

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, June 28, 1978

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the gallery where we have 30 students of Grades 1 to 8 standing of the Lightly School in Balmoral, under the direction of Mr. Bob Mitchell. This school is located in the constituency of the Honourable Minister of Education.

We have 35 students of Grades 1 to 8 standing of the Rock Lake Colony, under the direction of Miss Margaret Grant. This school is located in the constituency of the Honourable Member for Lakeside, the Minister of Highways.

On behalf of all honourable members, we welcome you here this afternoon.

Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): Mr. Speaker, I would like to table copies of letters which I read from when introducing Bill 25; letters which I stated were in support of the Livestock Organization in Manitoba.

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, I wish to table the Report of the Family Planning Policy Advisory Committee.

MR. SPEAKER: Notices of Motion.

INTRODUCTION OF BILLS

MR. GEORGE MINAKER (St. James) introduced Bill No. 53, An Act to amend The Income Tax Act (Manitoba) (2).

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. EDWARD SCHREYER (Rossmere): I would rise on a procedural point of order and ask, through you, Sir, if this bill has and requires a message from His Honour.

MR. SPEAKER: I may assure the Honourable Leader of the Opposition that I have also questioned that and have been assured that it does not.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, my question to the Minister of Finance flows from a news report of today's date which would seem to indicate that there is a very major revision to be announced with respect to estimates of Canadian natural gas reserves, as a result of alleged finds of a major nature in the Alberta-British Columbia area.

In the event, Mr. Speaker, that this is checked out quickly, can the Minister of Finance indicate if this will cause the Province of Manitoba to make representations to the Government of Canada, seeking a revision in Canadian natural gas pricing policy which up to now, and for the past three years, has been predicated on certain assumptions as to future supply of natural gas,

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Well, Mr. Speaker, the so-called gas bubble that's occurred as a result of finds in Alberta has been in existence for some time now and there has been an assumption that there's going to be a surplus until about 1982, for at least the next four or five years.

As far as the pricing is concerned, the policy that has been followed that equates the price of natural gas and brings it in line on a BTU basis to the price of oil, has been a policy that we have not disputed and would appear to be a policy that is in the best interests of Canada, and if that's the Leader of the Opposition's question, we have found no reason to dispute this type of a mechanism for pricing energy sources. That is to prevent overuse and uneconomic, non-conservation type of applications of natural gas; it would appear to be a logical procedure to do that, and we have found no reason to dispute this sort of procedure that has been followed. As a matter of fact, we tend to support the idea that Canada, by and large, has been effective in bringing about a much more sane and sensible energy policy in a shorter period of time than the likes of the United States. We haven't found a great deal to criticize in terms of that in itself.

Now, the specifics of how the natural gas gets used will be the subject of the Natural Gas hearings that are slated for this fall by the National Energy Board, and we tend to fully participate in those Natural Gas hearings. In the meantime, we are busy working on the data and the information to make an adequate presentation at that time.

MR. SCHREYER: Mr. Speaker, I don't quarrel with the Minister's answer, but I simply must ask a supplementary, because when the Minister refers to the so-called gas bubble, relating in turn to 1982 or thereabouts, that, Sir, is one bubble: I am now referring to very recent news reports which have to do with a second bubble but one of such proportions that it is being talked of in completely different terms and I therefore will ask the Minister, which he may wish to take as notice, that with respect to the alleged very major discoveries which are subsequent to the so-called bubble relating to 1982, in that event, and having to do then with a period of three decades or more as opposed to 1982, in that event, will the Minister undertake to advise the House, if not today, at some early subsequent date, as to whether this will be the cause for representations to Canada on the basis of my first question.

MR. CRAIK: Mr. Speaker, I haven't seen the information or the article referred to by the Leader of the Opposition, certainly I would be most interested in having a look at it, and if I can advise him further of any different policy by the Manitoba Government I would certainly be pleased to do so.

MR. SCHREYER: To the Minister of Health, and this question flows from the reply which the Minister of Health gave to my colleague, the Member for St. Johns, the day before yesterday; and that is to ask the Minister of Health if he will advise whether he regards his office as having a valid role to play, or to carry out, with respect to the allegations about an insufficiency of doctors to carry out certain forms of surgery, from time to time. Can the Minister advise if he regards his office as having a valid role, and if so, what objective will the Minister be pursuing with respect to that problem?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Well, Mr. Speaker, I would say to the Honourable Leader of the Opposition, that I feel that I have a valid responsibility to inform myself of the methods and the procedures by which those commitments are met and those services are provided; and certainly to inform myself as to the reasons for the difficulties in the Kidney-Transplant Unit recently.

I would repeat my position of last week, or the first of this week, that in essence the responsibility for scheduling and maintaining the flow sufficient to schedule properly and responsibly, surely rests with the health facility concerned and with the medical staff of that facility, and the particular medical component of that staff, in this case the Kidney-Transplant Unit.

I don't think that it's the responsibility of the province to eject itself into that area of administration; but I am looking into it. I am asking that I be fully informed of the procedures and the methods that have been in effect and I'm prepared to consider whether the line of communication is close enough, is tight enough, and whether the province does have a further responsibility.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker. I'd like to address a question to the Minister

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of Industry and Commerce and ask him if he, or any of his senior staff, have communicated with ADP Systems Limited of Winnipeg, which has received recently the \$1-1/2 million contract with the International Air Transport Association for the banking of ticket-settlements among air travel agents; or any communication with the new owner of the company, Systems Dimension Limited of Ottawa?

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, first let me say that we're very pleased that a Winnipeg firm did land that contract. I have been in touch with the gentleman who was the President of the ADP Systems. I met with him personally in December sometime and at that time he expressed certain concerns, that they had not over the last number of years been able to get the amount of business that they wanted from the government — the previous government — and as a result he was hoping that some lines of communication would be set up. As a result we asked him to meet with the Director of the Data Processing Services for the Provincial Government, which I understand he did do.

He also suggested that we appoint somebody in the Department of Industry and Commerce who would be dealing with problems involved in the field of Computer and Systems Analysis, which we did. We appointed somebody from the Department of Industry and Commerce to look after it and hopefully that the company will continue to grow. This is a fairly large contract and we're happy they got it.

MR. EVANS: Yes, a supplementary question, Mr. Speaker. I thank the Minister for his answer. He made reference to ADP Systems Ltd. It is now owned by an Ottawa company known as Systems Dimensions Ltd. and its president, a Mr. Dave Cortens, is quoted in a newspaper of today's date that "The business climate of Manitoba is not favourable for the company" — and I'm quoting — "It is not favourable in terms of government support. We have received no acknowledgement from the Provincial Government since we got the IATA contract."

So I therefore ask a supplementary question to the Minister: Has he had any communication or has his staff had any communication with the new owners of ADP Systems Ltd., particularly the president who seems to be unhappy with the business climate in Manitoba?

MR. BANMAN: Mr. Speaker, as I mentioned, we have been in contact with this particular gentleman. I understand that the sale happened something like about two and one-half weeks ago and I have not been in touch with any of the new people involved in that new enterprise.

MR. EVANS: Yes, a supplementary then, Mr. Speaker. In view of the statement issued today or reported today in the Winnipeg Free Press that because of the apparent breakdown in government and business communication according to Mr. Cortens, the president of the Ottawa-based parent firm. He says, "The possibility of relocation (out of Winnipeg) is not remote. We are thinking about it," he said, "We'd like to get some kind of acknowledgement for our work."

So I wonder, therefore, if the Minister would take it upon himself to ensure that he contacts the president of the parent firm in Ottawa to ensure that the company is not going to quickly relocate out of Winnipeg to whatever other location.

MR. BANMAN: Mr. Chairman, I and my staff are constantly monitoring any changes or any moves that are contemplated by companies. As I mentioned, I have met with this gentleman on one occasion, have appointed certain people to look into the matter and I understand he has met with them and we will continue to monitor the situation.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM: Thank you, Mr. Speaker. My question is for the Government House Leader. I would like to ask the Government House Leader if there has been any departure from past practice of notifying people who wish to appear before Law Amendments Committee or any other committee.

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSEN (Morris): Well now, Mr. Speaker, I just simply cannot imagine what would cause my honourable friend to think that there would be a departure from that practice.

MR. SPEAKER: The Honourable Member for Ste. Rose with a supplementary.

MR. ADAM: Yes, in view of the Minister without Portfolio's answer, I was advised yesterday that some people had gone to advise the Clerk's office that they wished to make presentations and that they would not be notified. I'm just wondering if there has been a directive given to the Clerk not to notify people who wish to appear.

