could not be further from the fact of the matter. This bill, Mr. Chairman, in fact gives greater freedom of opportunity to existing farmers, to Manitobans, and to people who want to enter agriculture. If ever there was a piece of legislation that created greater freedom for the agricultural community in Manitoba, this bill does.

Mr. Chairman, the members, I have to admit, that they are right. There is some discrimination in this bill; this bill does discriminate against people who do not want to farm. There is no doubt about it. We are, in fact, giving greater status to the farmers of Manitoba. We are, in fact, saying to the farmers, you are the heart of our province, you are the people who make up the fabric of this province and we are giving you special status. We are giving you greater rights than we give anyone else, Mr. Chairman, and that is basically the intent of the legislation.

Mr. Chairman, our land base is finite, all honourable members know; and basically the character of a nation is really built on how its farming community dwells and survives. If we are here to say we want our family farms to have the ability to survive and expand, this bill should readily be supported by honourable members opposite.

Instead, Mr. Chairman, who are they supporting? Now let's just understand who are they supporting? Who are they really saying we support? Mr. Chairman, they are prepared to support individuals, who are not farmers by their own admission, and say we want to give them that right, not as individuals, because as individuals all Manitobans have the same right. But they want to say we want to give the corporate sector, whether it be by individuals who are not farmers, some added benefits, Mr. Chairman. This act does not prevent that. This act does not prevent individuals who are not farmers from setting up corporations, but it does limit their rights. It does limit their rights in — (Interjection) — well, Mr. Chairman, there is no doubt it does.

But, Mr. Chairman, even your administration, the Conservative administration recognized that it was

Canadian corporations and other Canadians who were circumventing their act, and who in fact placed great pressures in certain areas of the province where they came in and were able to, not of their interest in farming, but their interest into investing into land in the long term, knowing that in the long term land values will rise. What is more sure in the long term than the ability of the land to return that investment income? On the short term, it hasn't proven out, but in the long-term, history has shown that land prices will continue to rise. They were there not in the interests of agriculture; they were there in the interests of investment. They were there to invest into farm land, not that there would be someone farming it, but that they were there, prepared to hedge their money against inflation that land values would go up. Mr. Chairman, in the long term that will occur, but if we are really serious about allowing Manitoba farm families - families who intend to farm and toil on this land - we have to say to them, we want to provide a vehicle. Not a vehicle that they will have to then compete against someone else's wallet, Mr. Chairman, by the venue of other Canadian non-farming corporations and the like.

So, Mr. Chairman, this bill does bring freedom for Manitoba farmers. Mr. Chairman, this is not an attack on the corporate instrument. — (Interjection) — No, Mr. Chairman, this bill is not. What it is, Mr. Chairman, is giving Manitoba farmers the greater rights than other citizens in terms of how to manage their affairs, not anyone else, but Manitoba farmers. It does give Manitoba farmers the complete freedom as to how they wish to have their affairs regulated. So, Mr. Chairman, the members of the opposition can speak about having people come before the committee and continue the delay, but I believe, Sir, that this bill should go on, be passed, and the work begun in putting the regulations into place, so that Manitoba farmers can rest assured of long-term protection of their land base.

MR. CHAIRMAN: Mr. Manness.

MR. C. MANNES: Mr. Chairman, I'm not going to take much time of the committee to rebut all that the Minister said, but I want to point out one thing to him - when he talks about the right of any individual to own farm land and I don't deny that.

But I'd like to point out, just for two minutes, the facts of life associated with an individual, farmer or non-farmer, owning farm land. Today if an individual goes out and purchases a half a section of land at \$1,000 an acre, the fact is that person has to pay in capital a third of a million dollars, \$300,000.00. To run that through a personal tax form over a period of 20 years, if you so chose to pay it - if you so chose to pay that debt off in 20 years - you are asking of that individual to pay \$15,000 a year after tax dollars. Depending on the person's livelihood and his standard of living and the number of dollars he needs to live, that individual is forced up into a major income tax bracket, such that to earn that \$15,000 after tax dollars, I would say upwards of some \$30,000 has to go through that tax . . . That's why people use the corporate instrument, because there is a tax advantage for doing so, because today it is almost inconceivable that a person could go out and purchase in his name, an

individual, any individual, a section of land. It cannot be done under the income tax laws of this nation. That's why the corporate instrument is used, and that's why it's used by those who are moving into farming and building a base, not only for themselves, but for the generation to come. I don't care how wealthy the individual is or whether he has wealth or not, you cannot float that much money through a personal tax form in which to pay for that land over a period of 20 years.

That's what the Minister and this government loses sight of when they talk about these rights. The rights are there, I agree, but the practical aspect of putting that much money through a tax form, an individual tax form cannot work. There is no way it can work. It can't be done.

MR. CHAIRMAN: Order.

MR. C. MANNES: Mr. Chairman, the Minister asks how many are incorporated? Well, I don't know what percent are, but I do know, Mr. Chairman, that we are going in the next 15 years through a major swing of land through the next generation, many many people. Every farm is going to be faced with every new person coming in - and I say, new person coming in - every son who has farmed with his dad for 15 or 20 years is going to be faced with that decision and how to take over that land base, and the decision whether to incorporate or not, because I say that to put through all that, paying one's parent off at the going price of land and to putting it through a personal tax form, it cannot be done under today's tax laws.

That's why the instrument of incorporation is set up and that's why it'll be used more and more as the next generation begins to take over that block of land from the parents who are now in that age where they may wish to move it to the next generation.

So, I think it's a very real problem; I think in many cases that the instrument of incorporation will be used and more and more people, by way of wanting to maintain an ownership in farm land, but maybe not farming, but yet, like the Kroekers indicated, who want to maintain an interest in that farm land. We'll be crossing this barrier, and so I don't see at all where Bill 3 is conducive to the orderly transfer of all those individuals - individuals, who in their own name, want to maintain ownership in farm land.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, I want to make the record clear that the Minister of Agriculture is using documentation that he tries to tie one to the other, that the document that hasn't been signed by anyone because it was presented to the Minister's office with the name typed in on it, but never signed is pretty unsound kind of backup to use in any kind of debate.

Mr. Chairman, I think, as well, that we were dealing with the situation responsibly. The Manitoba Farm Bureau made good recommendations on how the present act could have been changed to control the foreign speculation, and I don't want to prolong the debate, but I want to make sure that the record is clear on that, and that we were in fact trying to deal with foreign ownership of land. The Farm Bureau have come

in with some positive recommendations on how that could be done, but there is a difference, the present government don't really care about controlling speculation or control about foreign ownership of land. They want to control who owns land and they're using the word "speculation" as substantive reason to do it.

