

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Tuesday, April 4, 1972

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: I should like to direct the attention of the Honourable Members to the gallery, where we have 150 students, Grade Seven standing of the Steinbach Elementary School. This school is located in the constituency of the Honourable Member for La Verendrye.

We also have 75 students of the Canadian Nazarene College. This school is located in the constituency of the Honourable Member for Fort Garry.

We also have 40 members of the Kirkfield 1st Cubs. These members are located in the constituency of the Honourable Member for Assiniboia.

On behalf of all the Honourable Members of the Legislative Assembly I welcome you here today.

STATEMENTS

MR. SPEAKER: Before we proceed further, I also wish to make a statement.

On March 23rd, the Honourable Member for Lakeside raised a question of privilege relating to procedures of this House. A number of Honourable Members contributed to the matter at issue and I thank them for their contributions. In the opinion of the Chair, the question, as posed by the Honourable Member for Lakeside resolves itself around the recording and transcribing of Hansard and specifically the interjections which sometimes are recorded and at other times are missed. The Chair has had great difficulty establishing some reference for the matter at issue.

May's defines Parliamentary procedure consisting of rules and arrangements made by either House for the discharging of its constitutional function within that framework. It is also further defined as being divided into three groups. The forms of proceeding used in either House, the machinery of direction, and delegation established by each, and the rules which govern the working of the forms and machinery.

The forms of proceedings are the procedure on bills with its various stages, the process of debate by motion; questions and decisions; and a whole range of proceedings for the control of administration. It covers both the presiding and permanent officers of each House and the subordinate bodies or committees of various kinds to which portions of business are delegated. Rules of procedure in their proper sense are the directions which govern the working of the forms of proceedings and the machinery of each House. I should also like to refer Members to Beauchesne's 4th edition, citation #84, which states:

"Motions, amendments, references to Committees, 1st, 2nd and 3rd readings of bills come under the term of Proceedings in Parliament. They are the means used to the end that a matter may be considered and disposed of by the House. The word proceeding must derive from the verb, to proceed, which means - to advance or to carry on a series of actions. Members take part in the proceedings usually by speech but many proceedings take place without debate, which shows that speeches are not essential."

Speeches either help or hinder a proceeding . . . Order please! Speeches either help or hinder a proceeding but they are not a proceeding. Hansard is a verbatim report of member's speeches. It is not an official record of the proceedings of the House. Official records are the minutes of the sittings printed and distributed under the title of, "Journals of the House of Commons". It has never been understood in the Canadian House of Commons that the word, "proceedings" covers speeches. It is not applied to arguments but it covers utterances bearing directly on making motions, moving amendments, presenting reports, putting the questions, answering questions placed on the Order Paper, voting, naming a Member, etcetera. It is construed as relating to procedure and not to debate.

Debate is defined as a mutual play of opinion upon opinion expressed by the speeches of members of the Assembly. It arises when a question has been proposed by the Speaker and before it has been fully put. A question is fully put when the Speaker has taken the voices of the Ayes and Nays.

Beauchesne subsection 126 and 143 indicate that no one should interrupt whilst a member is addressing the Assembly except on a point of order or a matter of privilege. Questions may

(MR. SPEAKER cont'd) , be asked if the Member speaking yields the floor. Therefore the validity of interjections by Honourable Members although occurring cannot be established either under procedure or even under proceedings. Although certain parliamentary conventions exist to supplement the rules of procedure, mainly for the purpose of securing fair play between the majority and the minority and for due consideration of the rights of individual members, it would be difficult to argue that interjection is a privilege which accrues to the Members. Should it be argued that they are a part of convention it must nevertheless be evident that the Chair has no alternatives because he is only the custodian of your rules, and as the rules are, must consequently designate interjections out of order under our present procedural rules. It is only by public opinion of this House and by direct action through its Special Rules Committee and by the adoption of recommendations made to the House that the rules may be changed. The Chair wishes to indicate that every opportunity for Honourable Members to present their views and their utterances will continue to be given to each and every member within the context and the procedural rules we have adopted.

I can also assure honourable members the Hansard staff shall continue to reproduce faithfully the honourable members' comments and will continue to include all audible intelligible comments spoken in the Assembly.

It must also be understood that whether or not recorded in Hansard, actions attributable to an honourable member, whether spoken or otherwise are nevertheless subject to and consequent of our rules of procedure.

The Chair would therefore like to indicate:- Interjections being a form of irregular procedure and the recording of Hansard not being defined as a proceeding it cannot conclude that a question of privilege can be established.

As a final word, as your servant, I shall continue to co-operate and assist all honourable members in maintaining the dignity and decorum this Assembly deserves. Thank you.

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. . .

The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, there is one custom of this Assembly and Legislatures elsewhere in Canada that I am pleased to carry forward that is to welcome back to this Assembly two honourable members who have been away for reasons that we regret. I refer to the Honourable the Leader of the Opposition who has had injuries - we hope that he is well again and able to take part fully in the proceedings of this Assembly; and also to the Honourable the House Leader of the Liberal group who for reasons of illness in the family as I understand it, was unable to be here for some time. I don't know for a fact if the proceedings of this House will be any different now that they have returned but I assume they will be.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition)(River Heights): Mr. Speaker, with leave of the House I would like to express to the members opposite and my colleagues and members on this side, the members of the media, my thanks for their best wishes during my recent retirement from the House to the Rehab Hospital. I must say that I am pleased with the new accommodation that has been provided me by the members of the staff because my condition is not completely corrected. I do not know however who decided that it would be appropriate to have green colours rather than blue colours for the chair, but nevertheless I appreciate that. I look forward to the challenge of the debate, having been able to observe and ponder the state of debate and activity in the House during the past few weeks -- I would hope to make a contribution very soon. Thank you.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): By leave, Mr. Speaker, I would like to respond to the First Minister and just say this: That I hope the return of the Honourable Leader of the Opposition and myself will not detract too much from the peace of mind of the First Minister.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, by leave, I too wish to welcome the Leader of the Official Opposition and my seat-mate, the Liberal House Leader, back to the House here this afternoon. I'm sure we've missed them all and we're only too happy to have

(MR. FROESE cont'd)them back.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I direct a question to the Honourable Minister of Agriculture, and by leave, may I commend him on his presentation opening the Brandon Fair last night. Could I ask him, Mr. Speaker, to what extent the governments are financially supporting the Keystone complex at Brandon?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): . . . Mr. Speaker, that requires an Order for Return.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: . . . and indicate to us just roughly . . .

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I don't think that I would want to be quoted later on a rough estimate.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Mr. Speaker, my question is to the First Minister, and it's in respect to the Port of Churchill. In view of the evidence that discredits the information contained in Mr. Jamieson's telegram of March 27th, will the government be forwarding a protest?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, if the Honourable Member for Churchill is referring to the contradiction between the contents of the telegram he refers to and the story which appeared in today's front page of the newspaper, I can advise my honourable friend that I have within the last hour sent a telegram to the Minister of Transport -- Federal -- asking him to reconcile the apparently contradictory statements that have been made in the last week or two -- and so that telegram has gone out -- will be going out this afternoon.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct a question to the Honourable the First Minister. I wonder, Sir, if he can tell me whether or not the Manitoba Hydro Board is currently negotiating with the Receiver-General, I suppose it would be, with respect to the possibility of the Bertram Plant in The Pas complex. I refer to a speculative story in the press of . . .

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I'm aware that there was a speculative news story on this just yesterday. However, I would advise my honourable friend the Member for Lakeside that there are a number of firms, companies, that are interested to a greater or lesser degree in acquiring the Bertram plant - Manitoba Hydro is but one of them. Certainly it cannot be said at this time that there is any definite intent to proceed because there are still feasibility analyses going on - being carried out.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: A supplementary question, Mr. Speaker, also directed to the First Minister. Is Manitoba Hydro considering or reconsidering some of the tenders recently let with English Electric with respect to Hydro installations, particularly the ones at Jenpeg, in view of the subject matter just discussed -- the possibility that they may in fact be manufactured in Manitoba.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, as I say Manitoba Hydro's involvement to date can only be described as that of carrying out feasibility studies and analyses. Certainly events have not reached that stage yet where equipment that must already be ordered -- the contract orders -- can be simply set aside because the other possibility is still far too tentative.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to direct a question to the First Minister. Can he advise yet whether the question he took as notice some weeks back regarding the consultants to the Opachuanua Dam site for investigations; whether or not he can give us the name of the consultants or whether there are consultants involved in it?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I would hope that by Friday it would be possible to reply to that question.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, in the absence of the Minister of Industry and Commerce I will address this question to the Honourable the First Minister. Can the Minister tell us whether or not the government has proceeded with its announced intention to investigate the affairs of King Choy Ready Foods Limited?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I understand that the Minister of Industry and Commerce did take a similar question as notice and I believe that he does have a report or an answer to make. If it wasn't given by him last week I should think it will be possible on his return this week.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a question to the Honourable the Minister of Transportation. Is the Minister now prepared to table the report with respect to the study and investigation that took place in the Highways Department - is he now prepared to table that report?

MR. SPEAKER: The Honourable Minister of Transportation.

HON. PETER BURTONIAK (Minister of Highways)(Dauphin): Mr. Speaker, I believe that there was some misunderstanding perhaps more so on the honourable member's part than on behalf of anybody else but at this time I would like to ask the honourable member just exactly what report he is referring to?

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I'm happy to oblige the Minister of Transportation. The specific report and study that I'm referring to is the report instigated by the previous Minister of Transportation -- calling it whatever you may, but it was a report that was publicly announced -- a public announcement was made that this study, investigation was taking place by the previous Minister and that is the specific report that I'm referring to -- which the present Minister indicated . . . --(Interjection)--

MR. SPEAKER: Order, please. Orders of the Day. The Honourable Member for Portage la Prairie.

MR. JOHNSTON: In the absence of the Minister of Industry and Commerce perhaps I could direct my question to the Honourable the First Minister. It relates to the Manitoba Bureau of Statistics. Will the information that is available from that bureau be made available to interested citizens and in particular will MLA's have access to any and all of this information?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, the honourable member will recall that an Act was passed at the last session authorizing the establishment of a Manitoba Statistics office. The method of operation of the Manitoba Statistics office would be similar in nature to that of the DBS or Statistics Canada as it's now called. Subject to caveats with respect to confidentiality of reporting firms and individuals all other information would be available in the same way as the Federal Statistics office.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I'd like to direct a question to the House Leader. Can he now that the committee lists are made up advise when the Public Utilities Committee will be called.

MR. SPEAKER: The Honourable the House Leader.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Not as of this moment, Mr. Speaker.

ORDERS FOR RETURN

MR. SPEAKER: On the proposed Order for Return -- the Honourable Member for Portage la Prairie.

MR. JOHNSTON: By leave I would like to have this matter stand, Mr. Speaker.

MR. SPEAKER: (Agreed) Proposed Order for Return -- the Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I beg to move seconded by the

(MR. EINARSON cont'd) Honourable Member for Morris that an Order of the House do issue for a Return showing the following information:

- 1) a list of all Class "A", "B" and "C" Fairs;
- 2) the amounts of grants paid to each fair in 1971.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable the House Leader -- wish me to follow the Order Paper ?

MR. PAULLEY: If you don't mind, Mr. Speaker, Sir,

MR. SPEAKER: On the proposed motion of the Honourable Minister of Finance, the Honourable Member for Minnedosa.

MR. DAVID R. BLAKE (Minnedosa): Mr. Speaker, I took the adjournment on this bill in the absence of my leader who has now returned to the House and is in his place today.

