

THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Tuesday, May 11th, 1965

Opening prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions
 Reading and Receiving Petitions
 Presenting Reports by Standing and Special Committees
 Notices of Motion
 Introduction of Bills
 Orders of the Day

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Madam Speaker, some information was requested about the Hansard and I forget which honourable gentleman asked the question — the Leader of the Opposition? The information that I have is that the final copy will be typed up to and including Friday and is ready for the Printer now. The final copy for Saturday morning and afternoon is completed tonight and ready for the Printer in the morning, and final copy for Saturday evening and Monday afternoon will be completed tomorrow evening and ready for the Printer on Thursday morning. The reason that some of the editions are falling behind is that the staff, and even the equipment, are calculated to be of the right capacity to handle two editions a day, and of course in the hurry-up session we have been having three editions and so I suppose it's mathematical that we fall behind by one edition per day. That's the impression I have on the subject.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Madam Speaker, I thank the Minister for his statement. I was particularly interested in having the very inspiring comments of the Minister of Mines and Natural Resources on the subject of pensions, but that now appears to be no longer needed and I suppose I can do without the immediate disposition of the Hansard.

MR. E. R. SCHREYER (Brokenhead): Madam Speaker, since we don't have Hansard, I would like to direct a question to the Honourable the Leader of the Opposition, if it's in order. I'm not sure of the point on this.

MR. EVANS: strictly that questions at this time are directed to the Ministry, but if the Leader of the Opposition is willing to answer it, I'm sure the House would be willing to hear it.

MR. SCHREYER: My question is this, Madam Speaker

MR. MOLGAT: Madam Speaker, I believe that it is out of order, but I have no objection to answering a question.

MR. SCHREYER: It's for purposes of clarification.

MR. MOLGAT: Madam Speaker, possibly — and I'm not objecting to answering the question, I'm quite happy to — but I think there might be a ruling because the Leader of the NDP insists that it is in order. I repeat that I'm happy to answer the question, but I think there should be a clear understanding what the rule is.

MADAM SPEAKER: Probably I should wait for the Clerk. I understand that the procedure in this House is that the questions are usually directed to Ministers of the Crown. If the question is directed to some other Member in the House and they wish to accept, I think this is a matter of courtesy. If you would like to wait for the ruling here.

The Honourable the Leader of the New Democratic Party.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, if I may on the point of order — and there seems to be some confusion — may I refer you, Madam Speaker, to Standing Order No. 39 of Beauséjour which is on Page 145 dealing with the question of Questions, and may I refer to this. It deals — "Questions may be placed on the Order Paper seeking information from Ministers of the Crown relating to public affairs and from other Members relating to any bill, motion or other public matter connected with the business of the House in which such members may be concerned." I respectfully suggest, Madam Speaker, that Beauséjour clearly adapts the fact that questions may be answered or asked of any member of this Assembly.

MR. MOLGAT: Madam Speaker, on the point of order, I think our rule is the one that takes precedence, and on Page 22, Rule 47, it says, "Questions may be placed on the Order Paper seeking information from Ministers of the Crown relating to public affairs and from other members relating to any bill, motion or other public matter connected with the business of the House." This is a question that's placed on the Order Paper and I take it not a verbal question.

(MR. MOLGAT cont'd)

so I don't think that it's in order, but I repeat I'm quite happy to answer the question.

MR. SCHREYER: Madam Speaker, I think I will proceed instead on a point of privilege - personal privilege. It has been brought to my attention that some members of this House are saying that I had conferred - that I had acted in collusion with the front bench opposite and with the First Minister in particular when I rose this afternoon to put the question to the First Minister to the effect that wouldn't it be a good idea to take the pension bill out of this Chamber completely and to refer it to an independent commission of three people such as the Electoral Boundaries Commission.

Shortly after I had put this question, it was brought to my attention that some members were making comments to the effect that I had acted in collusion with the First Minister in putting that question to him, when the fact of the matter is, Madam Speaker, and so help me God, I have not spoken to the First Minister for a period of at least 24 hours. In fact I had come just five minutes before the House met. I had come from the University where I had been speaking with some colleagues and it was they whom I had conferred with on this question of the feasibility of an independent commission. I think it is a reflection on my integrity in this Chamber that I would act in collusion in this manner. That is the first part of my point of privilege.

The second part is that it has been brought to my attention that the Leader of the Opposition appearing on television this evening allowed as how -- or in fact said that the reference to an independent commission such as the Electoral Boundaries Commission was referred to by himself and by the Honourable Member for Lakeside, and the fact of the matter is I did not hear them say that. If any one of the two gentlemen did say it, naturally I accept it, but I have not heard them say it and I would like them to indicate whether they did in fact ever make such a proposal. If they did not, my point of privilege is that I don't mind ideas being stolen, but at least allow a suitable period of grace. Now I would like them to indicate whether they at any time have made such a proposal.

MR. MOLGAT: Madam Speaker, I am delighted to answer the question and I can quite understand my honourable friend's - well shall I say his whole attitude in the matter - because having got himself off into such a bad position, he and his party having been so obviously hoodwinked in this matter, I can understand that he would want to retreat. He certainly needs to. My honourable friends have got a lot to worry about, I agree with this, and they should not only be making statements here, I suggest that they had better go and make some statements in a lot of other places because their whole attitude on this Bill certainly -- (Interjection) -- My honourable friend made a nice little speech, Madam Speaker, and I'd be happy to make one on this occasion.

MR. PAULLEY: Have you leave of the House?

MR. MOLGAT: I think we have leave of the House. He asked me to answer a question, and I certainly quite understand his feelings because he certainly has a lot to be concerned about, and his leader has even more so. They've --(Interjection)-- I can quite agree with that.

MADAM SPEAKER: Order. I rather believe that the honourable member speaking should confine his remarks to the question put by the point of privilege raised, and I believe his remarks should be directed towards him and to no other member in this House.

MR. MOLGAT: I'll leave his Leader out of it then and I'll refer strictly to him, Madam Speaker. I agree that he has a great deal to be concerned about and certainly I wouldn't want to be the one who is stealing his ideas at all, because the ones I've heard expressed in this last debate I'd rather he kept. I think - and I would have to check because we don't have a transcript of what was said on TV - I think really I said that the Member for Selkirk had indicated that this was done at the time the Member for Selkirk was speaking last night on the point of order as to whether or not members of this House should be allowed to vote on this specific proposal.

MR. SCHREYER: Madam Speaker, if I may, it is the Member for Selkirk then who made that statement. Is that correct?

MR. MOLGAT: statement that I made, Madam Speaker, and I think that's the statement the Member for Selkirk did make. He certainly discussed it with me.

MR. PAULLEY: Madam Speaker, there is a point of order in this matter and also other considerations. May I respectfully suggest that you look at Page 150 of Beuchesne, Citation No. 175, which states, "The strict rule is that no question can be put by one private member to another except on Orders of the Day and on measures with which the member to whom the question is put may be concerned." In accordance with this citation, I ask the Honourable

(MR. PAULLEY cont'd) Leader of the Opposition whether he did or whether he did not on a television - on which he appeared this evening - did not make the statement that he, not the Member for Selkirk, had proposed to this Assembly that the matter respecting pensions should be referred to an independent commission such as, and these are his words as I recall them, " the Electoral Boundaries Commission set up by my former leader the Honourable Member for Lakeside. "

MR. MOLGAT: Madam Speaker, it may be that I did say that, I'd have to again go back to Hansard and check.

MR. PAULLEY: It's not in Hansard, Madam Speaker.

MR. MOLGAT: I'd have to go back to the TV transcript and check, and in any case, if my honourable friend will check what I did say here in the House, on my very first speech on this matter I suggested to the government that this be referred to an outside enquiry. I made my motion specifically that it be referred to the Statutory Orders and Regulations Committee because that is one of them that sat, but I think if he will check what I said, I said, " or any other," and I said at that time that I didn't specify that it be that one, that I was going to specify one but I knew that this one was sitting, but if there are other means of doing it I was quite content to have it go to those.

MR. PAULLEY: Madam Speaker, I can quite understand the Honourable Member for Ste. Rose saying this, and I can appreciate the fact that he may not know what he said on TV this evening. I do not know what he said in this House in Hansard because we haven't got Hansard before us. My question to the Honourable Leader of the Opposition is did he or did he not on Channel 6 in an interview say that he had proposed " that this matter should be referred to the Electoral Boundaries Commission which was introduced by my honourable leader, or former leader. "

MR. MOLGAT: Madam Speaker, I think I can say without any hesitations that I did not say that it should be referred to the Electoral Boundaries Commission.

MR. PAULLEY: Madam Speaker, may I respectfully suggest to the Leader of the Opposition that he may this evening take a look at a repeat of Channel 6 as to what he did say, or it came over the air - now maybe somebody else was speaking and not my honourable friend - but may he look at the repeat of the show this evening at approximately 11:15.

MR. MOLGAT: Madam Speaker, I think it might be correct to say that I said that it should go to a commission like the Electoral Boundaries Commission but I don't think I referred it to the Electoral Boundaries Commission. However, I can quite understand my honourable friend's annoyance, Madam Speaker. He has a great deal to be annoyed about.

MADAM SPEAKER: Order please. I think that I have allowed a considerable amount and I think that an answer has been given and I suggest that we get on with the business of the House.

MR. NELSON SHOEMAKER, Q.C. (Gladstone): Madam Speaker, before the Orders of the Day are proceeded with, I would like to direct a question to the Honourable the First Minister, but in his absence to his deputy. On two or three different occasions I asked the question relative to a rebate on the gasoline tax to municipalities where they use gasoline in their municipal machinery, and the First Minister said some two or three weeks ago that it would be taken care of and inferred that he was going to refer to this matter when he closed or spoke on the Budget Debate. Inasmuch as he has not informed the House of this matter, I wonder if we could expect an answer to it now.

MR. EVANS:information.

MR. MOLGAT: I'd like to address a question to the Honourable the Minister of Welfare. Has he had a request from the Professional Social Workers Association for the incorporation of that group under a bill?

HON. J. B. CARROLL (Minister of Welfare) (The Pas): There have been some discussions with the association with respect to a bill. I believe we indicated at the time of the discussions that this was normally brought in by a member of the backbench. There have been further discussions since that time because we weren't in complete agreement with the bill as it stood, and that's where the matter rests at the moment.