You know, you have to be able to justify moving this kind of legislation through this Assembly, which again goes back and the word "individual" has again been used. I want to go broader than Manitoba. The individuals living in Saskatchewan, Alberta, British Columbia, Ontario and all other provinces are being discriminated against. They don't have the same equal rights as individuals in Manitoba. They can't buy land in Manitoba as individuals and they should be allowed to. That point has to be made again and again and again.

We live in Canada. We have a constitution that protects our rights and all I can do, again, is go back and say, Mr. Chairman, when we have the New Democratic Party turfed out of office, after the next election, this act will be repealed.

HON. B. URUSKI: Mr. Chairman, just briefly, I regret that I did not deal with the Farm Bureau initially, about the Farm Bureau proposals that were mentioned by the Member for Arthur and the Member for Morris. First of all, in the Member for Morris's comments, he does acknowledge that very few individuals in this country - indeed he gave the example of how many people can actually afford to buy farm land - so that very few, whether it be Manitobans or other Canadians, whose rights are being deprived by virtue of this legislation, because very few can in fact be able to purchase farm land — (Interjection) — even farmers, that is true.

This act does not disallow farm families from ordering their affairs through the corporate needs. Mr. Chairman, the member points to where the Member for Turtle Mountain sat, what he objects to is that he may have to go to the board and say, "Can my corporation be classified as a family farm corporation?" That's what the Honourable Member for Turtle Mountain objected to, not that somehow that he cannot qualify or whatever, but certainly he gave his example and the way I interpreted his example, I have to use my best judgment in terms of interpretation on the spur of his question to say, I could not see his operation being a family farm corporation. That's not to say his corporation cannot be expanded by going to the board, or that the board could not rule on whether or not in fact, as he described it or as they describe it to the board, it may not qualify as a farm corporation proposal, but that is what the Member for Turtle Mountain objects to.

With respect to the Farm Bureau, it's really interesting, Mr. Chairman, that members opposite now say, "Why didn't we take the Farm Bureau proposal?"

MR. C. MANNES: Why don't you address it?

HON. B. URUSKI: Mr. Chairman, I will address it. Let's understand what the Farm Bureau proposal is. The Farm Bureau proposal is to allow Canadian corporations to purchase farm land, any Canadian and any Canadian corporation, basically along the lines of the present

legislation. Although they were the first in 1980 to come to the former administration and say, hey, what the heck are you doing, tighten up your loopholes, because there's umpteen loopholes in the present legislation, place controls and place limits on Canadian corporations. They advocated the placing of limits on Canadian corporations to your administration.

They have now turned right around on that issue and said, look — (Interjection) — Well, Mr. Chairman, I am not sure that it was evolutionary. I think it was a matter of circumstance in terms of who is in the driver's seat in terms of evolution. The evolution changes very quickly when there is a change in the driver's seat, Mr. Chairman. Their proposal was completely different in terms of how they perceived the problem, and we did. We were completely at opposite ends, but we did indicate to them we wanted to see whether or not their proposal made sense and whether or not we could see ourselves in adopting some of their measures.

Mr. Chairman, we looked at it, and we did even address some of the legal questions, both here within the province and outside the province. We had some difficulty with it, but notwithstanding, even had we accepted their principles which we did not - I did not - we did not see fit of going along with their proposals in that area.

MR. CHAIRMAN: Further debate on the amendment as moved by Mr. McKenzie? Are you ready for the question? The question on the amendment as moved. Do you wish the amendment read? — (Interjection)—

Question on the amendment. All those in favour, please say aye. All those opposed, please say nay. In my opinion, the nays have it. — (Interjection) —
Count?

A COUNTED VOTE was taken, the results being as follows:

MR. ASSISTANT CLERK, G. Mackintosh: Yeas, 4; Nays, 5.

MR. CHAIRMAN: I declare the amendment lost. Closeness doesn't count. — (Interjection) — Just in the back seat and in hand grenades.

The main motion that the bill be now reported - Mr. Enns.

MR. H. ENNS: Mr. Chairman, I'm not going to add to the very good remarks that have been made throughout the discussion of this bill, but what's about to happen in the passage of a bad bill, just by the Minister's remarks this afternoon, he's going to make a bad situation worse.

In response to the former Minister of Agriculture, the Member for Arthur's questions about the development of regulations, the Minister indicated to us in committee that there may be some time before the bill becomes proclaimed.

Mr. Chairman, again the Minister and this government show a lack of awareness of what's happening in the real world. Does he not realize that we are getting calls, admittedly not many, but there are people that are phoning our offices, I'm sure phoning the offices of the board to find out how to conduct their affairs and how

to conduct and how to conclude farm real estate deals and still be within the law?

It will become public knowledge that The Farm Land Ownership Act, Bill 3, has passed the Legislature, but that doesn't really tell the real estate agents, the individual farm families who are planning changes in their farm holdings, retirement plans of individual farmers who are about to or wish to conclude business arrangements calling for the transfer of land. They don't know from day to day when the axe will fall, when they are complying with a law that has passed the Legislature, and when it will in fact become the Minister's prerogative to pass the necessary Orders-in-Councils and make it final law, Mr. Chairman.

The other day in another committee, Industrial Relations, on another bill having to do with consumer protection, the Minister of consumer protections, Gentle John, was prevailed upon to reconsider the imposition of a bill, of a clause that created a great deal of concern among the business communities, particularly the small, independent businessmen about the necessity of limiting deposits to 5 percent of the price of the item being purchased.

Mr. Chairman, I argued at that committee that what the Minister of Consumer Affairs called ministerial latitude that, if the Minister was having second thoughts about that particular clause, then we should not be passing that kind of legislation. Because while I expect the Minister to take counsel and to meet with the business community involved and to perhaps work out an acceptable arrangement, as he's reported to be doing with the travel industry in this instance, nonetheless that bill was passed with that clause in place. Those persons who are concerned about the possible effects of that clause do not know from day to day when an Order-in-Council will be passed, or when that particular clause will be proclaimed. We just have the word of the Minister that he's prepared to take matters under consideration.

I suggest to the present Minister of Agriculture that he will, once we get out of the pressure cooker of this Session, take heed of some of the representation made. I don't believe that he is that totally unmoved by representations as he has heard during the course of the committee's hearings on this bill. I concur with the Honourable Member for Morris that I don't think that he particularly wants to see a colleague of his in this Legislature whose farm credentials really ought not to be questioned by anybody, least of all a board, that this act will empower to question.

I don't think those are the Minister's intentions but, Mr. Chairman, by suggesting to this committee now that we pass this bill and then we don't know when the Minister or the government will choose to proclaim the bill, what do I tell that farm constituent of mine or that farm real estate agent of mine who is in the process of concluding a deal? Yes, Mr. Chairman, these are not thousands. These are few in numbers, but to that person involved, it involves his lifetime earnings. He is talking about a retirement pension plan for himself. He is trying to conclude his family business, his individual business in a manner and way in which he ought to be able to do.

Mr. Chairman, with the legislation having been passed but not proclaimed, what is going to happen is no responsible lawyer is going to conclude an arrangement.