MR. SPEAKER: The Honourable Leader of the Opposition,

MR. SPIVAK: Mr. Speaker, I rise to present the position with the rest of the Conservative Party in connection with the bill. There is a companion bill which is the Gift Tax Bill which will be discussed as well in this House, and my intention, Mr. Speaker, would not be to overlap but of necessity there are certain parts of the principle that we discussed which will in fact overlap. Mr. Speaker, I start with a very basic premise that what we are now dealing with is a tax measure, a tax measure producing revenue for the Province of Manitoba, and I do not believe that the bill can be considered in isolation, Mr. Speaker, of our economic conditions in Manitoba, the expenditures of the present government, the revenues and our priorities in Manitoba today. So therefore, Mr. Speaker, when we discuss the principle of this bill it must be discussed in the light of the revenue and expenditures of the province; the economic conditions in Canada and our sister provinces and in Manitoba; the economic management of the public sector and the performance of the present government and the burden of taxation on our people in Manitoba compared to the burden of taxation of other people in Canada in other areas.

Now, Mr. Speaker, what are our priorities in Manitoba today. Well, we believe that both short term and long term, the priorities in Manitoba are to restore full employment. We believe as well, Mr. Speaker, that notwithstanding the tremendous amount of money placed by the public sector there will not be a possibility of restoring full employment in Manitoba without a maximum effort on the part of the private sector in its activity for expansion for growth and for new investment. And Mr. Speaker, we believe as well that it is necessary for government to exercise a restraint and to curb their spending. Too many people, Mr. Speaker, in Manitoba are denied the opportunity to realize their personal and economic potential because of lack of jobs and because of inadequate -- and I want to repeat this, Mr. Speaker -- an inadequate rate of growth in Manitoba. And, Mr. Speaker, it is my belief that in Manitoba it will take a half a decade or more to repair the damage of the recession that's occurred both in Canada and in Manitoba as well. And, Mr. Speaker, you will not achieve this goal with the highest personal tax, with the highest corporate tax and with what appears to be the highest and most punishing succession duty and gift tax in Canada.

Now, Mr. Speaker, let's look at our economy. You know, I found it very interesting to listen to the Premier at his press conference when he stood up and said, well our gross provincial product has grown by a certain percent and that indicates that things are well in Manitoba; and I thought of the Speech from the Throne which talked about selective economic growth; and I thought of the Minister's statements and particularly the Minister of Industry and Commerce -- First Minister's statement and the Minister of Industry and Commerce who kept continually talking about the members on this side being the crude growth boys; and what happens when the First Minister is confronted with a situation in which he has to in any way attempt to try and prove the economic performance of this government, he become a crude growth advocate. And he talks in crude growth terms as to what really is happening.

Now, Mr. Speaker, what really is happening in Manitoba? Has our gross national product increased in Manitoba in the past year to the extent that it has in Canada? Well the answer is "no", not even in the inflated terms and not even in real terms, our performance is less than that of Canada. Mr. Speaker, have wages and salaries increased in Manitoba to a point where they've increased to the degree as the national average in Canada? Well, Mr. Speaker, the answer is "no". Wages and salaries have not increased in Manitoba to the same extent that they have as far as the national average for Canada is concerned. Do we have

(MR. SPIVAK cont'd) significant new developments both in capital and repair expenditures which would indicate a buoyant economy? Well, Mr. Speaker, we do have in the public sector; there's no question. We have in the Hydro developments and in the housing developments, the public sector, but let's look at the private sector. Do we have it in the private sector? Well of course the answer is "no", Mr. Speaker. If we examine the latest DBS statistics we will find that on their projections for 1971 that we were in fact \$55 million less in capital expenditures and repair expenditures over the previous year and that would represent a decrease of over 30-33 percent.

Mr. Speaker, I suggest that notwithstanding the fact that the Premier would like to make us believe that conditions are that good in Manitoba, that the indicators do not bear it out and of course the high, the extremely high rate of unemployment notwithstanding all the public money that has been put forward do not bear out the facts of the case.

And, Mr. Speaker, we have 23 or 24 thousand people unemployed in Manitoba and we have an obligation in this House to try and develop the programs that will in fact provide job opportunities for those people. We can argue -- and it's going to be interesting because I'd like to quote the Minister of Finance's statement as to what a reasonable degree of level of unemployment would be. It's been argued by the Economic and Social Council that three percent is an acceptable rate. The Minister of Finance has indicated in the Federal-Provincial conferences -- and I would like to quote him and I'm quoting from his position -- that Manitoba's position with respect to the definition of a maximum acceptable national level of unemployment, the three percent figure suggested by the Economic Council of Canada has been made known repeatedly in the past and has not changed; with difficult new external pressures on the Canadian economy, jobless levels above this three percent figure cannot be allowed to persist.

So even accepting as the Minister of Finance has accepted the three percent figure, that would mean that in Manitoba today notwithstanding the tremendous amount of money and public works programs and the winter employment programs we have 11,000 people for whom we must find jobs. Now, Mr. Speaker, how many new people entering the labour force in the coming year do we have to provide jobs for. Well I, Mr. Speaker, defy the Minister of Labour, the First Minister, the Minister of Finance, the Minister of Industry and Commerce to tell the people of Manitoba that they in fact have those facts. Because, Mr. Speaker, they don't even want to examine them, they don't even want to think about them. With all the money being poured into Planning and Priorities and all the research staffs of all the departments they're not interested in finding that out -- for a very good reason because if you add that figure to the 11,000 jobs that should be found to try and bring unemployment down and create enough opportunity for our people we have an unbelievable and enormous task to occur in Manitoba.

And what do we have insofar as their performance is concerned. We have the Minister of Industry and Commerce announcing we traded 50 jobs here, 15 jobs here, 20 jobs here -- what do they total? Do they total 11,000 jobs even to take care of the people who are unemployed today over and above the three percent? Do they take care of any of those who are going to be entering the labour market? Mr. Speaker, I have the Manitoba Development Corporation report which indicates - this is the report of '71, it's their - Manitoba Development Corporation report, it's their corporation's report that with all the effort they traded 545 jobs that they can identify. 545 jobs.

So I suggest, Mr. Speaker, that if in fact we examine the performance in terms of job formation, it is not encouraging -- and if we establish as I believe we must that unemployment is the most important thing in terms of Manitoba, that we have an enormous task, Mr. Speaker, to organize ourselves and to prepare for the new additions to be entered into the labour force and to provide opportunity for those who are in the unfortunate position of being unemployed and who must look to the government for handouts. And, Mr. Speaker, if we examine the welfare estimates and see the rise that occurs in social allowance and see the rise that occurs in health and welfare we know that the conditions in Manitoba are serious.

Mr. Speaker, when we now talk in terms of the performance of the Manitoba economy, the First Minister is inclined to go back to 1966 to 1967 to 1968, and I guess if you want to compare performances that's one way of doing it. But, Mr. Speaker, when is the First Minister or the Minister of Industry and Commerce going to stand up and say what are their goals? When are they going to tell this House what do they propose to set as a target for them

(MR. SPIVAK cont'd) to reach so that we can achieve for Manitoba that capability to provide opportunity for people so they do not have to leave or do not have to go on welfare. And, Mr. Speaker, until the First Minister and the members on the opposite side are prepared to stand up and tell us those goals and until we are in a position to make the analysis of the performance of the New Democratic Party, I don't think that Manitobans should be asked to pay more and more and more taxes to a government that really doesn't know where they're going.

With all the money, Mr. Speaker, with all the money that's been spent in the consultant's report and in all the studies, the Planning and Priorities have made and in all the confusion that exists between Planning and Priorities trying to get the department to go ahead and do the research to be able to prove and justify their costs to them and all the money that has been wasted in this process, I do not think, Mr. Speaker, that the members on the opposite side and the government and the First Minister can in fact justify new taxes for Manitoba. Because, Mr. Speaker, we have to judge the economy of Manitoba not by the past but we have to judge it by what it could have been, what its performance should be; we have to talk not in terms of just the indicator of "G" and "P" but in the indicator of what it really means insofar as rises in incomes of our people, in the assistance to their quality of life and in turn to the job opportunities that have been created to hold the people here in Manitoba.

Well, Mr. Speaker, all one can see if we examine the government and its estimates -- all we can see is a proliferation of the civil service, increases in the public sector and public housing and in public Crown corporations. And, Mr. Speaker, if we are going to try and achieve a goal of unemployment better than we have today with what investment we put in the public sector, think of how much additional money we're going to have to borrow to put it in next year to be able to achieve some kind of reasonable level and to meet our unemployment needs.

Now, Mr. Speaker, we have two reports -- one dealing with growth employment and price stability and the other dealing with property in Canada which essentially say the same thing. And because we're dealing, Mr. Speaker, with a tax bill and because in effect we are talking about taxing revenues -- and I suggest that the priority item in Manitoba is to mobilize our economy to be in a position to be able to provide job opportunities -- I would like to quote from what is referred to as the E. . . Report on growth employment and price stability. And I quote from Page 3: "Our second assumption and guiding principle is that the Canadian economy should remain a predominantly market . . . --(Interjection)--

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

MR. SIDNEY GREEN, Q.C. (Inkster): Mr. Speaker, I believe that the Honourable the Leader of the Opposition is speaking on a bill which refers to the raising of revenue money, estate tax, and I would think in the ordinary allowances that are made for parliamentary eloquence, one is permitted to try to relate the bill to something which is current but I don't think that should be made an excuse for having an entire speech on something which doesn't relate to the bill, and we have, Mr. Speaker, and listened for some time. If we applied my honourable friend's logic to every bill that came up he could say that we couldn't consider this matter until we consider the general state of Manitoba; and I suggest that the bill is a bill for the raising of revenue by means of an inheritance tax and I would have thought that that's as good an issue as my honourable friend wants but apparently he doesn't want that issue, he wants another issue.

MR. SPEAKER: Order please. Before the honourable member proceeds I was debating that issue in my own mind. I would suggest to him that he has had enough latitude to preface his remarks in respect to the bill that's before us. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I want to make it clear that the Member from Inkster is not going to dictate to me the manner in which a presentation is to be made in this House.

MR. SPEAKER: There is no dictation involved. There was a raised point of order and I indicated that I was in sympathy with the point of order and my ruling is that, that the honourable member has had wide latitude to introduce his remarks in regards to the Succession Duties bill. That's what we are debating. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, are you suggesting that I cannot continue in the way in which I made my presentation -- are you saying to me . . .

MR. SPEAKER: I have made a ruling. If the honourable member wishes to question my ruling, he knows that there are forms and procedures for doing so. The Honourable Leader

(MR. SPEAKER cont'd) of the Opposition.

MR. SPIVAK: Mr. Speaker, we are dealing with a tax bill. It's my intention to deal with a tax bill, with the state of economy, the requirement for jobs in Manitoba; it's my intention as well to deal with the principle of the bill in relation to the presentation by the Minister of Finance but I do not in any way believe that I am confined entirely to the manner of presentation of the Minister of Finance. You cannot deal with this bill in isolation to other factors in Manitoba and I don't think there is anyone who can realistically believe that that can happen. Therefore, Mr. Speaker, I would like the opportunity to be able to continue as I have. I intend to quote from the report of "Poverty in Canada" because, Mr. Speaker, they indicate that the only way in which poverty really will be solved in Canada will be from a buoyant and dynamic economy and the only way that that is going to come is from the maximization of the private sector and Mr. Speaker that will not come in punitive tax levels in Manitoba. And, Mr. Speaker, if I can't say that in this House then I suggest to you that I am being denied the privileges that have been fought for for a great deal of time for parliament and for the Legislature.