MR. JORGENSON: Surely, Mr. Speaker, my honourable friend does not assume that the Clerk's office is going to notify every person in this province who might conceivably want to present a brief before the Committee. Public notice will be given and those that are interested normally appear.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Mr. Speaker, I want to thank the Minister of Agriculture for tabling two letters having to do with Bill 25, however, I notice that only one of them is from an organization supporting the measure. The other is an internal document of the department.

Could the Minister tell the House whether that is the complete list of letters of support for Bill 25 or has he withheld some?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, I would like to clarify that. I said I was tabling two letters that I had received in support of a livestock organization and I referred to letters from the Manitoba Farm Bureau, the Maine Anjou Association, not a letter but a resolution from the Cow-Calf Association, and that I had only read from two letters and those are the two letters I have tabled.

The letter that he is referring to as an internal document is received by the Chairman of the Manitoba Marketing Board, who also works at the Department of Agricultural Economics and Farm Management at the University of Manitoba. That is the letterhead on the letter that I have tabled.

MR. USKIW: Mr. Speaker, I wonder if the Minister would consider tabling all letters of support for the benefit of the legislative process. Since there are only a handful, I am wondering whether that isn't feasible, Mr. Speaker.

MR. SPEAKER: Orders of the Day. The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, I have indicated many times that I would consider it. I believe I have followed the rules of the House by tabling the two that I had read from. The supporting people will be able to come in Committee as the two that were opposed to it came yesterday, and so I think that the political process will now to discuss it in Committee.

MR. USKIW: Could the Minister of Agriculture then indicate to the House how many letters he has received in support of his measure and how many he has received in opposition?

MR. DOWNEY: Well, Mr. Speaker, I have indicated in introducing it. The member can refer back to Hansard for the information he is now asking. I must indicate to the House there have been some letters in opposition to the check-off, however I have received very few in opposition to an organization and really the question is whether they want an organization, and if you have an organization it has to be funded. So I think the opposition is more to a check-off and very few to the actual organization.

MR. SPEAKER: The Honourable Member for St. George.

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I would also like to pose a question of the Minister of Agriculture. In view of the recent statements made by his colleague, the Minister of Education that the Minister has some 4,000 letters in support of having a beef check-off in a recent press release, could the Minister undertake to table those letters for the members of the Assembly.

MR. DOWNEY: Mr. Speaker, I think the member is referring to what has been discussed many times, a copy of letters that were received by myself in support of an organization and he also can look back and refer to Hansard as to how those questions were answered. I think it is all on the record pertaining to those letters.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. HOWARD PAWLEY: Mr. Speaker, my question is to the Minister of Industry and Commerce. I would ask the Minister of Industry and Commerce whether he has an answer to the question which he accepted from myself as notice the other day, specifically that relating to the number that would be affected by attrition at Electro-Knit within the next six-month period.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. BANMAN: Mr. Speaker, I have received some information. I understand the number will be around 15.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question is to the Premier in the absence of the Minister of Urban Affairs. I wonder if he can confirm that land which the City and the Province participated in some form at least in purchasing from private land owners some years ago in the Fort Garry area — some 1,000 acres — is presently being considered as part of a parcel to be returned to the former private owners at the price it was purchased, plus a nominal interest fee. Has the Premier any information on that and, if he has, does his government intend to take any action or make any representations to the City recommending against this course of action?

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON, Premier (Charleswood): Mr. Speaker, for the sake of complete accuracy I would have to take notice of the question, on behalf of my colleague, the Minister of Urban Affairs. From my own recollection, however, subject to his correction, I can tell my honourable friend that the Minister did write to the City of Winnipeg some weeks ago, and I think it has been discussed in the House — I could be mistaken on that — with respect to the government's attitude toward parcels of land in Fort Garry and St. Vital, and that the City has since had those matters under consideration. I know from news reports that there have been discussions in the Executive Policy Committee, and so on. But the province's position is a matter of record in a letter that went to the City of Winnipeg some weeks ago.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. BOSTROM: Well, Mr. Speaker, can the Premier indicate what the policy is of the Provincial Government, respecting this action or proposed action on the part of the City? Is the Provincial Government in agreement that this land should be returned to the private owners at the original purchase price plus a nominal interest fee? In which case, the people would be able to take advantage of quite a great windfall profit at the expense of the public of Manitoba.

MR. LYON: Mr. Speaker, I would not want to attempt to read or to digest a letter — I think it was some two pages in length — that was sent by the Minister, even though I have seen the letter. And so I would prefer to take that question as notice and let the Minister respond to it in more detail, perhaps by producing for my honourable friend and the members of the House the letter in question.

MR. BOSTROM: Thank you, Mr. Speaker. My third question is to the Minister of Education. I wonder if the Minister can confirm that he has either received himself, or at least read in the newspaper today, a letter which is from the group of students at the Brandon University who disclaim any relationship with the letter written to him by a Maria Ross at the University of Manitoba and point out that Maria Ross is not a student but an officer of the University, I believe, and does not represent the student body, and did not represent them at the time she wrote that letter to the present Minister of Education.

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, I have not received a letter. I saw a letter in the paper, I believe, signed by two people who are reputably students in that particular program. Mrs. Ross, as I understand, is although not a student the liaison officer with the students and one of the native employees with the program.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: Mr. Speaker, I was asked to direct this question to the Minister of Health and Social Development by the Attorney-General yesterday in his Estimates review. I understand that a cost-shared program with the Federal Government was to get underway in June, dealing with alternatives to using the overloaded court system for certain types of offenders. This program was called, I think, the Diversion Program, and I'm wondering if the Minister could inform the House what the status of that program is at present.

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: That program is provided for in the Estimates of the department, Mr. Speaker. I would have to take the ramifications implicit in my honourable friend's question as notice and report in more detail to him with respect to the overall status of the program, but it was provided for in the departmental Estimates and I will obtain the additional information for him.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, I would like to also address a question to the Minister of Education in regard to the BUNTEP Program. I wonder if the Minister could tell the House whether or not shortly after The Pas Indian Band wrote to the Board of Governors of the Brandon University, whether or not two members of The Pas Indian Band who were BUNTEP staff received their termination notices, and whether there was any connection between the letter from the band and the fact that these two staff members received their termination notices.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I am not aware of these allegations at all. I would have to check out what the Honourable Member for The Pas is suggesting.

MR. McBRYDE: Yes, Mr. Speaker, on the same subject. Since the Minister with relish tabled one letter in regard to this subject, I wonder if he would be willing to table other letters that he has received on this particular subject.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Yes, Mr. Speaker. Some time ago the Minister took as notice a question and promised to answer or give us the information, and I wonder if the Minister could now give us a summary of the expense accounts of the President of Brandon University as they are related to the BUNTEP Program, since the time that the President took control of that program and between that time and the time we started asking questions of the Minister.

MR. SPEAKER: I suggest that should be handled by an Address for Papers. The Honourable Member for Ste. Rose.

MR. ADAM: Thank you, Mr. Speaker. My question is to the Minister of Agriculture. I wonder if he could confirm if he has received a petition with about 400 signatures thereon in opposition to Bill 25, a petition from the organization represented by the two members who were outside of the Legislative Building yesterday.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, if the member is referring to the two people outside the Legislature yesterday with a petition of 400 names, I left word with the people that I would set a meeting up with them, as I do with any groups that would like to meet with me, and I did not have one presented to me or sent to me. It could be possible that in the file that there is a petition in opposition to a check-off from 400 people, but really not stating that they are in opposition to an organization. So I would check to see if that's the number of names, if that is the total that he is referring to.

MR. ADAM: Yes, I have a question to the same Minister on another topic, Mr. Speaker, in regard to statements the Minister of Agriculture made in committee, whereby they would be selling Crown

lands without the tendering process or by circumventing the tendering process. I am asking this question in light of the answers given by the Minister of Public Works in reply to questions put forward by the Member for Rupertsland and my leader, in which the Minister indicated that the government would certainly be moving towards the tendering process, rather than circumventing it. I would like either the Minister of Northern Affairs or the Minister of Agriculture to indicate whether they are going to follow that practice, because they have both made the same statement.\$

MR. DOWNEY: Well, Mr. Speaker, if I am the Minister to answer; I'm not sure whether it's the Minister of Northern Affairs, the Minister of Highways, but I'm sure that when he referred to myself as answering a question in Committee, without checking back, I would have to say that I probably referred to the selling of some agricultural lands and would be done in a fair and equitable way so that after a policy would be developed or is developed by the government, how it will be handled, we will notify the House how it will be done. But I am sure that it will be consistent with the operations of government and hopefully fair and equitable to those individuals who are now on the leased land, depending on them for their incomes.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I would like to direct a question to the Minister of Public Works, also responsible for Autopac. According to news reports about the testing of air bags, does the government intend to order this equipment for all of its sedans, and also, could the Minister indicate what the cost per vehicle is?