No responsible real estate agent is going to encourage a deal to be concluded with this kind of legislation pending. We are talking, in individual cases, of many hundreds of thousands of dollars.

So, Mr. Chairman, the Minister has not in any way made the passage of a bad bill easier by suggesting this afternoon that, if the bill as it likely will now, passes, at least through this committee, he is then going to go back to his office and ponder over when he will proclaim it and leaving in limbo the plans, the aspirations, retirement pension plans of those farmers who are in the process of making major changes with respect to their land holdings.

I suggest, Mr. Chairman, that in doing so, the Minister is carrying on with the batting average that this government is setting for itself in making a bad situation worse.

MR. CHAIRMAN: Bill be reported - Mr. Lyon.

HON. S. LYON: Mr. Chairman, I understand we're at the report stage of the bill, and I am sure that my colleagues, perhaps joined silently by some of the members of the government, are asking the Minister, if I may say so, in the name of common sense, in the name of the best interests of the farm people of Manitoba, not to proceed with this piece of badly-drawn legislation.

In making that statement, I am not calling into question in any way the talents of the legal draftsmen. I am calling into question the talents of the Minister and of his, I think, dwindling number of colleagues who can see now, I think, more clearly than before see the great harm that can be wrought on an awful lot of innocent people in the farm community because of the zealotry of the Minister and some few of his colleagues who want to implement a piece of bad social engineering in Manitoba.

One of the other causes, of course, for the legislation is the zealotry of - sometimes it is apparent, it has been in my time in the Civil Service. The zealotry of some staff people to, in effect, say to hell with the people, let's make the job easier for us. If we trample on a few rights of the individuals, well, that makes life easier for us, so let's go ahead and do it.

One of the jobs that I learned, one of the great pieces of wisdom that I learned early on in political life, is that one of the jobs of the politician is to tell the Civil Service what the public won't stand for. In some cases the elected politicians on all sides of the House have to stand between the public, who are the masters of us all, and the bureaucracy, who are hired by government to carry on the important functions that government requires to be done and who are not responsible in a direct way as each of us is to the public to go out and have to listen to the public, hear what they say, and pay some attention to what they say. Because if any of us around this table doesn't pay attention to what the public says, then either individually or collectively as a government we're going to be out of office the next time.

Now, the Civil Service don't face that kind of a four-year renewal, and they can sometimes become a little bit more distant from the realities of life, and that is what gives birth to that kind of a statement, that the

job of the politician is to tell the Civil Service what the public won't stand for.

Now, I'm making a presumption here, Mr. Chairman. One of the presumptions is - because this has come to us from various sources - that some of the staff people working in this particular field have found that there are loopholes in the legislation. As a lawyer, I know that there are going to be loopholes in any piece of legislation. Some laymen don't understand that, but as a lawyer I tell you, there's going to be a loophole of one sort or another, small or large, in whatever legislation you draw. Because if you draw a legislation without a loophole, then all of a sudden you've got on your hands a piece of legislation that is tyrannical.

It's in the nature of human beings to make mistakes. It's in the nature of governments to make mistakes. It's in the nature of politicians and bureaucrats to make mistakes. Mistakes show up sometimes as loopholes; sometimes you can correct them, sometimes you can't.

Sometimes, as I've been saying in this legislation, it's better to have the odd loophole in it even though you can identify that loophole, because to correct the loophole would make the legislation tyrannical, would make it dictatorial, would make it offensive to the fundamental rights of individuals in this province to hold and to own property and to deal with that property according to the free heritage that we have as Manitobans and as Canadians. So these are some of the basic considerations that some of us have been talking about in the course of this legislative debate over the last several weeks, and some of the things that I think have to be touched upon at this report stage and I think will be touched upon again if the government is unwise enough to bring this bill forward for third reading. I think that they will be touched upon again when the bill is in the House for third reading and probably at some length, because this is bad legislation.

I think out of an abundance of zeal on the part of staff which melds into an abundance of hang-ups and shibboleths that the left traditionally have with respect to private ownership, freedom of choice and things of that nature without getting too philisophical, I think that there's been an unfortunate melding of the two pieces of zealotry and as a result you end up with bad law.

I have heard bureaucrats - having been one, I don't use that term in a disparaging way, I was a bureaucrat for part of my life and as a bureaucrat I've said things that try to make life more comfortable for the bureaucrat just as I'm sure all bureaucrats of all generations have done down through the ages. But here we've got a situation where I'm sure the bureaucracy is pointing out to the government, as they did to the previous Minister, there are loopholes in this legislation that can be taken advantage of. That is when the Minister has to apply his, I won't say superior judgment, but he has to apply his judgment based upon his knowledge of people and his knowledge of the responsibilities of government to say but, look, is it worth plugging all of these loopholes if - to use the example that we heard from my colleague for Turtle Mountain - it means that in effect I'm going to put a hold on a family farm corporation which has been legitimately, and may I say in terms of their contribution to the southwest portion of Manitoba and indeed to our province, in a very noble way a farm family down through two or three

generations which has been making a real contribution not only to agriculture but to their community, is it right that these people should be put into the category of being second-class citizens merely to plug a loophole or merely to work some kind of legislative prohibition against speculation?

I say to my friend, the Minister, Mr. Chairman, and I've known him for some time, and I know him as a friend, that I don't believe that he supports some of the draconian measures that are found in this legislation. I don't think in his heart of hearts he does support it. He knows, as I do, of family histories in the Interlake region with which he's very familiar in his own constituency and so on of people who came to this country with nothing, two generations, three generations, some four generations ago. By the sweat of their brow and by deprivation, the likes of which people in this generation really have to read and not understand, they've built for themselves in tough land - because it wasn't the Portage loam that they were working with up in his constituency - good farmsteads. They practise good agricultural and husbandry methods there. Are we to turn to these second, third, fourth generation people who came to this country and say, well, now even though under the free landholding system we've had in this province since 1870 - I think it's something like 95 percent of all of the farms in Manitoba are owned and operated by resident Manitobans - that we are going to put in a piece of pernicious legislation which is going to work to the disadvantage of these young farmers today merely because we've got some funny idea that we think we can stamp out some kind of speculation, that we can stamp out foreign ownership, that we think we can enhance the family farm ownership situation in Manitoba?

I really don't think that the Minister wants to punish those people. I don't think that he wants to punish the Ransom family farm corporation, I don't think that's in his make-up at all. I don't think members on the government side of the House want to do that. I think it's coming as a bit of a revelation to them that will be one of the effects of this legislation. I don't think that's good. I think that's worth taking a second look at, particularly because we do not have a statistical base upon which to justify any of the draconian measures that are contained in this legislation which bear upon foreign ownership.