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

MR. GREEN: Yes, Mr. Speaker, on the point of order, the honourable member a few moments ago referred to people dictating to him and I would ask you to examine, Mr. Speaker, the honourable member's remarks of the last three minutes in relation to your ruling to see who is attempting to be a dictator in this House.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: The opposition has no intention of being stifled by the members of the government on the other side.

MR. SPEAKER: Order please. Order please. I should like to indicate that I am the custodian of the rules of procedure of this House at your behest, at your election. There shall be no dictation by anyone in this House. We will carry on, we will conduct ourselves according to parliamentary procedure and according to your rules. I wish to indicate to all members when they make remarks they make no reflections on any other member of this Assembly including the Chair and how it conducts your order of business.

The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, on Page 3 of the E. . . report the statement is made: "That our second assumption and guiding principle is that the Canadian economy is to remain a predominantly market system in which government is responsible for a number of critically important economic functions that only it can officially perform but in which the bulk of productive and distributive activity is carried out by private enterprise units responsive to consumer demand and the profit motive". And further on" "There must be a constant vigilance to insure that government concentrates its available administrative talent and other resources on those things which government really must do and that the public sector of the economy is not further distended to cover things which could be better done by private enterprise". And further on: "Proper control of the size of government sector is valid, respectable concern and the subject for public debate at all times". And on the following page: "Moreover there should be a constant search for governmental activities' right to be handed over to the private sector and it should be a generally respected touchstone that there is never a good time in the economy for government to be doing things that could be better done by others. A modern government has quite enough to do, that only it is capable of doing well. It should not at any stage of the business cycle be wasting its fiscal receipts and a nation's resources on non essentials". Mr. Speaker, in a few minutes I am going to deal with the estimates of the government and I intend to indicate that that has not been followed; and I can indicate that in the principle of the bill that is being presented, the attempt to add additional tax revenue, that there is no justification at this time for the course of action. Mr. Speaker, the Poverty Report states on Page 171: While the economic system by itself cannot eliminate poverty a healthy and expanding economy provides the environment essential to an effective attack on poverty." Well, Mr. Speaker, governments today must stop trying to maximize but rather must start to minimize their economic claims on the economic resources of the provinces. Mr. Speaker, if we examine the estimates of the government we find that salaries and wages in the last two years have gone up by 35 percent, that the total expenditures of the province have gone up by 28 percent, that Health and Welfare . . .

MR. SPEAKER: Order please. I am aware and I am sure the honourable member is as well that the estimates are up for debate. They can be debated at that time. They have no

(MR. SPEAKER cont'd) relationship at the moment in particular to the principle of this bill. As a general statement I have accepted the honourable member's introduction but I do think he should confine himself to the bill before us, otherwise I shall have to ask him to discontinue his debate. The Honourable Leader of the Opposition. The Honourable Member for Inkster -- on what?

MR. GREEN: Mr. Speaker I wish to rise on a point of order.

MR. SPEAKER: Point of order.

MR. GREEN: Mr. Speaker, I rise on a point of order to try to indicate that the rules of the House are so framed as to try to avoid multiplicity of debates on the same question; that the Throne Speech Debate is available for all of the things that my honourable friend wishes to say; that the estimates' debate are available for reducing or increasing the estimates; that other debates in the House or private members' resolutions can be brought forward so that the opposition will in no way be stifled; but I think that once the point is made that the government should not try to inhibit the private sector by raising an estate tax that he should then get to the principle of the bill and this point of order is being raised with no even -- self delusion that I would be able to stifle the members of the opposition because I can't stifle them and don't want to.

MR. SPEAKER: Order please. The point of order has already been made by myself. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, it is interesting to note that the Honourable Member from Inkster referred to an estate tax, referred to it as an inheritance tax and realistically what we are talking about is a succession duty tax and there is a difference, and --(Interjection)-- Mr. Speaker, --(Interjection)-- now, Mr. Speaker, I must accept that I don't think that anyone could ever say -- would ever inform the Honourable Member for Inkster --(Interjection) -- no I don't think so -- I've tried it before and it's been a very fruitless effort and I certainly wouldn't waste my time. --(Interjection)-- I wouldn't waste my time or my energy and I would suggest to all members who have the experience that they shouldn't either.

Mr. Speaker, the Minister of Finance when he made his presentation -- I was absent from the House and had the opportunity of reading it -- brought forward certain quotations. I want to . . . --(Interjection)--

MR. SPEAKER: Order, please. Point of order by the Honourable Member for Inkster.

MR. GREEN: . . . and I do so because the last time he made a ruling the honourable member went right back to the material that you told him not to read and continued. You have now made another ruling and it now becomes a question, Mr. Speaker, as to whether, whether the initial issue that my honourable friend raised as to whether he is going to dictate to the House or whether the Speaker chosen by the honourable members is going to be able to maintain the type of debate that is supposed to be parliamentary within our rules.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: I watched television when the First Minister said that he did not exercise thought control. It now appears that the Member from Inkster exercises thought control because he obviously knows in advance what I am going to be quoting, what I'm going to be saying. --(Interjection)-- I said the Minister of Finance brought references in his presentation and quoted from various sources with respect to the question of succession duty. I also want to quote a source. I also want to quote a source and I want to discuss what he says because it goes to the heart of the principle and it's an authority that I think maybe the Minister of Finance and certainly members of his department would be familiar with -- and that source is John S. Dew. . . who I believe was a consultant to the Michener Commission and who in his work on government finance and economics of the public sector stated about an estate tax -- and I apply this isn't an estate tax but in this particular situation it applies equally as well to a succession duty the following: "On the whole" -- well, Mr. Speaker, I'm not trying to win any Brownie points for the Member for Inkster I can assure him --(Interjection)-- yeah, well I must tell you, I really don't give a damn whether I do one way or the other. Mr. Speaker, --(Interjections)-- Mr. Speaker, on Page 188 he quotes, he says and I quote: "On the whole taxes payable by heirs at death are less likely to affect willingness to take risks than ones affecting income currently earned. Incidental effects, however, tend to reduce risk taking. An estate tax of any magnitude causes persons to increase liquidity of their estates so that heirs can meet death tax obligations. Even more significant, death taxes by encouraging the use of trusts also encouraged by income tax legislation and of life estate systems and

(MR. SPIVAK cont'd) skipping of generations make investment policies more conservative, lessening both the total risk taking and the fluidity of investments from one type to another. During settlements of the estates the investment policies are still more conservative".

Now, Mr. Speaker, what that quotation says is that where there are estate taxes or succession duties, because of the necessity of preparing for that eventuality and the liquidity that's required notwithstanding the ability that the Act may have to be able to postpone payment over a period of time; notwithstanding that, the fact that there has to be preparation for that eventuality and the fact that the beneficiary will also have to take action will in fact diminish and lessen risk-taking in Manitoba. Risk-taking means that the private sector will not move, the private sector will not move, jobs will not be created and the result will be a greater unemployment problem, a greater movement of population outside of Manitoba. And the honourable members opposite really don't care -- and while they express a concern for the individual; and while they express a concern for the persons unemployed; and while they try to give the mask of attempting to be the friend of the little man, they know that at this particular situation by adding this to the taxation levels, and as a further inhibiting effect on the development of the private sector, they are in fact denying opportunity for a lot of people, not the privileged few that they are worried about because as I am going to indicate, Mr. Speaker, they are going to be able to avoid this very easily; not the privileged few, but they are going to be denying it for people who want the opportunity to be in Manitoba and the opportunity to be able to enjoy their life here and are going to have to look elsewhere.

Mr. Speaker, Mr. Speaker, this Act is supposed to deal with a tax and the transfer of wealth. I am going to deal with the act without in any way trying to get involved in the various sections because we are going to have an opportunity for that; but I want to indicate in the presentation that I am going to make at this time the fact that there are such inequities and anomalies, and the fact that the disadvantage that Manitobans are going to be placed by comparison to their neighbours in Ontario and Alberta, that these in effect realistically diminish any logic that the Minister of Finance may try to apply to the argument that there should be a tax at this time in Manitoba.

The Succession Duty Act itself has to be evaluated in terms of several factors. First, we have the announcement effect; secondly, we have the revenue effect and we actually have the incidence of the tax itself; and we have to relate these factors to the government's objectives in proposing a particular tax change, especially if that change is in the nature of an increase and in order to determine what that change is really worthy of, is it really worthy of our approval. Now the announcement effect of the tax proposal is a measure of the degree to which the government's announcement of its particular taxation intentions effects the social and economic climate of the province. The revenue effect involves the contribution of a particular tax change to the provincial government revenues and the incident involves identifying who actually is going to pay the tax. When examined in the light of these three factors, the Manitoba government's proposed succession duty is unacceptable. Only the naive or ill advised will ultimately be taxed in Manitoba. The revenue from the tax will be small and it's going to be irregular, the cost of collecting it will likely be quite high in view of the uncertainty involved in establishing a new arsenal of case laws. In Canada the succession duty picture lacks uniformity in federal participation and the Minister of Finance has already expressed that. The Manitoba government's proposals will add further confusion to the existing tax jungle and encourage socially unproductive avoidance efforts. Because of the absence of national uniformity in this tax field, and because of anomalies and inconsistencies in the proposed legislation, the incident of this taxation will be unpredictable. No logical thread of equity links the various criteria for liability.

Now the situation is most ironic and deals with government's repeated use of the word "equity". It appears that this particular tax legislation was motivated by an overwhelming social need, not for employment but for equitable transfers of wealth within the province. The government claims in the words of the Minister of Finance and I quote: "What this succession duty legislation now before this House will not permit is a perpetuation of great wealth over time in the hands of a privileged few to a system which would enable that wealth to be transferred again and again with little or no tax liability regardless of the fact that the recipients may have played no part whatsoever in earning it". Mr. Speaker, when evaluated in terms of the taxation's announcement and revenue effects and incidence, this claim becomes hollow. What was apparently intended to be a system of transferring wealth within this province will

(MR. SPIVAK cont'd) I suggest, Mr. Speaker, become a device for exporting capital and job opportunities right out of Manitoba, and under such circumstances equity really becomes an empty hope and an empty hoax. The government's proclaimed objective was to increase tax revenue in an equitable manner. If the legislation before the House showed reasonable promise of effectiveness and equity, this might actually be possible. However, there are incorporated within the government's proposals too many obstacles to effectiveness and equity, and these obstacles destroy any chance the government might have had to obtain its objectives and I am going to deal with a few now, Mr. Speaker.

The first obstacle is the inconsistencies relating to residence. A curious and confusing set of residence requirements help determine liability, and let's consider the following example. A person owning property and residing in Alberta dies there. He wills in his estate his property to two sons, one of whom resides in Alberta and the other in Manitoba. Mr. Speaker, only the son in Manitoba has to pay succession duties. However, if the transfer of the property mentioned above occurs by way of a gift before the death of the father, then with the exception of the federal capital gains which is tax payable in any event neither son will pay any tax on the transfer.

The second is in the inconsistencies relating to the nature of property. Now legal distinctions in the definition of property can arbitrarily determine who'll be exposed to tax liability and this is illustrated by the following example. Two Manitobans dies; one owns a building situated in Manitoba, the other owns shares in an Alberta company. The building and the shares are of equal value - only the building will be taxed. Now, I ask the members opposite, is this an equitable distinction?

