



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

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 9 August, 1983.

Time — 8:00 p.m.

MR. ASSISTANT CLERK, G. Mackintosh: It is my duty to inform the House that Mr. Speaker is unavoidably absent and would ask the Deputy Speaker to take the Chair, in accordance with the statutes.

OPENING PRAYER by Mr. Deputy Speaker.

MR. DEPUTY SPEAKER, P. EYLER: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . . Oral Questions . . .

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

MR. B. RANSOM: Mr. Deputy Speaker, I wish to advise you that even though the opposition, of course, has the privilege of having a question period in this third of three sittings today, in keeping with our undertaking to the government, we intend to forego that privilege.

ORDERS OF THE DAY

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate on Bill 3, as it appears in the Order Paper standing in the name of the Member for Rhineland.

ADJOURNED DEBATES ON SECOND READING

BILL 3 - THE FARM LANDS OWNERSHIP ACT

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Agriculture, Bill No. 3, standing in the name of the Member for Rhineland, the member has 40 minutes remaining.

MR. A. BROWN: Thank you, Mr. Speaker. I rise to speak in support of the amendment put forward by the Member for Kirkfield Park that Bill No. 3, The Farm Lands Ownership Act, be not now read a second time, but be read this day six months hence.

Mr. Speaker, I am quite certain that if this bill were to be read six months hence, if the government were to go along with this particular amendment that the bill be read six months hence; the government would have time to take a good look at what they are really trying to accomplish in this bill and the necessity for the bill. I am quite certain, Mr. Speaker, that they would see that there really was no need for this bill at this particular time.

As I stated the first time that I spoke, Mr. Speaker, there is a lot of confusion out in the rural areas about this bill. The bill is very difficult to understand. Anybody who is not familiar with the way that bills are written and so on has difficulty understanding it. The farming community out there is rather confused as to the content of the bill. They have been very carefully following whatever has been written in the newspapers and what has appeared in the media and, Mr. Speaker, that confusion seems to grow, rather than to diminish.

The bill goes far beyond what is required to eliminate foreign speculation and indeed speculation of any kind. If what we are trying to accomplish is eliminate foreign speculation and speculation, there are clauses in this bill that have really absolutely nothing to do but pry more or less into the private lives of farmers and would-be farmers. Mr. Speaker, there is great objection to this.

It's a nightmare for farmers and for farm corporations. There will be so many forms to fill out and documents to forward and declaration of holdings, which are really none of the Department of Agriculture's business. A lot of this is confidential information that they're asking for. It's information which you forward to the income tax. Now, we are asked to send duplication of earnings on the farm to this particular committee which is going to be set up by the Department of Agriculture.

Mr. Speaker, I'll tell you that the farming community is going to voice very, very strong opposition to this. Indeed, Mr. Speaker, knowing farmers, knowing full well the many forms they already have to fill out, I wonder how many of them are really going to comply with the requirements that the Minister of Agriculture is asking for in this bill. I know that farmers have a great aversion to filing documents. The government had great difficulty getting them to file detailed tax forms.

This again is just going to create another problem for many, many of the farmers. Many of them will probably have to hire accountants in order to forward the documents which the Minister of Agriculture is going to be demanding. Again, that is going to be another added expense to an industry which already is burdened with very, very heavy expenses.

The bill certainly infringes upon the freedom of Manitoba farmers and comes dangerously close, if not indeed contrary to the Canadian Charter of Rights. I don't think that we could have put this better in any way, shape and form than what the Manitoba Association for Rights and Liberties set forward in the brief that they handed in to the Minister. It was a good brief. There was no doubt about that. They set forward in this brief that no other group of people in the province, in Canada is going to be put forward to the rules and regulations as what you're going to put on the farming community.

We must ask ourselves, Mr. Speaker, where is the necessity for this bill at this present time? There really is no necessity. If you go back to the history of where the problem started - this was, I would believe, in about 1972 when farm land was first being purchased by

foreigners - it really became a bit of a concern in 1975, 1976, when we did have some good farming years in Canada. The price of grain was good. The crops were good. You could market whatever you grew. At that particular time, Mr. Speaker, the farmers were told, never again will you be able to grow enough grain that you will not be able to sell it to a hungry world; that the world is going to eat whatever you can supply, and there's going to be a shortage of food.

Well, a couple of years after that, Mr. Speaker, as a matter of fact, only two years after that, there again was a glut of grain on the world market. That's also when speculation ceased in farm land to where, at the present time, there is really no speculation at all. Those farmers who are forced to sell have to sell at large discounts in order to get rid of their property.

The Free Press carried an article about two weeks ago stating how much farm land had fallen, and they were suggesting 30 percent. That is about the amount that I would say that farm land has fallen in my particular area. Land that was selling for \$1,500 and upwards in 1980 and 1981 is now selling for \$800 and \$1,000.00. Even then, it's up for sale for a long time before they finally get somebody who's going to be willing to pay that much money for it. Mr. Speaker, it is interesting to note that some of the farm land which was purchased by foreign interests during the 1975-76 period of time is up for sale now. It has been up for sale for three years. They have come down considerably from the price they paid for it at that time and still there are no takers. There is nobody willing to invest money at the present time in farm land, especially not at a high price. The farming community is suffering too much from the high rate of interest that we had a year ago. The farming community is in a bad way financially, and it's going to take many many of the farmers 10, 15 years to get themselves in a good cash position again.

So the farming community is not purchasing land at the present time and the land that is up for sale is not moving. At least the people that purchase it - people from foreign countries, offshore people - will have to sell that land at a greatly reduced price. There really is no concern at the present time and there is no necessity for this bill. It's not a problem at the present time, and those people that are still farming, foreigners that own land over here, they would only be too glad to get rid of it because the return just is not there, for the money they paid for it. It has been a very, very poor investment for them. Again, it's no problem at this particular time. There is absolutely no need whatsoever for this bill.

The concern that was expressed at that particular time, when offshore people came in to purchase land, was that they had access to money at different interest rates and therefore they had an unfair advantage over Canadian farmers. Well, Mr. Speaker, with the high price they paid for the land at that time, this no longer is a problem for the farming community. I would say the concern farmers had at that time, that it was unfair, that these people had low-interest loans or were working with low interest-money - that certainly is a concern no longer.

I would like to say that Manitoba farmers certainly are not afraid of competition from foreign elements coming into Manitoba to do their farming over here. We're not afraid of competition at all, providing that

they are subject to the same laws and the same taxation rates as what other farmers are. Here I might say, it would be so easy if this was a concern of ours - that these people were taking too much money out of Manitoba and taking it back to wherever they reside - that it would be so easy for us to just put another tax on their earnings, if we thought their earnings were too high, so that they would have to pay an extra tax before they could take that money back to the country wherever they come from.

Now, as we already have stated over and over again that the Minister . . .

A MEMBER: And we're going to say it over and over again.

MR. A. BROWN: Yes, we will say it over and over again, that the Minister bases the need for this bill on false information which he received regarding foreign ownership of land. His information says that there is much more land owned by foreigners or "aliens," as they are sometimes called, in the province than what there really is at the present time. We conducted our own survey and we found out that the facts really are very, very much different than what the Minister based the need for the bill on.

The Minister had non-resident owners and the out-of-province farm-land owners, along with all the foreigners and so on, he had them all lumped in one basket. Mr. Speaker, that, of course, gave him the figure he was quoting on and there is a great great distinction between a Canadian owning farm land in Manitoba, a non-resident owning farm land in Manitoba, than what there is to a foreigner owning land in Manitoba.

As I already stated, I'm a little concerned about this bill because I am a non-resident landowner in the R.M. of Stanley, in which my farm land is located. I live in a municipality, even though some of my land is only a mile-and-a-half away from where I reside, but I live in a different municipality, and therefore I am listed as a non-resident and I appear on the Minister's list of farm land that has to be dealt with and there are many many people like that. I would say that 10 percent of the people living in Winkler are farming and they farm outside of the municipality in which they live, even though their land is situated right close to town.

It is a concern, Mr. Speaker. We don't think that initially the Minister is going to step in with a heavy hand and say, okay fellow, smarten up, you're going to move back on the land or we'll take this land away from you. We don't think that this is going to happen, but it can happen eventually. The Minister is going to hand over all this decision-making to a five-member board, who will be taking a look at situations such as that. They'll be taking a look at all non-resident owners; there's no doubt about that. They will be taking a look at it. They will probably be asking questions. There will probably be forms to fill out and so on. We'll probably have to appear before the board, and make declarations that we have been farming for years and years, and that our main income is from farming. So those are some of the things that we will be subjected to.

I must say that all of us are going to resent very much being dumped into the same basket and treated in the same fashion as what foreigners or aliens or out-

of-province people will be treated, just because we happen to live in a different municipality.

MR. W. MCKENZIE: He doesn't care. He's cruel on the farmers. Look at the treatment he gave those cattle producers. Wow!

MR. A. BROWN: Another area of concern, of course right now, and this is the bankers' concern, is that because the land already has devalued by 30 percent and, as the Minister stated, he expected that further devaluation of about 30 percent would occur if this bill came into effect, then, of course the banks are going to be very concerned with the loans that they have made to farmers, because a lot of the farmers have borrowed as much money on their property, against their property, as they possibly could. So the banks are going to be very, very uneasy. There is no doubt about it that loans to keep farmers operating are going to be much, much more difficult to obtain. We would hope that the Minister, rather than coming up with legislation such as this, will come up with legislation which would make it easier for the farmer to operate his particular farm land.

Now, Mr. Speaker, the Minister has heard from many many organizations in regards to this bill. He has heard from the Manitoba Farm Bureau, which has a great deal of respect in the farming community in Manitoba. The Farm Bureau, of course, have told him not to restrict Canadian ownership. If he wants to restrict foreign ownership, that's fine, but do not restrict Canadian ownership. The Farm Bureau, Mr. Speaker, see the problems which will occur if restriction of Canadian ownership or indeed, in the case of many Manitobans who will not qualify to purchase land, that there is going to be a great deal of havoc created within the farming community.