Now, the Minister, Mr. Chairman, is quite entitled to say that the figures that we presented to the House, drawn albeit from the municipalities, from a letter we sent out to them, that these are not complete. I admitted, when I presented these statistics, that they weren't complete; that some 90-odd of I think it's 117 - the figure is subject to correction, I don't have the figure in front of me - have produced figures showing in their estimation what the percentage of foreign ownership is in their municipalities.

The Minister said across the House to me the other day, well, some of those Canadian companies are probably acting as dummy companies for foreign non-resident landowners. Well, if they are, let's smoke them out and find out who they are, because if they are then even under the existing legislation with the milder prohibitions that were contained in it, somewhere along the line somebody had to sign a false affidavit or give a false declaration, because the land has to be held

- as I recall that legislation - by people who are Canadians, not by people who are off shore. Now if that's the case let's come at it, but let's get at it in a way that is reasonable and doesn't punish dozens of others, if not hundreds of other innocent farmers who are making a contribution not only to our province, but to the whole agricultural industry in this province.

I asked the question this morning and I haven't had an answer. Why is it that we are attempting by this legislation to create second-class citizens out of our fellow citizens? Why is the Ransom family being put into that category, and they're only one. The only reason I use them is because the member in question in attempting to bring home to the Minister the vagaries and the tyrannical parts of this legislation has chosen of his own volition to use his family farm corporation as an example, and I commend him for doing it, because there's nothing like a homely example that we can all understand. I don't think that Father Malinowski, I don't think that Harry Harapiak, I don't think that Pete Adam, I don't think that John Bucklaschuk, I don't think that Bill Uruski has anything against the Ransom family farm corporation at all. I think that privately they would say that is a damn good family farm operation; it should be encouraged, not discouraged from buying land in Manitoba.

Yet, that is the effect of the legislation. Why are we doing it? We're doing it because there is a feeling abroad that the present legislation, the foreign ownership legislation has loopholes in it, and people are getting around those loopholes. Well, let's get at the loopholes then, but let's not, in casting such a wide net pull in a whole mess of innocent people in Manitoba from one length of this province to the other who are going to find, mark my word, within a month or two or three of when this legislation is proclaimed, they're going to be coming to the Minister's office, they're going to be coming to the administrator's office and to the board, and they're going to be raising one form of particular hell or another. The Minister's colleagues along this side of the table, and in the House, and aided and abetted by the opposition, I can assure you, are going to be saying hey, we told you this was going to be the result of what you did, why did you do it?

So here we are. We're at a particularly pregnant stage of a bill. This is the report stage coming out of committee. We know that the vast majority of land in Manitoba, well over 95 percent of the land, is owned and operated by Manitobans. The municipalities tell us that, they know.

We know that we've got a problem of foreign ownership that's in the area of about 2-3 percent, something in that area. Even if it's 4 percent, if it's 5 percent, are we going to cast a pall over the other 100 percent of the operators in Manitoba because of our vindictiveness to get at 5 percent by throwing too wide a legislative net? I don't think we should be doing that.

I was taught as a young student in law that hard cases make bad law. We've got a few hard cases here that the bureaucracy haven't been able to deal with, with the legislative tools that we've given them, and they're coming back and they're saying, well make some hard law, make some bad law. I think it's our job at this stage to say to them, the job of the politician is to tell the bureaucrat what the public won't stand for, and believe me, Mr. Chairman, the public won't stand for this legislation.

If we know that before we pass the legislation, if we know that before we proclaim the legislation, haven't we got a greater responsibility - politics aside, parties aside - to save those people who have put us here as their trustees to run their affairs? Haven't we got a responsibility to them to say this is not what we thought it was at the beginning?

I've been in governments more than I've been in opposition. I know it's hard for governments ever to admit they're wrong. I don't recall too many governments ever doing that, but I do recall this, that when they have said yes, we were wrong and pulled things back, usually they gain more respect from the public than perhaps they ever thought would be the case. If ever there was a clear-cut case for a government to do the honourable thing and to look at this legislation, to listen to the briefs that have been made - I haven't been here to listen to all of them, but I know the substance of some of the briefs that have been given.

If ever there was a case for a government to take a second look, here it is in this Bill No. 3. I think it would be not only the honourable thing for all members of this committee and all members of the House, I think it's something that would stand - if I may be allowed to give political advice - this government in good stead. God knows - I'll be partisan for a minute and often non-partisan - this government needs all the help it can get from the public right now. Any small sign that you could give that you have some compassion, some understanding, some feeling for the real needs of the farm community could be manifested by withdrawing this legislation as was done last year, going back to the drawing board, and saying now we can do a better job with this.

So, basically, that is my submission at this stage of the bill. If the bill proceeds, it won't be the last submission that I make on this matter. I make the submission to honourable members of the government who sit in the same position in this legislation as the rest of us, as trustees of the people, carry out your trusteeship function in the public interest. I humbly suggest that by doing that in this bill it would mean that you would withdraw the bill, you would save the public of Manitoba a great amount of intrusion and interference in their own private affairs, which will not result in any appreciable good to them in any event, and at the same time, you might even be doing yourselves a favour in a narrow partisan way.

That's my statement to the committee at this stage. I hope that serious consideration will be given to it.

MR. CHAIRMAN: Any further discussion? The motion is that the bill be reported. All those in favour please say aye, all those opposed please say nay. In my opinion the ayes have it.

MR. J. DOWNEY: Count the vote.

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

MR. ASSISTANT CLERK: Yeas, 5; Nays, 4.

MR. CHAIRMAN: The bill will be reported.

BILL NO. 23 - THE REAL PROPERTY ACT (2)

MR. CHAIRMAN: The next bill on the list before the committee I believe is Bill No. 23. I understand there are amendments to Bill No. 23 and they've been distributed to members? — (Interjection) — They haven't been at this point? They were distributed in the House, but there are additional copies here.

Mr. Harapiak, would you read the amendments? I'll call on you then with regard to Section 1 of Bill 23.

MR. H. HARAPIAK: Mr. Chairman, I move:

THAT the proposed new Subsection 82(3) to The Real Property Act, as set out in Section 1 of Bill 23, be amended

- (a) by adding thereto, immediately after the word "land" in the 1st line thereof the words "mortgage, encumbrance," and
- (b) by striking out the brackets and words, "(other than a loan by a Chartered Bank or Credit Union)" in the 3rd and 4th line thereof.

MR. CHAIRMAN: You've heard the amendment. Is there any explanation or discussion?

Mr. Minister.

HON. B. URUSKI: Mr. Chairman, the first amendment deals with encumbrances and mortgages as farm instruments. Members should be aware that banks, credit unions and caisses populaires will be exempt from the requirement to prepare statutory declarations in respect to mortgages, encumbrances or caveats claiming an interest in land pursuant to a loan.

MR. CHAIRMAN: Is there any discussion?

Mr. Lyon.

HON. S. LYON: What is the effect of this in respect to foreclosures?