MR. SPEAKER: The Honourable Minister of Highways.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, at a recent Board meeting of MPIC the question of whether or not, in the interests of gathering data from a safety point of view, whether or not some of the vehicles that are used by officials of MPIC, of Autopac, should be fitted with air bags was discussed and decided upon that it may well be a worthwhile experience. There's no suggestion at the moment that that be expanded to any of the government's fleet of cars, and as to the costs, that would be subject matter for return or indeed, I can take it as ' / a R/ notice and discuss it with the Chairman and General Manager of Autopac some time.

MR. DOERN: Mr. Speaker, is the Minister repudiating the statement of the Chief of Autopac, Mr. Dutton, who said that by 1982 all 1,327 vehicles — I assume he means the sedan portion of the fleet — that all vehicles in the government fleet will be equipped with these air bags: is he repudiating that statement or challenging it?

MR. ENNS: Mr. Speaker, I neither repudiate or challenge the statement that has been alleged to have been made by the Chairman of Autopac. I am assuming that the Honourable Member for Elmwood is reading from newspaper accounts; the member perhaps has some experience as to the reliability of the newspaper accounts from time to time, but I believe that it's not unreasonable to suggest that if indeed the experience becomes very self-evident, that the air bag is in fact a safer and better means of reducing bodily injury in car accidents, that by 1982 anything is possible. I am told that this year, for instance, the General Motors Corporation is introducing automatic seat belts or restraining devices in three of their models, and I suppose that by the year 1980 or 1981, compulsory seat belt legislation would be obsolete wherever it is passed because vehicles will come equipped with it as a matter of standard safety feature, just as the directional lights were optional 10 or 15 years ago. So I think, Mr. Speaker, the long and short of it is that Mr. Dutton may well have alluded to the fact that in the future, 1982, automobiles will be equipped with better safety devices than we now have.

MR. DOERN: Mr. Speaker, that was my concern, as to whether all the vehicles in the fleet would be part of the experiment which would be costly. The Minister is saying no. I wanted to ask whether he would assure the House that the fact that some manufacturers at present do not provide this desirable safety feature would not preclude them from being purchased and operated by the government fleet. For instance, some of the smaller European or perhaps American motor products — I assume the government intends to continue to buy smaller cars as part of the fleet and if they are equipped with air bags, may also experiment there.

MR. SPEAKER: Can I inform the Honourable Member for Elmwood that we appreciate his statement. Has he now got a question?

MR. DOERN: Mr. Speaker, that was a disguised question, and I would simply ask the Minister again whether he would assure us that the experiment will not preclude the purchase of smaller automobiles in the fleet who may not at present offer the option of air bags?

MR. ENNS: Mr. Speaker, I want to give the Honourable Member for Elmwood a forthright answer to his question, and simply indicate to him that any basic changes to the policies of fleet purchases will of course be made from time to time by the government. I might inform the honourable member that we're not really in the business of purchasing too many cars these days; in fact, the reduction alluded to by the Chairman of Autopac may well be prophetic considering that when we left office eight years ago, nine years ago, that was about the number of cars that government had, 1,200-odd; it has since grown to 2,600; we are now on the return to sanity with respect to the use of government vehicles and we might get down to . . .

MR. SPEAKER: The Honourable Member for St. George.

MR. URUSKI: Thank you, Mr. Speaker. I'd like to direct a question to the First Minister and ask him if he could confirm that his office was used to interfere in the proceedings of the Municipal Board hearing with one of the local municipalities asking that a hearing be deferred?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, certainly not that I am aware of. If the honourable member would care to be more specific as to the municipality concerned or whatever, I'd be happy to enquire into it.

MR. URUSKI: Yes, Mr. Speaker. Could the Minister indicate whether his office then directed a letter to the Village of Arborg in asking that village to postpone its hearing before the Municipal Board at the request of his office?

MR. LYON: Mr. Speaker, I'll be happy to take that question as notice and enquire about it.

While I'm on my feet, Mr. Speaker, yesterday the Honourable Leader of the Opposition asked whether I had received a reply from Speaker O'Neill and Vice-President Mondale with respect to the letter directed to each gentleman concerning the Garrison Development. The answer is no; no response has been received to date.

On a second matter, Mr. Speaker, the Leader of the Opposition, several days ago, asked me to look into a possible conflict of interest situation involving the Minister of Labour. The specific reference concerned the appearance of her picture in a newspaper advertisement containing photographs of various representatives of an insurance company. The Attorney-General has looked into the matter and has found that there is no conflict with any existing statutes of the Province of Manitoba. Furthermore, Mr. Speaker, the Honourable Minister of Labour has informed me that although she remains a representative of the firm, she is not soliciting any new business and her present involvement is restricted to the writing of renewals for previous clients. I am assured that nothing illegal or improper has occurred and that the Minister of Labour has acted no differently from many other members of the Legislature, past and present, in continuing outside business interests while sitting as a member of the Legislature.

I thank the Honourable Leader of the Opposition for alerting us to the potential of a conflict of interest for Ministers of the Crown and I assure him, as I have before, Mr. Speaker, that the general problem of conflict of interest will be reviewed by the Cabinet with the intention of establishing some effective guidelines for members of the government and also perhaps for bringing before the House a consideration of guidelines for all members of the House.

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Well, Mr. Speaker, I wonder if the House would permit me to revise my answer to a question that was asked of me a few minutes ago by the Honourable Member for Transcona, with respect to the diversion project, and request of him that he permit me to take the full question as notice.

The concept was included in the mix of considerations during my Estimates. I would like to withdraw my assurance that it was covered in the Estimates and I will provide him with a complete answer as quickly as I can.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, I'd like to ask the Minister of Public Works whether there has been any change with respect to the policy guideline upon which government based its decision as to whether to purchase vehicles for the Public Service, or whether to pay a mileage allowance to an individual for the use of his or her private automobile. Has there been any change in that policy, given the fact that changes in the number of government vehicles is indirectly determined by the prevailing rate that is to be paid individuals for the use of their private vehicles in lieu of the public vehicle?

MR. SPEAKER: Order please. The Honourable Minister of Highways.

MR. SCHREYER: Yes, well, the Minister of Public Works is blissfully preoccupied. I would simply ask the Minister — he may wish to take it as notice — whether there has been any change in respect of government policy as regards the practice of paying individuals in the Public Service for the use of their private automobiles instead of providing them with a government or public vehicle, since this in turn will determine the number of public vehicles purchased.

MR. SPEAKER: The Honourable Minister of Public Works.

MR. ENNS: Mr. Speaker, there has been no change in the government policy with respect to vehicles, made at this time. The whole question of the utilization of the number of cars that are needed for government business is under review at this time, both by my department and by the Management Committee.

As a result of this review the decisions to purchase additional cars has been deferred, and we're experiencing that some personal cars of civil servants are being used to a somewhat greater extent than has been the practice, perhaps, in the immediate past year and that in some instances that has increased the amount of personal mileage paid to these individuals.

However, the question of whether or not the government will search out other arrangements such as the potential leasing of cars rather than the purchasing of cars; or whether we shall continue the practice of purchasing cars as and when they're needed; or whether the advisable policy that is used, or the advice of some other jurisdictions where a far greater use of personal cars is pursued, such being the case in Alberta.

Those are matters that are under review at this moment that will bear heavily in terms of the future size of the fleet.

MR. SCHREYER: A supplementary and more specifically, Mr. Speaker, I'd like to ask the Minister — he may wish to take it as notice — whether he has been advised by Treasury Board or Management Committee staff as to whether it is a fact that at 10,000 miles per year, or more, that it is cheaper for the Crown to purchase than to pay the mileage allowance for the use of a private vehicle.

I'm asking the Minister if he's been advised as to a specific threshold figure and whether this, in turn, does not then determine the amount of purchasing of vehicles in any one year, as opposed to the cost to the people of leasing or renting.

MR. ENNS: Mr. Speaker, this is the kind of question, I suppose, is more appropriately asked during the course of the Estimates of the Department of Public Works.

Let me only say to the First Minister that I have been advised of a great number of things. I've been advised that we can operate cars for 12 cents a mile. I've been advised as the First Minister is now advising me, that anything over 10,000 miles doesn't become economical.

I must also advise that when you put \$3 million garages on top of that; and when you put all kinds of additional costs on top of it, it is very difficult to arrive at what is the actual operating costs of a government car. That's precisely, with the help of the Management Committee and my colleagues, what we are trying to determine.

MR. SCHREYER: I'd like to ask the Minister whether in the context of all the detail he refers to, whether he can confirm that the existing older Public Works garage here in the City of Winnipeg, is one that was built in the context of the requirements of the Crown and the right of the province back in the 1920s, some 50 years ago or more?