MR. W. MCKENZIE: The Brandon Sun said, pull the bill.

MR. A. BROWN: I know, Mr. Speaker, that the Minister does not know how much farm land really is going to be affected by the implementation of this bill. I am certain that he cannot tell me how much of the rented farm land at the present time possibly will have to be sold, and the people who are now renting that particular land will have to move off that land.

Now this is a great concern, because we do have a lot of retired people who own land. We have people who are renting land from relatives who have retired in British Columbia a number of years ago; they are still renting that particular land. The way that the bill is written, if you don't farm the land yourself or whatever, then a five-man board is going to decide whether you are going to be selling that land, or whether you'll be able to retain that land and rent it out to farmers.

Now talking about renting, Mr. Speaker, that is the way that almost all farmers in Manitoba got their start in farming, by renting land, first of all. That certainly is the way that I got my start.

MR. H. ENNS: Explain to the Minister how people get their first start in farming, rent land, through the whole thing.

MR. A. BROWN: I shall do exactly that. I will tell the Minister how people get into farming. Now we'll use my case as an instance, because my case is the same as almost everybody else's case that I know.

First of all, you start renting of land. Some of you, like I did - I rented it from my father when he started to think of retiring and so on. I rented land from my father and rented it for a number of years, and was able to get a start in farming, and was able to purchase land. Some farmers, they just rent or they started renting land from whoever would rent land to them, and some of them also got themselves into deep trouble because there was bidding going on, especially in cash rent. Especially in 1975 and 1976, prices were very high, and they paid up to \$80 and \$90 an acre cash rent in the area that I represent, in the Constituency of Rhineland. Many of those farmers got themselves into trouble as a result of that. But that's fair ball, because they were the ones who made that agreement to pay that much money, and you live and learn in the farming industry.

By and large, farmers prove themselves, first of all, by renting land. There is nobody that has the kind of money to go out and purchase land and start farming in a big way. There is nobody that I know of anyhow. You start off in a small way, and gradually you work your way into where you can purchase some land and have some land of your own.

Speaking about cash rent again, cash rent is treated in a different manner than what crop-share basis is treated. It is going to be interesting to see just exactly how this five-man board is going to be dealing with those farmers who have their land out in cash rent. I believe, and I am quite certain, Mr. Speaker, those people who are renting out their land for cash, that the board is going to say, well, this just is an investment to you. You have no interest in your farm land whatsoever, and that you will be forced to sell that land within three years.

Of course, if that happens, then there is going to be a lot of farm land placed on the market. There is absolutely no doubt about that. All that land coming on the market, I would say, is probably going to drive the price of land down more than that particular 30 percent that the Minister was talking about. As I mentioned the previous time, there are a number of people out there right now with money who are waiting. When that time comes, they're going to be out there, and they'll be purchasing land.

We already have stated that if we win the next election - which there is no doubt about and we will and because of bills such as this - we will turn back the tide and Canadians will be able to own land in Manitoba. This bill is going to be reversed. There is no doubt about it, Mr. Speaker, that there is going to be substantial profit-making in farm land when that occurs. It's much, much better to leave things the way that they are. Don't fool around with property.

There is no doubt about it that, through this bill and what we already see coming, the Minister is going to create many millionaires who will be the real speculators. He is saying that he's going to curb speculation, but exactly the reverse is going to happen. You are going to have speculation like you have seldom seen in the farming community. You'll have buyers with money who'll be out there to grab any piece of property

which they can see themselves making money on, and it's not going to be the young person that we want to get into farming who will be doing this. It is going to be the person who is well established; who already has probably more land than he is ever possibly going to need to make a living on, but who is going to use this particular bill as a way and means of acquiring further assets with the hope of turning them over and making a quick profit.

So, Mr. Speaker, I believe that the Minister really is self-destructing; that this bill is going to turn against him. If he is going to implement this bill, then I could see this becoming a big election issue in the next election. I can assure the Minister that the farming community is on our side on this particular issue, and it is going to be a very, very influential issue in determining who is going to be forming the next government.

I would just like to remind the Minister of some of the documentation that has come his way from the Manitoba Farm Bureau. As early as - well earlier, but I would like to read from the communication that came to him on February 3, 1983, the concerns that the Manitoba Farm Bureau expresses regarding Bill No. 3, The Farm Lands Ownership Act, and I quote, "Representatives at our annual meeting on January 31, 1983, again discussed Bill No. 3. The delegates reaffirmed their conviction that Bill 3 is unduly restrictive in establishing a control mechanism on persons other than Manitoba residents and family farm corporations, as same are defined in the bill. We felt there might be some value in restating the Bureau's position on this critical topic."

Now the Farm Bureaus find themselves in the same position that we are in. They have forwarded communiqué after communiqué to the Minister, but to no avail. The Minister seems to be set in his ways and, in spite of the fact that the farm community is telling him that this bill is wrong, he still insists on proceeding.

MR. H. ENNS: Who all belongs to the Farm Bureau?

MR. A. BROWN: I don't have a list of all the organizations belonging to the Farm Bureau at the present time, but I know that almost every farm organization belongs - any organized farm organizations - other than the Manitoba Farmers Union, belong to the Manitoba Farm Bureau: the Cattle Producers, the Manitoba Sugar Beet Producers, the Hog Producers, the Manitoba Pool, the United Grain Growers.

The Manitoba Pool Elevators, at the present time, are having a disagreement on the Crow rate but they will be back in there again, you'll see, because it's their producers really, who do favour the Manitoba Farm Bureau; and in spite of the fact that there is a disagreement over who should be receiving the money regarding freight subsidies, that is going to be resolved. It's a minor detail. But all of these are very responsible organizations and they are really the farming community.

Now I would like to continue on what the Manitoba Farm Bureau has to say. "Firstly, let us again state our belief that the government should enact legislation necessary to curb the purchase of farm land in Manitoba by foreign speculators." So, Mr. Speaker, that really is no issue. We can agree very well with curbing the purchases of farm land by foreign speculators.

"Secondly, we again state, that control systems to prevent acquisition of farm land by foreign speculators should never be damaging to the farm community, nor contrary to our perception of Canada as a country that affords certain rights and privileges to all citizens." What is happening, Mr. Speaker, we are going to put controls on one segment of Canadian citizens and they will not be able to enjoy the same rights and privileges that other citizens enjoy, who can sell their property to the person who is going to be the highest bidder. We're going to put undue regulations on the Manitoba farmer which the government would not dare put on the business community or on anybody else.

I think it would be very interesting, Mr. Speaker, as I already stated, that the price of farm land is down by about 30 percent. If there is going to be another reduction in farm land of another 30 percent, like the Minister stated could possibly happen, I wonder how many people on that side would be willing to see their assets lowered by government regulation by 60 percent? Mr. Speaker, I can tell you, you would see a hue and cry like you've never seen before.

Some people have been involved in the funeral home business, and so on, and I'm sure that they would not want to see those assets diminished by 60 percent. Some of the members have been school teachers. I am sure that they would not want to see their wages or their assets dropped by 60 percent. We can go on and on, but this is what you're doing really to the farm community.

The money that the farmer is saving up for his retirement - and he has no pension as already was stated by the Member for Morris - there is absolutely no pension that is available to him. He has to rely, when he retires, on the assets that he has been able to gain during the period of time that he was farming. Now you're going to take that away from him and you're going to find, as already has been proven by the farmers who retired 10 years ago - we thought they had a lot of assets, a lot of money to see them through until their retirement - you're finding now that these are the people, who through inflation and other reasons, find now that they are completely dependent on the government for their existence.

Mr. Speaker, that is not right, that is not right. For people who have been working all their lives, who have been trying to get together enough assets, that when they retire they can sell these assets, that they should be able to look after themselves in their old age, and be independent, it's just not right, Mr. Speaker, that those assets should be taken from them and that they should then happen to be dependent, or be forced to be dependent on the government. It's something that every farmer is afraid of, that at some time or other he will have to be dependent on somebody else because farmers, by and large, are very, very free enterprisers and they feel a large responsibility for looking after their own needs.

The Manitoba Farm Bureau, and I will continue with their brief: "Bill No. 3 will impose undue hardships on the farm community. We have already commented on the restrictive definition of family farm corporation and the farmer. We have already commented on the limitations imposed on either gifting, or inheriting farm land, or interest in farm land, a right which has been limited even more by the narrowing of the inheritance

exception for farm land previously contained in Section 8 of Bill 54, proposed last summer.

"The Farm Bureau remains concerned over the administrative provisions of Bill 3, which still have areas in them where an appeal, of a determination or order of the board to the court, is not available. We are disappointed by the divestiture provisions of the bill, which can cause divestiture of land acquired before farm land control legislation, was first implemented in Manitoba.

"We wonder why entities, such as co-operative corporations, would provide support services to their members in rural Manitoba, must go cap in hand to the board to obtain approval for acquiring land needed to provide such services to its members. We do not understand why a nonfarming individual resident in Manitoba can own unlimited amounts of farm land in his own name, but that same individual, either alone or with his wife and children, could not indirectly own that farm land through the use of a corporation, incorporated under The Corporations Act of Manitoba with registered office in Manitoba, and with all directors and shareholders of the corporation being individual Manitoba residents."

Family farm corporations have been a big concern in my particular area. I have received many many enquiries about family farm corporations. I was looking with interest through the amendments that the Minister handed out yesterday and I see very little in those amendments, which is going to make this bill acceptable to us on this side. There seems to be absolutely nothing in the bill that we can say - well, okay, the Minister has made some changes to this and it is going to be more acceptable to you - it's not there.