MR. EVANS: Madam Speaker, may I ask you to call, on Page 3, the first adjourned debate standing in the name of the Honourable Member for Carillon.

MADAM SPEAKER: The adjourned debate.

MR. EVANS: The Honourable Member for Gladstone has the adjournment. I was speaking of the mover of the motion.

MADAM SPEAKER: Thank you. The adjourned debate on the proposed resolution of the

(MADAM SPEAKER cont'd). Honourable the Member for LaVerendrye as amended. The Honourable the Member for Gladstone.

MR. SHOEMAKER: Madam Speaker, this is a rather interesting resolution because it started off as what most of the members referred to as the "purple gas" resolution or something to that effect, and then it ended up with two or three amendments and the government back-bencher of course proposing that assistance be given to the farmers in this regard, but proposing that a reduction in the price of farm licence plates be implemented rather than to allow the use of purple gas in farm trucks.

Of course you will recall I tried to be helpful in this regard and I proposed that licence plates - or the fee for licence plates on farm trucks be a flat \$10.00 across the board and that it be retroactive to January 1 of this year. The reason of course for that was that it was only two or three months ago that the price of farm truck licences, and indeed all other licences in the Province of Manitoba for automobiles, were increased by 25 percent.

On April 28th, last, I asked the Honourable Minister of Public Utilities the number of licenced farm trucks in the province, and a day or two later he gave me the information and he said that there was approximately 38,230 farm trucks licensed in Manitoba in 1964. He said that it was rather difficult to arrive at an average licence fee, but he said he thought that in this current year, in 1965, that they would average about \$22.00 per plate, considering all sizes of farm trucks. Therefore, by multiplying \$22.00, or taking \$22.00 times the number of farm trucks that are licensed, it looks as if it would produce a revenue to the province of \$841,060.00.

Now the Honourable Member for Souris-Lansdowne, who spoke on this resolution on April 20th last, spoke in support of the amendment put by my honourable friend the member for Springfield. The Honourable Member for Souris-Lansdowne said that he - that he would go along with this reduction in farm licence plates because he estimated that by implementing or allowing the farmers to use coloured gas in their trucks, that he thought it would mean a loss in revenue of \$4 million, whereas he thought that if they carried out the recommendations of the Honourable Member for Springfield that it would only mean a loss in revenue of a half million dollars.

When the Honourable Member for St. John's immediately started questioning the Honourable Member for Souris-Lansdowne as to how he arrived at this half million dollar calculation, the member for Souris-Lansdowne said that it was a personal guess, and he said, "I don't know how many trucks there are in Manitoba, but I was just" -- he said, "This is an off-hand way. I think anything less than half a million dollars wouldn't be worth the while to even bring in." He said it wouldn't be worth the while to even start talking about anything less than half a million.

Well when I proposed the \$10.00 reduction, when I proposed that, it would just about come to the half million dollars and that's why I proposed it. It would just about do that, because 38,230 trucks at \$10.00 would be \$380,230.00. Subtract that from \$841,060 and you've just got your half a million or within a few dollars. That's why I thought that I was being helpful, Madam Speaker. I was being helpful to my honourable friends. Here's a man suggesting that there should be a reduction, the member for Springfield; and the Member for Souris-Lansdowne saying, well if we're not going to give them at least a half a million dollars back, let's forget about it because it's small potatoes. I come up with a recommendation - a nice one that I spent a little time on - showing them exactly how they could make a saving to the farmer of a half a million and they turned it down.

Since that time of course - I've gathered quite a bit of information, and I don't want to burden the House with it tonight, on what they did in the Legislature in Saskatchewan - that has just prorogued incidentally, Madam Speaker - about the use of purple gas in farm trucks out there. This is from the Regina Leader Post, March 9th, 1965. I'm not going to read all this because it's a rather lengthy one, but I want to read you what the only Conservative Member had to say up there in Saskatchewan - they've only got one, and that's enough. -- (Interjection) -- I'm being helped here and I'm agreeing with the comments that are being made.

I'm reading from the Regina Leader Post and this is unusual - this is unusual, Madam Speaker - and they follow the practice of the daily papers in this province by rather summing up the Legislature at a glance on the front page. It says, and I'm quoting, "A bill to amend the Fuel Petroleum Products Act to permit farmers to use tax-free gasoline in their farm trucks passed second reading on Monday after 2½ hours of debate."

MADAM SPEAKER: I think that the proposed resolution before us is on farm truck licences, not purple gas, and I would suggest that the honourable member try and confine his remarks to the proposed resolution.

MR. SHOEMAKER: The amendment that I'm dealing with -- you will remember, Madam Speaker, the original motion was one that dealt purely and solely with the use of purple gas in farm trucks. This is only the amendment. And you know really, if you want to be technical about this, I'm out of order by speaking now because - because I'm the one that moved the amendment to this one and suggested that it be \$10.00.

MADAM SPEAKER: If the Member is out of order, would he rather not speak?

MR. SHOEMAKER: I'll get back to -- I have gone on so far now that as my honourable friend the Member for Inkster says.....

MADAM SPEAKER: Order please. Let's get on to the subject here.

MR. SHOEMAKER:farm licence. Yes, well I must say, Madam Speaker, then that I cannot understand, when I have attempted to be so helpful to my honourable Member for Springfield and the one for Souris-Lansdowne by showing them - showing them how they could save the half a million dollars that they proposed to save - I showed them within a few dollars of how they could return half a million dollars to the farmers - they voted it down.

Now surely, Madam Speaker, that some backbencher anyway, someone that's interested in alleviating the cost-price squeeze that we hear so much about - and believe me there is one in agriculture - surely they will get up now and propose to the House how they intend to make this reduction in farm licence plate fees because this amendment - because that's what it is Madam Speaker - this amendment is absolutely meaningless, absolutely meaningless unless they intend to do something about it. There is no point in the world of talking about considering the advisability of reducing the farm trucks unless you get on with the job of reducing it and telling us now what the reduction is.

So, Madam Speaker, I was going to talk a lot about the other problems that the farmers have and so on, but I would now like to hear my honourable friends come up with a real proposition, in fact I wouldn't be mad if they reduced it even to \$11.00 - the farm licence fees - and that would make it a saving of around \$400,000 to the farmers or about four-fifths of what the Honourable Member for Souris-Lansdowne had in mind. Even if they give them back the increase that they imposed three months ago - somebody get up and say, "Well this 25 percent increase that we imposed on everyone else in the province, I'll tell you what we'll do, we'll let the farmers go home free on this one." Let somebody get up now and say we'll at least give them back the 25 percent increase.

MR. P. J. McDONALD (Turtle-Mountain): We'll get around to it.

MR. SHOEMAKER: They'll get around to it. Well my honourable friend -- I want to thank him now because he's the man that said, "If Duff won't do it, P. J. will", and he was most helpful today because I asked him to kindly withdraw that pension one and he withdrew it. So I'm going to ask my honourable friend again, do something about this resolution.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Wellington. The Honourable the Member for Wellington.

MR. EVANS: the honourable member, Madam Speaker, I think the debate is closed and that we should now put the question.

MADAM SPEAKER: Are you ready for the question?

MR. MORRIS A. GRAY (Inkster): May I say a word about it? I would like --(Interjection)--

MADAM SPEAKER: Order. The Honourable Member for Wellington held the adjournment and he was closing the debate. Are you ready for the question?

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Selkirk. The Honourable the Member for Selkirk.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Madam, I dealt with this resolution quite fully when I introduced it and I see no reason why I should spend much more time explaining to the members of the House what is involved. All that I do urge is this, that the members support this unanimously, and I particularly ask the Minister of Labour to do so in view of the fact that the interim report which he tabled in this House from the Woods Commission was based on the Ontario Labour Act and this resolution is entirely based on the same Act, and I ask the honourable member to follow the precedent he has established and adopt this section.

MADAM SPEAKER put the question and after a voice vote declared the motion lost.

MR. HILLHOUSE: Yeas and Nays, Madam.

MADAM SPEAKER: Call in the members. The question before the House is the proposed resolution of the Honourable the Member for Selkirk.

A standing vote was taken, the result being as follows:

YEAS: Messrs. Campbell, Cherniack, Gray, Guttormson, Harris, Hillhouse, Johnston, Molgat, Patrick, Paulley, Peters, Schreyer, Shoemaker, Smerchanski, Tanchak, Vielfaure and Wright.

NAYS: Messrs. Baizley, Beard, Bilton, Bjornson, Carroll, Cowan, Evans, Froese, Groves, Hamilton, Harrison, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Shewman, Smellie, Stanes, Steinkopf, Strickland, Weir, Witney, and Mrs. Morrison.

MR. CLERK: Yeas, 17; Nays, 30.

MADAM SPEAKER: I declare the motion lost. The adjourned debate on the proposed resolution of the Honourable the Member for Portage la Prairie and the proposed motion in amendment thereto by the Honourable the Minister of Labour. The Honourable the Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Madam Speaker, honourable members will recall this is the resolution where it starts, "Whereas it is in the best interests of Manitoba that every effort be made to promote, establish and perpetuate, a sound and harmonious relationship between management and labour;" etc., and then it goes on to say, "one of the best methods of achieving the foregoing would be to establish a joint Labour-Management Study and Research Committee."

Now, Madam Speaker, I feel this resolution has served a very useful purpose this session. By discussion of the resolution we did obtain a reversal in the attitude of the Minister of Labour. As we recall, he had instructed or requested members of his side to refrain from discussion of any of the labour resolutions and also to vote against them. If we will also recall, by consent of the House, the Minister was allowed to substitute an amendment of his for one that I believe one of the members of the NDP party had made to the resolution, and I am very happy to see him changing his attitude and I congratulate him on this approach.

I might say, Madam Speaker, without making any long speech on the matter, that we on this side are very happy to support the resolution as amended, and of course with a proviso that there will be a report to the Legislature next year.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Portage la Prairie as amended.

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

MADAM SPEAKER: The adjourned debate on the proposed.....

HON. DUFF ROBLIN (Premier and Provincial Treasurer) (Wolseley): wish of the House if we will turn to the second readings now of the three finance bills.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 2. The Honourable Leader of the Opposition.