MR. ENNS: Mr. Speaker, I really don't think we can shed much more light on this line of questioning. There are just so many different avenues open.

That "have not" Province of Alberta operates their government with 28 cars compared to our 24, in terms of government ownership. But they choose to do it. —(Interjection)— Now, that government hasn't been particularly known to be, you know, largesse with its throwing away of money

in reckless, wild spending. They happen to be pretty shrewd businessmen.

I'm sure the First Minister would agree to that when it comes to the present government in Alberta's negotiations in Ottawa for their natural resources. I'm just suggesting, I'm not suggesting that that's the course that we would want to follow. I'm just suggesting that there are many courses open.

Private business adopts many different attitudes on this matter. Some lease, some purchase, some pay company mileage to personal vehicles driven by their employees.

We are attempting to sort out the most appropriate manner in which we believe — and that's really what our responsibility is and you know I'm not necessarily going to convince you — but what we believe to be the appropriate way of using public dollars to enable public servants to go about doing the business of the province on behalf of the people of the province.

MR. SPEAKER: Order please. I have allowed the Leader of the Opposition one question and two supplementaries. We are now four minutes past the time of the Question Period.

ORDERS OF THE DAY

GOVERNMENT BILLS — SECOND READINGS

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Yes, Mr. Speaker. Will you call for second reading. Bills No. 57, 58 and 62.

BILL NO. 57 — AN ACT TO AMEND THE PUBLIC SCHOOLS ACT

MR. COSENS presented Bill No. 57. An Act to amend The Public Schools Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Finance.\$

MR. CRAIK: Just on a technicality, it was moved by the Minister of Education, seconded by the Minister of Labour.

MR. SPEAKER: Pardon me, I apologize.

The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, Bill 57 in general provides for a clarification of a number of matters on which there has been, for some time, uncertainty as to interpretation. In the matter of the provision of liability insurance by school boards which undertake the conveyance of pupils, the bill will make it clear that it is the responsibility of school boards to provide adequate insurance while, at the same time, reserving to the Minister the right to take action in this regard where he deems it necessary.

The present requirement that the Secretary-Treasurer of a school division must be a British subject is deleted.

The shared services legislation is amended to clarify the conditions under which agreements may be made between private schools and school divisions resulting from procedures which have evolved over the years and on which matters, legal opinions have placed varying interpretations.

The bill contains amendments to clarify the procedure for appealing the classification of assessments and provides the right for school boards to exchange lands with other corporations. It also provides for the authority to establish pilot courses in instruction in a language other than French or English.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Mr. Speaker, I beg to move, seconded by the Honourable Member for Rupertsland, debate be adjourned.

MOTION presented and carried.

BILL NO. 58 — AN ACT TO AMEND THE EDUCATION DEPARTMENT ACT

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS presented Bill No. 58, An Act to amend The Education Department Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, very briefly, this bill clarifies the power of the Minister with respect to the making of regulations pertaining to the certification of school commissions and provides for their rights and obligations pursuant to their certification.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I beg to move, seconded by the Honourable Member for Rupertsland, debate be adjourned.

MOTION presented and carried.

BILL NO. 62 — AN ACT TO AMEND THE RENT STABILIZATION ACT

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. EDWARD MCGILL (Brandon West) presented Bill No. 62, An Act to amend The Rent Stabilization Act, for seconding reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. MCGILL: Mr. Speaker, members will recall that on Friday, April 28th, I announced this government's intention with respect to the future of the Rent Control Program. I stated that there would be a Phase IV commencing October 1st, 1978, with a Phase V commencing October 1st, 1979 to June 30th, 1980. I have since announced that the guideline increases during Phase IV will be 5 percent where the tenant pays both heat and domestic power; 5.5 percent where the tenant pays only one of these services and 6 percent where the landlord pays both of these services.

In my April statement I indicated that the guideline increases will not apply to residential rental units located outside of Winnipeg and Brandon; those located in buildings for which an occupancy permit was first issued on or after October 1st, 1973; units where the rent payable is allowed under the Act to reach a level equal to, or in excess of, \$400 per month; and finally, residential rental units in Winnipeg and Brandon which are voluntarily vacated by the tenant in possession after September 30th, 1978.

We will assure that orders issued in Phase I, II, and III have been met by landlords before they can qualify for release from the guidelines in Phase IV. Additionally, we realize that there must be protection for tenants against harassment and intimidation by a landlord to coerce a tenant into vacating a premise after October 1st, 1978.

With the release of some units from the guidelines, concern has been expressed that some landlords may increase rents inordinantly. If this should happen the tenant in possession can complain to the board. The board will require justification of the increase from the landlord and mediate between the landlord and tenant to arrive at a mutually agreeable rent and, if necessary, bring the unit back under the guidelines.

At the close of this statement, Mr. Speaker, I advise the House that amendments to The Rent Stabilization Act would be necessary to give effect to these proposals. I now introduce a bill for this purpose.

In addition to implementing the intended program, the bill contains provisions to enable the board to review previous orders where it appears that a landlord has suffered inequity because of a change in the method of taxation, or the assessment of a property. The board will also be permitted to review rebate orders where it is substantiated that compliance with a previous order places the landlord in severe financial jeopardy.

Mr. Speaker, the board will not be able to amend the amount of payment but will be able to vary the method and timing of payment. In all cases, however, where a previous order has not been fulfilled, the unit will remain under the guidelines. Since the board will be able to require landlords to supply rental information under the monitoring program, special provisions are included in the

bill to assure that the information supplied will remain confidential and will not be available for public or competitive perusal.

Mr. Speaker, I commend An Act to amend The Rent Stabilization Act to this House for consideration by the members.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I beg to move, seconded by the Honourable Member for St. Vital, debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, will you take the bills in the order in which they appear on Page 2, starting from the top of the page, Bill No. 15.

ADJOURNED DEBATES — SECOND READINGS

BILL NO. 15 — AN ACT TO AMEND THE HOMEOWNERS TAX AND INSULATION ASSISTANCE ACT

MR. SPEAKER: Bill No. 15, An Act to amend The Homeowners Tax and Insulation Assistance Act, — the Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this bill for my colleague, the Member for Seven Oaks.

MR. SPEAKER: The Honourable Member for Seven Oaks.

MR. SAUL A. MILLER: Thank you, Mr. Speaker. This bill is, as the Minister when he introduced it indicated, although it is called The Homeowners Tax and Insulation Assistance Act, does not deal with the insulation portion of that Act, but is a bill whereby the government is making available to pensioners an additional \$100.00 over and above what they might qualify for under the Property Tax Credit System that is in existence and still is in existence to this day, introduced by the former government.

Mr. Speaker, I can recognize : government's desire to assist the pensioners, but again we see this government's approach to how it should be done and how it differs from our government.

If the government had desired to increase the benefits payable to pensioners because pensioners had low incomes and they wanted to move in that direction only, which I am not sure I would agree with, but there could be rationale. But they didn't do that, Mr. Speaker. What they have done is this: They simply said that when you hit the magical age of 65, irrespective of your income, and we know that at age 65 many people retire, employees do retire if they are in groups, firms, private or public, agencies, where the requirement is that you must retire at 65 and there may be a drop in income. But on the other hand we know that many professionals, many people who are self-employed, at age 65 do not retire, and there is really no diminution or drop in income at all. These people have, in many cases, very high incomes, and they, of course, will now benefit to that extent whereas before they may have been limited to \$225, that is all they would get because the formula of the property tax credit takes into account income, ability to pay. To the extent that your income is high, then all you would get as a tax credit is the amount that the province pays to the municipality on your behalf, which is \$225.00. The other \$150, bringing it \$375, has to be applied for when filing income tax and therefore income is taken into account.

Now the Minister has indicated that there are many people whose incomes are under \$5,000 who will benefit to the extent that their full school taxes will now be paid. It could be that the \$375 didn't cover their full taxes, they may have had to pay an additional \$10, or an additional \$20 short. You know I am talking about school taxes only, the school tax portion and the \$375 was not sufficient. Now it will be sufficient, and he indicates that 25 percent of homeowners will now get \$100 additional assistance, which was over and above the \$375 which they may gotten before.