I wonder if the Minister has ever really looked at any alternatives other than restriction, on restricting the farm land. What I would like the Minister to do is look at alternatives. If he is worried, or concerned, about speculation in farm land, by persons other than Canadians or Manitobans. There would be one very easy way for the Minister to correct this, other than restrictions as what we are seeing imposed by Bill No. 3.

I would like to just tell the Minister that if he were to go in agreement with the Federal Government - and I'm sure that the Federal Government would take a very close look at this - on capital gains, and if a farmer was told that if you sell your land to a fellow Manitoban or a fellow Canadian if you wish or so on, then you would not have to pay capital gains on this, I can assure the Minister that all the land that was being sold in Manitoba would go to Manitobans or Canadians or whatever. The restrictions would be placed on the capital gains tax. If you sell to a foreigner, well then you'd be subjected to the capital gains tax. I am certain, Mr. Speaker, that this solution is a very, very simple solution, but I am positive that it would work.

The Minister may have some comments on this when he speaks on the bill, and I'd be very glad to hear him make these comments. But, Mr. Speaker, I would just like to say that this year, the crop is going to be a below average crop. There is no doubt about that. The farming community, again, is going to have some difficulty, and we don't need another roadblock thrown in our way.

I have done some combining myself. Some of the barley, which looked as if it was going to be a real

bumper crop in June, is now coming in at about one-third the rate that we expected. I was inspecting my wheat over the weekend, and I would say that the yield is going to be down at least 50 percent and it's going to be a very poor quality wheat. There is going to a lot of No. 4 and No. 5 wheat this year.

So again I would like to tell the Minister, rather than paying so much attention to restrictions and so on, for heaven's sake, let's do something positive for the farming community and forget about trying to put more roadblocks in their way.

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

The Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, I am pleased to have the opportunity to enter this debate on this particular item because, even though I do not come from a rural or an agricultural constituency, I am a Manitoban. I therefore come for a province in which the rural, the agricultural way of life is the engine that makes our province go. As a Manitoban, I therefore have a very keen and vested interest in the health of that sector and in the right of our citizens to own land.

I speak also as a Canadian, about legislation and about a matter that is of the utmost concern to all of us in this country, and that is personal rights, liberties and freedoms, and essentially, Sir, that's what we are addressing here. This is not simply or even essentially a farm bill. This is not simply or even essentially an agricultural bill, Mr. Speaker.

This is a bill which strikes at the very nature of Western Canada and Western Canadians and Western Canadianism. This has always been that region of the new world, that frontier of the new world that has represented the opportunity for men and women to stake out new areas of activity and growth for themselves, to traverse new boundaries, to meet new challenges and to make their claim to life in the pursuit of happiness and enjoyment of freedom on new frontiers. That rests on the foundation of ownership, of property, and that rests on the foundation, Sir, of the right to own land without unnecessary governmental or bureaucratic attack or intervention.

So I believe, Sir, that a member from an urban constituency, like myself, representing the urban constituency of Fort Garry, has as keen and as deep a vested interest in this piece of legislation, and every bit as much of a right to participate in the debate on this kind of legislation, and indeed, Sir, as much of a responsibility to enter a debate on this type of legislation. — (Interjection) — And as my colleague, the Honourable Member for St. Norbert suggests, a duty to participate, as any member of this Chamber or any citizen of Manitoba, be he or she urban or rural in roots and background.

Mr. Speaker, this piece of legislation, Bill No. 3 - and at this point in time, Sir, we are dealing essentially with a motion calling for its deferral and its removal from immediate consideration - has to do, Sir, with the institution of freedom and the fundamental nature of the Western Canadian. In its ramifications, in its implications, it represents an assault on individual rights, an assault on individual liberty and a threat to that

institution of freedom in my view, Mr. Speaker. Thus I, like everyone in this Chamber, urban or rural, north or south, east or west, from every corner of Manitoba, have a profound interest in the measure before us and in participation in debate and examination of that measure. That is why, Mr. Speaker, all members of our caucus, urban and rural, are speaking or have spoken on it, and that is why I deem it a privilege, although an unwelcome necessity - unwelcome because of the occasion requiring debate - but a privilege to participate and add my voice to those of my colleagues and those of so many agricultural organizations, professional, agricultural, career groups and organizations in this province who have stood up to voice their concern and their unhappiness with this bill.

This bill, Sir, Bill 3, transcends the agricultural; it transcends rural considerations. It reaches into and affects the very fundamentals of our life as free Canadians, free Western Canadians, and free Manitobans. Mr. Speaker, in earlier debates in this Session and in very recent ones having to do with controversial, provocative and unacceptable legislation in the area of education and public schools, in the area of child welfare and Children's Aid Societies, and in other areas, I have spoken, Sir, of the record, the sorry record of damaging and dangerous legislation that has been introduced by that government opposite in this Session of the Legislature.

I've made reference to what I have called a litany of unacceptable legislative initiatives. I've made reference to what I call, Sir, a range of legislative proposals that will divide Manitobans; that will damage Manitoba; that will set Manitoba back many, many years. I have cited some of those pieces of legislation in those debates, Mr. Speaker, because I wanted to emphasize the unacceptability, the total hostility of those measures, vis-a-vis the best interests of Manitobans.

For the record, Sir, I want to identify some of them, again. I want to say, again, as I have said in the past, that litany of damaging legislation, many ingredients of which have been made known to Manitobans, generally, because of the battle against them that has been put up by members on this side of the House, includes the amendments to The Cattle Producers Association Act; it includes the amendments to The Legislative Assembly Act; it includes The Elections Finances Act; it includes The Legislative Assembly and Executive Council Conflict of Interest Act; it includes The Municipal Council Conflict of Interest Act; it includes The Law Enforcement Review Act; it includes the government's resolution to amend our Constitution without reference to the people; it includes the government's referral resolution that will force a decision on that resolution or that would force a decision on that resolution in unseemly haste, were it not for the legitimate opposition raised by this party and this side of the House; it includes An Act to amend The Public Schools Act; it includes, Sir, An Act to amend The Child Welfare Act (2); it included the amendments to The Payment of Wages Act which the Government House Leader very wisely withdrew because of the total unacceptability of that very bad proposal; and, Sir, it includes perhaps primarily, and most fundamentally, and most important of all, this bill that is in front of us at the present time, Bill No. 3, The Farm Lands Ownership Act.

So that is a dismal and a damaging, a devastating litany of bad legislation produced in some hothouse of error and erratic thinking by members opposite, members of the current government, and rushed into this Legislature, I suppose ostensibly, Sir, to further the particular philosophical approach, and the philosophical ambitions of that government and that party with respect to ownership and control of the lives and the affairs of Manitobans generally. Where that legislation found its source and its motivation for presentation can only be attributed to that abstract hothouse, unrealistic atmosphere of NDP concoction of philosophy and ideology, Mr. Speaker; one cannot conceive that this range of destructive and damaging legislation could have come out of any realistic laboratory of thought, of any pragmatic laboratory of thought. It can only be, Sir, the collective product of a collective mass of mediocre minds bent on reducing everybody else to their level of mediocrity.

We have the classic example here, Sir, in Bill 3, The Farm Lands Ownership Act, which says that control and ownership of most of our land and, essentially, fundamental control in total and ownership in total, of our land in this province shall be dictated, if not entirely administered, at least dictated by the government, and in their views, in the views of that government, Sir, they would hope it would be a socialist government, a New Democratic Government at all times.

That is why, Sir, so many of us on this side of the House, urban and rural, have stood up to voice our deep concern over this bill, along with all those others, and additional ones that I haven't cited, but along with all those others that I have cited, in that parade of dismal, abysmal legislative damage that has been offered to this House in this Session since we convened last December.

Mr. Speaker, I recognize that, at this point in time, we are not speaking essentially to the bill itself, we are speaking to the motion of my colleague, the Honourable Member for Kirkfield Park, calling for a six-month hoist or deferral or in other words, an abandonment, de facto abandonment, of this proposed initiative. But, Mr. Speaker, it is very difficult to speak to that hoist motion without making reference to the reasons why it was brought forward by my colleague; why it has been the subject of address by my colleagues throughout my caucus, and why I am speaking to it at this time. One has to explain, Sir, that the motivation and the rationale for all of that rests in the sad, abysmal and damaging nature of the legislation itself.

Sir, I think that it is extremely significant that there should have been such widespread and emphatic criticism directed at this bill by the Manitoba Association of Rights and Liberties. That's extremely interesting and extremely significant.

MR. H. ENNS: It is not always known to stand up for farmer causes.

MR. L. SHERMAN: It would not surprise anyone, Mr. Speaker, that my colleague, the Honourable Member for Lakeside, Deputy House Leader of this party when the House Leader is not here, would be critical of Bill No. 3; it would not surprise anybody that my great colleague and comrade-in-arms for many years past,

the Honourable Member for Roblin-Russell would stand up and criticize this bill because, Sir, they are men of experience in the field of agriculture; they are men of experience in the field of life; they are men of experience in the field of Manitoba realities; they are men of experience in the field of what is right and what is wrong in terms of the development of our society, and they have had many things in the past to say about the proper direction and the proper innovation and the proper inventiveness for our agricultural society, for our land ownership question, for our province in general. They have stood fast in the trenches and on the battle lines and fought the encroachments of the New Democratic Party; they have fought the encroachments of socialist ideology and philosophy for many, many years in this House, Sir, and so it is perfectly understandable, and not particularly remarkable, that the Honourable Member for Roblin-Russell, the Honourable Member for Lakeside, the Honourable Member for Emerson, so many others of my colleagues should stand and fight the Minister of Agriculture and the government on Bill 3.

That's not particularly remarkable, Sir, but I suggest, Mr. Speaker, that it is remarkable to Manitobans, to you, to me, to members opposite, members on this side and everybody in this province that this bill should be the target of such incisive, and such accurate, and such emphatic criticism by the Manitoba Association of Rights and Liberties, a body that has not, in the past, Sir, divulged any particular bent for the Progressive Conservative philosophy, any particular interest in the farmer's point of view, any particular sympathy for private enterprise, for free enterprise.