Now let's deal with the problem of double taxation which I believe the Minister masked when he made his references in the House. At death the capital gains is applied to assets which have appreciated in value. Now no part at the present time of Manitoba's proposed legislation appears to provide for a credit for the capital gains tax liability, a capital gains of rising as a result of the death. Furthermore nothing in the Minister's presentation indicates such a step. Even if the Act was changed to provide a deduction in respect of this liability, an element of double taxation would remain.

Now, let's take the following example. A Manitoba resident owns property in this province which has appreciated in value for valuation day from \$10,000 to \$20,000. The capital gain would be \$10,000 and assuming at this time that he's at a 50 percent rate, he would have income of \$5,000, he would be subject to a capital gains tax of 50 percent, he would be paying \$2,500 on the value at the time of death. Therefore his death would create a capital gains liability of \$2,500.00. Now even if the government, and they haven't said this, yet, Mr. Speaker, they have not even said this although there was an illusion given to by the Minister that they were going to do this -- there's nothing in the Act or in the example that the Minister provided in his presentation -- even if this \$2,500 were an allowable deduction from the \$20,000 value of the estate -- (Interjection) -- Well, Mr. Speaker, I would suggest to the Minister it is under the present Act unless there's a change, he will not be allowed to be a deduction. The beneficiary would still be obliged to pay succession duties on a value of \$17,500. In other words a considerable portion of the increase in value would be taxed twice. Remember there is a capital gains tax on \$10,000. Upon the basis of the deduction, there will still be a succession duty tax on \$7,500. Surely, Mr. Speaker, in the name of equity it would be far preferable procedure to allow a credit of the federal tax paid against the provincial tax payable on the succession of the assets.

Now, Mr. Speaker, there is another inconsistency and this is due to value fluctuations. The fact that the value of the components of an estate is established at death creates an unstable and unpredictable aspect, because whatever the value may be at the time of death within a very short period of time that value can change substantially; and surely in the name of equity there should be the opportunity for some kind of averaging out to take place within a reasonable time so that people will not have to suffer as a result of a succession duty imposed on them and as a result of a valuation change which they have no control over.

Now, Mr. Speaker, this may come as a shock to the members opposite who talk so much about ability to pay but the proposed taxes are regressive. I want to cite two examples that show the proposals do not take into account the income or benefits received by any particular beneficiary. A beneficiary who receives \$2,000 pays the same rate as the beneficiary who receives \$200,000.00. Ability to pay? Regressive or not? A beneficiary who receives even

(MR. SPIVAK cont'd) a small bequest from a deceased resident - say in California - would have to determine in order to determine the rate the total value of all the California's testator's assets in order to ascertain what rate he will be required to pay for his particular benefit. Is this fair, Mr. Speaker, or not?

Now, Mr. Speaker, without question the great failure on the part of the government is the failure to consider the husband and wife as an economic unit. In 1968 the Federal Government took the progressive step of recognizing the husband and wife as a unit with the right to transfer property between them without penalty during their lifetime or at death. Ontario has adopted the same attitude to lifetime transfers and has established a \$500,000 exemption at death. Now that's very important because the Ontario budget just announced has now allowed inter vivos those gifts between husbands and wives without any restrictions or taxation implication. In contrast Manitoba has taken a step backward and the resulting inequity is compounded by the fact that if you transfer by way of a gift in your lifetime to your spouse you're going to have to pay tax but if you transfer on death you'll be allowed a \$200,000 exemption. Is that fair, Mr. Speaker?

Now, Mr. Speaker, I'm not going to provide guidance to those who may wish to avoid this tax but I would suggest to the honourable members opposite that the lawyers and accountants in Manitoba have been given a boon that is greater than any of the CFI hearings and any of the CFI actions to take them through the decade of the 70's because of the Act and the proposals of the government. And I suggest as I do before that only a naive person or persons ill advised will in fact be subject to the taxation of the Succession Duty Act itself. The government's going to have problems in this area and I think they may have compounded their difficulties by the impossibility of drafting the legislation properly and also because they have failed to adequately consider constitutional implications and the case laws and the fights in the courts are going to go on for years.

You know, Mr. Speaker, it was considered unpatriotic for people to be concerned about establishing for purpose of estate planning a haven in Nassau, in Lichtenstein. There are people who have done it, they're a privileged few who have been guided correctly but, Mr. Speaker, there is going to be absolutely nothing unpatriotic for people to put their affairs in order by establishing a tax haven in Ontario or in Alberta and, Mr. Speaker, I suggest that the benefits that the government believe will occur are not going to occur. But what this tax bill does for Manitoba is to add to the tax jungle in Canada in which the densest part of the forest will be Manitoba and people are obviously going to avoid going through that forest and we in Manitoba are going to suffer as a result of it.

Mr. Speaker, the Minister of Finance has said it and I repeat it again -- it is impossible for an equitable estate tax to be developed in Canada without either national uniformity and federal involvement. It hasn't occurred - we have a serious problem in Manitoba. There is no justification for the action today.

Now, Mr. Speaker, I want to deal with the question of retroactivity. It doesn't seem to bother anybody on the other side. It doesn't seem to bother the lawyers who should know better on the other side. Government can simply stand up and say, it's retroactive to when it was when we announced it and that precedent itself doesn't seem to bother anybody. Mr. Speaker, let's talk --(Interjection)-- The Conservatives? I don't care who did it. I want you to tell me that you believe that retroactive legislation is not a dangerous precedent for a government to undertake and I want you also to suggest that you have in the course of it done some very unfair things and I'm going to point out one. Mr. Speaker, it was proper under the changes in the federal Estate Tax for husbands and wives to be able to transfer between themselves. They had a legal right to do that. Yet on the other hand, Mr. Speaker, if we take an example where a husband in January of 1970 transferred his property to his spouse on the basis of this retroactive legislation, he is caught and in the event he dies before January of 1973 - even though the actions undertaken by the husband and wife were correct and legal - he will be paying succession duty under this present Act. Well, Mr. Speaker, the Honourable Minister of Finance says "no" - I say "yes", and I say if that's not their intention there will have to be an amendment introduced in this act to make it so.

Mr. Speaker, I'd like to now deal with the question of the charitable bequests. I don't think there's any point of arguing with the government; they have continually said that they know how to handle the money of people better than the people themselves; they have continually said that they are the ones who should have the resources of society than the individual. And

(MR. SPIVAK cont'd) if there's an example it is in this particular situation, because charities provide services which many Manitobans would not have otherwise and every dollar that's been taken from charity by ways of charity bequests will eventually be replaced by the public purse and by the company control of a bureaucratic administration. But there's a basic difference. We say let people have the money and let them handle it themselves. We don't think that you're any smarter than the individual to handle their own affairs.

Well, Mr. Speaker, -- well, I want to tell you something Mr. First Minister -- I don't think there's very much difference between you and Herbert Hoover. --(Interjection)-- That's right. --(Interjection)-- I beg your pardon? --(Interjection)-- I don't think I've ever called you a Communist. I must say that there are many people who unflatteringly say that about you but I know that it isn't true. We know what you really are; you're a liberal who's having a helluva lot of difficulty in that caucus.

Mr. Speaker, there's a basic difference in philosophy between the members opposite and ourselves and I think it best can be illustrated by referring to the carrot and the stick. A person pays taxes on what he earns; he pays taxes on what he spends; he is going to have to pay taxes on what he gains; and now you're asking to pay taxes when he dies and tries to provide for his family, for his wife and for his children. Mr. Speaker, what you are saying on the other side is that we will use the stick -- and what we say, Mr. Speaker, is that you provide the opportunity to gain; you provide the opportunity to plan; you provide the opportunity to, as a result of your initiative, to be able to produce; and in the present economic conditions with the tremendous push that really is required to move the economy to provide some of the goals that are required that this is necessary and that this is required. And what you have now done is added another form of taxation to punish, essentially, those who in fact are prepared to provide and to work for themselves for profit but at the same time will cause the kind of statistical information which the First Minister likes to suggest means that Manitoba is moving ahead when he quotes what are crude growth statistics.

Well, Mr. Speaker, to avoid any misunderstanding of our position and to avoid placing temptation in the way of the members opposite, temptation to misrepresent our position on the basis of doubts of the bill, I'm going to try to summarize what I've said. The ideal for Manitoba society must include some degree of equality of opportunity for all our people and we agree that the accumulation of tremendous wealth in the hands of certain groups and families may come about at the cost of the legitimate rights of opportunites of some of our citizens. But in the real situation facing Manitoba today, in view of the totality of government fiscal and social policy we encounter an area of serious disagreement with the New Democratic Party. Taxes must be more than simply tools for the raising of money. Taxes must also further the social objectives of the government and so the measure of the merit of any particular piece of tax legislation must be not only whether or not it will raise revenue and how much revenue and whether those who are being taxed are being caused hardships -- although all these things are important -- the measure must also include the simple question: Will this measure contribute to or detract from the kinds of economic and social objectives we hold for Manitoba. And it's here, Mr. Speaker, that we find ourselves in disagreement with the New Democratic Party, for if we have one objective in common in this House, if there's one thing we would all like to see, it is full employment in Manitoba.

A MEMBER: Hear, hear.

MR. SPIVAK: We would all wish that every young person have the opportunity to become independent, to have pride and satisfaction that comes from having a job and earning his own way. We would all like our citizens to be able to support themselves and their families by their own efforts and I suppose we believe that this is a positive good because we all in varying degrees of intensity subscribe to the work ethics. I know that I do and I think that the First Minister does as well but whatever our reasons for believing it we do believe that full employment is a valid, constructive and worthwhile goal and I must say, Mr. Speaker, that my party and I believe that this bill will detract from our ability as a community to reach that goal.

Now I know that these taxes are easy to defend - we're merely taxing wealth, only the rich and powerful - and all those slogans come to mind and they're not entirely untrue and I know that the government has a requirement for revenues that will be generated by this tax -- and I believe then if I had been given the opportunity to tell you that it's a result of spendthrift ways -- but I recognize from their standpoint the necessity of trying to raise additional revenues. But, Mr. Speaker, I suggest that we already tax wealth. We tax it as income, we tax it in

(MR. SPIVAK cont'd) transactions through sales tax, taxes on liquor, taxes on gasoline and other luxuries; the owners of large and costly houses pay taxes on them, and the federal government is currently imposing a capital gains tax and it's high time.

I suggest, Mr. Speaker, that we should not allow our determination further to tax wealth to lead us to ignore those ways in which it is already taxed. --(Interjection)-- I suggest -- I don't think I ever was, I don't think you . . . --(Interjection)-- Well, I want the members opposite to know that I don't think that I at any time ever suggested that we shouldn't have a capital gains tax. --(Interjection)-- Mr. Speaker, --(Interjections)-- certainly at the end. I mean I think I've been honoured you haven't interjected me through the whole speech -- at least give me the opportunity of completing it.

Well, Mr. Speaker, I suggest that the termination of tax wealth should not lead us to take steps that will inhibit our ability to offer all Manitobans the kind of opportunity we believe they should have. Now, Mr. Speaker, if this bill becomes law Manitoba will have the highest corporate taxes, the highest personal incomes taxes, and probably the highest succession duties in Canada; and I say probably because the only area jurisdiction that could be considered to have anything higher would be B. C. and on the basis of the information I have in most situations Manitoba will be higher than B. C. If our only objective were to raise revenues by taxing those who have revenue that would be fine but that cannot be our only objective. Another and a more important objective must be to encourage the kind of economic activity that will create jobs in Manitoba; that will create opportunities for the young and that will create - and the other members opposite may not believe this - profits that we can and will tax as corporate income and as personal income. The ability to create wealth, the ability to be a successful entrepreneur is not a common ability. Those who have it generally become richer than most of our fellow citizens and they pay taxes on the money they earn. But since their efforts do more than create wealth for themselves, since their efforts also create jobs and opportunities and tax revenues for government, I would suggest that we should encourage them. We should provide the opportunity. I ask the members opposite not to allow unreasoning suspicion of wealth and of those abilities that generate it to lead you to continue to punish those people who have earned wealth and who provided for their wives and their families.