But I notice on the other hand that 39 or 39.6 percent, almost 40 percent, are people whose income is in excess of \$10,000.00. When I talk in terms of income, it is not family income, it is the income of the person who is filing the income tax return in accordance with The Income Tax Act. So that even in the case of a pensioner or people who are 65 years or over, where the wife may have an income, either still working because she is under 65, or simply because bonds were purchased over the years, investments were made over the years, interest earned in that year, all

of that may accrue to the wife but that is not taken into account. It is only the income of the person who is filing the income tax and claiming the property tax credit. So that when you talk in terms of \$10,000 and over income, it could be the family income is considerably higher, but because they have reached the magic age of 65, they are going to get \$100 anyway, and it doesn't matter what your income is. If you are living in a very expensive home and your property tax for school costs is in excess of \$375, you will get an additional amount of money. If for example your school tax is \$475 and all you get is \$225 on your property tax credit tax bill and you don't qualify at all because your income is too high for any additional when you file your income tax, nonetheless you will get an additional \$100, irrespective. So that your income could be high, it could be \$25,000, \$15,000, and again I am talking about the individual filing the return, it is his or her, if the woman happens to be the major wage earner or income earner. It is the return of the person who is making the claim for tax credits.

Mr. Speaker, as I indicated, the plan that we had in existence is still in existence, and frankly I hope that it is not going to be tampered with, but that we will have to wait to see next year. I know the government is examining the present property tax credit scheme. The present scheme was for the benefit of all, irrespective of when one reached that magical age of 65, 60, or 55 or what have you. It took into account ability to pay, and to ignore that, and to simply now move to cover only those that are pensioners, I think is denying the fact that people in medium incomes, moderate incomes, as a matter of fact that have children at home, probably have greater need for assistance than perhaps somebody who has reached that magical age of 65. I know people who have hit 65 and their incomes are reduced marginally, if at all, and whose incomes are very very healthy, and yet they live in very expensive homes or moderately expensive homes, and they, of course, will qualify now for a \$100 gift from this government. Whereas those who are not at age 65 but who are now faced this year in particular, with some pretty substantial increase in their property taxes, they are being totally ignored, because there have been no changes at all in the property tax credit system. It is exactly the way it was before. So there has been no enhancement or enrichment of the program as there has been in previous years, where we annually raised it at the lower end, that is the flat payment to the municipalities, and the upper end, which reflected income and ability to pay.

So I regret that the government is moving away from the ability-to-pay principle and simply using an age factor as if that was the all important factor. Mr. Speaker, it isn't the all important factor, because, as I say, the fact is there are many people who are over 65, whose incomes are much above the average and who now, because they are living in expensive homes, are now in a position to get an additional \$100.00. According to the figures that the Minister has supplied me when I asked him about it during Estimates, something over 11,000 pensioners are now eligible for \$100 additional assistance, not sufficient to cover the full school taxes. So that 11,000 people will be entitled to an additional \$100 and it still will not pay the full school tax, but they will get \$100.00. Someone, who is perhaps in the same income' but isn't 65 will not get a nickel of that and are simply being deprived.

We are now seeing a distinction being made on the basis of that magic age of 65 and not on the basis of income and the ability to pay. We are seeing that now introduced for the first time, and mind you it doesn't surprise me because it is in line with that Conservative Government's philosophy, where the ability to pay is being ignored. When they introduced changes in The Income Tax Act they simply cut it by a flat percentage at all levels, so that the person earning \$10,000 benefited by \$13.00 a year, the person earning \$15,000 benefited by \$32.00 a year, but the person in the \$25,000 and up bracket benefited by hundreds of dollars.

So again the ability to pay is being ignored and this is simply a continuation of the same approach. It totally ignores the people who rent premises and I know the Minister responsible will probably say, well, the renters, the figures he has indicates that people who rent, 95 percent of them were getting full school taxes covered. But I question their figure, particularly in the light this year of the considerable increases in the school taxes within the Greater Winnipeg area and I am concerned particularly because of the changes in the rent controls, which will now remove any units from rent control which are occupied by pensioners. I know in my own constituency there are many pensioners living in buildings that now are freed of rent control because they were built in that period of 1973-74 and now those buildings or those apartment blocks that were occupied after I think it was October 1st, 1973. They are freed of rent control and I know many pensioners living in those accommodations and they are going to be hit hard. They have already been notified of increases of 20 and 25 percent and yet they will have no benefit whatsoever this year, under the amendments and the property tax credit program.

People in lower incomes are still protected to some extent by rent control, if they stay in their premises, but we know historically that between 18 and 20 percent of apartments are turned over. The movement in and out of apartments will create a situation where about 18 to 20 percent of the units will turn over, through just normal turnover. People move for various reasons. When the

unit is voluntarily vacated, then the controls are off and this affects lower incomes very severely. And yet this bill on tax credits to ease the burden of school taxes doesn't assist these people one penny, because it ignores totally anyone who rents.

As I indicated, there are two classes of people that are being hurt: The renters, those who are not 65 and who are in as much' and perhaps more, financial need of assistance and need assistance, than those who have hit that magical age of 65. I can understand the desire to do something for pensioners. I maintain that they could have assisted the pensioner if they so wanted, but they could have done it on an ability-to-pay principle. They could have maintained that, and to me it is nonsense that someone who is filing a return, apart from what his wife may have in income, at the \$15,000 or \$10,000, or \$20,000 level' now gets an additional \$100 simply because, as I say, they have reached that magic age of 65.

So, Mr. Speaker, I feel that the Act simply is too restrictive. The government, I suppose, is trying to get out cheap, because I believe they figure \$2 million is going to see them through this particular bill. So therefore they are hitting a very small number of people coared to the program that we had which, when it was annually increased from year to year, grew something in the neighbourhood of \$16 million to \$18 million a year, if my memory serves me correctly. So you can see there is quite a difference between the \$2 million they anticipate it's going to cost them this year versus the kind of input the Provincial Government put in in previous years, year after year.

So, Mr. Speaker, I deplore that the government has chosen to act in this very narrow way and has ignored the needs of tens of thousands of property taxpayers, who are finding a burden in meeting their property taxes, their school taxes, and have, on the other hand, favoured those who are favoured already and could well afford — because their homes are higher assessed, because they are more expensive homes — could well afford to pay part of the school taxes. They may be still paying some but now get an additional up to \$100 over and above because the homes they live in are so highly taxed because they are such expensive homes.

Mr. Speaker, with those few words, I'm afraid I XCANT BE TOO HAPPY ABOUT THIS PARTICULAR BILL. It's a step forward; it's a step in acknowledging that — and I'm glad the government does acknowledge — that they have to address themselves to the problems of school taxes and property taxes generally. This year, by withdrawing financial support to the City of Winnipeg, they have forced Winnipeg to increase their taxes considerably.

So on the one hand they are, sort of, withdrawing support to Winnipeg and forcing them to either raise taxes or institute a user fee, as in the case of Transit, on the other hand, they are coming up with a program which is going to help a particular group in our society, but not necessarily the group that needs the help most insofar as incomes are concerned. Because we know there are thousands of pensioners who, in fact, did get almost their total school taxes paid anyways. They qualify for \$375 and they are living in low assessed homes. They are not necessarily cheap little homes but where the assessment is low because it is an older home, that their, to all intents and purposes, school tax is unpaid. They may have had to pay an extra \$10 or \$20 a year but we didn't simply zero in on that element and ignore the tens and tens and tens of thousands of people working who are trying to make ends meet, who are faced with rising school taxes, who are faced this year with a larger increase in municipal taxes and for whom this government has had nothing to say at all except, "Ze're not doing anything; we're reducing assistance to the City. There will be more user fees. People have to stand on their own legs and look after things. You are on your own." And that's the kind of messages this government has given.

So I regret that I can't be all that enthusiastic to the Minister of Finance. I have to say that I can't be all that enthusiastic about this bill that I say is very selective to a select group in our community.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Mr. Speaker, I have some observations to make on this particular bill because I think it is one of the more important pieces of legislation in its own way that has appeared in this session. In the fairly sparse growth of legislation that we were promised, this is one of the more interesting bills because I think it does indicate a certain approach and principle on the part of the new government, which if it's followed and continued could lead us into some very serious trouble in the whole field of property taxation.

The Member for Seven Oaks, who just completed his remarks, left off where I think I want to begin, which is the question of how do you provide for some relief to those who feel that the burden of property taxation is becoming beyond their means or income to sustain. Oftentimes that problem is most acutely felt by older people, whose incomes have stopped growing. It has reached a certain stage where they can no longer afford increments on their income to absorb increased property taxation.

I think that every single government that I know of tries or has tried a variety of means. The

previous government used primarily the means of a circuit-breaker. The idea of providing a form of universal tax credit system, which is a direct return to the taxpayer of certain cash moneys for the kind of burdens that they would bear. This government seems to have reduced that principle now to saying, "We will only provide subsidies for select groups of the population. It will not be across the board but we will begin to pick and choose which property taxpayers need the help most, and we will make an arbitrary choice somehow as to who has the greatest need."

Mr. Speaker, as the Member for Seven Oaks suggests, if they are going to get into that kind of discretionary choice as to who is to be the chosen few, I hope that they will start looking at sort of middle-aged people with blonde hair and blue eyes who live across the river, because we certainly are in desperate need of some relief where I happen to live.