HON. B. URUSKI: There should be no effect on foreclosures whatsoever.

MR. CHAIRMAN: Any further discussion?

The amendment, as moved—pass?

A MEMBER: On division.

MR. CHAIRMAN: On division.

Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 82(3)(a) to The Real Property as set out in Section 1 of Bill 23 be amended by striking out the words "and in the case of a permanent resident the date of his birth, the place of issuance and the number of his visa, the date and place of his landing in Canada," in the 5th, 6th, 7th and 8th lines thereof.

HON. B. URUSKI: Mr. Chairman, basically certain information that was originally drafted in the bill is really, in our minds, when I had a look at it, not required and will be deleted.

MR. CHAIRMAN: Gentlemen, that amendment is in that Section of 82(3) on the next page. Can we pass Page 1 first?

A MEMBER: On division.

MR. CHAIRMAN: On division.

Page 2, Section 1, 82(3)(a), we have that amendment as moved by Mr. Harapiak. Is there any further discussion?

Mr. Lyon.

HON. S. LYON: Has this amendment been run by the Law Society or run by the Mortgage Grantors Association or by the credit unions to get any indication from them as to how this is going to complicate and increase the cost of their business, to say nothing of holding up registrations of documents in the Land Titles?

HON. B. URUSKI: Mr. Chairman, the Honourable Leader of the Opposition should be aware that there will be no requirement on the banks, caisses populaires, credit unions from filing statutory declarations under this act. They will be exempt.

HON. S. LYON: It says here, "lease or loan other than a loan by a chartered bank or credit union." As I read the amendment, I thought they were striking out that exemption.

HON. B. URUSKI: No. Mr. Chairman, as I am aware, it doesn't strike out the exemption.

HON. S. LYON: It says, a loan other than . . . Okay.

MR. CHAIRMAN: The amendment moved by Mr. Harapiak—pass. Page 2, is there any further discussion then on Page 2 or further amendments on Page 2?

HON. B. URUSKI: 82(3)(b).

MR. CHAIRMAN: 82(3)(b) - Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 82(3)(b) to The Real Property Act as set out in Section 1 of Bill 23 be amended by adding thereto immediately before the word "the" in the first line thereof the words "in the case of a non-resident or a corporation other than a family farm corporation,".

MR. CHAIRMAN: You've heard the amendment. Any explanation?

Mr. Minister.

HON. B. URUSKI: Mr. Chairman, the essence of the amendment will be that it will only be required to disclose their aggregate land holdings within Manitoba, by non-residents and non-farm corporations will be the only ones that will be required to file notices of disclosure.

MR. CHAIRMAN: Any further discussion? The amendment, as moved—pass - Mr. Manness.

MR. C. MANNES: I want the Minister to repeat that, when he says the only individual, a person, that would have to disclose all of the information to follow.

HON. B. URUSKI: This amendment will be moved to require only non-residents of Manitoba or non-farm corporations to disclose their aggregate land holdings within our province.

MR. CHAIRMAN: The amendment, as moved?
Mr. Downey.

MR. J. DOWNEY: Otherwise any Manitoban or family farm corporation would have had to disclose all their land holdings. Is that correct?

HON. B. URUSKI: That is correct, as is now the case.

MR. CHAIRMAN: Any further discussion? The amendment, as moved—pass;
Any further amendments? Yes, 82(3)(c).
Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 82(3)(c) to The Real Property Act as set out in Section 1 of Bill 23 be struck out and the following clause be substituted therefor: (c) in the case of a non-resident or a corporation other than a family farm corporation, whether the interest is being claimed

- (i) by right of survivorship, devise or intestacy arising on the death of a resident, a retired farmer, or the spouse of a retired farmer,
- (ii) pursuant to a court order,
- (iii) by that person as an executor, administrator or as a trustee in bankruptcy,
- (iv) pursuant to a conveyance by a retired farmer, the spouse of a retired farmer, a person or the spouse of a person who has been a farmer for at least 10 years, by the spouse, child, grandchild, brother, sister, nephew or niece of the person conveying the interest, or
- (v) in accordance with the provisions of subsection 3(2) of The Farm Lands Ownership Act.

MR. CHAIRMAN: You've heard the amendment. Is there any explanation?
Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, this amendment deals with relating to the nature of interests in farm land and to the circumstances in which interests are claimed. These amendments require that only non-residents of Manitoba and non-farm corporations provide the information outlined.

MR. CHAIRMAN: Is there any discussion? The amendment, as moved—pass.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 83(d) and (e) . . .

MR. CHAIRMAN: That's the next page. Page 2—pass?

A MEMBER: On division.

MR. CHAIRMAN: On division.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 82(3)(d) and (e) to The Real Property Act be struck out and the following clauses be substituted therefor:

(d) in the case of a non-resident or corporation, other than a family farm corporation, the name and mailing address of the person, if any, granting the interest in farm land;

(e) in the case of a non-resident or a corporation, other than a family farm corporation, whether the interest is a bona fide debt obligation together with particulars thereof, or attaching a copy thereof.

MR. CHAIRMAN: You've heard the amendment.

Mr. Minister.

HON. B. URUSKI: Information on the relation of the person granting an interest in farm land to the person claiming an interest is being deleted.

MR. CHAIRMAN: Any discussion? The amendment, as moved—pass.

MR. H. HARAPIAK: The next amendment:

THAT the proposed new Clause 82(3)(f) to The Real Property Act as set out in Section 1 of Bill 23 be amended by striking out the words "the approximate amount of the cultivated acreage" in the 2nd and 3rd lines thereof.

MR. CHAIRMAN: You've heard the amendment - Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, that's deleting the information dealing with the amount of acreage involved, cultivated acreage.

MR. CHAIRMAN: Any discussion? The amendment, as moved—pass. That concludes Page 2, Page 2—pass, on division.

82(3)(g) - Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 82(3)(g) to The Real Property Act as set up in Section 1 thereof be amended by striking out sub-clauses (iii) and (iv) thereof and substituting therefor the following sub-clause:

(iii) the names and mailing addresses of and class and number of shares held by each of the shareholders thereof, and whether or not each such shareholder is a farmer, the resident spouse of a farmer or the resident child of a farmer.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, the information on the amount of the land held by shareholders in a family farm corporation is also being deleted.

MR. CHAIRMAN: Mr. Lyon.

HON. S. LYON: I wonder if Legislative Counsel has had a look at this section with respect to any possible conflict with The Human Rights Act. We are constantly

being told that you can't ask who is married to whom nowadays. How does this act come under any exemption from The Human Rights Act? Isn't it offensive under this new human rights era that we're in to ask these kinds of questions?

MR. CHAIRMAN: Mr. Silver. Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, I'm not sure that that kind of a question in terms of - Mr. Lyon could certainly get his own legal interpretation - whether or not it may be or may not be offensive, but certainly legislation

A MEMBER: It's your bill.