In closing, Mr. Speaker, I want to anticipate some of the replies from the members opposite. I am not pleading for the privilege of a few, and I don't expect any members on the opposite now to accept that because I think I know what the course of action in this debate is going to be. Those who are wealthy ought to bear their share of the costs of the public sector in Manitoba. I am pleading, Mr. Speaker, today for the kind of social and economic setting that will encourage all in Manitoba to cooperate in building of our opportunities. Mr. Speaker, I wonder if the man who is out of work can draw much real comfort from the knowledge that his government is taxing the daylights out of those who might have helped create a job for him. I wonder if he sees that as any real quality of opportunity. Mr. Speaker, I think we need a climate where every Manitoban is encouraged to help develop this province and I fear, Mr. Speaker, that this tax bill is nothing more than one piece of proof that the government does not agree with us on that. So I can only say what I've stated before, and which I presented a reasonable basis for questioning the wisdom of this course of action. I've stated my support for any efforts towards equal opportunity and I've tried to suggest that equal access to the disincentives of the excessive taxation simply does not fill the bill.

Mr. Speaker, in crude terms, if we were able to increase our gross national product by one percent we will have achieved probably double the tax of the Succession Duty. One percent, one percent over whatever goals you've set, and because we don't know your goals we don't know what we're really talking about. But, Mr. Speaker, the truth of the matter is if the private sector is given that opportunity -- and it has not because of the determination on the part of the government to use the public purse as the only means of solving unemployment in this province -- well there's no other course of action that's been dictated by anything, and all I remember, Mr. Speaker, is Mr. Weldon's presentation before the Standing Committee on Economic Development, when the questions were asked of him and the answers were given and what we're talking about is a determined policy on the part of the government to use the public sector and the public sector only and not in any way to try and maximize the opportunities as exist in the private sector to move. Mr. Speaker, there is absolutely no way that this is going to happen in Manitoba with a government that is prepared to allow the unproductive efforts to be conducted by those who are in a position to do so to move capital out of this province and to

(MR. SPIVAK cont'd) create job opportunities, not in Manitoba but in Alberta and in Ontario and elsewhere. --(Interjection)--

Mr. Speaker, that's interesting about Mexico -- I'm sorry the Minister of Industry isn't here and I do not want to digress because we would be involved in his Estimates -- but I think he's going to have to explain how Manitoba was able to work an arrangement with Mexico to be able to go into the seed business when we buy all our seeds from California. So we are going to take our seeds from California, bring them up here to Canada, pay the freight on them, process them and then send them down to Mexico and then hope that the Mexican government is going to be able to sell at a profit. Now the only thing that I can see is that either we're not going to send our good seeds but maybe our bad seeds or we're going to be sending . . .

MR. SPEAKER: Order. I cannot see the relevancy of the last remarks to the bill.

MR. SPIVAK: Mr. Speaker, I'll conclude. We believe that opportunities should be provided in Manitoba. We do not believe that . . . in a tax until it's created, that Manitoba really can expect to prosper in a position where it is not competitive with the provinces that are generating job employment and investment opportunities. We believe, and I think we are correct, that people are going to be able to put their affairs in order to avoid this tax and they are going to spend the time, as I indicated in the quotation, in the unprotective and conservative effort of seeing that they are in a liquid position and are in position to put their affairs in order. We believe that ultimately what this means, and I think there probably is a design on the part of the government, is the greater involvement in the state in the affairs of this province, a greater proliferation of civil service, the introduction of many new Crown corporations to be able to carry out activities that should have been carried out by others.

Mr. Speaker, we believe that in Manitoba government has an obligation to help provide jobs for people; we do not believe that it's necessary for everyone's job to be with the government, and the total effect of what the government is doing by design, with full knowledge of the ineffective way in which this bill will be handled by those who are capable of handling their affairs properly and will - with the full knowledge of it - that is one more encroachment on their part in the attempt to try and change and alter our society dramatically in Manitoba and that will mean only several things. For those who recognize this they will leave, they will export their capital, they will be finished with Manitoba. And what the Minister of Finance has done and the First Minister, has created what I believe is a sad situation and a sad commentary on their stewardship. In a situation today where provinces are competing for investment and for the push of maximized opportunity, how can Manitoba put itself in the forefront with the highest corporate tax, highest personal tax and now, probably without question, but only in most situations, --(Interjection)-- no not so many -- the highest succession duty and gift tax. Mr. Speaker, we believe you do not have to use the stick, that the carrot is better, that the opportunities the people want is better, and we believe, Mr. Speaker, when we go to the next general election the people are going to make a choice between them and us.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I believe the Honourable the Leader of the Opposition indicated he would answer a question and I'll confine it just to one question. Could the honourable member advise whether he is anywhere on record as having supported the efforts here in Canada to implement a capital gains tax? In all those three or four years when there was considerable opposition being mustered against it, did he speak out once publicly in support of the concept?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, --(Interjection)-- Well am I going to be allowed to answer the question or are you going to stifle me on that. Mr. Speaker, I was not Minister of Finance, I don't think I had an occasion to speak on the issue and in terms of a public statement, but I think I can state - and that could be borne out by those who are present - that a meeting with the Federal Leader of the Conservative Party in discussing the White Paper in which the leaders across Canada were called and I was president of the party and not at that time leader of the party, and the question was put as to my position I stated at that time - and I'm not sure whether any members of the press were present at that time - that I believed that a capital gains tax should be introduced --(Interjection)-- I think we did, I think Mr. Stanfield did make that statement if I'm correct, I think I'm correct on that. He did make that statement publicly. Well as far as I know he did and I think that that was the general impression. I did so because I felt and I still feel that that was a fair way, that the implications that Carter had suggested

(MR. SPIVAK cont'd) in his report were the correct ones, that in effect if you were taxing during your lifetime and taxing and properly on capital gain, that there would be no need to tax on estate tax or even succession duty.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I'd like to move, seconded by the Honourable Member from Gladstone the debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Proposed motion of the Honourable Minister of Finance. The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, could this matter stand in my name?

MR. SPEAKER: (Agreed) Proposed motion of the Honourable Attorney-General. The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, we have examined this bill. We are prepared to . . .

MR. SPEAKER: Order, please.

MR. BILTON: Have you asked a question? - in order that we may have the opportunity of discussing some parts of the bill in committee.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable the House Leader.

MR. PAULLEY: The Honourable Member for Inkster, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable the Member for Wellington that the amended rules of the House as reported to the House by the Committee of the Whole House on Monday, March 27th, 1972 be finally adopted. I understand, Mr. Speaker, that . . .

MR. SPEAKER: Order, please.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, the motion is put now that the rules have been distributed and I hope that all of the honourable members will have had an opportunity of seeing the new rules which should be incorporated with the motion so that there is no mistake as to what is being adopted. I would take it that the Clerk is tabling the rules that have been distributed and which are the subject matter of this motion. My information is that the committee has gotten together and has ascertained that the rules as now drafted constitute the old rules plus modifications that were made by the Clerk in keeping with rule changes that had been made just to make them consistent, also that some new rules were drafted in accordance with the report that was brought to the House and discussed in committee and that all of the rules as they now stand are completely consistent with the members subsequent agreement, if not consistent with all of the wishes of all of the members.

If there is no extensive debate on this question we hope that the new rules will be put into effect Thursday, and, Mr. Speaker, in keeping with my general view of rules and things of these kinds, I hope that these rules will be an improvement and that in any event if we persevere very hard that we will be able to conduct the business of the House in spite of the rules, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I want to make a few remarks briefly to the question before us namely adoption of these new rules. I was not a member of the Rules Committee so I can perhaps make a few remarks from that vantage position or disadvantage position whichever way you wish to take it. I believe my colleague the Member from Morris will also have a few remarks to make just prior to the passing of this motion before us.

Mr. Speaker, the remarks that I want to make, and I want to make it very clear at the outset, I wish to express nothing but admiration for the manner and way in which the Committee on all sides of the House worked with dispatch and I think with a genuine degree of cooperation to see that our rules which are always in a state of repair or need for repair and adjustment as we move along in our deliberative processes here in the Chamber, that anything that I have to say should not be taken out of context or should not be felt by the members of the committee to in any way impute motives on their part. As I said, I believe that they worked with dispatch

(MR. ENNS cont'd) and they worked with a great deal of cooperation. I believe they understood, that is those members working on that committee understood what the parliamentary process is all about. I'm compelled to say, however, that a good number of the members opposite certainly are not prepared to accept that degree of responsibility to parliament and the process of parliament that to some extent the adoption of these rules calls for.

I refer specifically, Sir, to the method that we are now going to be dealing with when we consider our Estimates or the estimates of the government. Sir, we have accepted now the fact that we will be dealing with all departments and that of course calls for some division, equitable division as to how many hours we'll be spending on each department. It's unfortunate that, without casting blame on certainly the Member from Inkster that these rules were not applicable to the first 12 or 13 hours that have already elapsed on the Estimates which now leaves us in a position I would suspect of having to divide the remaining 79 hours or 78 hours to the 18 departments still to be considered. I have never prided myself of my mathematics but I would suggest that that leaves us somewhat less than 6 hours certainly than was originally mentioned. I don't know whether it's even less than 5 hours now, probably somewhere in the neighbourhood of 4 hours and 50 minutes or something like that, that we have to deal with the various departments. I would have to further suggest to you, Sir, that of that time, of that time, on the basis of the performance today, that Her Majesty's Loyal Opposition is going to get about 28 minutes per department and as the Member for Inkster says, he suggests that that may be too much.

Mr. Speaker, it brings on some merriment from members when I suggest that, but I suggest it in all seriousness because the irony of it all - and here's where I begin to suspect the motives of members opposite - is when we've completed the whole exercise they will be the first ones to get up and say for the first time in the living memory of this Chamber that every Estimate, every department was dutifully examined and scrutinized by this Chamber. And of course, the way and manner in which we're approaching the Estimates now that has to be about the most hollow and callous kind of a position to take that we've ever seen exhibited by any government. As long, Mr. Speaker, - and we have no control about it, that willful government can do whatever they want and they're doing it. The Attorney-General is an example that really has to be held in a class by itself of how he will dominate even that brief period of time that the Opposition - and I say the entire Opposition - has with respect to trying to do our duty, trying to carry out our responsibilities of in effect scrutinizing and examining the Estimates.

This Government, Sir, they brought in a welcome innovation, one that I think we generally accept and applaud them for of bringing their senior staff on to the floor of the Legislature so that in effect the specific questions, the details to the questions that the Opposition may wish to ask can in fact be answered more readily and more capably by the Minister speaking for the department. But all of this is a bit of acting on the part of the government unless --- all of this acting on the part of the government if, Sir, they're going to dominate the time on the Estimates; and they've done a marvelous job with that up to now. Not only that, Sir, but they have put us on warning whether it was the Honourable Member for Osborne, or others, who insist, and quite properly so, that it is their right and their privilege to examine the estimates to the same extent, to the same detail as it is the traditional role of the opposition. Sir, I agree with them. It certainly is their right. They are all members of the Legislature. But, Sir, I want to point out to you, Sir, I point out to the government opposite, that it's with a considerable growing amount of concern that we are adopting these rules. I am not suggesting that we pull out of a bargain struck, and that I think is the way one can describe how we arrived at the kind of, the necessary give and take between the government and the opposition members in arriving at a reasonable set of rules that we conduct our business with.