MR. MOLGAT: It's immaterial to me, Madam Speaker, which item we are on. On Bill No. 2, Madam Speaker, I have, during the supper recess, had an opportunity to look at the bill and I must confess I have not had a chance to completely make all the relationships of this bill to the previous bill.

I gather that apart from the ones that are strictly procedure, that we are setting up here a manner whereby the government can establish the value of a product insofar as the tax is concerned. I can appreciate that they will have some difficulties in certain cases where there are inter-company sales and so on and where there may not be a double tax to be collected, and that this sort of a clause may be necessary. My fear is that this does leave a great deal of administrative leeway, and provided it's used with discretion, it is all right. Now I don't see in the bill itself what the appeal is for someone who feels that the valuation as imposed by the department is not the correct one.

One of the other items in the bill of course is the elimination of the Land Transfer Tax. For this, I commend the government. I think it was an ill-conceived tax from the beginning; it should not have been put in; and that it should not be proceeded with at this time. I would like to know from the First Minister however what he intends to replace that tax with. Does he intend to increase gasoline tax further for example, or the cigarette tax further, or how is he

(MR. MOLGAT cont'd)going to bring up the revenue in this particular item which he claimed he needed when he introduced his tax bill last summer. If the tax was necessary in the summer - and my recollection is that it was to bring in something in the order of \$2 million, and I am speaking from memory - if \$2 million were needed and we had to have \$2 million in additional revenue in the summer session of 1964, then how can the government now proceed to remove completely the tax unless it intends to either levy another tax or unless they didn't need the 2 million to begin with.

One other principle here, Madam Speaker, with which I was concerned is that of the rebate on the school taxes, and I'm pleased to see that the government will make this available to lessees of Crown land. I've tried to interpret this in terms of other renters, that is people who rent from other individuals, or the specific case of Transcona where people are the owners of the house but actually on a lease basis. It's a long-term lease, because they do not own the land.

The Bill as it reads now says that the taxpayer can be either the owner of the parcel or the occupier of a parcel. I presume this means whichever it is of those two who pays the taxes. What happens however, if the owner of the land does not wish to give consent to the occupier. Is this mandatory? Is it definite that the occupier can, if he is the man who pays the taxes, definitely get the rebate; or in view of the fact that the owner is really the one whose name appears on the tax roll, can he still do so? What will be the situation in a municipality? Those are the specific matters on which I want him to comment, Madam Speaker.

MR. SAUL CHERNIACK, Q. C. (St. John's): Madam Speaker, I raised this afternoon, when the Honourable Minister suggested that we might voice our queries this afternoon, I raised the question of appeal provisions relating to the Ministerial powers given in this Bill dealing with the determination of the tax, and the Minister said that he didn't remember but he thought there was an appeal provision to the court in the Act.

Now I confess I have not really read the Act thoroughly but have looked only at the marginal notes of part I, and I do not find an appeal provision there and I am really in doubt as to whether there is one. I don't want to challenge the statement made by the Honourable Minister because he spoke with some amount of - well no, he didn't speak with too much certainty - he said he thought there was there, but I haven't found it, Madam Speaker, and I do feel that there ought to be an appeal provision just as I suggested this afternoon that I thought there ought to be one.

Now I thought about how this would apply and I'm not really clear on it. The wording of the section seems reasonable but the problem that caused it is not clear to me, and I don't quite understand that a person who produces the product and uses it shall have the tax determined by the Minister. I hope I'll get further clarification on that matter. I presume if somebody produces gasoline and uses it in the ordinary course of business that firm should of course be taxable just like any other firm that uses gasoline, and I expect will get clarification on that.

As to the removal of Part II of the Act, I remember vividly how we dealt with this part, and pointed out its defects, and I remember that the Honourable the First Minister was listening very carefully. I remember standing here and I don't think I have ever had his attention more than I did when we were dealing with Part II, and I must confess that there is a certain amount of feeling of contribution to good legislation in that I was able to point out certain defects which apparently were found valid.

I would however like to reassure the Honourable Leader of the Opposition that he needn't worry as to where the money would come which would replace this land transfer tax. I have had occasion to point out that the shortage has been found and I also make the point of suggesting that more than that was found.

Now with that I think that the other matters are dealing with the School Tax Rebate and this afternoon I had occasion to ask clarification on just how the occupier of a parcel gets onto an assessment roll in order to qualify, and I hope I'll get further clarification on that.

MR. PAULLEY: Madam Speaker, it is really interesting what is happening here today in respect of Bill No. 2, the amendment to The Revenue Act, and it proves to me at least, whether or not I am able to substantiate it, that the honourable party that happens to sit to my right in this House are indeed Johnny-come-latelies. I think this has been established on a number of occasions, and indeed tonight if one were listening closely to the remarks of the leader of that party, they would be more than convinced that the title I give to them of Johnny-come-lately is certainly so insofar as this Bill is concerned, because I like the Honourable Member for St. John's vividly recall at the session in August of last year, dealing with the land transfer tax, that

(MR: PAULLEY cont'd). . . . we elicited from the Honourable the Treasurer, in the final analysis, a promise from him that he would reconsider that portion of The Revenue Act and would not proclaim the same until after due representation had been made by parties concerned.

Now this evening the Honourable the Leader of the Opposition stands up in this House and he asks the Honourable the Provincial Treasurer - well what is going to take the place of the loss of revenue? My colleague from St. John's has been raising this question throughout the whole length of this session and has obtained some information from the Honourable the Provincial Treasurer, not satisfactory it is true, but indicates from the questioning of my colleague from St. John's that notwithstanding the repeal of the Land Transfer Act with a possible reduction of a million and a half dollars of revenue, that the taxpayer of the Province of Manitoba notwithstanding, is going to pay an additional \$5, 000, 000 in taxes anyway, so the gains of the Provincial Treasurer, notwithstanding my Johnny-come-lately friends to my right, will still be \$2½ million.

I know, Madam Speaker, that we of the New Democratic Party are often criticized because we do not give due analysis to financial matters in the province, and maybe some day in the future the Leader of the Opposition would be well advised to attend a caucus meeting of my party in order that he may indoctrinate it into the financial situation of the Province of Manitoba so that he would not be faced with the situation where in this apparently last day of the session he poses a question to the Honourable the Treasurer of the province - "Well, Mr. Treasurer, where's the money going to come from?" Having said that, Madam Speaker. . . .

MR. MOLGAT: On a point of order, Madam Speaker.

MR. PAULLEY: I see my rebellious friend from St. Boniface has something to say.

MR. MOLGAT: I would be very pleased to accept the invitation of my honourable friend the Leader of the NDP to attend his caucus meeting. It's obvious they need the help.

MR. PAULLEY: Yes, Madam Speaker, I can well imagine that the Leader of the Opposition, and he confessed that he would like to attend our caucus meeting, and he has actually, by confessing this, indicated that they don't know what they are doing in their caucus, with which, Madam Speaker, I agree most heartily.

Now then, Madam Speaker, another aspect of --(Interjection)-- You missed the boat. Gol darned good job for you in Emerson that boats were provided for this spring --(Interjection)

MADAM SPEAKER: Order. The Leader of the New Democratic Party has the floor.

MR. PAULLEY: Madam Speaker, I have no objections at all from the interjections of my honourable constituent from St. Boniface. I'm so used to having his interjections, I'm so used to him showing a lack - complete lack of understanding of anything that goes on in this House, so I don't mind his interjections at all, but I live and pray that ere the next election takes place that even he of all people may understand what Parliamentary procedure really means, but I have my doubts.

Madam Speaker, the other part of this particular bill that I am concerned with is Section 4 of the Bill, I am concerned on behalf of some of the people in my City of Transcona who are under leasehold agreements. Now when the Honourable the Provincial Treasurer introduced this Bill, this question was raised - and I say first of all by the Leader of the Opposition - as to how leaseholders in the City of Transcona stood. I phoned, as I indicated to the Provincial Treasurer that I would do, to the City Clerk of the City of Transcona and he informs me that those people who are under leasehold agreement in the City of Transcona are called lessees insofar as the tax roll is concerned; and also - and this wouldn't be really a problem because it might be construed that a lessee is the same as occupier - but there is one slight complication in this, Madam Speaker, that some of the lessees within the City of Transcona, by virtue of having been transferred by their employers, have occupiers as such in the properties that they are the lessees of.

My understanding that the tax bills -- oh incidentally, the lessees are listed on the assessment rolls. It is my understanding however that through Central Housing and Mortgage the lessee is responsible in the first instance for all of the municipal taxes. There are a half a dozen or so cases however where the lessee has sub-let it to an occupier. The lessee however is still responsible for payment of the taxes. The way the Act is drafted at the present time, the word "occupier" is used, and this may create some confusion.

I only say this, Madam Speaker, because I did promise the Provincial Treasurer that I would look into this matter. I'm sure that all concerned are anxious that any rebate of school taxes should go to the person who is actually paying the school taxes, so I give this to my honourable friend the Provincial Treasurer as I promised, whether or not the word "lessee" can be

(MR. PAULLEY cont'd) joined with that of "occupier". I don't know, but I give this information to my honourable friend for his consideration.

MR. J. M. FROESE (Rhineland): Madam Speaker, just a very few comments in connection with Bill 2. I notice that Section 3 here deals with the repealing of Part II of the Act that was passed last fall, and this has to do with the Land Transfer Tax. I know that there was a considerable amount of opposition to this particular tax by many Chambers of Commerce throughout the province who passed resolutions, and I know the Chambers of Commerce in my own particular area too passed resolutions opposing this particular tax. I'm quite happy that the government has decided to repeal this section of the bill that was passed last fall in connection with this tax. I'm only sorry that we couldn't repeal more taxes than we're doing and that we could repeal the fuel tax and some others, but at any rate I appreciate having this particular one repealed at this time.

MR. ROBLIN: say very much, Madam Chairman, in closing the debate, except to say that I blush from the unexpected compliments received from the other side of the House that bear witness to the reasonableness and the sensible way in which the government dealt with the problems that are covered in this bill. I thank you all gentlemen, for your kind comments. I assure you that's the usual way in which we deal with our problems and your appreciation of it is - your recognition of that is much appreciated.