I don't say that the Manitoba Association of Rights and Liberties is opposed to those things. I say that that association has not in the past, demonstrated any particular proclivity or any particular support for those kinds of things. It has tended to approach the question of rights and liberties, Sir, and individual activities and individualism, from a perspective that I think many of us might describe as rather abstract, rather academic, rather unrealistic and, if anything, Sir, it would be inclined, I think, or it would incline more towards a philosophical position that was left of centre or slightly left of centre, than right of centre or slightly right of centre. And here, Sir, we have that association coming on very emphatically and very strongly against the provisions laid down in this dismal initiative of the Minister of Agriculture, and they come on very emphatically and very effectively. I think, Sir, that the Minister of Agriculture who has added, I might say, in my personal experience, considerable colour and enjoyment to my career in this House, as long as he hasn't got into politics on any subjects under debate, would be well advised to heed what the Manitoba Association of Rights and Liberties has to say about this bill.

You know I think the Minister of Agriculture, Sir, is a very pleasant fellow. I have always got along well with the Minister of Agriculture, but not on a political issue. If he could confine his activities to the social sphere, if he could confine his activities to fun and good fellowship, he would be a wonderful fellow, Mr. Speaker, but he continues to dabble in the affairs of Manitobans and tinker with their lives and try to manage their lives, and that's what makes it difficult for us to get along

with him, and that's where he goes wrong, and he has done that to an extreme degree in this bill. I think he would be very well advised, Sir, to take heed of what that rather philosophical organization - the Manitoba Association of Rights and Liberties - has to say about this bill.

The bill according to MARL, Sir, is highly questionable, is highly vague in some of its sections and some of its components, and may be, in some of its sections and some of its components, in conflict with the new Federal Charter of Rights and Freedoms. Mr. Speaker, for the record, I think it's important to relate, whether it's been related in the past or not, then to relate in reiteration the fact that MARL considers there are a half dozen specific weaknesses and flaws in the bill and they are as follows, Sir:

That certain clauses of the bill, certain clauses of the act, may be in conflict with the guaranteed mobility rights of Canadians, as specified under the charter.

That secondly, Sir, the act discriminates against farm land owners, making them subject to greater infringements of privacy and breaches of confidentiality, the non-farm people.

That thirdly, Sir, the reverse onus clause is at work, and that is a clause that is reprehensible in democracy, and one that we have fought in bill after bill in our experience in opposition. That reverse onus clause dictating that the onus is on the individual, in contravention of the act, to prove innocence. In other words, the requirement that the individual is adjudicated to be guilty and then he or she has to prove his or her innocence. Direct contradiction of one of the fundamental principles of the system of justice, developed a thousand years ago in the English-speaking world and the French-speaking world, and established as a foundation of our society, Mr. Speaker.

Fourthly, Sir, the MARL criticism says that when the act, when the bill refers to "reasonable grounds," it is terribly vague and it lacks the ingredient that would specify circumstances under which a search warrant may be issued. It criticizes the fact that there is no proper definition of that term "reasonable grounds." Again, and in addition, Sir, MARL objects in principle, as reported in the media, to the notion of a regulatory board which would decide what is, or is not, in the public interest. The MARL brief suggests that that is the job of elected legislators; that is the job of parliamentarians accountable to the people, not the job of a regulatory board.

Finally, Sir, the MARL brief is highly critical of much of the wording of the proposed act and says that much of the language is so vague as to defy precise and specific interpretation, and therefore, to defy accurate responsible and reasonable application.

Sir, the bill proposes to restrict ownership of farm land by non-Manitobans, including Canadians living outside the province and non-farm corporations, to four hectares or 10 acres, as all members of this Chamber know. The MARL brief has identified glaring flaws, warts and weaknesses in that legislation which concern its membership and when that association which should be that concerned and enter such a significant and emphatic criticism, as it has done. then I suggest, Sir, that it's in the best political interests of the Minister of Agriculture and his colleagues, Ministers and members of a New Democratic Government, to sit up and take notice of what that association has had to say.

There are many, Mr. Speaker, many professional agricultural groups and organizations in this province who have spoken out against the bill and identified the damage, the harmfulness contained in it. The government has not listened. There are many members on this side of the Chamber, many of my colleagues, who have done likewise; stood up and tried to identify for the government the weaknesses, the difficulties, the damaging components and aspects of the legislation. The government has not listened, as my colleague from Roblin-Russell says, they won't even defend it. That's how insensitive they are, that's how apathetic they are to the kind of reasoned criticism that has come from this side of the House and that has come from professional farm groups and agricultural organizations, not the least of them being the Manitoba Farm Bureau.

But, Sir, how can they dare be apathetic to, and insensitive to, criticisms coming forward from that association standing for, professing to stand for - and I give them credit for following through in that profession - standing for the rights and liberties of individuals, the Manitoba Association of Rights and Liberties to which I have referred. How did they dare remain so aloof and insensitive and unconcerned about those criticisms? They can dismiss our criticisms as purely being the criticisms of Progressive Conservative opponents. They can dismiss the criticisms and the concerns and objections of the agricultural groups and the Manitoba Farm Bureau as being purely the objections of farmers and, heaven knows, they're not very interested in farmers. But what do they say to the Manitoba Association of Rights and Liberties? How do they dismiss, how do they cast aside, how do they ignore those criticisms, Sir? I suggest to the Minister and his colleagues that they do so at their political peril.

Mr. Speaker, in the course of the debate last year on that government's second attempt at this kind of perfidious legislation - and I emphasize that it was their second attempt - Bill 54, The Farm Lands Ownership Act of 1982, a piece of legislation, incidentally, which was so repugnant that it was subsequently withdrawn by the government under pressure from our side. In the course of that debate, on that earlier version of this legislation, my Leader had, among other things, Sir, the following to say, and I think it's important to remind us all of what he said in brief, and to quote that, and to put it on the record.

I quote from his remarks at that time, "Mr. Speaker, I said in 1977, and I say again today, this bill is replete with the theme of social overmanagement and of social engineering which, while it may be dear to the hearts of some members opposite, really has no part in legislation of this sort which goes to the fundamental right of our citizens."

Mr. Speaker, that was my Leader speaking last year on Bill 54, The Farm Lands Ownership Act of 1982, which was that government's second attempt at this kind of legislation. As you will note from the quotation to which I referred, Mr. Speaker, he made reference to the fact that he had spoken in 1977 against that kind of legislation when, in the dying months of the Schreyer administration, that party, the NDP administration of that day, attempted this kind of authoritarian intrusion and intervention into the rights and freedoms of Manitobans.

My Leader said then, and he said again last year, and I dare say he'll say again this year - he perhaps

has already said it. The Honourable Minister of Agriculture says, he's already said it. I say it again with him, this kind of measure, this kind of legislation essentially boils down to an attempt at social management which reaches and extends into the field of social overmanagement, and essentially boils down to social engineering in its worst form.

Going back to 1977 for a minute, Mr. Speaker, May 11, 1977 to be exact, that same member to which I have referred, my Leader, had this to say on this same subject in this House. Again, I quote, Sir. "If we can serve the public interest by restricting foreign land purchases in Manitoba, then for heaven's sake let's get on with the business and do it. But why do we have to inject these further requirements that restrict the rights of our fellow citizens? For what purpose? For more governmental control?"

Sir, the answer to that question, when viewed in the context of the approach that government and that party, the New Democratic administration, has brought to this province and brought to this House, and as reflected through that litany of dismal legislation to which I referred a few moments ago, is a resounding and a tragic and a highly disturbing, yes. For what purpose? For more governmental control? Yes, unfortunately, tragically, abysmally, yes, Mr. Speaker.

What is the reason for this legislation? Well the Minister of Agriculture claims that, essentially, it's designed to curb speculation in the property and property ownership and land purchase field. But I say that my Leader was right when he said, in those remarks which I have just reiterated for the record, that really the motivation behind this kind of legislation is to provide the opportunity for more governmental control. To curb speculation, Mr. Speaker? No, a hundred times no. My colleague, the Honourable Member for Rhineland, has just addressed that point.

The purpose of this legislation is to cement government ownership and control over the lives and the affairs of the people of this province. That is the purpose of this legislation. It has been incisively addressed and attacked and opposed legitimately by group after group in the agricultural field, in the rural, farm, agricultural, industrial field. Opposed legitimately, attacked in legitimate address and debate by speaker after speaker in this Chamber, by commentator after commentator in the public and in the media, and yet, Mr. Speaker, those members opposite in that hidebound, philosophical NDP administration refuse to listen, refuse to bend, refuse to hear, even to the extent of ignoring the comments made by the Manitoba Association of Rights and Liberties, a body that one would think would command some listenership and some respect from members of this particular government.

What about the advice of the Manitoba Farm Bureau? What about the advice of the other agricultural experts? It means nothing, as far as the government is concerned, it is the expression, the articulation of particular vested-interest groups in which they have no interest, particular groups and activities and professionals who are engaged in activities of which they know nothing, for which they care nothing, for which they have no understanding or sensitivity.

Really, I guess that's the basic tragedy in this legislation, Mr. Speaker, it reflects an ignorance on the

part of that government with respect to the importance of the agricultural industry, the importance of land, and the importance of the ownership of land. That's really the tragedy of it, it reflects a mindset that does not really admit of the Western Canadian experience, or the Canadian experience, or the North American experience. It says that we are not interested in those kinds of emotions, and those kinds of activities, and those kinds of beliefs that built this continent, built this country, built this Western Canada and built this province. They are more interested in importing abstract, experimental ideas designed to tinker with the management of men's lives, and control social activity and society to the greatest degree possible.