I suggest to you further that that bargain was arrived at with reasonable and understanding people who knew something about the process of the parliamentary system but who obviously, Sir, at least on that side, are not prepared in any way to exercise this responsibility on their own members, to exercise the kind of restraint and recognition that the loyal opposition has a function to perform, and they would be foolish if they are prepared to, in a callous manner, cast that aside. If they are prepared to continue as they are by dominating even those few short hours that we are leaving for ourselves in the discussion of the Estimates.

Now, Mr. Speaker, I think the Honourable Member for Morris will have some more detail, or specific arguments, to buttress up some of the points that I have already mentioned. I know that the response will come from the, particularly from the Honourable Member for

(MR. ENNS cont'd) Inkster, that we have after all made a somewhat different ruling when it comes to the concurrence motions at the end of the Estimates, deliberations on Estimates, that the wider latitude that will be allowed with respect to the single concurrence motions that were left per department, which, you know, is again, you know, under the circumstances a questionable or doubtful advantage point that the opposition quite readily accepted when we entered into agreement, into accepting these rules. I also accept the fact, the practical fact, that by the time we are finished with the 80 hours or 90 hours deliberations on Estimated, and when the concurrence motions are called, that we have to some extent spent ourselves on that particular subject -- certainly we have tried the patience of the news media to some extent on the deliberations of Estimates and it is, while it is our position and it'll be our avowed intent to voice whatever objections I am now voicing, and to raise whatever questions we had no opportunity to raise because of the little play that goes back and forth on the government's side in using up Estimate time, we will certainly find ourselves having to utilize to the fullest extent the provisions made under the concurrence sections of the new rules.

But, Sir, I do so with the full knowledge that hardly is satisfactory, or is hardly satisfactory in my estimate of the ability to utilize the time that the department requires, particularly the department that is before us, to enable opposition members who I think have tried to restrain themselves in not making lengthy speeches but asking specific questions and letting and allowing for a number of members in the opposition to get up and ask questions and then having the minister to the extent that he is capable, or to the extent that he wants to, or chooses to, answer those questions. Sir, this process in my judgment is being jeopardized by the manner and way in which the present government is conducting itself in this matter of consideration of the Estimates. I suggest to you, Sir, that it is perhaps another way in which this government has found, a convenient way in which this government has found possible to again stifle the legitimate opposition in this Chamber in a most important area. It's a question that's becoming a matter of some tremendous concern to us on our side, and one that I am sure the government is going to have to reconsider its position on, and reconsider its politics on, if they persist in this particular manner. Thank you, Mr. Speaker.

MR. SPEAKER: Are you ready. . . The Honourable Member for Morris,

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, I would not use this occasion to rise to make some comments on this particular motion that is now before the House had it not been for some things that have happened within the last couple of days of last week when we were discussing and considering the estimates of the Department of the Attorney-General and Minister of Consumer and Corporate Affairs, who just happens to be the same person.

I don't like to impute motives, or I don't like to blame anyone for the disconcerting turn of events in regard to the use of the time that is supposed to be allocated for consideration of Estimates. I am sure that the members of that committee, as it was indicated by my colleague the Member for Lakeside, all acted in good faith when these proposals were discussed. We have all been concerned in this House from time to time about the lack of consideration that some departments get in the way of an examination; and we were sincerely interested in bringing about some method whereby a more thorough examination of the estimates could take place.

I am sure that that was the intent of all the honourable members who acted on that committee. It's a pity that the Attorney-General was not apprised of that good faith because he started up just where he left off during the last session. Instead of giving an opportunity for a number of questions to be asked before he answers, and sometimes there may be duplications, he'll give three answers to every single question that is asked. That is, not the kind of an answer that you can use as information but his interpretation of an answer, and then criticises you when you take issue with him.

If there is one person in the Chamber - and I wish he was here right now - if there is one person in this Chamber that has no concept of the whole purpose of the legislators sitting it is the Attorney-General. A person who abuses every rule. We changed the rule relating to Private Member's for one purpose and that is to give private members the opportunity to be discussing resolutions that they are interested in. He injects himself into that debate, taking up the time that should be used by private members.

On the Estimates three-quarters of the time that has been used so far in the consideration of the Estimates has been used by the Attorney-General, not providing answers, Sir, phonetics and rhetoric as my colleague from Lakeside says. Well, Sir, if that is going to be the method whereby the government intends to deal with Estimates, then there is just no way that we can

(MR. ENNS cont'd) support this rule change, no way at all. But, Sir, we do not intend to be denied the opportunity of examining Estimates in this Chamber the way the Attorney-General has been denying us that opportunity. His performance on Thursday afternoon by putting up one speaker after another from that side of the House to insure that we didn't have an opportunity to get down to the specific items and ask questions, was a deliberate attempt to frustrate the legitimate activities of the opposition.

One other disturbing thing - I hope we don't find a repetition of that - was the introduction of Rule 88 during the last session dealing with the report of committees and the way that the reports of committees were dealt with in this Chamber. Now that was not a rule, Sir, that was introduced by the Rules Committee. That was not a recommendation of the Rules Committee when it came into this House. That was a recommendation that the Premier imposed upon the committee during the course of consideration.

A MEMBER: In Committee of the Whole House?

MR. JORGENSEN: Yes it was in this committee but it was not a recommendation of the Rules Committee and my honourable friend the House Leader is perfectly right when he said it was accepted by the Whole House. I don't disagree with that. But that particular rule, that particular rule, Sir, could only work during the normal sittings of this Chamber and it is an abuse of that rule if it's going to be intended to be used only when the House is in extended sittings and for 90 percent of the time that we dealt with legislation during the last session, we were sitting during the extended hours.

I see my honourable friend the Member for Inkster is up on his feet. I presume he has a point of order.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I wonder whether the honourable member could see that particular problem which we all recognized last year and had a sort of unanimous modification of the rule, if not a changing, wouldn't the proper time for insuring that we don't have a problem is when whatever motion is introduced which would change the sittings of the House, that that rule would have to be taken into account in that motion.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Well if that particular motion was made, and we have the assurance that the House Leader would accept it, so that provisions could be made to be dealing with bills when they come from the committees; but there's no need for that in the first place, Sir, because I don't think that the government should be imposing the extended hours of sitting until the bulk of the business of this House has been completed. It is an abuse of the rights of members in this Chamber to be expecting them to sit from 9:30 in the morning, or 10 o'clock, or whenever the House sits in the morning, until two or three o'clock the next morning, and dealing with bills in the Committee of the Whole House without having some opportunity to examine them, to examine the evidence that is presented in the Law Amendments Committee and other committees where the bills are being considered. It looked to me as though it was a deliberate attempt to ram as much legislation past us without having the opportunity to consider it properly. It looked as though they ruled that the Premier brought in the rule for that very purpose to insure that we could not do a proper job of examining legislation, and I hope that there is not a repetition of that activity during this coming session.

But what is of concern to us now is the present recommendation as it deals with the Estimates, and we have already seen so much of the abuse of that intention by the Attorney-General that one can't help but wonder if that is going to be the intention, if it is the intention of the government to proceed with the remainder of the Estimates in that same fashion, because if it is, then, Sir, it's going to be very difficult for us to accept any rule changes -- I'd much rather go back to the jungle that existed before where everybody was on his own and there was no time limit at all in consideration of Estimates, and I am willing to bet you, Sir, that if there was no time limit at all in the consideration of Estimates we'd have a lot less verbiage from the Attorney-General than we are getting these days, and there would be at least half an opportunity to examine the Estimates in the way they should be examined -- and, Sir, as my honourable friend from Lakeside has indicated the officials of the department were invited to come into this Chamber to provide the Minister with the kind of answers that he could not be expected to have with him at all times so that there would be answers to the questions that would be asked on the Estimates. We made a very serious attempt to do that in this Legislature during the consideration of the Attorney-General's Estimates and the Consumer and Corporate Affairs

(MR. JORGENSEN cont'd) Estimates, but we were prevented from doing so by the actions of the Attorney-General, who, if he has demonstrated nothing else in this Chamber, has demonstrated a complete ignorance of the rules of this House; a complete ignorance of the very reason why this Legislature sits in the first place. Well, Sir, if the conduct of the Attorney-General is going to be typical of the conduct of the remainder of the Ministers, I have grave doubts that these rules are going to work out in the way that those of us who sat on that committee hoped that they would work because we had intended that it would provide members of this House a better opportunity and a better method of handling Estimates; but it can only work under one set of conditions and that is if the government acts in good faith. If we abuse our time that is our fault and we must take the consequences because to all intents and purposes the time for consideration of Estimates is normally considered -- I know the House Leader considers that, and I know the Member for Inkster considers that to be opposition time, certainly not the Attorney-General and I doubt very much if it's ever going to be possible for us to get him to understand anything about the operations of this Chamber. He doesn't even understand the operations of the Department of the Attorney-General. So if the rules are going to enable us to do the job that is necessary for us to do, there must be that kind of good faith on the part of the government, and I trust that when we get past the Attorney-General's department, there will be that good faith exhibited by the remaining members, those that are left in the Cabinet.

MR. SPEAKER: Are you ready for the question. The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I am going to be very brief in my comments. There has been some charges made that the government has dominated and taken the biggest amount of time in the Estimates. As the chairman of the House Committee I totalled up the first 11 hours and 30 minutes of the Estimates and I find the following: that the government has used up six hours and the opposition used up a total of five hours and 30 minutes, so I think it's running about 50-50 or fairly close to it. I would suggest that when these rules - I hope they will be adopted - that the House Leader and the members, the House Leader of the Opposition and their Whips would get together so we can come to some arrangement for the remaining hours that we have under the Estimates which are 76 hours and 35 minutes I think to my calculation and we have approximately 16 departments to go. So I hope that we can come to some successful negotiation on what time it will be. Thank you, Mr. Speaker.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Churchill that debate be adjourned.

MR. SPEAKER: Order. The Honourable Minister of Labour on a point of order.

MR. PAULLEY: No it's not a point of order, Mr. Speaker, but a knowledgeability of the rules of the House that a motion to adjourn once presented is not debateable and I'm wondering whether or not before the motion is presented my honourable friend would give me licence to speak.

MR. SPEAKER: Is it agreed?

MR. PAULLEY: The motion is not before the House so I believe . . .

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: . . . notwithstanding the "no" move that I have. -- (Interjection) -- No, I knew you wouldn't Jake, but . . .

Mr. Speaker, I don't know whether I should brag about this or not but I have had the opportunity of being in this House longer than any honourable member present and I think despite my honourable friend from Riel I should brag about it because I have received the confidence of my constituents and I think as a result of that confidence of my constituents I have had a good measure of confidence of members of this House during my tenure of office. I think, notwithstanding the babbling of the Member for Lakeside that by and large some respect, at least by other members has been accorded to me in the past, and if my honourable friend from Lakeside is not ready to extend that same courtesy, well I just leave it to my honourable friend.

You know, Mr. Speaker, we've been talking this afternoon on the rules of the House and the rules of the House are in possession of this House. The rules of the House are not measures of the government of the day but rules that are agreed upon or adopted by the Assembly itself.