HON. B. URUSKI: Well, Mr. Chairman . . .

HON. S. LYON: We're writing legislation here. We know it's bad; we're surely entitled to find out just how bad it is. If it offends one of the shibboleths of the left, we better find that out too.

My God, you're liable to have the Minister of Labour down your back. You can never tell what can happen.

HON. B. URUSKI: Mr. Chairman, this matter would have been raised and has been gone through by legal counsel. If there's a problem, no doubt, if it hasn't been raised at this point, it will be raised in the future, but we don't foresee any problem.

HON. S. LYON: May I suggest, Mr. Chairman, to the Minister that the future should be at third reading. It's a serious question, and we better find out, because of some of the disclosure provisions that are relied upon almost daily by some of the colleagues of the Minister - we better find out whether these sections in here are offensive to The Human Rights Act. I don't know, I'm asking the question.

I think we should have an answer to that. If not now, we should have an answer before we give it third reading, because the point has been made, of course, that we are writing the law. Well, if we're writing the law, then we bloody well better find out that we're writing a law that isn't offensive to some other section of another statute, whether or not that section of the other statute makes sense or not is immaterial under an NDP Government, but let's find out about it anyway.

HON. B. URUSKI: Mr. Chairman, I'm not aware that it is, but I will double check that matter.

MR. CHAIRMAN: The amendment, as moved—pass.

MR. H. HARAPIAK: Mr. Chairman, I move:

THAT proposed new Clause 82(4)(c) to The Real Property Act as set out in Section 1 of Bill 23 be struck out and the following clause be - am I on the right one?

MR. CHAIRMAN: (h).

MR. H. HARAPIAK: Okay, I'll back up one.

THAT the proposed new Clause 82(3)(h) to The Real Property Act as set out in Section 1 of Bill 23 be amended by striking out the words "farm land" in the

3rd line thereof and substituting therefor the words "the farm land in respect of which the farm instrument is."

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: It's a technical amendment in terms of definition of the instrument dealing with farm land rather than just the words "farm land." It is in respect to the documentation that is being filed.

MR. CHAIRMAN: Any further discussion? The amendment, as moved to subsection (h)—pass. The balance of Page 3—pass, on division.

Page 4, there's an amendment to 82(4)(c) - Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause of 82(4)(c) to The Real Property Act as set out in Section 1 of Bill 23 be struck out and the following clause be substituted therefor:

(c) the declaration states that the interest referred to in the farm instrument

- (i) is taken by the way of right of survivorship, devise or intestacy arising on the death of a resident, a retired farmer or the spouse of a retired farmer,
- (ii) is taken pursuant to a court order,
- (iii) is a bona fide debt obligation or an interest in land by virtue of a bona fide debt obligation,
- (iv) is being taken by the person as an executor, administrator or as a trustee in bankruptcy,
- (v) is taken in connection with the enforcement of a mortgage or other encumbrance,
- (vi) is being taken pursuant to a conveyance by a retired farmer, the spouse of a retired farmer, a person or the spouse of a person who has been a farmer for at least 10 years by a spouse, child, grandchild, brother, sister, nephew or niece of the person conveying the interest, or
- (vii) is taken in accordance with the provisions of subsection 3(2) of The Farm Lands Ownership Act.

MR. CHAIRMAN: You've heard the motion, any explanation? Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, this amendment and the next one will authorize the District Registrar to refuse registration of a farm instrument if it discloses claims of an interesting farm land other than those permitted by The Farm Lands Act.

MR. CHAIRMAN: Any discussion? Mr. Lyon.

HON. S. LYON: I'd just raise the question again on the human rights matter and pose this question, which the Minister I'm sure will appreciate. If the Human Rights Commission deems it offensive that when the wife of a former NDP Cabinet Minister is hired into a high-paying Civil Service job, \$50,000 to \$60,000 a year after an alleged competition took place; if the Minister

and the Human Rights Commission in sort of a senseless little educative paragraph that they write about such silly matters, if they deem that to be offensive to even ask the question, how is the Legislature then enabled to pass a section which deals with degrees of consanguinity that go away beyond spouse, cousins, as my colleagues said - half-wit stepbrothers, and so on? How do the two hold together?

Why is it against modish practice to ask whether A is the wife of B, and that information refused in a Legislative Committee, under the guise or under the umbrella of The Human Rights Act, and then on the other hand for the Legislature to turn around in a piece of legislation and ask about whether somebody is a cousin, a niece, a nephew, a half-wit stepbrother, grandchild or whatever? How do the two stack up?

How can a Minister of this government on the one hand say, you can't ask questions about whose the husband of whom; and on the other hand turn around and demand that every farmer in Manitoba who deals in land has to deal with this consanguinity table, which is ridiculous? How do the two square? I'm no draftsman, I ask the question: Would you not have to put in "notwithstanding the provisions of the The Human Rights Act"? I don't know, I'm asking the question. One Minister of the Crown can't on the one hand rely on this alleged inviolability of information about political friends of theirs who were hired into the government with high rates of pay and say it's offensive to The Human Rights Act to even ask the question. Then her colleague and her fellow members of caucus turn around and pass a piece of legislation which asks everybody in Manitoba to disclose whether or not they are cousins, aunts, sisters, brothers, grandparents, half-wit stepbrothers or whatever in relation to a piece of bad legislation having to do with farm land. How do those two things balance out? I don't understand how a government can say one thing on the one hand and then try to pass legislation on the other hand which is entirely contrary to the spirit of that.

MR. CHAIRMAN: Mr. Uruski.

HON. S. LYON: Wouldn't it be easier maybe to get the Minister to answer the questions? I suppose that might be the easy way out.

HON. B. URUSKI: Mr. Chairman, the Leader of the Opposition likes to make a big to-do about very little.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. B. URUSKI: Oh yes. Mr. Chairman — (Interjection) — I didn't say anything, I let the Leader of the Opposition speak. I hope he will let me finish.

I've indicated that we have not to this point drawn or had any concerns, but we certainly will check that out. The Leader of the Opposition should know that these provisions deal not with residents of the Province of Manitoba, but with residents outside the Province of Manitoba. — (Interjection) — Oh yes, of course, they're human beings. We will check that out to see whether or not there is any conflict with the law. I am not aware that there is any, and if there is we will deal with it.

HON. S. LYON: Mr. Chairman, in response to that, I accept his undertaking now that he will give us an answer to the question. I don't really think it's a frivolous question.

I must say, however, the question would never have arisen in my mind if his colleague hadn't fallen back so fatefully on the protection of The Human Rights Act when she was asked a political question which was embarrassing. Now, you can't on the one hand have a government saying it's improper to ask a question about who's married to whom when we appoint somebody to a high-paying position, and then on the other hand turn around and pass legislation which shatters that like the typical egg. You can't do it, you can't have it both ways, as the expression goes.