Is this the government that listens to the people, Mr. Speaker? Hardly. If one wants to take Bill 3, The Farm Lands Ownership Act, as an example, and one wants to consider the kinds of legitimate concerns that have been raised with respect to that legislation, and one wants to consider the conscientious debate that has been launched and that has been delivered, not only in this House by critics of the bill but throughout the province by critics of the bill, and look at the reaction, or the non-reaction of the government to that legitimate debate. The answer that one comes up with is a resounding no, if one is confronted with the question: is this the government that listens to the people?

They've demonstrated that they don't listen to the people, Mr. Speaker. They've demonstrated that they don't care about the agricultural activists, the agricultural professionals, the agricultural groups and organizations that know what it is to work the land in this province and know what it means to be able to own land and property in this province.

Mr. Speaker, we hold in our party that Canadians have a right to own property in Canada without unnecessary government restriction; and we hold, Sir, in our party that that's a fundamental right of citizens in this country. That is why we have argued for the recognition and the enshrinement in the Constitution and the Charter of Rights, the right to enjoy property, the right to the enjoyment, i.e., the ownership of property. That is why my colleague, the Honourable Member for St. Norbert, has had standing on the Order Paper in this House for considerable time, a resolution articulating our desire to see that kind of statement, that kind of guarantee built into our Constitution and built into our Charter of Rights, Sir, the right to enjoy property.

What those members opposite in the Government of the Day demonstrate by this kind of legislation, Sir, is that that idea is totally foreign to them; philosophically and ideologically totally foreign to them. That's obvious from this kind of legislation.

Mr. Speaker, I want to say to the Minister of Agriculture and I want to say to his colleague, the Minister of Health - because there is an interesting analogy here between the positions that the two Ministers are taking on the subject - I want to say to the Minister of Agriculture that in my view, Sir, this is unpatriotic legislation. — (Interjection) — This bill is un-Canadian and I want to tell you why, Mr. Speaker. That government opposite is really inconsistent, really ragged and really erratic when it comes to what is constituted in this country of ours.

You know, on the one hand, Sir, they pontificate about Medicare. If an individual province takes any kind of

an initiative to address its own problems in health care funding in its own unique individual way, they're immediately up on their hind legs, horror-struck, saying that Medicare is being threatened by the activities of that particular province; that all provinces in this country have a duty and a right to pull together, to preserve Medicare and to have the same approach to Medicare so that it is guaranteed to all Canadians on a national coast-to-coast Canadian-wide basis.

So what does that mean, Sir? That means they come across - and that's an argument that I certainly can respect - but what that means, Sir, is that they are saying Canada first, and that is a very good argument. That is a very good argument - Canada first. That means that they are saying, what's good for Canada is good for me. That means that they are saying, what's good for Canada is good for the Minister of Agriculture and good for the Minister of Health and good for all of us, and I can subscribe to that.

But then what happens, Sir? They come out of that Cabinet room — (Interjection) — Mr. Speaker, the Minister of Agriculture is trying to say to me that what's good for speculators is not good for Canada. I say to him, Mr. Speaker, that let us put Canada first, let us not throw out the baby with the bath water and let's not destroy individual freedom just to get at one or two speculators.

I don't object to his intention to close down on the speculators and to bring the speculators under control, Mr. Speaker, but I want to continue making the point, if I may for a moment, that I was trying to make. They come out of the caucus room and the Cabinet room saying, no province has a right to introduce individual measures with respect to Medicare because that's damaging to the national Canadian system and we've all got to be Canadians when it comes to Medicare.

Then what do they do, Sir? They come out of a council of woolly thinking with the Minister of Agriculture and they say that Canadians are all different; they've got no particular right to own land in Manitoba; they are not good enough to own land in Manitoba unless they meet our requirements and live to our expectations and we're throwing up borders, we're throwing up iron curtains around this country, around this province, to make sure that Canadians don't, as a people from coast to coast, have equal rights and have equal opportunities in this province of ours.

We are an insular, narrow, isolated parochial province. We're throwing up walls around our borders to keep other Canadians out; that's what they're saying and I say, Sir, that is un-Canadian, unpatriotic and directly in conflict with the kind of position they take on Medicare, and other issues. That, Sir, is so inconsistent, so ragged and so indefensible as to be obvious, I would think, Sir, to the Minister of Agriculture and his colleagues, without emphasis. Unfortunately, I think no amount of emphasis, no degree of emphasis will drive that point home to them.

Here, Sir, in Bill 3, we have possibly the most parochial, the most insular, the most narrow legislative proposal imaginable and that is talking out of both sides of their mouth at once; that is talking out of two sides of their mouths, Sir. When they talk about nationalism and Canadianism in one field of activity and narrow insular parochialism in another. Canadians are opposed to that kind of insular parochialism;

Manitobans are opposed to it. That government, Sir, risks this kind of authoritarian control over our rights and our liberties at its peril.

Therefore, Sir, I have no hesitation, I only have reservations about the necessity of having the debate. I would have thought it would have been obvious to the members of the government, that freedoms of this kind should not be trampled. But I have no hesitation, Sir, in subscribing as strenuously as I can, to the proposed motion put forward by my colleague from Kirkfield Park which de facto, Sir, says to the government, pull the bill, kill the bill, respect the freedoms of Manitobans and Canadians coast to coast, to own land and property in this province to a degree that is not intruded upon, to a degree that is not damaged and is not trampled by bureaucratic government intervention.

That is our plea to the government at this point in time, Mr. Speaker, on behalf of demonstrably and unquestionably the majority of Manitobans in the agricultural field. Those who work in all our agricultural activities and organizations throughout our entire agricultural spectrum say for the most part that this is the kind of action that they want, Sir. They want the government to pull that bill and they want the opportunity to enjoy those property rights and freedoms as they have existed in the past. They do that, they take that approach, they take that perspective as Canadians, not just as Manitobans but as Canadians, and I make that plea to the Minister as a Canadian to a Canadian. I ask him to have done, with legislation that is essentially unCanadian, and unpatriotic, and restore this province to its place of mutual equality, mutual respect, and mutual activity in the area of agriculture, and land ownership, and property ownership, with our fellow Canadians across this country.

Mr. Speaker, I ask the Minister, along with my colleagues who have spoken, to take heed of the deep concerns of Canadians and Manitobans, where this kind of legislation is concerned, and to pull Bill 3 and get back to freedom.

MR. DEPUTY SPEAKER: Order please. The Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, I move, seconded by the Member for La Verendrye that debate be adjourned.

MOTION presented.

MR. DEPUTY SPEAKER: The Minister of Agriculture on a point of order.

HON. B. URUSKI: Mr. Speaker, notice has been given on previous occasion that debate shall continue. Mr. Speaker, we will not accept an adjournment, if the honourable member wishes to speak he can continue.

MR. DEPUTY SPEAKER: The motion before the House is shall the debate be adjourned?

QUESTION put, MOTION defeated.

MR. DEPUTY SPEAKER: The Member for St. Norbert.

MR. G. MERCIER: Thank you, Mr. Speaker. Well, Mr. Speaker, you know another indication of this government's actions. This government, Mr. Speaker, has introduced in this Legislature bills and resolutions in which it is clearly evident that either (1) the government is proceeding on the basis of ideology alone; or (2) it is incompetent; or (3) that it doesn't listen to the people of Manitoba, Mr. Speaker. I think all three reasons apply, Mr. Speaker, with respect to this bill.

Mr. Speaker, when I spoke on this bill some weeks or months ago, I raised the whole question of whether or not this bill contravenes the Canadian Charter of Rights and Freedoms, Mr. Speaker. Since then the Manitoba Association of Rights and Liberties has presented to the government a lengthy brief, Mr. Speaker, with respect to their position and expressing their concern that some clauses of The Farmlands Ownership Act may be in conflict with the Charter of Rights.

The Minister was kind enough to show me earlier on this evening a copy of a legal opinion which he received from the Attorney-General's Department, Sir, in which the lawyer involved, a man whom I know and respect in that department, expresses an opinion that that position may not be quite correct. But, Mr. Speaker, having briefly read that opinion I think that the opinion which he received could be debated and is being done so by the Manitoba Association of Rights and Liberties.

For example, one of the arguments used in the opinion given to the Minister, is that Section 1, of the Canadian Charter of Rights and Freedoms justifies, or could be used to justify, this type of legislation.

Section 1 states that "the Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." I think, Mr. Speaker, that the members of this House, and this side of the House, who have spoken reasonably, and thoughtfully, and seriously with respect to this matter, and have produced statistics gathered from the municipalities throughout this province, could very well say to the Minister that there has been no demonstrable justification for this type of legislation in this province, Mr. Speaker.

Mr. Speaker, the Charter of Rights and Freedoms clearly says, in Section 6(2), "that every citizen of Canada, and every person who has the status of a permanent resident of Canada has the right to move to, and take up residence, in any province; and (b) to pursue the gaining of a livelihood in any province."

The opinion which the Minister of Agriculture has indicates that there is no reference to property. I think, Mr. Speaker, it would be clear to the average person reading that section that where you have a law discriminating against people, preventing them from owning land in Manitoba, that there is discrimination in that you are restricting people from the gaining of a livelihood in any province. Again, there is no demonstrable justification for that course of action.

Subsection 3 of Section 6 says "the rights specified in subsection 2 are subject to any laws or practices of general application in force in a province, other than those that discriminate among persons primarily on the basis of province of present or previous residence."

So, Mr. Speaker, that part of the bill certainly discriminates against people from out of the Province of Manitoba, although they are Canadians, contravenes, I suggest, Mr. Deputy Speaker, the Canadian Charter of Rights and Freedoms.

Mr. Speaker, I had requested that the Minister obtain an opinion from independent counsel outside of the government, and I still say to the Minister, before this bill is passed, and it's going to be a long, long time before the bill is passed, that he still pursue the obtaining of an independent legal opinion with respect to this matter.