Well do I recall, Mr. Speaker, when I first came into this Chamber for my first session in 1954, that the rules at that time, in my opinion at least, and of course I was in opposition, deprived an opposition member of a reasonable opportunity to present his case against the government. I fought bitterly as a backbencher at that time for more freedom of expression by all members of the Assembly, be they government, be they members of the major Opposition party or be they independent members of this House. And it took a long time to convince the government during the period from 1954 until today that there were rights and privileges of the individual members of this House to take part in debate. My honourable friend from Lakeside is concerned about the opportunities and the hours. Well do I recall, Mr. Speaker, -- I don't fault him really for it -- but well do I recall sitting in the seat that is now occupied by the Member from Souris-Killarney until 4:00 o'clock in the morning under a Conservative government and under orders at that particular time, Mr. Speaker, to return to labour at 10:00 o'clock that morning -- 9:30 it may have been -- and, Mr. Speaker, I didn't fault the government of the day for . . . I criticized them for it, but under the then rules of the House they had that licence. I recall Mr. Speaker, that prior to that, that after we had concluded the debate on the Throne Speech when the traditional motion to go into supply had been presented, that under a previous Liberal administration there was no time limit for the sitting, it was at the whim and will of the leader of government at that particular time, it didn't matter a . . . what the preferences of individual members of this Assembly were, they were at the whim and the dictate of the government of the day.

You know, Mr. Speaker, it took me a long time as a leader of a responsible party in this House to convince the government of the day -- and at that time I'm thinking of it was headed by the Honourable Dufferin Roblin -- it took a long time, including a red night cap, to convince the government of the day that while the human anatomy could sit for hour after hour, the brain could not function properly, and after long cajolling, persuasion, the Honourable Duff Roblin agreed with me that until the expiration of 80 hours of Estimates the House would adjourn at 11:00 o'clock in the evening. Subsequent meetings of the rules committee, Mr. Speaker, reduced the number of hours of sitting to 10:00 o'clock to give honourable members more opportunity to study resolutions that were on the Order Paper for consideration the next day. Yes, and to sleep too, we needed our sleep then. Of course, there's a new generation I gather, Mr. Speaker, in the Assembly now, other than myself, maybe they don't require the sleep that I thought that I required in order to attempt -- and I say attempt advisedly -- to make a reasonable, intelligent contribution to a debate. And I give Duff Roblin credit for accepting that.

My honourable friend the Member for Morris has just now chastised my colleague the Attorney-General for the length of participation by the Attorney-General during this year's consideration of the Estimates. I only wish to heaven that my honourable friend the Member

(MR. PAULLEY cont'd) for Morris would do me -- and the Member for Lakeside because I think they're peas in a pod -- I think that they would do themselves and this House a courtesy if they would get ahold of Hansard -- and if they're not in possession of them, I'll gladly supply them -- to listen to the three and four hours exhortations of the former Minister of Agriculture, George Hutton; or the former Minister of Health and Social Development, George Johnson, who used to sit here -- and by the Lord Harry on occasions he was ready to go over the barricade to take a poke at the Honourable leader of the New Democratic Party because I was chastising him for the hours of debate. -- (Interjection) -- Great Manitobans? Yes, great Manitobans. And I suggest, Mr. Chairman, whether my honourable friend from Lakeside will accept it or not, that by and large I consider anyone who has been honoured and privileged to sitting in this House as a great Manitoban.

But, the rules of the game have been changed Mr. Speaker, the rules of the game have been changed so that we now have before us a proposition that will give to each and every member of this Assembly the right to be heard without domination by members of the government. My honourable friends opposite are criticizing the government of the day because of the time spent in debate on the Estimates and they're criticizing us before the new proposed rules have been adopted by this House. How unfair, Mr. Speaker, can they be. They condemn us -- (Interjection) -- try us -- I'll try you my honourable friend from Lakeside, if you will try -- Mr. Speaker, . . .

MR. SPEAKER: Order, please.

MR. PAULLEY: I accept what my honourable friend the Member for Lakeside says -- try us. I ask of him will he not give this House, not the government, but all members who were components of the Rules Committee who devised these new rules, an opportunity to see how they will work. We're condemned as government, Mr. Speaker, by the Honourable Member for Lakeside -- and I regret, it appears also, by the Honourable Member for Morris, before the House has had an opportunity to put into effect the rules that have been revised by a committee of this House that was established so to do.

I want to pay a tribute, Mr. Speaker, to the Honourable Member for Morris because while he was speaking in the Committee on the Rules he was most fair, he was most reasonable and most co-operative in trying to devise the best rules for the conduct of any legislative assembly in the Dominion of Canada, and I give him full marks for it. My only plea, Mr. Speaker, is for the Honourable Member from Morris, the Honourable Member for Lakeside and all honourable members of this House to -- (Interjection) -- yes, great, but by gosh your greatness becomes tarnished by some of your contributions -- particularly the one you made a few moments ago. All I suggest, Mr. Speaker, is that there was give and take during the deliberations of the Rules Committee, and when, Sir, we met one day last week to once again go over the proposed rules, there was no disagreement at all. But there was one objection of representatives of the Rules Committee to try this proposal to see whether or not it will work.

As House Leader, Mr. Speaker, I have given an undertaking to representatives of the Opposition that the Committee on the Rules of the House will be reconstituted, that it can meet in between sessions to consider in the light of the application of the rules at this session, whether or not there should be further change. Is this not a fair proposition? Is this an indication, Mr. Speaker, of a domination of a government; but is it on the other hand an indication of a spirit of goodwill to all members of the House and an endeavour to allow each and every member to fulfil his or her responsibility to their respective constituencies.

The Member for Morris, again, chastized the Attorney-General in the consumption of time that had taken place thus far in the Estimates. Mr. Speaker, may I draw to your attention and to the attention of all honourable members of the House, had there been no delay in the establishing of the proposed rules that wouldn't have happened; but the longer we delay in the adoption of the rules of this House, the longer it is possible to carry on under the old rules that we are trying to abolish and to change.

Mr. Speaker, I note my honourable friend the Member for Rhineland rose a moment or two ago to propose an adjournment of this debate. It is his privilege, it is his right. The motion will be before this House tomorrow. It had been our hope -- when I "our", I'm not speaking as a House leader but as a Member of the Rules Committee and I did discuss this with the Member for Morris -- it had been our hope that the run on the new rules would commence on Thursday. So I say, my honourable friend from Rhineland, I imagine Mr. Speaker, will move the adjournment after I have spoken, which means a further delay, a further delay

(MR. PAULLEY cont'd) in the adoption of the rules that I thought Sir, were acceptable to the Opposition, to the government, and I suggest are fair and reasonable rules for the conduct of this House. And the longer we delay, Sir, the adoption of these rules, the longer it is permissible for the Attorney-General, the Minister of Labour, the Member for Rhineland, the Member for Lakeside and the Member for Morris to impede the progress of the consideration of the Estimates. And I appeal, Mr. Speaker, to all honourable members of this House to give jointly considered propositions of new rules of the House an opportunity of being tried and tried as quickly as possible.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: I wonder if I may ask the House Leader a question? In his remarks he seemed to imply that the delay in the implementation of the rules was somehow or other the fault of the official opposition. Is that what he meant, because I ask him why they were not introduced much earlier in the session?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I recognized as I mentioned undue delay in consideration of the rules that the Honourable the Member for Morris being as keen an observer of parliamentary procedure that he is would ask that question. It is historic in this House though -- I'm sure he's aware of it -- that until the formal adoption of the Throne Speech is made that matters of this nature are set aside.

I want to assure my honourable friend, and I say this in all sincerity, there was no devious methodology or reason for the delay and I certainly didn't mean any criticism of my honourable friend, I only ask for his co-operation.

MR. SPEAKER put the question and after a voice vote declared the . . .

MR. SPEAKER: Members must -- (Interjection) --

MR. PAULLEY: Mr. Speaker, isn't it permissible? As House Leader I'm prepared, on behalf of the Government, for you, Sir, to call once again the ayes and naves.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: I should like to indicate to honourable members it may be amusing but the Chair has no recourse except to go by what he hears. The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider the Supply to be granted to Her Majesty.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolution 42 (a) -- The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): I would like to say a word. I was speaking last Thursday afternoon when we were debating Consumer Affairs Estimates and I was speaking about the lack of consideration for small businesses by the government of the day and I want to re-emphasize that and I want to especially mention one particular section of the Estimates dealing with Queen's Printer.

While it's true the Minister related on Page 510 the policy of the government regarding work allocated by the Queen's Printer, in actual fact, Mr. Chairman, they're not getting any work and this is the point I want to bring out. When this change of policy was announced that union shops would get preference on work over \$200 and on a tendering basis it meant that the small printing offices in rural Manitoba were left out without any work. And why I am concerned about these small businesses in Manitoba is because I have five of them in my constituency. Five printing offices which put out a weekly newspaper and at the present time each one of them are looking for custom work in their offices to fill out the balance of the week for their employees, to keep their employees occupied and to pay taxes, not only to the municipality, Mr. Chairman, but to the Province of Manitoba and to the Government of Canada. This is their concern, Mr. Chairman, the concern that they're not able to get in on this work that's put out by tender by the Queen's Printer. I think the Minister when he explained the policy emphasized that all things being equal the union shop got the work and this is what is going on.

I could agree, Mr. Chairman, that when you deal with jobs under \$200 that you can't normally put them up for tender because the cost would be too high in advertising, but I don't

(MR. McKELLAR (cont'd) think many of these shops are getting even the tendering notices for the jobs over \$200.00. Mr. Chairman, I think it's highly unfair, highly unjustified by the government of the day that they would discriminate against weekly newspapers, businessmen who are trying to make a living in the Province of Manitoba. I think it's a case for the Human Rights Commission and I want to emphasize that the Honourable Minister look into this, and if he won't do this that I will do this on their behalf because I think that you are discriminating against the non-union shops in the Province of Manitoba. I've got nothing against unions but let's treat people fairly in the Province of Manitoba. That's all anyone could expect, Mr. Chairman, of any government, that they be treated fairly and with no discrimination.

Mr. Chairman, I would have liked to have spoken a long while but the Honourable House Leader over there was emphasizing that we have tongue control in this House and I think many of those of us who have been around here for a long while have experienced long-winded speeches. I think there is a place for long-winded speeches in their place, in their place, but many of those who talk 40 minutes could easily do the same job in 20. And for that very reason, Mr. Chairman, I'm going to close my remarks by saying the government are wrong by discriminating against the weekly newspaper businesses in the Province of Manitoba, that I hope they will see the light and change the policy which they have developed in the past year.

MR. CHAIRMAN: The Honourable Minister of Consumer, Corporate and Internal Services.

HON. A. H. MACKLING, Q.C. (Minister of Consumer, Corporate and Internal Services) (St. James): Mr. Chairman, my remarks will be brief. I again point out the fact that honourable members have occasion to be absent from the House when the introductory remarks are made. This has happened on a number of occasions during the Estimates and I have had occasion to be obliged to answer further charges and responses that are made when the factual information was clearly covered by me in my earlier remarks. So I would refer the honourable member to Hansard which will clearly indicate what the policy is and that there is no policy whatsoever of denying anyone the right and opportunity to tender on government contracts and I won't recite because it's a waste of this House's time.

I would like to say, Mr. Chairman, before I take my seat that I did not prime -- there's been a suggestion that I prime members of this side of the House to get up and make contributions on my Estimates -- I would have dearly loved to have been able to muzzle the Honourable Member for Crescentwood particularly because I think his was the most effective critique of my Estimates. I did not prime my colleagues to make contributions on this side of the House and I resent the fact that some honourable members think that that would be in my interests and I would want them to do that -- I would want to encourage my colleagues on this side of the House to give me a hard time.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, at this time I would like to make a motion. I move, Resolved that Resolution 42 be amended by deleting 1(a) - Minister's Compensation, \$15,600 under the heading of General Administration.