With respect to this first query raised by the Honourable Member for St. John's about this ministerial discretion, this really is restricted to a very narrow set of cases. For example a company that is generating electric power through a subsidiary and selling it to the main concern, and they sell it at low price or at a price that isn't just the true economic price. It's for the very few cases that you get like that that this clause is required. It's really a very marginal thing, indeed there are only a handful of cases that are affected by it.

Secondly, with respect to the definition of who gets the school tax rebate, it is still restricted of course to the person who is named on the tax roll as being the person who pays the tax. That's really the only way we have of knowing who pays the tax. We have to assume that the person listed in the roll is the actual taxpayer, but we're trying to broaden it to make sure that anyone who is listed is eligible for the tax rebate.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 40. The Honourable the Member for Lakeside.

MR. MOLGAT: Madam Speaker, the Honourable Member for Lakeside was called out of the House but I can speak on his behalf. We have checked the bill and find that there's nothing here that we can see that is not in order. I understand that it is mainly the accepting of requests by the Federal Government to put us in line with their own Income Tax Act.

MR. PAULLEY: I wonder if the Honourable Leader of the Opposition would suggest that just because it's okay with the present Federal Government it should be okay with Manitoba.

MR. MOLGAT: many cases it's a good indication it should be followed not in all.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 66. The Honourable the Member for Selkirk.

MR. HILLHOUSE: Madam, I've had an opportunity of reading this bill during the dinner recess, and bearing in mind the fact that we're dealing with revenue legislation and that in such legislation the powers of enforcement must be quite extensive and they must in some instances be quite drastic, because I suppose one of the main functions of the Legislature is to protect Her Majesty's revenue and we must not see that that revenue slips through her fingers without some real effort to retain it.

With that as an opening statement, Madam, I really see nothing in this legislation which is not contained in other legislations of a similar nature. The powers of assessment of tax are similar to those powers possessed by the Inspector of Income Tax in assessing income on a net worth basis. I think that's the analogy between the two. As far as the offences and penalties are concerned, there's nothing unusual in the offences and penalties, and I think they are usual in such legislation.

Regarding the inspection of motor vehicles, the Honourable First Minister has given us his assurance that private passenger cars will be exempt, although the definition of a motor vehicle in the act would include a private passenger car. At the same time, Madam, I would not ask that the definition be amended, for the simple reason that we have to bear in mind that we have to protect Her Majesty's revenue, and if we do exempt a private passenger car from

(MR. HILLHOUSE cont'd) the Statutes we might be creating a means by which that revenue could be lost to Her Majesty.

Regarding the powers of seizure and other matters, they are in other legislation of a similar nature. I know they're contained pretty much in The Excise Act; they're also in The Income Tax Act; and the only thing I can say is this, that these powers, although they are expensive and though they are drastic, if the Act is reasonably enforced there is no reason why anyone, at least any innocent person should be hurt by the enforcement. But I do say this, if the Act is not reasonably enforced and an over-zealous individual or individuals are entrusted with the enforcement of the Act, there is a grave danger that some innocent people may be hurt in the process. But that is a matter which we'll have to await and time will tell us whether or no that situation will arise. If it does arise, Madam, we will have an opportunity to deal with this legislation again.

MR. PAULLEY: Madam Speaker, I join with the remarks of the Honourable Member for Selkirk. I'm glad to know that again in this particular instance the Liberal Party - or Johnny-come-latelies - this matter was first raised in this House by myself --(Interjection)-- No, not in 1872. Here again, Madam Speaker, I might interject, it shows the intelligence of my honourable friend from St. Boniface.

But anyway, Madam Speaker, I'm happy to know that the government has taken due cognizance of the fact that we in the New Democratic Party are responsible individuals and that we want to make sure that any legislation that is passed by this House, whether we agree with it in the first instance or not, is fairly made applicable to everyone in the province.

I think, Madam Speaker, I can say in all truthfulness that this was the situation some two or three years ago when it was drawn to our attention that there may have been evasions of gasoline tax. The net result at that particular time, Madam Speaker, although it was rather embarrassing to me as Leader of my Party to take some of the criticism, nonetheless the Treasury of the Province of Manitoba in total did obtain an additional half million dollars in revenue from that source. I raised this question, after information laid before me as to the possible evasion of the tobacco tax, and now I find that the government have accepted this and is now proposing legislation which may plug loopholes respecting this tax. I agree with the Honourable Member for Selkirk that at least temperance should be used in the application of the tax.

Of course if you recall when this tax was first imposed, we suggested that it was the start of the imposition of a sales tax in the Province of Manitoba. At that particular time the Liberal Party joined with the Conservative Party in the imposition of this sales tax. This was the starter; I'm anticipating that possibly there may be some additions to the sales tax in Manitoba and I guess at that time the Liberals will join with the government in the imposition of such a sales tax.

But anyway, Madam Speaker, the point that I'm attempting to make at the present time is that we of our Party attempt to see that when legislation is enacted that the execution of that legislation should be on a fair basis, and I welcome the amendments to The Tobacco Tax Act at this time by the government so that the tax is as equitable as possible to all concerned in the Province of Manitoba whether we agree with it entirely or not.

MR. CHERNIACK: Madam Speaker, my leader has given our general approval to the principle of this Bill and I would like to deal in specific with the procedure envisioned in the bill, and that is that the Minister will make an estimate of what the return ought to be, and thereupon there may be an appeal made to the same Minister for him to consider the appeal on his own assessment, and if there is dissatisfaction with his decision on the appeal reviewing his own assessment, then the appeal may go to the County Court.

Well this is all right because I assume that the Minister in his first assessment is not really the Minister himself but a person acting on his behalf, and I would assume that the second time around it's the Minister himself. Then there's still appeal to the County Court which reads fine to me.

Madam Speaker, I don't have the experience of the Honourable Member for Selkirk in dealing with revenue legislation and I don't know to what extent it is proper for it to be weighted heavily in favour of the Crown, but I want to draw to your attention, Madam Speaker, that there is a provision here that an estimate or an assessment by the Minister shall not be varied or disallowed because of any irregularity, informality, omission or technical error on the part of any person.

Now limited as my knowledge is with legislation of this type or the attitude that the courts

(MR. CHERNIACK cont'd). take in excise prosecutions, I still marvel at the fact that there is this type of section here, and maybe there are similar sections in other similar types of legislation. I am not aware of it and therefore I can only express my wonderment at the strength of this provision, that it may not be varied or disallowed because of an omission or an irregularity. That seems awfully strong to me. Then we find that the onus is placed on the person to disprove the estimate.

Now, Madam Speaker, in looking at this, the estimate is based on the Minister's review of the records of the person who is the person liable to make the payment, and when he disputes the amount, the onus is on him to disprove the estimates. Now it may be said that - well I don't really know what may be said and I won't conjecture what may be said.

I recall that recently we were discussing the whole principle of onus and I know really that the Honourable Member for Selkirk has long taken it upon himself to fight this question of onus, and I don't know if he overlooked it in this Act or felt that it is acceptable in this bill, but I really wonder at the onus being on the person to disprove, and I would like to suggest that where we suggested - if I can draw a comparison - that when an employer is guilty of improper practices, unfair labour practices, he is the only one who really knows the reason for firing a person and therefore the onus should be on him. The government did not see fit to accept our suggestion that the onus should be on him in that light.

I'm trying to draw a comparison with this where the information is not entirely contained within the knowledge of the person to the exclusion of the tax collector, or the Minister's agent in this case, because in this case the Minister's agent has seized all the records and arrived at an estimate. Again, I don't have the experience to be able to say that it is wrong, but I do have enough to cause doubt in my mind as to whether or not it is justified to provide that the estimate shall not be varied because of irregularity or omission, and then the onus itself is placed back on the person. I hope that there could be some justification for what I think is a very strict balance - or weight rather in favour of the Crown, and in saying that I don't for a moment withdraw our support to the principle of the bill.

MR. J. M. FROESE (Rhineland): Madam Speaker, the Honourable Member for St. John's has already touched on the one point in connection with onus. However, there is one other point under the seizure of books, etc. The Minister has the power and must give the approval to seize the books, but there is no time limit set here. I think that some consideration should be given as to the length of time that the books can be kept, because this could cause undue harm to a businessman if the books are seized and for some reason or other he makes an appeal and during all this time that he should not have access to the books. I think there should be some leeway given here and provided for in the bill.

MR. JOHN P. TANCHAK (Emerson): Madam Speaker, I would like to bring one point up here and that's regarding Bill No. 66, which I consider is another principle. I believe that this bill has been introduced to overcome suspected infractions of The Tobacco Act. Now this is reminiscent of the old "Untouchable" days, the bootlegging days, and of course that applies to a different kind of a commodity. It applied to a different kind of a commodity in those years when because of prohibition, or probably a high tax - in that case it was prohibition - the people resorted to other means of procuring the desired spirits at the time.

Now we know that when a commodity or a product gets too high in price, that under our free enterprise world, some people will resort to other means of procuring this product at a lesser price or a reduced price, and in this case some unscrupulous people must have been resorting to the black market. They find it profitable since the product is not a natural price increase, but the product is forced by excessive taxes. These unscrupulous people find it profitable to buy the cigarettes or the tobacco products elsewhere, in sister provinces, and then sell them here at a profit. I've heard several figures - one figure I heard from some of the merchants who are close to either one of the boundaries that their sales of tobacco products have dropped as much as 25 percent, so there may be infractions. I do not know how serious it is, but if there are, I imagine that some action has to be taken.

But there is one section here that states - and I may be misinterpreting it - but it states that the Minister may require the merchants of our province to keep records of transactions. Now I wonder if that includes - or does that mean that any merchant who is selling tobacco products would be required to keep separate sales records of the tobacco products. I am talking of a merchant, say a dry goods merchant who also has a tobacco counter or a grocer who has a tobacco counter or a drug store who also operates a tobacco counter. Would he be required to keep separate track of sales of his tobacco products?

(MR. TANCHAK cont'd).....

Now if that is the case, I think that the Minister will have very very much difficulty to get different business people to comply with these regulations because it would entail extra book-keeping, more time lost, and it would be quite expensive to do that. But even if that was the law, I do not think that it would prevent this bootlegging of the tobacco products anyway, because those people who are unscrupulous enough to do it now will find ways and means of still avoiding our law. I would like an explanation to that, whether I am right in my interpretation or not.