Surely the Minister isn't trying to say to us that if Ian Turnbull lived in Saskatchewan, it would be all right to ask if Aleda Turnbull was his wife. Well, there we are.

HON. B. URUSKI: Mr. Chairman, we are not asking individuals to disclose their marital relationship — (Interjection) — just let me finish - in terms of the seeking of employment or the like. What we are saying, what are the relationships in terms of the transferring of land? We are doing that very same question in the legislation dealing with a conflict of interest in the Legislature as to what our relationship to property matters are — (Interjection) — well, Mr. Chairman, what our relationship to . . .

HON. S. LYON: The soft left are now getting rid of it.

HON. B. URUSKI: . . . property matters as they relate to members of the Legislature. That is the relationship, not to whether someone is for the sake of being related to someone else, what are their dealings with respect to the specific property?

HON. S. LYON: Is the Minister then trying to say, Mr. Chairman, that it is not appropriate in Manitoba to ask about a person's relationship with anyone if he's applying for a job with the government, but it is appropriate to ask for any information at all about his family if he wants to buy land? Which is more important? Weren't we owning land in this province before we had government hirelings?

HON. B. URUSKI: Mr. Chairman, I've undertaken to see whether this act, any of these provisions, are in conflict with the Human Rights legislation. Whether the Leader of the Opposition wishes to try and make a case against one versus another, that's certainly his right to do so. I will not even attempt to stop him, but certainly if this legislation is somewhat in conflict, we will want to deal with it.

MR. CHAIRMAN: The amendment, as moved—pass?

A MEMBER: On division.

MR. CHAIRMAN: On division.
Mr. Harapiak.

MR. H. HARAPIAK: Proposed new subsection 82(5) to The Real Property Act as set out in Section 1 of

Bill 23 be struck out and the following subsection be substituted therefor:

District Registrar may refuse registration.

82(5) If the District Registrar is not satisfied that the statutory declaration referred to in subsection (3) discloses only interests in farm land as permitted by The Farm Lands Ownership Act, he may refuse to register the farm instrument.

MR. CHAIRMAN: Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, I've given that explanation before when I said these changes both in 82(4) and (5) are similar.

MR. CHAIRMAN: Any discussion?
Mr. Lyon.

HON. S. LYON: I just asked the question, it's a question that arose when the first version of this pernicious legislation showed itself to the light of day back in '76 or '77. If we are bound and determined as a Legislature to make policemen out of the District Registrars, what has been the effect? Do we know the effect that this kind of legislation has had on the Land Titles Office, on the DRs? Have they been contacted? Has the Registrar General been contacted? Do they agree with this investigative thing that's been added to them? I know it's been there for some time and they've had experience. Have they seen all of this? Do they agree that they can carry out this function? After all, they're not hired as policemen, they're hired as lawyers.

HON. B. URUSKI: Mr. Chairman, this legislation, before it was brought in, was developed in consultation with the Attorney-General's Department and the District Registrar.

HON. S. LYON: I'd love to hear what they say privately about it. You're not trying to suggest that the District Registrars approve of it?

HON. B. URUSKI: Mr. Chairman, what I'm suggesting is that they have no difficulty in carrying out the requirements of the act.

HON. S. LYON: Well, Mr. Chairman, I dare say if you put in an act that each of them had to stand on his head, ballocks naked, at high noon at the corner of Portage of Main, they'd probably all do it to keep their jobs, but that doesn't mean that they'd necessarily agree with him.

HON. B. URUSKI: Mr. Chairman, I'm sure that the Leader of the Opposition did not ask every civil servant when he brought in legislation whether they agreed with it in principle or not. They carried it out in terms of the requirements of the act. We wanted to find out and ascertain whether there would be any difficulties for civil servants in the Civil Service to carry it out.

MR. CHAIRMAN: Any further discussion on the amendment? The amendment, as moved—pass.

MR. H. HARAPIAK: Mr. Chairman, I further move:

THAT the proposed new subsection 82(6) to The Real Property Act as set out in Section 1 of Bill 23 be struck out and the following subsection be substituted therefor: Non-application of subsections 82(3) to (14).

- 82(6) Subsections (3) to (14) do not apply to
- (a) any farm instrument presented for registration on behalf of an agency of government, a municipality or local government district; or
 - (b) any person exempted from the provisions of those subsections by regulations or by order of the board; or
 - (c) any mortgage, encumbrance or caveat claiming an interest in land pursuant to a loan, presented for registration on behalf of a chartered bank, credit union or caisse populaire.

MR. CHAIRMAN: You've heard the amendment, is there any discussion?

Mr. Uruski.

HON. B. URUSKI: Mr. Chairman, this section exempts agencies of government, municipalities and local government districts from this requirement. Persons may also be exempt from the required regulation or by a board order.

MR. CHAIRMAN: Is there any discussion?

The amendment, as moved—pass, on division. Page 4—pass; Page 5, no amendments. Page 5—pass; Page 6—pass; Preamble—pass, on division; Title—pass. Bill be reported. All those in favour of the motion, Bill be reported, please say aye; all those opposed, please nay. In my opinion, the ayes have it.

All members in favour of the motion, please raise your hand.

MR. ASSISTANT CLERK: One, two, three, four, five.

MR. CHAIRMAN: All those opposed, please raise your hand.

MR. ASSISTANT CLERK: One, two, three, four.

MR. CHAIRMAN: I declare the motion carried, Bill be reported.

In view of the hour, what is your will and pleasure? There is one more piece of consequential legislation, Bill No. 24.

A MEMBER: How many amendments?

MR. CHAIRMAN: I don't know. How many amendments? There are five amendments, running a page and three-quarters. What is your will and pleasure?

A MEMBER: Finish it off.

BILL NO. 24 - AN ACT TO AMEND THE REGISTRY ACT (2)

MR. CHAIRMAN: The first amendment, I believe, is on the first page of the bill.

Mr. Harapiak.

MR. H. HARAPIAK: I move — (Inaudible) — 20(3) of The Registry Act, as set out in Section 1 of Bill 24 be amended:

- (a) by striking out the word "rate" in the 3rd line thereof and substituting therefor the word "sale" and,
- (b) by striking out the words "and the date of his birth" in the 5th and 6th line of Clause (a) thereof.

MR. CHAIRMAN: Is there any explanation or discussion?

HON. B. URUSKI: Mr. Chairman, these are amendments dealing with statutory declarations, and that deals with all the amendments in 20(3)(a), (c), (d) and (e). All those are dealing with information dealing with statutory declarations — (Interjection) — with those other amendments that we passed in The Real Property Act.

MR. CHAIRMAN: You've heard the amendment. Is it agreed?

Amendments in 20(3)(a)(c)(d) and (e)—pass, on division.

Page 1, as amended—pass.

Mr. Downey.