But the fact of the matter is, Mr. Speaker, that's a very dangerous principle to start getting into, is to start making discretionary choices as to who has the biggest need, because all of a sudden you're going to start setting one class or group of taxpayers against another. You're going to say that the old who are more deserving, the older person on pension, do they need more assistance than the younger couple who are buying a house and rehabilitating it and returning it back into an improved accommodation that will have another 30 years' life, but would like some tax relief for improving their property? Which has more precedent and more priority? Is it the senior citizen taxpayer who has an income of \$25,000, as the Member for Seven Oaks pointed out, or is it the working class guy who has \$12,000 and four kids who is beginning to find that the property tax is becoming burdensome?

In other words, Mr. Speaker, there is a very faulty principle at play in this legislation, and that is that we are going to, as a government, start picking and choosing who we think are most deserving for relief, and perhaps the choice will be determined partly by some objective criteria; it may also, Mr. Speaker, be chosen by totally political or subjective criteria. Who are our friends? Who are we most likely to get votes from? Who is most susceptible to these kinds of ploys? In other words, it becomes as much a political device as it does a form of tax relief, and it's in that particular context, Mr. Speaker, that I think that we are really headed down the wrong track because if you begin employing that principle to the taxation policy of the province then you're going to find yourself really engaging in master warfare.

I am intrigued, Mr. Speaker, by the fact that certain members opposite, both the First Minister and the Minister without Portfolio, the gentleman responsible for the Task Force that no longer exists — so we're not sure what he does other than speak to a lot of people about what a great thing this Task Force is going to be if it ever gets implemented. They have both pointed to the California Proposition 13 as being a justification for their approach; they're saying, "See. We were right all along. Look at what happened in California, the taxpayers revolted because government was spending too much; therefore, obviously, we were correct."

Mr. Speaker, I draw quite different conclusions from the California scene and I find it surprising that the Minister without Portfolio and the First Minister weren't a little bit more careful in examining what went on in California, because what happened in California was that it was a property taxpayers' revolt, and the taxpayers revolted in California at the same time that the State Government had a surplus of \$6 billion. It had nothing to do with the fact that all of a sudden every government was cutting back. What had happened was that the State Government had cut back all its services and expenditures and increasingly forced the municipalities to increase the property taxes to pay for those services, and the revolt occurred because one level of government, in that case the State Government, was trying to pose as the good guy, as the clean-cut sort of budget-cutter, as this government does, and forcing increasingly the burden of expenditures upon local government, which is exactly, to the total iota, what this government is engaged in doing. Because what this government is doing is cutting back its expenditures and forcing other levels of government to pick up the tab; that's what they're doing. And they are going around beating their breasts and posturing as being the great tax-cutters but in fact what they're doing is forcing the municipalities in this province, and particularly the City of Winnipeg, to substantially increase its tax burden in order just to maintain a minimum level of services.

Or we get the other kind of coin, where we saw, for example, the other Ministers who say, "Well, let the Federal Government pick up the tab." Well, Mr. Speaker, that was in large part the cause of the revolt, is that you had one level of government who wasn't playing ball, who wasn't co-operating, who was trying to all of a sudden run its own course and thinking it could get some major advantage by posturing as being the great budget-cutters when in fact all they were doing was transferring the burdens and transferring the responsibilities to somebody else.

Mr. Speaker, I think it's important, in terms of examining this bill, to see what's going on in the City of Winnipeg. This year the net deficit from last year going to the City of Winnipeg is \$2.8 million less than what they received, and that happens, Mr. Speaker, at a time when in fact the City of Winnipeg, which is one of the major urban centres in this country, receives less money from its Provincial Government, in terms of transfers, than almost any other government. Let me give

you the figures in terms of the actual percentage of transfers that incorporate the total expenditure items for the City of Winnipeg compared to other provinces and cities. In the Province of Manitoba, the figure is about 35 percent. That compares to places like Saskatchewan, which has 45 percent of its revenue coming from senior levels of government. Alberta, 50 percent; Ontario, 47 percent; Quebec, 42 percent; New Brunswick, 40 percent. In other words, Mr. Speaker, in all of these other provinces there is close to a 10 percent differential in terms of the actual amount transferred back. Those are from the 1977 figures, The Canadian Tax Foundation, and if the Minister of Finance wants the actual quote, it is the Provincial-Municipal Finances, 1977, Canadian Tax Foundation.

In other words, Mr. Speaker, our City of Winnipeg, as a major urban centre, all along has been receiving less per capita from its senior levels of government than almost every other province with the one exception of British Columbia. Now, you put that into the context that all of a sudden they are receiving less — we have a government that comes along and even begins to cut back on those revenues. If you look at the budget figures, Mr. Speaker, the estimated budget figures for the City of Winnipeg at the present moment — and I quote from their own budget figures that were released — that if you look at the transfer, government grants, unconditional grants, 1977 actual, 12.2; 1978 expected, 11.016. Well, Mr. Speaker, you know, it comes then, the reality of what we're debating in this bill becomes very clear; we are passing the buck; this government is passing the buck. They are saying the City of Winnipeg can sort of pay for our budget-cutting exercises in terms of maintaining their services.

Now, what does that mean in terms of the principle behind this bill? What it means is that the advantage to those 11,000 people that are going to receive an additional \$100 because they are senior citizens will be quickly wiped out by increased taxation load that will be paid just to maintain a minimum level of services. And furthermore, Mr. Speaker, because they are senior citizens, their advantage will even be further reduced because the one area where the City of Winnipeg is now having to cut back, to maintain itself, is in the area of the social recr services which in many cases are most needed and are most necessary for those who are senior citizens, because they have the greatest need for health services and welfare services and rec eation services. Transportation is a clear example — by and large, older people tend to drive their cars less and less; therefore where is the heavy budget additions coming? It's in the increase for transportation fees; they are going to be putting an extra dime in that box to pay for this government's cost-cutting exercises.

It doesn't seem to make much sense, Mr. Speaker, and it is because, I think, this government really doesn't want to play the game of co-operation with other levels of government, to arrive at a uniform approach, or some kind of comprehensive approach to the problem of taxation. They are simply out to sort of shimmy up the pole and show what wonderful managers and budget-cutters they are and hide the fact that they're doing it at other people's expense.

And so, Mr. Speaker, what's really going to happen is that what they are giving with one hand, they are going to be taking back in spades with another hand, and there will be very little advantage gained. In preference, Mr. Speaker, Iwould have thought that because of the number of former City Councillors in this government — the Minister responsible for Housing, the Attorney-General, the Member for Crescentwood — who else? The Member for Wolseley. Some of the erstwhile and enlightened councillors that graduated or moved on to the provincial field; hou would have thought that they would have been able to convince their colleagues — you know, after having gone through the experience of trying to convince the previous government of the problems of getting a fair shake for the City, that they would have now been in a position to exercise a more enlightened approach.

Well, it seems,Mr. Speaker, they forgot their friends pretty quickly, that the City of Winnipeg, once they shook the dust of City Council from their boots, they have never looked back. And I am particularly surprised that the member — he's not here now — the Minister of Urban Affairs, the Attorney-General, the Minister of Municipal Affairs, who used to, only at this time last year — I have a clipping somewhere where he emerged from a meeting, I guess, with the First Minister and the Minister of Finacce, saying what a bunch of cheapskates this government was in terms of helping the City of Winnipeg. Now we've got a government which is even cutting back even substantially more than in those cases. Now, I haven't heard him calling his own government a bunch of cheapskates. I'm going to ask him, when does he intend to apply the same standards to his own government that he applied to the previous government? Because that would have been the proper direction to go if we were interested in trying to alleviate certain burdens on the property taxpayers. The proper way to have done it would be to have provided for a decent transfer to the City of Winnipeg in order that they could maintain a minimum or modest increase in property taxes rather than going for the 10 or 15 percent it's going to have to go for this year. That would have been the approach to have taken. It should have been a property tax approach worked out in co-operation with the City, not doing a selective, isolated gesture which will, when you start counting up the dollars, will really result in a zero sum gained for those recipients. Now it means that if they didn't get it, I suppose, they would be \$100 poorer, but it doesn't compare to the many property

taxpayers who would be three or four or five or six hundred dollars poorer this time around. It will mean that they will not be perhaps as poor as the many people who will be losing their services this time around, because the cutbacks are being forced upon them.

So that is really the condition that we face. The fiscal condition of Manitoba is that we have a province which is no longer prepared to accept its proper and fair responsibilities as far as the municipalities and the cities are concerned in terms of sharing the tax burden of those residents. —(Interjection)— Well, I'll ask the Minister to produce the other figures. —(Interjection)— No, we'll be around for this vote. —(Interjection)— Mr. Speaker, the Minister of Finance suggests that I leave; I have . . . —(Interjection)— I might . Why don't you wait around and see too, because I know that your attendance in this House has been exemplary, that you're here just every minute of the day. —(Interjection)— Yes. Well, I think if we start matching up times, I think we would find out who is here as much or more than — and who misses more votes than whom.