MR. MARK G. SMERCHANSKI (Burrows): Madam Speaker, I would like simply to make an observation in one instance, and that is that I'm wondering the minimum amount of tobacco that is permitted or allowed to be brought into the province legally. The reason I ask that is that the Minister remarked that this would not apply to the search of private cars, and I understand that additional patrol cars or cruiser cars have been placed on the No. 1 Highway between Winnipeg and the Ontario-Manitoba boundary and that part of their responsibility is to simply check on the private cars, to ascertain to what extent people are violating the Tobacco Tax revenue tax. I was wondering if there was any specific reference made to this particular part of the Act by the Minister, or was that simply just an off-hand statement and does not bear any direct relation to what has been going on in the past few months. I think that it would be well to get some explanation on that phase of it.

MR. ROBLIN: Just a brief word in reply.

MR. MOLGAT: Madam Speaker, before the Honourable Minister closes the debate, I would just like to say a very few words on the bill. My colleague the member for Selkirk has indicated that this is in line with other bills. When I first read the bill, I must say that it seemed to me that the powers we were giving were rather extensive and that it had become quite a bureaucratic control, but naturally it depends on how it's going to be applied. I share with my colleague the Member for Emerson the concern regarding the many merchants in the province, if they are going to be forced to keep sales records as well as purchase records. Purchase records they can keep; they are accustomed to this; it's not too difficult for them. --(Interjection) No sales records - I am glad to hear that.

The other concern I have, Madam Speaker, is the matter tied in with what the Member for Burrows was saying. During the summer we have a large number of people travelling in and out of Manitoba. Is it the intention of the government to be stopping automobiles? I note that in the report - the note that the First Minister gave us, under Item 3 it says specifically that it is proposed to extend the power of search without warrant to trucks and other vehicles, so that the shipments of tobacco through unusual channels or in unusual hands may be ascertained more easily. It is not the intention to search private automobiles for casual purchases of tobacco.

Now is this definitely what will be followed? I understand that there have been cases where the RCMP have been stopping automobiles and searching them. Now this may not be correct, I don't know. What is to happen, during the summertime in particular, when the Game Branch - summer and fall - when the Game Branch do have road blocks where they stop cars and search them for game? What happens if they find at the same time, possibly no game but some tobacco? Are the game wardens then to proceed and act as enforcement officers for the tobacco tax as well? What is the intention of the government in this regard?

MR. ROBLIN: Madam Speaker, just a word or two about the various comments that were raised. I agree with the analysis made by the Honourable Member for Selkirk as to the nature of the bill that is before us. I think he is completely right and I really don't think that there's any cause for the Honourable Member for St. John's to feel that unusual powers are in this bill. This is just a usual statute - that's the way they all work.

With respect to this question of records, the regulations call for records of purchases of tobacco by the retailer and the wholesaler. That's where we want records, to find out what they are supposed to have taken in so we can keep track of the whole situation. My honourable friend spoke of a fall-off of some 25 percent in the sales of tobacco. I can tell him that the sales of tobacco are higher now, according to our records, than they were when this tax came in. There's been --(Interjection)-- Well we've helped considerably, particularly in the consumption of cigars. But there you are, and I think that it does not now affect the tobacco trade.

With respect to people carrying tobacco in their cars, I think that one will just have to use one's common sense here. It is perfectly true that the Mounted Police for example have been stopping private cars coming in No. 1 Highway since the beginning of time to look for liquor that may be illegally transported between provinces, and no doubt when they take a look for the booze, they may take a look at tobacco as well.

(MR. ROBLIN cont'd).....

But I think that the government is not interested in ordinary retail transactions made by citizens of the province to bring tobacco for their own use across the border from one province to another. What we are concerned about is people who are bringing tobacco in for re-sale, and those are the people that might be using trucks or transporting it in large quantities and those are the people that we are really after. But to create a nuisance to the ordinary public by an over-zealous administration of this Act would be unwise and futile, and we certainly don't intend to follow that course.

MR. TANCHAK: May I be permitted to make a correction? I think what I said was misunderstood.

When I referred to the 25 percent, I meant that some merchants close to the two boundaries - I think I mentioned that - complained that their sales of tobacco products dropped about 25 percent not the whole province.

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

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable the Attorney-General, that by leave, Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the three bills that have just had second reading.

MADAM SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of the Whole with the Honourable Member from Winnipeg Centre in the Chair.

COMMITTEE OF THE WHOLE HOUSE

Bill No. 2: Sections 1 to 4 (b) were read and passed.

MR. CHERNIACK: I wonder if I could again ask whether there is some clarification on how an occupier gets onto an assessment roll? I understood the Honourable First Minister made it clear that the intention was to get to the man who pays the tax. I have no intention of re-opening any debates we have had before. I just want to know what the situation is if a person has a lease whereby he is obligated to pay the tax, whatever it is. In other words, what is known as a net lease. Now there are many such in the city. There are stores that are on a lease arrangement - a net lease arrangement where somebody builds a store and rents it for a term of years, with a guaranteed return on his investment. It's a net lease and the occupier - the tenant pays and is legally liable for the taxes. Now how does he get on the tax roll?

MR. ROBLIN: I don't think he does. I don't know of any procedure to get him on the tax roll. If he has a net lease basis, he can undoubtedly claim the \$50.00 as part of the net lease calculation, but this particular amendment here only affects a few special cases like the one in Transcona that was mentioned and people on Crown lands.

MR. CHERNIACK:..... firstly the statement that he can undoubtedly claim the \$50.00, I have serious doubts.

MR. ROBLIN: Well if I said undoubtedly, I don't think that's the right word. I think that that presents a possible line of hope for him.

MR. CHERNIACK: Well all right then, that removes that. May I ask whether this would make it possible for the Co-op Housing organization, of which the Minister is well aware, to get onto the assessment roll?

MR. ROBLIN: I'm afraid not. I think that they are going to have to use their ingenuity to reorganize their structure to get the change necessary.

The remainder of Bill No. 2 and Bill No. 40 were read section by section and passed.
Bill No. 66: Sections 1 to 4 were read and passed.

MR. FROESE: I just want to record my opposition to this Section 5. We haven't got the necessary structure for intra-provincial tariffs. I don't think that they are even constitutional, and I for one could not support this section.

The remainder of Bill No. 66 was read section by section and passed.

MR. ROBLIN: Committee rise.

MR. CHAIRMAN: Call in the Speaker.

IN SESSION

MR. CHAIRMAN: Madam Speaker, the Committee has considered Bills No. 2, 40 and 66 and has adopted all of these bills without amendment.

MR. JAMES COWAN (Winnipeg Centre): Madam Speaker, I move, seconded by the Honourable Member for St. Vital, that the report of the Committee be received.

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

BILLS No. 2, 40 and 66 were each read a third time and passed.

MR. FROESE: Madam Speaker, I just want to record my vote as opposed to Bill, No. 66.

..... Continued on next page.

MR. ROBLIN: We will continue. Madam Speaker. with the motion on the Hydro rates.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Leader of the Opposition and the proposed amendment thereto by the Honourable the Member for Brandon. The Honourable the Member for St. George.

MR. GUTTORMSON: Madam Speaker, I adjourned the debate for the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, when the Honourable Member for Brandon spoke on this and moved his amendment, he pointed out to the House that there was substantial difference in costs in supplying power for some of these northern points than the cost of supplying power in what we call the southern distribution system, and undoubtedly this is true. My point was that the total amount of power consumed and used in those isolated points bore such a small percentage to the over-all power production in the Province of Manitoba, that to equalize the rates across the province would not in my opinion be an undue burden on the remainder of Manitoba.

The northern area has been expanded it is true in the past year, and I think that the government has proceeded to buy up some of the power sites that were previously at the radar stations in northern Manitoba, giving power to more of the centres, but I think that the general premise is still the same. In any case, if we accept the principle of equalization in the southern system, I think that we should be prepared to extend, because surely the costs of the distribution of power, the transportation of power from its source where it is produced to the point where it is consumed, is in itself a cost element - a substantial cost element. We can't say therefore that the cost of power is the same for a farmer at Birch River as it is for a farmer nearer the electric station on the Winnipeg River. Surely it costs us as a province a great deal more to man the power there at Birch River at the very end of the distribution system.

So I think that if we are prepared to accept in the southern area that the transportation costs of the power can be equalized, then we should be prepared to go the next step and say that in the northern areas the big factor is not transportation, the big factor is that we cannot produce power there by Hydro Electric or steam; we have to produce it by diesel on site; and admittedly this costs more money. So I think that if you relate that extra cost to the obvious extra cost in the southern system, because of your transportation factors, that you end up still reasonably on the same basis and that equalization should be considered throughout the province.

I therefore beg to move, Madam Speaker, seconded by the Honourable the Member for Lakeside, that the amendment be further amended by adding at the end thereof the following words: "And be it further resolved that this House requests the Government of Manitoba to speed up the policy of reducing differentials so as to bring about equality of rates for all areas serviced by the Manitoba Hydro at the earliest possible opportunity, and in any case, no later than December 31, 1965".

MADAM SPEAKER presented the motion.

MR. PAULLEY: I just want to make one or two comments and I don't want to delay the formal ending of this session, but I want to thank the Liberal Party for furnishing me with a copy of their proposed amendment to the amendment prior to it being submitted for the consideration of this House.

Madam Speaker, I'm sure that if we were in a more leisurely period of the conduct of this House that you would see what I see in the amendment as proposed by the Leader of the Opposition. The amendment itself deals with a request to the Manitoba Hydro Electric Board to do certain things, and without amending that particular amendment, now the amendment to the amendment asks the Government of Manitoba to do exactly the same thing. Now, Madam Speaker, how can we in this House pass a resolution which says that we request the Manitoba Hydro Electric Board to do something and at the same time ask the Government of Manitoba to, in effect, speed up what we've already asked the Manitoba Hydro Electric Board to do. This to me, Madam Speaker, is indicative of the lack of understanding of parliamentary procedure by the Liberal Party of this province.

However, Madam Speaker, apart from all of this - apart from all of this, which is I'm sure true and which will readily be recognized by members of this House with possibly the exception of one section, we cannot accept the amendment proposed even if it was intelligent, which it's not, by the Liberal Party because it imposes a time limit on which something should be done by the Government of Manitoba, namely, December 31, 1965.