MR. J. DOWNEY: Mr. Chairman, on Page 1, as I understand it - and we talked about this earlier in Bill 3 - but every agreement that is made or written, either verbally or whether it be a lease, or whatever transaction takes place between individuals, all falls within this declaration?

HON. B. URUSKI: Those agreements that are to be registered only.

MR. J. DOWNEY: Registered by?

HON. B. URUSKI: By the vendor and the purchaser, by the purchaser actually.

MR. J. DOWNEY: The average transfer or agreement, whether it be lease or - let's say a lease, because lease is written here, that I wanted to lease or any individual wanted to lease something from their neighbour, it has to be listed or registered?

HON. B. URUSKI: No, not necessarily. It just depends on the kind of a lease.

MR. J. DOWNEY: Just depends on the kind of a lease. What kind of a lease would have to be registered?

MR. CHAIRMAN: Mr. Samson.

MR. SAMSON: The kind of a lease that would be registered, Mr. Chairman, would normally be a lease in excess of three years. A lease under three years would not normally be registered, though the person, the lessee, could I believe register in respect of any of those leases if they wished to do so; but normally it's only a lease in excess of three years where registration takes place, in my understanding.

MR. CHAIRMAN: Thank you. Any further discussion on Page 1?

Page 1—pass.

Return to Page 2 - Mr. Harapiak, an amendment to 20(3)(c).

A MEMBER: On division.

MR. CHAIRMAN: Agreed, on division.

MR. H. HARAPIAK: I move:

THAT a proposed new Clause, 20(3)(c) of The Registry Act, as set out in Section 1 of Bill 24, be struck out and the following clause substituted therefor:

(c) in the case of a non-resident or corporation other than a family farm corporation, whether to interest is being claimed,

- (i) by right of survivorship, device or intestacy arising on the death of a resident, a retired farmer or the spouse of the retired farmer,
- (ii) pursuant to a court order,
- (iii) by that person, as an executor, administrator or as a trustee in bankruptcy,
- (iv) pursuant to the conveyance by a retired farmer or the spouse of a retired farmer, a person or the spouse of a person who has been a farmer for at least 10 years, by the spouse, child, grandchild, brother, sister, nephew or niece or the person conveying the interest or,
- (v) in accordance with the provisions of subsection (3)(2) of The Farm Lands Ownership Act.

MR. CHAIRMAN: You've heard the amendment. Is there any discussion?

Mr. Uruski.

HON. B. URUSKI: These amendments, as I said earlier, parallel those that we moved in The Real Property Act, in terms of information and the like.

MR. CHAIRMAN: Pass? (Agreed).

Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT the proposed new Clause 20(3)(b) of The Registry Act, as set out in Section 1 of Bill 24, be struck out and the following clause substituted therefor:

(b) in the case of a non-resident or a corporation other than a family farm corporation, the name and mailing address of the person, if any, granting the interest in farm land.

MR. CHAIRMAN: You've heard the motion. Is there any discussion?

The amendment, as moved—pass; balance of Page 2—pass, on division.

Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT a proposed new Clause 20(3)(e) to The Registry Act, as set out in Section 1 of Bill 24, be amended by adding thereto, immediately after the word "whether" in the 1st line thereof, the words, "in the case of a non-resident or a corporation other than a family farm corporation."

MR. CHAIRMAN: You've heard the amendment. Is there any discussion?

The amendment to subsection (e)—pass; Page 2—pass, on division.

Page 3, the amendment in 20(4)(c) - Mr. Harapiak.

MR. H. HARAPIAK: I move:

THAT a proposed new Clause 20(4)(c) of The Registry Act, as set out in Section 1 of Bill 24, be struck out and the following clause substituted therefor:

(c) the declaration states that the interest referred to in the farm instrument,

- (i) is taken by way of right of survivorship, device or intestacy arising on the death of a resident, a retired farmer or the spouse of a retired farmer,
- (ii) is taken pursuant to a court order,
- (iii) is a bona fide debt obligation or an interest in land by virtue of a bona fide debt obligation and provides particulars thereof, or has attached thereto a copy thereof,
- (iv) is being taken by a person as an executor, administrator or the trustee in bankruptcy,
- (v) is taken in connection with the enforcement of a mortgage or other incumbents,
- (vi) is being taken pursuant to conveyance by a retired farmer, the spouse of a retired farmer, a person or a spouse of a person who has been a farmer for at least 10 years, by the spouse, child grandchild, brother, sister, nephew or niece of the person conveying the interest or,
- (vii) is taken in the accordance with the provisions of subsection 3(2) of The Farm Lands Ownership Act, or.

MR. CHAIRMAN: You've heard the amendment. Is there any discussion?

Mr. Uruski, is there any explanation?

HON. B. URUSKI: Mr. Chairman, these amendments parallel amendments that we've passed in Bill 23.

MR. CHAIRMAN: Any discussion? The proposed amendment to Section 20(4)(c)—pass. Balance of Page 3—pass.

A MEMBER: On division.

MR. CHAIRMAN: On division.

Page 4, there are no amendments, is there any discussion? Page 4—pass, on division; Page 5—pass; Page 6—pass.

A MEMBER: On division.

MR. CHAIRMAN: On division. Preamble—pass; Title—pass. Bill be reported.

Mr. Lyon.

HON. S. LYON: . . . to report of the bill, Mr. Chairman, I think it's fair to point out to the Minister that the attitude of our group with respect to these subsidiary enabling bills is precisely the same as it is to the major piece of legislation, these are the satellite bills that

surround it. I think it would be in the public interest if the Minister disregards the good advice that he's had today on these three bills and decides to proceed to third reading with them.

I think it will be really helpful to his own staff if he were to tell them, as I tell him now, that these bills will be repealed and that the staff should not become too comfortable with them. They shouldn't worry about making too many regulations because I wouldn't want them to waste time on useless ventures like that.

This legislation won't be around very long in any event so far be it from me to try to counsel staff directly. I'm counselling the Minister as to what he might wish to say to his staff in order that there not be a lot of wheel spinning go on in support of something that isn't going to be around this province very long.

As long as everybody understands that and everybody within sound of my voice understands what I am saying, then I am sure that the people of Manitoba will be the winners.

HON. B. URUSKI: We hear you loud and clear, Sterling.

MR. CHAIRMAN: Mr. Downey.

MR. J. DOWNEY: I would still hope that the Minister would take into account what he has heard today from the committee stage and the presentations that were made and would, in fact, consider not proclaiming any of these bills and find out really what the people of Manitoba are thinking and as our leader has said to save him and his colleagues a lot of work and the staff who work for him.

MR. CHAIRMAN: The motion is that the bill be reported. All those in favour of the motion, please say aye. All those opposed, please say nay.

I declare the motion carried.

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

MR. ASSISTANT CLERK: Yeas, 5: Nays, 4.

MR. CHAIRMAN: I declare the motion carried. Bill be reported.

There being no further business before the committee, the committee stands adjourned.