MR. CHAIRMAN presented the motion.

MR. FROESE: Mr. Chairman, my reason for moving it is that the Attorney-General's salary has already been voted. This is a separate department, there is no separate head for this and why should we allocate monies for this purpose when it's not going to be used for that purpose. On the other hand, I think it's incumbent upon us to save monies and make savings wherever possible. Here is an amount that can be saved and I do request honourable members to support us.

MR. MACKLING: I better sit down, Jake, or he'll count this time as I'm, you know, using the time of the House, eh?

MR. CHAIRMAN: I beg the pardon of the House but I don't think that the motion is in order. I just want to . . .

MR. MACKLING: Reduce it to \$1.00 then, Jake, then it will be in order. Amend your motion, Jake, amend your motion.

MR. FROESE: Mr. Chairman, I think my point of order would be that it is quite in order because it only pertains to part of the Resolution 42. I'm not deleting the whole of Resolution 42.

MR. CHAIRMAN: I believe the motion to be in order would have to be that the amount would be reduced or that the Chairman leave the Chair. A resolution to reduce is in order

(MR. CHAIRMAN cont'd) but a resolution to strike out an amount is not in order. We just can't find the reference right here but if the honourable member wishes . . .

MR. FROESE: . . . amend it then to make it \$1.00 if that is more agreeable.

MR. CHAIRMAN: The resolution would be in order if it was amended by a reduction but not by deletion. I would therefore have to declare the motion out of order.

Resolution 42. Citation 242, Section 2. "The only motion allowed when a resolution is under consideration in Committee of Supply is that the amount be reduced or that the Chairman leave the Chair without making report or to avoid progress on certain resolutions. Therefore I have to declare the motion of the Honourable Member for Rhineland out of order.

Resolution 42 (a) -- The Honourable Member for Rhineland.

MR. FROESE: Yes. I will then propose another motion. That item 1 (a) of Resolution 42 be reduced to \$1.00.

MR. CHAIRMAN presented the motion. The Honourable Minister of Consumer, Corporate and Internal Services.

MR. MACKLING: Thank you, Mr. Chairman. From a personal point of view I would be happy to accept the dollar and that would be a dollar more than what I would be receiving in retaining this portfolio. Resolution 42 (a) does not cover the monies that are paid to an individual but to an office and this individual may or may not be the Minister of Consumer, Corporate Affairs and Internal Services during the whole of this period. It would well be that some other member of this House might be invited to be that Minister and in that event there would have to be an appropriation there for salary. Even the Honourable Member from Morris, for example, might conceivably be invited, he's so well loved by all members of this House that he might be invited to become that person, and in that event he would want to be paid a salary. I think honourable members can appreciate that it's not my wish that I be paid any more than the salary that is due under the one appropriation. I think that's filed in Public Accounts and in the event there's any wrongdoing, I will account in due course.

MR. CHAIRMAN presented the motion and after a voice vote declared the motion lost.

MR. FROESE: Yeas and Nays, Mr. Speaker.

MR. CHAIRMAN: Call in the members. Does the member have support? Call in the members.

MR. CHAIRMAN: Order, please. The item before the House is an amendment to resolution 42 (a) moved by the Honourable Member for Rhineland, that item 1 (a) of resolution 42 be reduced to \$1.00. All those in favour of the motion please rise.

A COUNTED VOTE was taken the result being as follows:

MR. CLERK: Yeas 10; Nays 39.

MR. CHAIRMAN: I declare the amendment lost. (Resolutions 42, 43, 44, 45, 46 were read and passed.) Resolution 47 (a) -- The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON: Mr. Chairman, I would like to ask the Minister for some explanation regarding the Purchasing Bureau. The salaries two years ago were \$151,000 and they have grown to \$165,000 last year and this year they have grown to \$240,400 and that's a tremendous increase in a three year period. Now we all realize the provincial government has to have a purchasing bureau and a purchasing department but how many purchasing agents do we need? I would suggest that because of the growth of many of the other departments in the province, of boards, commissions and new desks and the increase in employees is one of the causes of this department growing the way it has. Now the Minister did say in his opening remarks that there was an increase in staff but just how big is the government getting to require an increase in the salaries or the increase in staff of the purchasing bureau to this amount? I would suggest that there has got to be an explanation on that type of an increase as far as the Purchasing Bureau is concerned. I suggest that it also has a very great bearing on the whole government policy of expansion and I would like to have an explanation of an increase from \$151,000 two years ago to -- now we are up to \$240,400.00.

MR. CHAIRMAN: The Honourable Minister of Consumer, Corporate and Internal Services.

MR. MACKLING: Well with the consent of all members of the House, particularly the Honourable Member from Morris, I would indicate that in my introductory remarks I believe that I satisfied the concern of the honourable member who has just spoken. I indicated that the growth of work in this bureau and the rationale for the increase in amount of dollars voted and the changes in staff and I don't think I need take the time of the House to repeat those

(MR. MACKLING cont'd) arguments.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON: Mr. Chairman, I wasn't asking the Minister to repeat his argument. One of the reasons I was very brief on the opening remarks was so we could get into these estimates. Can he tell me how many new purchasing agents we have -- what are we really spending this money on? I'd like to know how many more we have. The explanation of why is pretty obvious even in my own remarks; it's just a straight expansion of government, but how many new purchasing agents do we have in this bureau?

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: On the same point in the Estimates, just who is the determining body when a school division requires buses and orders certain kinds of buses, certain sizes -- that later on they find that this is not given to them? Does the purchasing bureau do that, or does the Public School Finance Board do that, because I know on one occasion where they ordered smaller buses on country roads, they couldn't maneuver the large buses, yet they would not get what they ordered and I'm wanting to find out as to who determines and who has the say when the wishes of a division board are not met.

MR. CHAIRMAN: The Honourable Minister of Consumer, Corporate and Internal Services.

MR. MACKLING: Well, Mr. Chairman, then in all deference to all members of the House I'd better go into some details if the Honourable Member from Sturgeon Creek wants me to take time and elaborate on the rationale.

There is in the 71-72 fiscal year, a staff man year complement of 24 1/2 staff man years, that's made up of some part time staff obviously or some staff coming on during the term.

In the period 1972-73, the fiscal year, it is anticipated that the work load will require 35 staff, 35.8, a total increase of 11.3 staff man years directly related to the increased volume of purchasing which I alluded to in my opening remarks, which largely is as a result of the new initiative in various programs that this government has taken in various types of winter employment programs, rural water and sewage plans, regional secondary schools development and so on. There has been an extensive increase in government activity in all of those fields, together with the continuance of bulk purchasing by government, a principle which has been established and is working very well and saving the taxpayers of this province many hundreds of thousands of dollars.

In respect to the question of the Honourable Member from Rhineland, the authority for the purchasing of school buses initially comes from the School Foundation Finance Board and then the orders are submitted to the central purchasing apparatus of the purchase bureau and the orders are made in accordance with that arrangement.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I still haven't got a clear-cut answer to my question as to when a division board places an order for certain buses, certain sizes of buses, too, and the order is not met, who is the one that disqualifies that order. Is it this particular purchasing bureau or is it the Public School Finance Board?

MR. MACKLING: Well, my understanding -- and I confess I don't have the knowledge of the detail that perhaps the honourable member wants -- that my understanding is that the local school board or school division submits its requirements to the school's finance board and they then process these applications and submit the specifications and details to the central purchasing bureau for which I am responsible, and accordingly the central purchasing bureau puts out or invites tenders or arranges for the purchase, as the case may be, and delivers accordingly.

MR. FROESE: From that answer then it's the public school finance boards who vary that order and will not acquiesce to the division board's decision and request for certain sizes and certain number of buses?

MR. CHAIRMAN: Resolution No. 47. The Honourable Member for Riel.

MR. CRAIK: I wonder if the Minister can tell us whether the continued practice -- is the practice being continued to purchase only or primarily Western Flyer Coach buses? The point that the Member for Rhineland brings up is a pretty critical one, if in fact the divisions are being required to take buses that are bigger than what their needs are simply for the government to buy Western Flyer buses or whatever the kinds of buses they are. I think last year during the estimates debate it was indicated that out of 108 buses to be purchased that 101 or something like that, all but about 7 or 8, were to be Western Flyer Coach. I think that we

(MR. CRAIK cont'd). . . . would like some information on that. Also, could you advise us where the instructions come from, whether it's from the public schools finance board or from your department, to say that the particular brand of bus, namely Western Flyer Coach Bus has to be purchased. Is it Cabinet order, is it a department order, and if so, which department?

MR. CHAIRMAN: The Honourable Minister of Consumer, Corporate and Internal Services.

MR. MACKLING: Mr. Chairman, in respect to the ordering of buses I reiterate that the Purchasing Bureau acts on the requisitions that are made by the Department of Education. In respect to the specifications, it's my understanding that the Department of Education reviews those specifications with the particular school divisions involved and if there is some problem there I would trust that those questions would be answered in the course of my colleague's estimates and an opportunity would be, I think afforded then for any detailed questioning of that.

In respect to the awarding or the acquisition of the buses, this decision has, at least to my recollection, been made by way of direction to the purchasing bureau by government in the interests of the Province of Manitoba, if all other things being reasonably equal, costs and so on, that the purchase be made through Manitoba enterprise, in this case Western Flyer.

MR. CHAIRMAN: The Honourable Member for Riel.

MR. CRAIK: I'm not questioning directly the Minister's comments except last year we were advised by the former minister, who is now the Minister of Education, that your department and your branch had set up a series of qualifications in the purchase of buses and he had or was going to set up the machinery whereby these buses could be checked out for Manitoba road conditions and a number of other things -- in other words a number of qualifications were going to have to be met according to his department standards. Now you tell us that all you do is obey the instructions of the Department of Education and that they are the body that we have to go to to get to the bottom of this very problem that the Member for Rhineland has pointed up here, which has been a problem and continues to be a problem and is getting worse, if in fact we are going to have to buy bigger buses at taxpayer cost simply to meet the wishes of the government in directing its business to one place.

MR. CHAIRMAN: The Honourable Minister of Consumer Affairs.

MR. MACKLING: Mr. Chairman, I can merely reiterate that the Purchasing Bureau acts at the behest of the line department and so far as I am aware is acting in accordance with what their requests are, and the honourable member's questions would be better directed to the honourable member, my colleague, when his estimates are before the House.

MR. CHAIRMAN: (Resolutions No. 47 and 48 were read and passed). That completes the Department of Consumer, Corporate and Internal Services.

The next Department is the Department of Agriculture.

MR. PAULLEY: Mr. Chairman, there is agreement that, as I understand it, subject to correction by the Honourable Member from Morris, that rather than going into Agriculture, because my honourable colleague the Minister of Agriculture will not be here this evening, that we should go into the Department of Labour. And that being the case, Mr. Chairman and the clock indicating about 18 minutes after 5 o'clock, I wonder if it might meet the convenience of the committee to call it 5:30 and that the Minister of Labour be on the auction block at 8 o'clock this evening. However, if that is not agreeable we're prepared to go right now.

MR. CHAIRMAN: (Agreed) Call it 5:30. Committee rise and report. -- (Interjection) -- The hour being 5:30, I am leaving the Chair to return at 8:00 this evening.