(MR. PAULLEY cont'd)

The general premise isn't too bad. We don't disagree with the contention that there should be a speed-up of bringing equality insofar as rates are concerned across the length and breadth of our province, but we don't think that it's proper for us to support the amendment which says that the Government of Manitoba should demand that Manitoba Hydro do this by the end of this year. To us it's not feasible; it's not practical; and I don't think that it's within the jurisdiction of this House to direct to our public utility what they must do by the end of this current year. We have the Manitoba or the Public Utility Board whose jurisdiction is to consider rate structure and the likes of this, and I do not think that we of this Assembly should direct, by resolution, what they should do. At least we shouldn't tell them they must do this by the end of this year, 1965.

MR. J. M. FROESE: Madam Speaker, I can't let the last remark go unnoticed because I still feel that this House can direct and, if necessary, should direct our Crown agencies what to do. If we feel that something is necessary, and certainly the Manitoba Hydro is a Crown agency, it's a monopoly and serves all the people of this province, or has set out to do so, and certainly if we ask them to have equalized rates, there's certainly nothing wrong with that. This is quite a different matter than what our Water Supply Board is, where people vote on individual proposals and you have to have a differentiation of rates; but as far as Hydro, I think we should have one rate and that the people in the north should be serviced the same way as other citizens.

MR. MOLGAT: Madam Speaker, before you put the question, I really feel that I should say a word or two. My Honourable Friend the Leader of the NDP has urged me.

MR. ROBLIN: Is my honourable friend in order?

MR. MOLGAT: I'm closing the debate, Madam Speaker.

MR. ROBLIN: No, but you don't close the debate on an amendment.

MADAM SPEAKER: The Honourable Member has spoken on the amendment.

MR. MOLGAT: I haven't spoken on the sub-amendment, Madam Speaker. I spoke on the amendment. I spoke on the amendment and I moved a sub-amendment on which I have not spoken. --(Interjection)-- No, no. I have done this before, Madam Speaker. --(Interjection)-- Oh yes, absolutely. I haven't got my Hansards of last year but I can get them from my office.

MADAM SPEAKER: The honourable member in moving an amendment -- in moving an amendment -- Order please. Order please. I am speaking.

It is my understanding that when an honourable member speaks and moves an amendment he has spoken to the motion and the amendment which he has moved.

Are you ready for the question?

MADAM SPEAKER: The Honourable Member for Lakeside.

MR. D. L. CAMPBELL (Lakeside): Madam Speaker, I would just like to comment on the fact that I recall very well the occasion when you made the ruling that the honourable member who had moved the amendment at the end of his speech had not spoken on it and was entitled to speak on it. I am not able to quote the date and all but perhaps you'd like to check it up yourself some time.

However, in the meantime I would just like to mention for the edification of the Honourable the Leader of the New Democratic Party that on the 16th of April, 1964, we had this amendment moved by the Honourable the Leader of the Opposition: "Mr. Molgat moved an amendment that the amendment be further amended by adding at the end thereof the following words: And be it further resolved that this House requests the Government of Manitoba to speed up the policy of reducing differentials so as to bring about equality of rates for all areas serviced by the Manitoba Hydro at the earliest possible opportunity, and in any case no later than December 31, 1964." So far as I can observe, every single member of the New Democratic Party that was present supported that amendment. --(Interjection)-- That is so recorded. Every single member of the New Democratic Party.

I'm sorry to say for the purpose of this argument that my honourable friend the Leader of the New Democratic Party was not present, but his colleagues -- and I have not the slightest doubt that had he been present he would have voted just as the members of his party did.

MR. PAULLEY: Madam Speaker, I object to the statement of the Honourable Member for Lakeside. I was not present so therefore he cannot impute motives or actions to me.

MR. CAMPBELL: My honourable friend has no need to object at all. I'm saying that I have not the slightest doubt that if he was here he would have voted with them. That is my opinion and it's based on a very long knowledge of my honourable friend and his ways, and so

(MR. CAMPBELL cont'd) just to be sure, let us record the fact that the Honourable Member for St. John's, the Honourable Member for Inkster, the Honourable Member for Logan, the Honourable Member for Elmwood, the Honourable Member for Brokenhead, the Honourable Member for Seven Oaks, all supported that amendment. It's identical except for the date and I close by saying that I haven't the slightest doubt that if the Honourable the Leader of the NDP Party had been here he would have voted with his colleagues.

MR. TANCHAK: Madam Speaker, in reference to what the Honourable the Leader of the NDP has said, I am sure that the Leader himself knows that the Minister in charge of the department is responsible for the policies adhered to by this department, but I'd have to congratulate the Leader of the NDP being very consistent right throughout the whole of this session, as consistent as he has ever been. Instead of being Opposition to Her loyal government, the Honourable Leader of the NDP persists in being the opposition to the Opposition - coalition still does exist.

MADAM SPEAKER put the question and after a voice vote declared the motion lost.

MR. MOLGAT: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the Members. The question before the House is the motion of the Honourable Leader of the Opposition.

A standing vote was taken, the result being as follows:

YEAS: Messrs. Campbell, Desjardins, Froese, Guttormson, Hillhouse, Johnston, Molgat, Patrick, Schreyer, Shoemaker, Smerchanski, Tanchak and Vielfaure.

NAYS: Messrs. Baizley, Beard, Bilton, Bjornson, Carroll, Cherniack, Cowan, Evans, Gray, Groves, Hamilton, Harris, Harrison, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Paulley, Peters, Roblin, Shewman, Smellie, Stanes, Steinkopf, Strickland, Weir, Witney, Wright and Mrs. Morrison.

MR. CLERK: Yeas, 13; Nays, 36.

MADAM SPEAKER: I declare the motion lost. The proposed motion in amendment by the Honourable the Member for Brandon.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Leader of the Opposition as amended.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Assiniboia. The Honourable the Leader of the New Democratic Party.

MR. PAULLEY: Madam Speaker, I would have liked to have been in a position where I could have said to the House that I would not take part in this debate. However, the resolution that we have before us proposed by the Honourable Member for Assiniboia so misses the point as what is desired in the ranks of labour that I must make a few statements regarding the same.

Now after the remarks of the Honourable Member for Emerson I'm afraid to even say a thing, lest again I be accused of being more in opposition to the Official Opposition than I am to the government. But, Madam Speaker, I must, and if perchance the Honourable the Member for Emerson once again gets up and says I berate the Liberals more than I do the Conservatives, I must accept this.

But, Madam Speaker, I want you and the members of this House to look very closely at the resolution that has been proposed by the Honourable Member for Assiniboia, and in particular I want to draw your attention to the third "whereas" which reads as follows: "And whereas after" - and note the word "after" - "And whereas after legal certification the chief aim of government and labour-management matters should be the providing of proper machinery to facilitate the expeditious and satisfactory solution of such matters."

Madam Speaker, after certification there is legislation at the present time to protect the worker, because after certification the union who has been certified is the agency that looks after the interests of the employee concerned. It is before certification, Madam Speaker, that we have the trouble, before the union has been certified as the protector of the employee. Yet my honourable friend the Member for Assiniboia, I presume acting for the Liberal Party of Manitoba -- oh, and labour, certainly -- certainly, Madam Speaker, and labour. At least in these days they're giving lip-service to their interest in labour.

As a matter of fact, even my honourable friend the Leader of the Opposition over Channel 6 today said that one of the things his Party has done in this session is introduced resolutions looking after the welfare of labour. Every single one however, Madam Speaker, of which had to be amended in order to give any common sense approach to the problems of labour.

(MR. PAULLEY cont'd). . . . And here again, Madam Speaker, we have another one introduced by my honourable friend the Member for Assiniboia, who says that after the union has been certified we want to protect the employee from the employer. What bosh! Is it any wonder, Madam Speaker, when sometimes I am criticized because my opposition may be directed more to the Opposition than the government?

Frankly, Madam Speaker, the Liberal Party of Manitoba are so ignorant of the problems of labour that they introduce such resolutions as this. And I might say, Madam Speaker, it was my understanding at the start of the session that there were assigned to the Liberal Party members in this House - of whom there are thirteen - thirteen advisers, one for each of them, one adviser for each of the Liberal Party members in this House. Well, I don't know who the official adviser of the Labour Department as far as the Liberal Party is concerned, but I suggest to the Honourable the Leader of the Opposition that if he doesn't fire him, that at least he should ask him that before the next session that he read The Labour Relations Act so that he knows what is contained therein. My honourable friend the undertaker, the Member for St. Boniface, just suggested to me that I am preaching for a call. I'm not, Madam Speaker, at all. I make no bones about it that I don't know everything that there is to know about labour and labour matters, but I do know, Madam Speaker, I do know that it isn't after but before certification employees need protection.

Now then, Madam Speaker, I appreciate very much the endeavours of the Honourable Member for Assiniboia. I can fully appreciate that maybe he didn't study fully the resolution that he placed before this Assembly. I also say, Madam Speaker, that I do understand that there is an individual within the ranks of the Liberal Party who may be more expert in labour matters than the Member for Assiniboia, and that is the Honourable Member for Burrows, who has had a lot to do with labour relations and maybe he can clarify the situation on behalf of the Liberal Party.

But anyway, Madam Speaker, I suggested when we commenced this sitting this evening that we might finish at 10 o'clock. We're just about half a minute over, so I'm not going to pursue the documentation of the evidence which proves conclusively the lack of knowledge of the Liberal Party insofar as labour matters are concerned, but in order to assist my honourable friend the Member for Assiniboia in presenting for the consideration of this House a proper resolution, I intend now to propose amendments to the resolution of my honourable friend. I might say in regard to this that I have given to the Official Opposition a copy of my amendment, and now if the Page would take this copy over to the Honourable Minister of Labour, he might have it too, and then I would propose amendments to the resolution introduced by the Member for Assiniboia in order to give to the House a proposition which might be intelligently considered and which might give to labour what they really require.