Certainly, Mr. Speaker, the amendments that the Minister distributed to our agricultural critic, the Member for Arthur, of which I have a copy, do not deal, in any significant way, with the concerns that we have expressed on this side of the House; concerns which are echoed by the Manitoba Association of Rights and Liberties, and the concerns which have been expressed, Mr. Deputy Speaker, by farm organizations and farmers throughout the Province of Manitoba.

Mr. Deputy Speaker, the Canadian Charter of Rights and Freedoms also goes on to say "that everyone has the right to life, liberty, and security of the person, and the right not to be deprived thereof, except in accordance with the principles of fundamental justice." That is again, Mr. Speaker, a section which the Minister of Agriculture should take into consideration in attempting to have this bill passed by the Legislature, because I think there could very well be a contravention in this legislation with respect to this section. The legal opinion the Minister allowed me to see briefly indicated there is no reference to property in Section 7. Well, hopefully, Mr. Deputy Speaker, we are going to deal at this Session and, if not, I hope at the next Session, with the constitutional amendment which we had proposed, which includes the words "enjoyment of property."

I point out, too, to the Minister of Agriculture, and he should take note of it because the left hand may not know what the right hand is doing. The Attorney-General has tabled in the Legislature an opinion prepared, I believe, by either Professor Gibson or Dean Jack London of the Law School, with respect to the constitutional amendment which I proposed, on behalf of my colleagues, to include the words "enjoyment of property" and part of that opinion, based on American jurisprudence, the author of that paper suggests would lead you to the conclusion that property is included within this type of wording in the decisions made in the United States. Mr. Speaker, property may very well be included in Section 7, as a result of which this bill contravenes the Charter of Rights and Freedoms.

Again, Mr. Speaker, Section 15(1), the Equality Rights Section. "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination, and, in particular, without discrimination based on a whole list of individual classifications." So there should be ample concern to the Minister of Agriculture, Mr. Deputy Speaker, that this bill does contravene the Charter of Rights and Freedoms and, for that reason, he should withdraw this bill and have this bill examined. There are other arguments, Mr. Speaker, that go well beyond that, simply based on common sense in the freedoms that we know as Canadians that are justification for withdrawing this bill.

But from a purely legal point of view, Mr. Speaker, the Charter of Rights which members on that side upheld so strongly in past years, leading up to its adoption, one would think that they would pay more heed to its provisions than they are in this bill.

Mr. Speaker, I have a lot of concerns with this bill as I look through it, and I note that some have been referred to in the brief by the Manitoba Association of Rights and Liberties. They refer to a farmer as a person, a resident who receives a significant portion of his income, either directly or indirectly, from his occupation or farming, or who spends a significant portion of his time actively engaged in farming.

Mr. Speaker, what does significant mean? The Manitoba Association of Rights and Liberties I think expressed this concern on Page 3 of the bill. They ask, "What is a significant portion of his income; is it 25 percent, or 33 1/3 percent, or over half, or in spite of the definition of indirect, is it clear what the words directly or indirectly mean? How would a farmer receive income indirectly from farming, as it is defined in the bill?"

According to the wording of the bill, farming does not include the "purchase and resale of agricultural products, or the commercial processing of agricultural products." Many farmers have had to accept employment during the winter months in order to maintain their farming operation. If their winter employment yields a significant amount of their income, do they then lose their right to be considered farmers? If farmers rent out their farm equipment to their neighbours or their time and equipment to their neighbours, do they, under the definition of farming, lose their status as farmers? We suggest that the definitions in this case are unclear and defeat the purpose of the act.

Mr. Speaker, the word "significant", it is very difficult for me, as a member of this Legislature, to accept a definition like that when what is significant to one person is insignificant to another. What is a significant portion of his time actively engaged in farming? Mr. Speaker, no one knows what these words means and how they are to be interpreted, and we have no indication from the Minister of Agriculture, in his proposed amendments to the bill, that there will be any change. So, Mr. Speaker, it is obviously very difficult and impossible for us to approve a bill drafted in this format.

This bill goes on, Mr. Speaker, with concerns, with retroactivity provisions. Mr. Deputy Speaker, I can recall the concerns expressed by members opposite while we were in government and we dared to introduce a bill that had any retroactive effect, even if it was a matter of a few months. We have a bill here that goes back years, Mr. Speaker. That is a principle which it is difficult for us, on this side of the House, to uphold and vote in favour of.

Mr. Speaker, there is a section of this bill on a major principle, but one of concern, I would think, which came to my mind as I read this bill again. Section 3(6) of this bill indicates that if a person acquires an interest in farm land by enforcement of a mortgage, that person acquiring that interest would have to divest himself of that interest in that land within three years from the taking. Mr. Speaker, I don't know whether anybody else has commented on that, I haven't seen any other comments by any interested groups, but I tend to think

that is the kind of provision that would deter investment in mortgages on farm land, Mr. Deputy Speaker. If a mortgagee is put in that position, when we all recognize, Mr. Deputy Speaker, the fluctuation that operates with respect to the value of land, whether it be in the city or whether it be in rural areas, that kind of a provision requiring divestiture within a period of years, where the mortgagee is required to foreclose because of arrears in mortgage payments may very well have caused some concerns in the minds of people prepared to invest in mortgages on farm land, Mr. Speaker.

There is another section, Section 3(10), which also says that a person who acquires "... an interest in farm land as a consequence of and in conformity with a final order of a court ..." must "... within 3 years from the taking," divest themselves of that interest in farm land, if they don't otherwise qualify with the other requirements of the act.

Mr. Speaker, what if a wife who has left her husband, living in the city, acquires an interest in farm land as a result of the marital breakup, and then is required to divest herself of that interest in the farm land? If the Minister is listening, if he is aware of another provision in the act that would overcome this situation, I would ask him to refer it to me.

But that does not seem fair, because you could very well, Mr. Deputy Speaker, have a situation where a woman has worked a significant part of her life - by significant, I mean a large number of years - with her husband in developing that farm land, raising a family, and then because of an agreement to disagree she leaves and resides in the city. As a result of the court proceedings related to the marital breakup, she acquires title to all or a portion of the farm land, but must divest because of this provision within three years if she wants to remain in the city. I ask the Minister, she may not come within the definition of a farmer under the act. — (Interjection) —

Well it is a concern. I ask the Minister, Mr. Speaker, I think he understands the problem, and I ask him to assure himself, Mr. Speaker, that a woman - it would be a woman in that case - would be equitably dealt with under those circumstances, and would not be required to divest herself of her information.

Mr. Speaker, the Manitoba Association of Rights and Liberties made, I thought, some excellent comments with respect to the powers of investigation contained in this act in Section 11. As they pointed out, Mr. Speaker, on Page 5 of their brief, "We suggest strongly that these requirements be modified to conform with standards of privacy and confidentiality, and with the powers that appointed administrative boards should properly exercise."

Mr. Speaker, I want to say that I am referring to this particular brief because members of the House on this side in the past have made comments on all of these sections that are referred to in the Manitoba Association of Rights and Liberties brief, but the government has not accepted and transformed our concerns into amendments to this piece of legislation. I am referring to the Manitoba Association of Rights and Liberties, in view of the fact the government has given them a significant grant of money, through the Attorney-General's office, to carry on this kind of a review of bills. I'm hoping that, if the Minister won't listen to the arguments that have been made by our side of the

House, perhaps he will listen to this other group which are making the same kinds of arguments with respect to this bill.

They've pointed out, Mr. Speaker, that Section 11, and several of its subsections also threatens the privacy and right to confidentiality of individuals. Subsection 11(1) compels the production of books, documents, papers, correspondence, records or things of a person being investigated or of any person representing, or acting on behalf of, or as agent for such person." The important sentence that they make, Mr. Speaker, the important point that they make, is not even The Income Tax Act provides such powers and such protections to an investigator.

The Minister is not proposing any amendments to this type of investigative power in his amendments which he has given to our side. How can he, Mr. Deputy Speaker, justify these types of investigatory powers under this act when even investigators under The Income Tax Act do not have these kinds of powers? Well the Minister is indicating that they do. Even if they do, Mr. Speaker, that's not a sufficient rationale for doing it in this particular instance.

Mr. Speaker, they express concerns throughout their brief on points that have been made by members on this side of the House with respect to discrimination. On this point of discrimination they point out clearly to express their general concern that the act does not appear to ensure a full comprehension of, or appreciate the extent to which a number of sections of the act adversely affect the farm businessman owning real property, as compared to the non-farm businessman owning real property. We suggest some clauses of the act may be in conflict with the Charter of Human Rights. Specifically, they say, with Section 6 of the Charter, Mobility Rights; and I suggest, Mr. Deputy Speaker, that there are at least two or three other sections of the Charter of Rights and Freedoms which may be contravened by the provisions of this bill.

They, Mr. Speaker, talk about the definitions lacking clarity. We have raised the definition of farmer which lacks, as we say, a lot of clarity in using the word "significant," and makes it very difficult for farmers in this province to even make an attempt to comply with this bill. How can you have a law, Mr. Speaker, that is so dubious and so uncertain that people don't know whether they are in violation of it or not? Mr. Speaker, that is not an appropriate manner in which to pass legislation in this province, when people will find out later on that they may have offended and be in contravention of this bill. People are entitled to know, are entitled to have clear laws passed to be able to ascertain immediately upon seeing the law and reading the law as to whether or not they are in contravention, particularly in a case like this, Mr. Speaker, when you're talking about farmers and farmers earning a living in Manitoba.

They express the concern that I have expressed in the past and others have expressed, Mr. Speaker, with respect to the retroactivity contained in this legislation. They talk, Mr. Speaker, as we have talked about the gross breaches of confidentiality and invasions of privacy, Mr. Speaker, and the record-keeping that will be required under this legislation, but the record-taking and records that are going to have to be maintained, Mr. Speaker, are unduly onerous to any person involved

in any business. They point out clearly in their comment that changes, no matter how infinitesimal, would have to be reported to the board.