Well, Mr. Speaker, the fact of the matter is that the point of this bill is that it really is directed in the wrong way, and that really we shouldn't swallow it as being sort of the great tax relief for an additional 11,000 people; they will be getting minimum relief; at the same time, there are going to be a lot of people with increasing burdens.

What's even more interesting about the bill, Mr. Speaker, is that it again tends to run counter to the market philosophy which we hear prattled about with such great frequency by members opposite. They have become the great spokesmen in this country for the laissez-faire philosophy; let the market take care of things. And yet, Mr. Speaker, here is a clear indication where they are directly intervening in a market decision, interfering with the housing market in their own way, providing for consumer choices that are going to be artificially altered by this tax relief, and as a result, probably not providing the proper flow for that housing market which they protest that they are such believers in. You can't have it both ways; you can't say that we are free market people and then disrupt the free market, because what happens, Mr. Speaker, if the Minister had looked at other jurisdictions which have tried relief measures like this, is that it tends to set up an artificial inhibition to people who are contemplating selling their homes at a certain age, to move into another form of smaller accommodation.

What often happens is that older people, their children grow up, move out of the house; they no longer have need for a two or three or four-bedroom accommodation, so they want to sell. Now all of a sudden we are providing a basis, we're saying, "Don't sell, stay where you are, probably use up an awful lot more accommodation than you might need and therefore distort the workings of the market." Now, if they come around from the other way and say "Look, we will provide people with better housing assistance, housing allowance programs," similar almost to what they are operating now in British Columbia, where you provide housing allowance assistance so people can make the proper income. It might make more sense; then you allow them to maintain a choice. But this way, the only choice that you are saying makes some sense for them, if you're going to keep on increasing subsidies simply to people over 65, will be to distort the market and ask them to maintain themselves in their own homes. Now, for those who want to make that choice, that's fine, but a housing allowance is a much better way of doing that because it affects all people at the age of 65; it just doesn't affect the homeowner; it affects all people, to allow them to stay in their home if that's their choice, move to an apartment if that's their choice, or buy a smaller home if that's their choice, move into a smaller townhouse, find new accommodation.

Well, this particular intervention if the market works will provide a distortion and I'm surprised that the *laissez-faire* philosophers on the other side, the House Leader who has taken on the role of being the spokesman for *laissez faire* philosophy in the Province of Manitoba, didn't point that out to his colleagues saying, "You know, this is running against market philosophy; how dare you do it. That's not the way it should work. We must let the market make these decisions, not let government artificially make the decision for people." Therefore, again, if you are committed to using government taxation policy to try to induce certain behaviour or choice, it's fine, but that's not what this government professes to do. It isn't what they say they are going to do. They take a totally opposite point of view and I think the reason is because it may be saleable from their point of view.

So, Mr. Speaker, I object to the legislation on those grounds again, that first, it is not a proper form of support and secondly, that it is inconsistent certainly with the position, philosophical, the political position taken by this government, both during and after its election, it just doesn't hold true to its own philosophy.

The third part about it, Mr. Speaker, again, is that I think it is unfair legislation and that is that there are also property-owning groups who, if the Minister was looking for people to assist, probably deserved equal assistance. One of the major difficulties that we face, in this city at least, is the very strong deterrent towards the improvement and repair of existing homes. Not only does that improve the accommodation for the individual and their families, but it also becomes a very important public good because it means we don't have to go out and build new housing to replace the old

that is deteriorating, if private behaviour' private activity can be induced. Yet, one of the major deterrents to that kind of activity is the increased assessments that occur when someone tries to improve their older home. As a result, oftentimes the necessary and needed improvements are not made and therefore we allow our housing stock to become older and more dilapidated and then have to pay five times the cost to replace it.

So if the Minister was looking for a way in which to provide for inducements then he might have as well looked at, not just this particular measure but measures to try to enable people to maintain and improve and upgrade existing homes so their families could be maintained in it, to encourage younger families to buy into older homes and to improve them and not to be faced with that increased assessment. You know, the same kind of \$100 off on a deferred tax system or deferral tax assessment would have had a magical effect in terms of the large-scale maintenance of older residential accommodations in our urban areas. As it is we will be putting money out the other side of the spout simply to provide rehabilitation grants and forms of assistance in that area.

The Minister of Housing complains mightily in this House about the enormous amount of requests for critical home repair grants. So the government is putting money out in that area when in fact if they were just providing a program of reduction of taxation because of improvement it would have achieved the same effect at less cost. I think that that can be proven mathematically that you would get broader based benefits for the same amount of money than by providing it through a direct grant program as it presently exists. And I suggest that the Minister look at that alternative, but we don't have it here so it's unfair.

Again, we're going back selecting one group for special attention. They need attention; they've got a problem, but so does every other property taxpayer. Every other property taxpayer, whether they're old or young or wherever they happen to live, thinks that they too are in a special category, that they too are carrying particular burdens and they're going to wonder, "Why not me? Where do I fit into this? Why all of a sudden do I get released?" I think the Member for Seven Oaks pointed out that in fact there will be a lot of people in this special category who may not need that assistance, whose own incomes, because it's not geared to income in any way, may in fact have all the income that they need to maintain themselves' and that's their choice. So it's going to be applied unfairly rather than being pinpointed or targeted.

So, Mr. Speaker, I don't think this is a good piece of legislation. I don't think that it is an effective approach to property tax relief. I think it flies against the positions taken by members opposite consistently in front of us, and I think that it is certainly unfair and inequitable in terms of who it judges is worthy of support and who is'tl wsh, Mr. Speaker, that the government had taken the problem as it existed and seen it as, not a problem just simply and solely borne only by those over 65, but is increasingly being borne by all those who must pay property taxes, sily because it is increasingly the property taxpayr, through the municipalities, who is carrying an ever-increasing burden of expenditures of local government simply because this Provincial Government is in fact cutting back where it should be adding to, and that is providing basic relief for the expenditures and revenues of local government.

MR. SPEAKER: The Honourable Minister of Finance will be closing debate.

MR. CRAIK: Mr. Speaker, I'll speak, in closing Bill 15 at this time, since both the spokesmen on the bill from the Opposition have made their contr bution today, and I'll immediately answer it. If there are any other questions that come up they can be dealt with at the further processing of the legislation.

The one argument that ran common through both of the comments today from the Member for Seven Oaks and the Member for Fort Rouge that I thought was interesting and it was primarily, I guess, from the Member for Seven Oaks to begin with, was that a person at age 65, or people at age 65, might not necessarily require, on an income basis, the added \$100 deduction from their school taxes on their property. This was elaborated on to some length and this argument re-appeared to some extent in the argument presented by the Member for Fort Rouge. I couldn't help recalling, Mr. Speaker, and of course along with that argument was the argument that this did not reflect necessarily ability to pay by making a flat application of \$100 for anyone who is age 65-plus or was a pensioner even under age 65.

But, Mr. Speaker, what the arguments were reminiscent of were the arguments that used to be presented many many years ago about the pros and cons of the means test with regard to old age security pensions. As you know, at one time in history, in this country there were no old age security pensions for those who could not justify it on a lack of income basis. As a result of that argument, and actually that experience, there is plenty of experience in this country about what happens when you operate exclusively and entirely on the basis of those that are age 65-plus, in particular, of what happens when you base entirely their income on the basis of a means test because that's what it boils down to and that, of course, is the argument that is being, in essence, when

you boil it down, being presented by the members across. If you follow their argument to its logical conclusion you would do away with the old age security pension because, regardless of your income ability, you receive the old age security pension at the same age at which we're suggesting, that if you are a property taxpayer, that you should get an additional \$100 tax rebate on your school taxes, having paid school taxes on that property for probably the most of your life.

Well, Mr. Speaker, there is no need to repeat, I don't think, that the arguments that were presented earlier in the debate, that the examination of statistics indicated that those who are in rented accommodation — a very very high proportion of those — were having all of their school taxes covered under the existing rebate scheme. It was those who were in their own homes, that still owned their own property, where the proportion of those receiving the entirety of their school tax being covered by rebate fell down and fell down to about 57 percent of the population in this particular category. As a result of that this move brings it up to about the 75 percent point and those that are in rented accommodation are still running in the — I've forgotten the exact figure — approximately 90 percent range that are in the rented accommodation category.