So therefore, Madam Speaker, I beg to move, seconded by the Honourable Member for Inkster -- you know, Madam Speaker, I did flip my words then, but I want to assure you, Madam Speaker, and the members of this House, that my thoughts are not the same way as my words might have been. Therefore, Madam Speaker, I wish to move, seconded by the Honourable Member for Inkster, the following amendment: Strike out all of the words after the word "facilitates" in the second paragraph of the resolution proposed by the Honourable Member for Assiniboia and substitute the words "that right"; strike out the words "after legal certification" in the third paragraph thereof; strike out the words "such matters" in the last line of the third paragraph and insert the words "problems associated with such matters"; strike out all of the words after the word "board" in the first line of clause (a) in the fourth paragraph thereof and substitute therefor the words "the investigation and enforcement of complaints of unfair practices and other violation under The Labour Relations Act." Further, add before the word "the" in the first line of clause (b) of the fourth paragraph thereof the word "authorizing"; strike out the word "setting" in the first line of clause (b) in the fourth paragraph thereof and substitute the words "to set"; and add the following two paragraphs at the end of the resolution: (d) providing adequate safeguards for employees desiring to dispute an application for certification by registration of objections to the Manitoba Labour Board, and (e) eliminating any right of the employer to apply for the decertification of a bargaining unit."

MADAM SPEAKER presented the motion.

HON. OBIE BAIZLEY (Minister of Labour) (Osborne): Madam Speaker, I would like to take just a couple of minutes to enter this debate. I think that the amendment appears to be generally acceptable to the government. I'm a little surprised in noting an amendment requiring the eliminating of any right of the employer to apply for decertification of a bargaining

(MR. BAIZLEY cont'd),unit. Now, Madam Speaker, there are circumstances where management, and dealing in good faith I believe, would be wrong to deny them the right to apply to the Labour Board for decertification. The Labour Board as it's set up is a balance board of labour and management and I'm quite sure that they're quite capable of giving proper consideration to any representation that is made to them concerning decertification.

Therefore, Madam Speaker, I would like to move an amendment. My amendment would be that we would strike out paragraph (e) of the amendment of the Honourable Leader of the New Democratic Party, that is eliminating any right of the employer to apply for decertification of a bargaining unit. I would move, seconded by the Honourable the Minister of Public Works, that the amendment be amended by deleting paragraph (e) of the amendment.

MADAM SPEAKER presented the motion.

MR. STEVE PATRICK (Assiniboia): Madam Speaker, on taking part in this debate in the sub-amendment or amendment to the amendment, it is quite evident that the Honourable Leader of the NDP Party is still quite upset about the loss of the pension plan and seems to have a hard time to control his temper.

I would have liked to see the House accept my resolution as it was presented to the members, and if I recall correctly, one of the members on the government side did speak and said it would not be acceptable and there was no need for it at this time. I'm quite happy to hear the Honourable Minister of Labour to have said it is acceptable with the exception of one part of the amendment, because I would like to say that my resolution was in line with a report of the Woods Committee. Regardless of what the Honourable Leader of the NDP says, I don't profess to be an expert in labour matters. I'm a new member in this House - I've only been here for a few years - but when I did meet with some 40 labour officials, they all complimented me in bringing the resolution to the House. They thought it was a good resolution, the first one of that type that was brought to the House for many years. They said their biggest concern for many years has been certification matters. I would just like to read - it seems that the honourable member has a hard time of seeing or reading because on the first part, "Whereas this Assembly recognizes the right of all workers to organize for collective bargaining"; and if he would see the second part, "Whereas our labour laws should be so framed as to facilitate the certification of bargaining agents"; it just means the same thing that he said.

Now I was in agreement like the Honourable Minister of Labour with the amendment with exception of -- Section (d) was acceptable to me or to us, and (e) was not. I don't think that we should accept this section at this time because there seems to be two sides to this question. On one hand it can be said that the choice of a bargaining agent should be up to the employees themselves; on the other hand, The Labour Relations Act is the employers are bound to deal with the certification bargaining agent only, and he cannot deal with anyone else, but if you do find a case where it is quite difficult to deal with a certain bargaining agent, then surely there should be some right for the employer to bring this matter before the Labour Board for decertification.

In our opinion I think the rights of the employer should require a little more study in this matter, and I would say at this time that this part is not acceptable and I will agree with the amendment of the Honourable Minister of Labour.

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

MADAM SPEAKER: The debate on the motion of the Honourable the Leader of the New Democratic Party as amended.

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

MADAM SPEAKER: The proposed resolution of the Honourable the Member for Assiniboia as amended.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Emerson and the proposed amendment thereto by the Honourable the Member for Springfield and the proposed further amendment by the Honourable the Leader of the Opposition. The Honourable the Member for Rhineland.

MR. FROESE: Madam Speaker, at the time that the last amendment was proposed, we'd had a very full discussion on the resolution at that particular time. However, I was not aware what the amendment contained and therefore I adjourned the debate. However, after having studied the sub-amendment, I find that there is very little difference between the original motion and the sub-amendment. Apparently the first amendment which was proposed by the Honourable Member for Springfield more or less just endorses the government's program in

(MR. FROESE cont'd). . . . this connection and calls for concurrence with what they're trying to do and asking the university to concur in the action being taken to secure university acceptance of Ukrainian as a senior matriculation subject.

However, there is I think merit in the two whereases in the last sub-amendment which state that the mother tongue of the second largest ethnic group in Manitoba apparently is Ukrainian, and that in order to sustain the various languages and the culture that you have to maintain the language. I heartily agree with that and I think that our ethnic groups should retain and maintain their languages. I think it is to the good of the province that we have as many of these ethnic groups to carry on because they give colour to the life of this province and each group has particular advantages - or particular identities that they should bring forward and maintain. I think I can fully support the sub-amendment as well as the original resolution. To me it doesn't make very much difference, but I could support the resolution with the amendment as proposed.

MADAM SPEAKER put the question and after a voice vote declared the motion lost.

MR. TANCHAK: Yeas and Nays, please.

MADAM SPEAKER: Call in the Members. The question before the House is the proposed sub-amendment by the Honourable the Leader of the Opposition.

A standing vote was taken, the result being as follows:

YEAS: Messrs. Campbell, Desjardins, Froese, Gray, Guttormson, Harris, Hillhouse, Johnston, Molgat, Patrick, Paulley, Peters, Schreyer, Shoemaker, Smerchanski, Tanchak, Vielfaure and Wright.

NAYS: Messrs. Baizley, Beard, Bilton, Bjornson, Carroll, Cowan, Evans, Groves, Hamilton, Harrison, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Roblin, Shewman, Smellie, Stanes, Steinkopf, Strickland, Weir, Witney and Mrs. Morrison.

MR. CLERK: Yeas 18; Nays 30.

MADAM SPEAKER: I declare the motion lost. The proposed motion in amendment by the Honourable the Member for Springfield. Are you ready for the question?

MR. TANCHAK: Very little could be gained at this late hour of the session to prolong this debate, therefore, I will be very very brief. I regret that the original motion was amended by the Honourable Member for Springfield and I also regret that the members on the government side all voted against it. The Honourable Member for Springfield said he was in favour of the principle. He might have been. I would say that if he truly was he should not have amended this resolution, he should have given it full support. He would have been more sincere.

The sub-amendment had to be added to his amendment for two reasons. The paragraph referring to the establishment of a committee was not correct and he knows it; and No. 2, just to concur in the actions taken by the government is not enough. There was no harm in saying that we should urge the government and the university to take immediate action in this, and I am sure that this would have been preferable.

However, I wish to thank all the members who took part in this debate. The debates were all on a high plane and I wish to especially thank the Honourable Minister of Education for his support of the principle. He is an understanding man. I hope that the resolution as it is amended will be accepted unanimously because I believe that a part is better than none, and therefore we'll support the amendment.

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Madam Speaker, just one word. I feel that probably the interpretation of the last speaker with respect to the remarks the Honourable Member from Springfield should be put in their proper perspective.

The reason why I feel we should support the amendment as presented by the Honourable Member from Springfield is because in the fifth whereas of the Honourable Member from Emerson he says that Ukrainian being taught in 9, 10 and 11 is not regarded as a matriculation language offering University entrance credit. Technically this is not correct. Ukrainian is accepted as a University entrance credit but on an optional basis at this time. This particular sentence is a little ambiguous. I think however the debate has been lengthy and I'm not going to say anything more. I concur that the sentiment as expressed in the amendment by the Honourable Member from Springfield I think will register in presenting this resolution to the university authorities.

MR. SMERCHANSKI: Madam Speaker, I simply want to draw to the attention of the House that quite frankly the amendment by the Honourable Member of Springfield speaks of

(MR. SMERCHANSKI cont'd) Ukrainian being acceptable on the high school level right up to Grade 12 and just at about the time that you enter university. The amendment as proposed by my leader is of a different nature and it concerns the acceptance of Ukrainian on the university level, and that means, as we have discussed in our debate previously, to give the Ukrainian language the same selection as we are giving the French, German, and the other languages which we have as optional on first year in the university.

MR. SCHREYER: There is really confusion in the ranks on this point. The fact of the matter is that Ukrainian is a matriculation course. It's recognized as such and it's accepted at the university level as a credit course. The only thing it is not, it does not by itself satisfy the foreign language requirement, but it is a matriculation language and the resolution is very confused on that.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Emerson as amended.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable the Member for Logan and the proposed amendment thereto by the Honourable the Member for Brandon. The Honourable the Member for Selkirk.

MR. HILLHOUSE: Madam, I must join with the Honourable Member for Brandon in expressing a little dissatisfaction with the unfortunate choice of words of the Honourable Member for Logan in the first paragraph of the preamble to this resolution. I cannot accept the fact that there is a common practice among Manitoba employers in so arranging the time schedules of their employees that they are deprived of their vacations with pay. There may be one or two unscrupulous employers who do indulge in that practice and I agree with the Honourable Member for Brandon that a study of this matter should be made to ascertain the extent of that practice and what steps should be taken to correct it if it does exist.

I believe, as the Honourable Member for Logan stated, that perhaps the best way of correcting that practice if it does exist is by departing from our present principle of granting vacations with pay based on time spent and granting it on the basis of the percentage of time. I think if we followed the new labour code that's recently been enacted at Ottawa, that is the method of ascertaining vacations with pay followed there, and I hope that if that study is instituted that some reference will be made by whoever is making the study of the provisions of the new Canada labour code. I therefore, Madam, with these remarks and subject to these reservations, accept the resolution of the Honourable Member for Logan as amended by the Honourable Member for Brandon.