In a world of constant change the farmer might well have to spend as much time reporting, as carrying on his or her normal business and that comment particularly is made, Mr. Speaker, with respect to Section 3(1)(b) of the bill, with respect to keeping the board informed of all changes in control.

Mr. Speaker, there are other general sections in this bill I believe are contained in Section 8. These are the sections, Mr. Speaker, that I don't believe this Legislature can allow to be passed, Section 8(2)(b), "Without restricting the generality of subsection (1), the board may require any person taking . . . "

MR. DEPUTY SPEAKER: Order please.

MR. G. MERCIER: It's the principle, Mr. Deputy Speaker.

MR. DEPUTY SPEAKER: I would hope that the Member for St. Norbert could restrain himself and restrict his debates strictly to the principles without referring specifically to clauses.

The Member for St. Norbert.

MR. G. MERCIER: Thank you, Mr. Deputy Speaker. I was trying to use the wording of this section to speak with respect to the principle that is involved in this, Mr. Speaker, because when you have a board that can require any person taking, acquiring, receiving or holding an interest in farm land, or proposing to do so, to submit to it at such time and from time to time as it may require, such information in such form as it may require, and require annually such information in such form as it may require. That, Mr. Speaker, offends, I believe, the privacy and confidentiality of the people affected by this legislation. That type of broad authorization to a board, to interfere with the privacy of individuals in this province, should simply not be allowed, Mr. Speaker.

There should at least be some criteria for the requiring of such information, some basis that is to be used by the board in demanding such information and such record-keeping from individuals in this province, Mr. Speaker. I think that should offend all members of the legislation with the kind of powers that are to be given to this board. As the Association of Rights and Liberties says, Mr. Speaker, they allow a kind of global investigation which we believe should be unacceptable in our kind of society and they ask the government to re-examine those provisions in terms of the rights of individuals to privacy and confidentiality. That's what we have been saying in this debate, prior to this brief that is being presented by the Manitoba Association of Rights and Liberties and we have previously asked the Minister of Agriculture to examine those sections on that principle.

In the amendments that he distributes to us there is only one amendment to this particular section and an amendment that does not deal in any way with this concern, with the super powers of this board, to interfere with the privacy and confidentiality of people affected by it.

Mr. Speaker, there is contained in this legislation, and we've referred to it before . . .

MR. H. ENNS: Mr. Speaker, on a point of order. I wonder if you could ask members to refrain in keeping their private conversations down to a lower level so that I could listen to the important comments made by my colleague, the Member for St. Norbert.

MR. DEPUTY SPEAKER: I thank the Member for Lakeside for that point of order. Perhaps members could keep their conversations down.

The Member for St. Norbert.

MR. G. MERCIER: I thank you, Mr. Deputy Speaker, and I thank the Member for Lakeside for his rapt attention to this speech. He's always prepared to learn something new, although he may not be learning it in this case, and I know he's listened to the previous, probably, 60 or 70 speeches that have been made on this bill, but he's still willing to learn.

Mr. Speaker, there is the onus of proof under this legislation that has caused concern on our side, that causes concern to the Manitoba Association of Rights and Liberties, and on which there is no amendment. — (Interjection) —

MR. DEPUTY SPEAKER: Order please.

MR. G. MERCIER: Mr. Speaker, these arguments I say to the Minister of Agriculture, these arguments on so many of these sections of this bill, have been made on this side previously by numerous speakers as I have indicated earlier. I'm only referring to this brief because I'm hoping that the Minister might listen to some outside brief based on many of the arguments that have been made by members on this side of the House previously and if he will not listen to us, perhaps he will listen to some outside group that has expressed the same sort of concerns on many of the same provisions as we have, Mr. Speaker.

So, Mr. Speaker, that onus is one that we're concerned with. It is a concern that I expressed when I spoke originally on this bill, because I expressed that concern on that reverse onus section because the Attorney-General had tabled in this Legislature a study that was done on all statutes of Manitoba. It was done by someone retained by him that expressed that concern on the reverse onus that is contained in the existing legislation and I asked the Minister to consider that matter, and obviously, if he's considered it, he's not prepared to make any change . . .

HON. B. URUSKI: Read the amendments. We did consider it. There are about three amendments there. It says the reverse onus will not be used in criminal proceedings; it will be used in investigations. We did consider it.

MR. G. MERCIER: Mr. Speaker, the explanation of the proposed amendment is that - This is very interesting, Mr. Deputy Speaker. The proposed amendment will mean that the onus of establishing that an interest in farm land has not been acquired in contravention of the act, lies with the person who's acquired the interest, except insofar as criminal prosecutions are concerned.

Well, Mr. Speaker, is the Minister of Agriculture telling me that somehow they're going to amend the Criminal Code in the Manitoba Legislature? The comment that is made on this amendment is totally irrelevant to this particular act. He's leaving the onus in, but he's making some reference to criminal prosecutions, which this Legislature does not have jurisdiction to deal with. — (Interjection) — That's not a criminal prosecution. No, Mr. Deputy Speaker, the Minister of Agriculture is suggesting that a prosecution under this section is a criminal prosecution and I'm suggesting to him — (Interjection) — okay, okay. But the main concern, Mr. Speaker, - okay, I can understand that - in a criminal prosecution there's no question you can't do that. But in civil matters, there is still the concern that the reverse onus should not be used.

Mr. Speaker, the amendments proposed by the Minister of Agriculture do not deal with any of the significant and fundamental concerns expressed by this side of the House with respect to this bill. The Minister of Agriculture is indicating that's true, so, Mr. Speaker, there's no question that this side of the House, having made some 55 speeches on this particular bill, has not been listened to by the Minister of Agriculture and we have no alternative but to continue to make these arguments again and again and to continue to oppose passage of this bill. He's not dealing with the fundamental arguments and the discrimination against other Canadians and discrimination against Manitobans and discrimination against family farm corporations that are contained within this bill, Mr. Speaker, and he says no, but he has one definition of a family farm corporation and I think we have another definition of a family farm corporation.

So we will continue, Mr. Deputy Speaker, to oppose this bill. We're not satisfied with the amendments he is proposing. We will continue to make our arguments on this bill, and to attempt to continue to persuade the Minister to recognize that he lives in a federation, where other Canadians should have the opportunity, Mr. Speaker, to own land in Manitoba as should Manitobans have the right to own land in other provinces.

Thank you, Mr. Deputy Speaker.

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

The Member for Turtle Mountain.

MR. B. RANSOM: Thank you, Mr. Deputy Speaker. I'm pleased to have the opportunity to address the proposed motion of the Honourable Member for Kirkfield Park, reading that The Farm Lands Ownership Act be not now read a second time, but be read this day six months hence.

Mr. Speaker, there are very good reasons for having moved that six-month hoist and perhaps the Minister of Agriculture is not listening to the debate and that would be understandable, considering the number of speeches that have been made, the period of time over which we have been dealing with this issue. I can understand why the Minister might not be paying close attention to what has been said, but, Mr. Speaker, we are attempting to get the Minister and the government to understand why this bill should not be read now,

should not be passed, should either receive major changes, amendments, or else be withdrawn. That's why we've moved the motion, the six-month hoist.

Perhaps the Minister has a pride of authorship in this bill, which prevents him from listening to the reasoned arguments that have been put forth, not just by members on this side of the House, not just by us; but have been put forth by the Manitoba Farm Bureau, which represents a very large number of farmers in the province; that have been put forth editorially by the Brandon Sun, for instance, which certainly is a paper that's based in the main, the heart of the wheat country, the wheat city of Brandon. There are other people, my colleague from St. Norbert has just referred to some of the weaknesses in the bill which the Association for Rights and Liberties has pointed out. So there are good reasons why this bill should not be proceeded with.

Mr. Speaker, when I had the chance to speak to the bill itself earlier, I placed some of my concerns on the record and I must say that the Minister didn't deal with them. He didn't answer the concerns that I had. Now he may have dealt, to some extent, with the question of Canadian ownership. Why should Canadians not have the right to own farm land in Manitoba? Why should someone from Saskatchewan or Alberta or British Columbia or Ontario, Quebec, whatever, not be able to own farm land in Manitoba? What is it about our fellow Canadians who live in other provinces that renders them such, that they should not be able to own farm land in this province? There hasn't been a good reason given by the Minister why that should not be so. — (Interjection) — Well, Mr. Speaker, the Minister speaks about a Cabinet paper.

We had an earlier situation, where I believe the Minister of Finance had dug up some unsigned Cabinet paper that had been put forward. In this case the Minister says that it had been signed by the former Minister. Perhaps, Mr. Speaker, that's so. I don't argue with that but it wasn't government policy. That's why you have a Cabinet that takes reasoned decisions. Sometimes members, Ministers, will put forward a position; they're dealing with an intractable problem; they put forward a position for consideration.

I readily acknowledge, Mr. Speaker, that the whole question of foreign land ownership is a problem because members on the government side, members on this side, the majority of the public would acknowledge that foreign land ownership, foreign speculation in farm land in Manitoba, is something that we want to control. We don't want to see it taking place.

Now how to bring that about is a difficult question, even though the members opposite when they were in opposition, liked to indicate that we actually created loopholes in the law, in order that foreigners could own land here. That was not the case, Mr. Speaker. We made genuine efforts to try and tighten up the requirement, tighten up the controls placed on foreign owners of farm land in Manitoba.

Now I'd be the first to admit that the bill was not perfect, improvements could have been made. There were provisions in the bill, of course, which haven't even been used from the time the bill has been passed until now but it doesn't mean that the government had to proceed in the way that they have, by restricting Canadians to the extent that they have, and restricting Manitobans from owning farm land in certain ways for

the structuring of business, that's available to other Manitobans pursuing other livelihoods, owning other pieces of property.