MADAM SPEAKER: Are you ready for the question?

MR. LEMUEL HARRIS (Logan): Madam Speaker, I can see that both the gentlemen are confused in their way of thinking. I've said that before in this House in this session, and I'm very surprised at the member for Selkirk, because if I had his little bit of brains I wouldn't be here; I'd be sitting in the seat in the House of Commons down in Ottawa.

Well, Madam Speaker, I think our friend from Brandon - I'll say he's a friend of mine, he is a friend of mine and I think a lot of him and so do I do for the man from Selkirk - well he got confused in the first place in the gross earnings and got confused with overtime pay. Well anybody that has worked for wages knows that you don't get paid holiday pay on overtime pay. When you bring it in that way, if a man is going to work overtime for any length of time and he can earn maybe five, six, maybe \$7,000, you start to calculate vacations with pay on that and you've got a pretty good wage. This way of calculating the pay I think is a good way, one-twelfth for one month and so on so forth all the way down the line. You can't go wrong that way.

It is true what I said, that there are people to make a few bucks on the little guy, so they're going to take him out of this thing, they're going to rob him of that little bit of pay. Now I say, can people be so low? Yes, there are people here that way. We've only got to go down through the line and see these various things. Shakespeare told us of one guy, so I don't have to go no further.

So, Madam Speaker, I wish to thank the Honourable Member for Brandon when he spoke to this resolution and the amendment thereto, also the Honourable Member for Selkirk. Mind you, as I say, this is a night of nights. I don't know - you know as they say, "Scots wha hae wi' Wallace bled". I wonder what he was doing tonight before this thing went on. Of course I couldn't say any different, but anyway we'll continue on.

(MR. HARRIS cont'd).....

As I say, I couldn't disagree with him more completely, as I feel we should have gone into the resolution and find out what we could do for these people. There are all kinds of people in small shops and works, and it would seem to me, Madam Speaker, these are the people who cannot speak for themselves.

Now I have looked at the Annual Report of the Department of Labour, 1964-65, and found something like this. These cases were investigated and disposed of as follows: Cases settled by payment of claim, 254 cases. Now that doesn't come out of the air. You figure out how much money that them people have got back which they wouldn't have got back, and these are not cases from any unions at all because they wouldn't be able to do a thing like that because they have collective agreements in there. These are isolated cases from all over, and how many people that can't afford these cases, that won't come forward to fight these cases. How many people do we know that would rather take anything than put themselves in the public light. Cases still under development at the end of the period - 123 more cases.

Now if you say that there's nothing wrong with this thing, vacations with pay, I say yes, there is a large hole in there. We've often heard the case of the little boy, the Dutch boy who went to the dike and saw a hole in the wall and put his finger in - you won't need to put your finger in this, you'd have to put an elephant. So with that, Madam Speaker, I think I've said enough for tonight. Thank you.

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

MADAM SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Logan as amended.

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

His Honour the Lieutenant-Governor having entered the House and being seated on the Throne, MADAM SPEAKER addressed His Honour in the following words:

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

MR. DEPUTY CLERK:

- No. 2 - An Act to amend The Revenue Act, 1964.
- No. 27 - An Act to amend The Trustee Act.
- No. 40 - An Act to amend The Income Tax Act (Manitoba), 1962.
- No. 42 - An Act to amend The Metropolitan Winnipeg Act (2).
- No. 44 - An Act to incorporate The Dufferin Racing Association.
- No. 48 - An Act to amend The West Kildonan Charter and to validate By-Law No. 45/64/A of The City of West Kildonan.
- No. 58 - An Act to incorporate Strathcona Curling Club.
- No. 65 - An Act to amend The Liquor Control Act.
- No. 66 - An Act to amend The Tobacco Tax Act.
- No. 67 - An Act respecting The Unsatisfied Judgment Fund and the Administration thereof.
- No. 68 - An Act respecting Highways and The Highways Department.
- No. 69 - An Act respecting The Department of Public Works.
- No. 75 - An Act to incorporate Traascona Curling Club.
- No. 78 - An Act to incorporate The Manitoba Law School Foundation.
- No. 80 - An Act to incorporate Thompson General Hospital.
- No. 81 - An Act to amend An Act to incorporate The Trafalgar Savings Corporation.
- No. 82 - An Act to incorporate Planetarium.
- No. 83 - An Act respecting The Rural Municipality of Victoria.
- No. 84 - An Act to amend The Unconscionable Transactions Relief Act.
- No. 85 - An Act to validate By-law No. 2169 of The Rural Municipality of Rockwood and By-law No. 713 of The Town of Stonewall.
- No. 86 - An Act respecting Consumer Credit.
- No. 87 - An Act to incorporate the United Way.
- No. 88 - An Act to validate By-law No. 4525 of The City of St. Boniface.
- No. 89 - An Act to amend An Act to amend and consolidate the Acts incorporating "The Fidelity Trust Company".

(MR. DEPUTY CLERK cont'd).....

- No. 90 - An Act respecting the Acquisition of Land by the Government and Agencies of the Government.
- No. 91 - An Act to validate By-Law No. 715 of The Rural Municipality of Old Kildonan, By-law No. 26/65/B of The City of West Kildonan, and an Agreement between The City of West Kildonan and The Rural Municipality of Old Kildonan executed pursuant to those by-laws.
- No. 93 - An Act to validate By-law No. 3739 of The City of Brandon.
- No. 95 - An Act to incorporate The Company of the Cross.
- No. 96 - An Act to amend The Manitoba Hydro Act.
- No. 97 - An Act to incorporate The Corporation of The Bergthaler Mennonite Church of Manitoba.
- No. 99 - An Act to amend The Mines Act.
- No. 100 - An Act to amend The Ground Water and Water Well Act.
- No. 101 - An Act respecting the Control of Predators.
- No. 102 - An Act to amend The Wildlife Act.
- No. 103 - An Act to amend The Winnipeg Charter, 1956, and to validate By-laws Nos. 18929, 18930, 18931, 19016, 19051 and 19061 of The City of Winnipeg.
- No. 104 - An Act to provide for the disposition of the funds of Weather Modifications Ltd.
- No. 105 - An Act to amend The St. Boniface Charter, 1953.
- No. 106 - An Act to amend The Real Estate Brokers Act.
- No. 107 - An Act to amend The Mortgage Brokers Act.
- No. 108 - An Act to amend The Highway Traffic Act.
- No. 109 - An Act to amend An Act to incorporate Virden and District Elderly Persons Housing Corporation .
- No. 111 - An Act to amend The Public Schools Act (3).
- No. 113 - An Act to amend The Crop Insurance Test Areas Act.
- No. 114 - An Act to amend The Teachers' Pensions Act.
- No. 115 - An Act respecting the Registration of Business Names and Partnerships.
- No. 116 - An Act respecting the Law of Partnership.
- No. 117 - An Act to amend The Mining Royalty and Tax Act.
- No. 119 - An Act to amend The Mortgage Act.
- No. 120 - An Act to amend The Shops Regulation Act.
- No. 121 - An Act respecting the Temporality of The Anglican Church of Canada.
- No. 122 - An Act to amend The Elderly and Infirm Persons' Housing Act.
- No. 123 - An Act to amend The Civil Service Superannuation Act.
- No. 125 - An Act to authorize the Minister of Mines and Natural Resources to Transfer certain lands to The City of Transcona.
- No. 126 - An Act to amend Certain Provisions of the Statute Law and to correct certain typographical errors in the Statutes.
- No. 127 - An Act to amend The Bills of Sale Act.
- No. 128 - An Act to provide a Charter for The City of St. Vital.
- No. 129 - An Act to provide a Charter for The City of Transcona.
- No. 131 - An Act respecting the Flag of Manitoba.
- No. 132 - An Act respecting the Taxation of the Canadian Pacific Railway Company by The City of Winnipeg and to amend The Winnipeg Charter, 1956.
- No. 133 - An Act to amend An Act to Incorporate "The Interior Trust Company."
- No. 134 - An Act to incorporate Canadian Lutheran World Relief.
- No. 135 - An Act to establish the Manitoba Arts Council.
- No. 136 - An Act to incorporate The Brandon Area Foundation.
- No. 137 - An Act to amend The Metropolitan Winnipeg Act (3).
- No. 138 - An Act to incorporate The Manitoba Association of School Trustees.
- No. 139 - An Act to amend The Education Department Act and The Public Schools Act (1).
- No. 141 - An Act to amend The Education Department Act and The Public Schools Act (2).

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

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

- No. 72 - An Act for Granting to Her Majesty Certain Sums of Money for the Public Service of the Province for the Fiscal Year ending the 31st day of March, 1966.
- No. 76 - An Act to authorize the Expenditure of Money for Various Capital Purposes and to authorize the Raising of the same by way of Loan (1).
- No. 77 - An Act to Authorize the Expenditure of Money for Capital Purposes and to Authorize the Raising of the same by way of Loan (2).

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

HIS HONOUR ERRICK F. WILLIS (Lieutenant-Governor): Madam Speaker and Members of the Legislative Assembly: The work of the Fourth Session of the Twenty-Seventh Legislature has now been completed. I wish to commend the Members for their faithful attention to their duties including many hours devoted to consideration of Bills and Estimates, both in the House and in Committee. I convey to you my appreciation of your concern for the public interest and for the general welfare of our Province.

I thank you for providing the necessary sums of money for carrying on the public business. It will be the intention of my Ministers to ensure that these sums will be expended with both efficiency and economy by all departments of the government.

In relieving you now of your present duties and declaring the Fourth Session of the Twenty-Seventh Legislature prorogued, I give you my best wishes and pray that under the guidance of Divine Providence, our Province may continue to provide the things which are necessary for the health, the happiness and the well-being of all our people.

HON. MAITLAND B. STEINKOPF, Q. C. (Provincial Secretary) (River Heights): Madam Speaker and Members of the Legislative Assembly: It is the will and pleasure of His Honour the Lieutenant-Governor, that this Legislative Assembly be prorogued until it shall please His Honour to summon the same for the dispatch of business, and the Legislative Assembly is accordingly prorogued.