What the Minister seems to have done here is to have attacked a much wider, what he perceived, and what his caucus perceives to be a much wider problem, and that has to do with speculation generally, and the Minister is nodding some approval. But if the government really wants to deal with speculation then why don't you outlaw speculation if that is what you're trying to do.

If you want a bill to control foreign ownership of farm land then pass a bill that deals with foreign ownership of farm land. If you want a bill that deals with speculation in farm land, then pass a deal that deals with speculation. Apparently the Minister doesn't see anything wrong with an individual Manitoban speculating in land but he doesn't want to see a Canadian, outside of Manitoba, speculating in farm land. So that then begins to come back as a contradiction against the acknowledged purpose that the Minister acknowledges, and the Minister of Natural Resources has frequently acknowledged, that indeed it's speculation that you're attempting to deal with in this bill.

Well, Mr. Speaker, let me first of all deal with speculation since the Minister considers that speculation is a bad thing. They don't acknowledge that there could be any value to speculation. I recall one of my colleagues mentioned speculation before - and again I believe it was the Minister of Natural Resources indicated, what good is there to speculation? What possible value could there be in speculation?

No. 1, Mr. Speaker, is that speculation establishes a market where there might not otherwise be a market. Now you ask a retiring farmer who has built up some equity in his farm - chances are it's a farmer and his wife who have worked together to build up equity in their farm - they want to retire. Perhaps there is no farmer ready to buy that land, but perhaps there's someone that the Minister might loosely categorize as a speculator. Do you think that speculator, as such, isn't playing a useful role in buying that land, allowing those people to retire? Once it's in the hands of the so-called speculator, Mr. Speaker, somebody has to do something with it. Somebody has to farm that land.

Now this is not like speculating on a piece of real estate in the city, where a variance in a zoning by-law, for instance, might suddenly make that land 50 times as valuable as it was before. That doesn't happen in the country, by and large. Basically you're talking about a piece of farm land whose value is related to the agricultural products which would come from that land.

So the speculator goes out on the market to try and rent his land out. Supposing he's paid \$2,000 an acre for the land, and it's only worth \$500.00. He's going to go out and try and get - say a 10 percent return on that land - he's going to try and rent it for \$200 an acre when the real productive base of that land says, that it might only return \$50 an acre as a rental. Do you think that speculator can go out and twist anybody's arm on the market, and force them to pay \$200 an acre? Nonsense. They need only pay as much for that land as they think they can afford to pay and still make a profit; and if they can't find someone who's prepared to pay that, Mr. Speaker, then what's the speculator going to do?

The speculator is going to have to hire somebody to work his land. He's going to have to hire custom operators to do it. He's not going to make a big profit from that because anybody who's had anything to do with agriculture knows that there are no quick profits to be turned in agriculture.

So, Mr. Speaker, in the long run the speculator in agricultural land cannot afford to pay more than the land is worth on the basis of its productivity. So you're not dealing . . .

MR. H. ENNS: Go through that again for me, that's troubling me.

MR. G. MERCIER: The Minister says, just what? I'm telling the Minister that a speculator can't afford to pay more for farm land in the long run. On the average, a speculator cannot afford to pay more for farm land than he can expect to get, by way of return, based on the productivity of the land.

What's the point of paying \$2,000 an acre if the imputed value of the land, based on its productivity, says it's worth \$500.00? Is he going to get a farmer to pay him \$2,100 an acre? No. There may be isolated instances where farm land is turned over at a profit. You can also find instances where there are losses, where a speculator suffers losses.

MR. R. BANMAN: Lots of that now.

MR. B. RANSOM: And, as my colleague from La Verendrye says there's lots of that now. That's true. People who bought land some time ago, agricultural prices were higher and they thought they were going to go higher, well they haven't, and there is very little profit to be made.

Mr. Speaker, if one calculates the value of land - supposing someone bought a piece of land 10 years ago and they paid \$200 an acre for it, and 10 years later they sell it for \$500 an acre. There would seem to be a profit there of \$300 an acre - 150 percent over 10 years. People might assume that that's a large profit, but the truth of the matter is that that \$300, of course, is a taxable capital gain so that \$150 an acre of that is going to be taxed as income and, in the same period of time, the value of the dollar has declined by more than 50 percent. What you would find in a case like that is that the person who sells that land will actually lose money; that the real value of the land, in terms of the purchasing power of its worth, is not there. So that many of the cases that appear to be large speculative profits really don't turn out to be so.

The members opposite don't like to acknowledge that there could possibly be anything worthwhile to speculation. So, they don't accept any of those arguments. Why don't they deal with it directly? Why do you try and masquerade legislation to control speculation as legislation to control foreign ownership of land? Why do you say that it's foreign ownership of land that's being controlled, when you're really controlling Canadians from owning farm land? Why do you try and say that it's control of foreign owners of land when, in fact, you're placing restrictions on Manitobans from owning farm land?

I recounted my own personal situation to the Minister, to the House, when I spoke. The Minister didn't say a

word about that kind of situation when he spoke on this motion. Let me go through that, once again, Mr. Speaker, to explain to some of the members who appear to be listening more closely than they were at the time I outlined it before.

I happen to have an interest in a corporation which is entirely owned by members of my family. The corporation has been conducting farming operations in the province for 16 years, but it is not a family farm corporation because it is not controlled by farmers because of income from other sources and time spent on other activities. So, we really haven't been taking much money out of this corporation, indeed, in some cases, we've been putting money in in order that we can continue to subsidize the consumers in the fashion that a great many farmers do. But, nevertheless, we've been conducting this farming operation for 16 years.

Now, this bill is going to either put us out of business or will force us to go on bended knee before a politically-appointed board, because, Mr. Speaker, a corporation, other than a family farm corporation, cannot have an interest in farm land.

Mr. Speaker, this corporation is not a family farm corporation under the definition of this act. It, therefore, cannot have an interest in farm land. That means that as the agricultural system — (Interjection) — Mr. Speaker, I'm trying to tell the Minister if he would listen. In this day — and it's the way it's been for decades in agriculture — with the system changes people have had to expand their base to survive.

Now, if this bill passes, what that says is that our corporation cannot go out and rent another piece of land; it cannot go out and buy another piece of land; it can't go out and lease another piece of land, Mr. Speaker, because interest in land is defined as a lease.

If I can find the section in the bill. Mr. Speaker, "interest in farm land" includes any right, title or interest in farm land recognized at law to be an interest in real property, whether legal, equitable or beneficial, and whether direct or indirect, and without limiting the generality of the foregoing includes, in respect to farm land, an option to purchase, an agreement to purchase, a right of refusal, a mortgage, an encumbrance, a debenture or any other form of security interest, an option to acquire any form of security interest, a lease, an agreement to lease, an option to lease."

Mr. Speaker, what is says is that our farming corporation cannot even lease another piece of land. So as we have to expand in order to survive, this bill will prevent us from doing so.

Now, just to show you how absolutely totally ludicrous that is, I, as an individual Manitoban, could buy a piece of land, I could not lease that piece of land to the corporation in which I have an interest and which is controlled by all members of my family. That's what this bill will do. And I made that argument, I tried to make that argument to the members opposite; the Minister didn't even address it.

Now, had he addressed that issue and said, you're not right and here's why you're not right, then I would have something to look at, something to make a decision whether I was wrong or not. But, Mr. Speaker, I believe I'm right in this interpretation and, if the members will look at the bill, they will see that I'm right and that our only way out of that would be to go before the politically appointed board and say, honourable

members of a politically appointed board — and I'd have to be figuratively on my knees — begging to be able to lease additional land in order that I might continue to make a livelihood, or to have some base there either for other family members to expand later on, or perhaps to have some retirement option at some point in the future. I ask the Minister to look at that. It hasn't only been pointed out by myself — it's been pointed out by the Manitoba Farm Bureau — and if the Minister hasn't made all his colleagues aware of that he should, because in the letter that the Farm Bureau sent to the Premier on February 3rd, that is outlined.

On Page 2, he will find that it is outlined. That problem has been brought to the attention of the government. That should not be that we and other Manitobans — and there are going to be many in similar situations — should be placed in that kind of situation. I've asked the Minister to give some consideration to having that changed, Mr. Speaker.

So in closing, Mr. Speaker, I would urge the government once again to listen to what the people are saying. We've urged this on other bills, we urge it again on this one — listen to what the people are saying.

It wasn't listened to in the last years of the Schreyer Government when the government was going out and buying farm land. That was an unpopular move, a very unpopular move out there in the country, but the government didn't want to acknowledge that. But now I think a number of the members who were around at that time would acknowledge that it was a major factor in the defeat of the Schreyer Government in 1977. That's why some of the seats were lost in the rural areas.

Listen to what the people are saying. Listen to what the Farm Bureau is saying. Do you think that the Farm Bureau would be acting in the interests of foreign speculators? Do you think that the Farm Bureau would not be attempting to present the views, as they see them, of the majority of farmers in Manitoba? No, no. They're acting in what they see as the interests of the farming community of Manitoba and this government would be well advised to listen to them, Mr. Speaker.

I was hopeful that the Minister would bring forward some meaningful amendments but I believe, without having carefully studied them, I don't believe that those amendments address the two most serious defects of this bill: (1) the fact that Canadians can't own land here, and (2) the fact that Manitobans are restricted from owning and farming land through mechanisms that are available to Manitobans wishing to pursue other avenues of property ownership or other avenues of earning money.

So, Mr. Speaker, I don't believe that this bill should be dealt with now. I think this six-month hoist deserves consideration, to give the Minister an opportunity to look at it more carefully. Forget about the pride of ownership. Consider the interests of the farming community first of all and perhaps by so doing he might even be helping the political considerations, the political life of the New Democratic Party, if he would just listen to what the public has to say.

Thank you, Mr. Speaker.

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

The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I move, seconded by the Minister of Agriculture, that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 10:00 a.m. tomorrow. (Wednesday)