So, Mr. Speaker, there is a particular problem. No doubt there are others in many other categories, those who have four children, starting out a family, just bought their house, their first house, a single worker in the family, mother at home and a job that doesn't quite finance all the requirements of the household let alone school taxes on their property. Those cases exist but, on average, you'll find that — and I know the members opposite cannot disagree with the fact — that statistics have shown that those who are on pension, those particularly that are on pension at age 65-plus, are extremely vulnerable to changes in the cost of living over which they have very little bargaining position to accommodate to because they are on basically pensions over which they have no governing control. They cannot bargain; they have no bargaining position. Many of the rest of the population is not in that category. So as a generalization these people are more vulnerable to this particular tax, the tax on their property from Education.

I want to reiterate that we felt, and still do feel, that this particular group in society, those who were vulnerable to school taxes and who were living in their own accommodation, who had principally, on average, would have acquired their accommodation during early years, who probably have it paid for and are not in the position in most cases of having to make mortgage payments albeit, but who are in the position of being in a position of receiving an income over which they have very little negotiating room to change, an income that is likely going to go up but probably not at the rate of inflation or at the rate of the increase of the taxes that may be passed on to their property from local services, and principally from schools.

So that is, Mr. Speaker, the argument behind taking the approach of providing the additional assistance.

Mr. Speaker, I think the Member for Fort Rouge was advocating a tax deferral system and I want to point out that there was a system brought in through legislation by the former government here and has been available through the City of Winnipeg, as an example, I think has only had, out of this, one or two applications by people. The proof of the pudding is in the eating. The people who wanted tax deferral had it available to them. They will go to almost any ends to avoid letting the liability pile up against their home, their property. They can avoid it by taking the tax deferral route; they are not. I think it is either one or two applications that the City had last year for this particular purpose.

Now, Mr. Speaker, the argument that I get tired of listening to from the Member for Fort Rouge, that I want to address to, he builds his case about how the government is ignoring the local level of government by way of financial support. I simply ask him, Mr. Speaker, and I made some off-the-chair comments to him when he was speaking about his position on Bill 14, the other tax bill, where he was dead wrong in his comments and obviously hadn't researched his comments. Had he been here when I replied to it I would have corrected him on it. But his comments were dead wrong. He is quoted in the newspaper on it and I'll provide him with the corrections. As a matter of fact, Bill 14 that was dealt with before, I was surprised by his position. Half of the money implied in Bill 14 comes through the initiative of the Federal Government, through the Sales Tax Reduction. Still, we had a staunch opposition to the move, Mr. Speaker.

Mr. Speaker, I would have liked to have heard a further explanation from him on that, because more than half of the money involved of the \$80-plus million in tax reductions this year, half of that came from the initiative of the Federal Government through the sales tax reduction.

Mr. Speaker, I noticed that the member wasn't in his seat when the vote was taken on that tax bill. He, perhaps, will vote here on this bill. It will be interesting, on Bill 15, to see which direction

...
MR. SPEAKER: Order please. May I suggest to the honourable member it's highly improper to cast reflections on the way any member in the Chamber votes. The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, on a point of order, there were no reflections on the way the honourable member voted. It was simply a comment to the effect that he did not vote. I don't know how that can be a violation of the rules.

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

MR. AXWORTHY: Mr. Speaker, my point of order is that somehow the Minister is making the allegation that I wasn't here because I didn't want to vote on the bill. He has never bothered to find out whether I had other duties elsewhere that may have been equally as important. —(Interjection)— Well, whether it is or not, but I think that it is a point of order for him to be suggesting that I was avoiding the vote. I told him in my remarks exactly how I was going to vote, and if I had been here I would have voted that way and he has to read my remarks. I suggest to him that he didn't bother sticking around for my remarks either. So I don't know why he was so concerned that I wasn't here for his.

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

MR. GREEN: Mr. Speaker, just on your observation, I don't wish to let it stand without at least some understanding of it. The Member for Morris said no reflections were cast. I don't feel satisfied with that. I intend — and I hope it will be parliamentary for me to do so — to say from time to time as to how honourable members have voted on certain questions and to indicate that they voted "yes" or they voted "no" and that they were wrong. And I hope that that will now not become an unparliamentary act.

MR. SPEAKER: I was just cautioning the honourable gentlemen and I will now recognize the Minister of Finance to carry on.

MR. CRAIK: Well, Mr. Speaker, I want to deal with the point that the Member for Fort Rouge was trying to create through his comments about the support or lack thereof for the local level of government. And I want to indicate to him that although it may not have been in his estimation, enough, if he looks at the Education Department Estimates he will find that the financial support to public schools under Appropriation 3. of the Department of Education rose from \$187.8 million to \$206.4 million — an increase of \$19 million to the public school system. If he breaks it down further he will find that \$18 million of that is for school grants to the public school system — \$18 million. That it represents, Mr. Speaker, a 10 percent increase to schools, to the public school system, in a year when we had an overall increase in budget of the 3 to 4 percent range to the public school system.

So, Mr. Speaker, let's be, you know, just a little bit straightforward about passing comment on what has happened. As a matter of fact, the school system, for which the province, I think justifiably, feels somewhat more responsibility for in terms of financing than it does the municipal level, because I think there is a more solid argument for property taxes on property for the servicing of that property, whether it is sewer or water or police or fire and the normal responsibilities of the municipality, than there is in the field of education, where property is taxed with a property tax for education purposes under the Department of Education, which delegated the responsibility in the first place to the school divisions. So much for that. The grants to the school divisions increased very substantially at a rate two to three times — probably three times — it would be about three times the rate of the increase of general government expenditure, was the increase in the rate of support this year to the school divisions.

If you look under the Department of Finance, where the tax credits are contained, you will find there that the increase in tax credits has been indicated there on Page 32 under Item 6. Tax credit payments rose from \$121 million to \$133.5 million — an increase of \$12-½ million in that item, in the Tax Credits. And those are not entirely to the property tax. Part of that . . . Well, it is indicated where the amounts are, there, right in it. But most of that is to the property tax credit. Mr. Speaker, again doing a very quick calculation, you can see there that again the increase is 10 percent, plus, in the tax credits.

So, Mr. Speaker, it is not even close to the mark or even close to a fair comment, coming from the . . . But it is not an unusual comment, mind you, coming from the Member for Fort Rouge, that somehow the Provincial Government has been taking out its restraint program against local government financing. It is quite the opposite. Those two items are the two biggest items of support for local government right there, and they are up by a factor of three times as high as the general increase in spending by the government, through its direct departments and direct responsibilities to the people of Manitoba. So that's enough of you know that kind of distortion taking place. The

fact of the matter is that we . . . —(Interjection)— Well, Mr. Speaker, I would be glad to. As soon as I am finished, I want to . . . Yes, okay, go ahead.

Well, Mr. Speaker, the member wants to deal with the City of Winnipeg grants. The City of Winnipeg grants, in part at least, are tied to the growth taxes partially as the result of the legislation that took place in the last two or three years. That's affected, in turn, partially by the corporation tax, which is always 12 months out of phase, that part was affected this year negatively. It went down. But it is already tied — You know you can't have your cake and eat it, too — in that particular one. The next one, if the corporation tax goes up, they get more next year, Mr. Speaker. —(Interjection)— Well, that's part of the game. The mining tax fell apart this year. The province might have expected \$30 million in mining revenue and instead got \$10 million or less. There was a \$20 million drop in mining revenue. Nobody is, you know, suggesting that anybody should be feeling sorry for the province because that happened. The revenues from the Department of Revenue in Ottawa dropped, as the member ought to know, late last September or the first of October. The province was told that there was going to be a drop in income tax revenues to the province of \$50 million, Mr. Speaker. I don't hear him feeling sorry for the province the fact that we are going to get \$50 million less in income tax payments. But all of these have to be adjusted to. But don't let him sit there and keep harping away, and let him feel satisfied that he is making a good point — worst of all — about the lack of support for local government when in fact the present government has supported the local government level through tax credits and grants to education at a level that created a hardship for the province to carry on its own programs. And if there is a problem, Mr. Speaker, it's the fact that the province is caught in this position of dissipating its efforts in direct government services to the people of Manitoba at the cost of keeping up this level of support for the local governments.

So that's enough of that kind of nonsense, Mr. Speaker. And I know there are other members, not necessarily on this side, who will agree with the argument.

So, Mr. Speaker, those were the two major points I wanted to deal with. There was another major point I wanted to make and that is that the sort of firm belief that seems to exist across the way that property is the reflection of ability to pay — the value of property — and therefore property tax is a fair target for taxation. I'd say on average, if one took broad averages, you could probably make that argument. But again I am going to repeat that that is not an argument for senior citizens. It's much less an argument for senior citizens; it's not a legitimate argument that property in the case of senior citizens and pensioners, generally, is a reflection of ability to pay. That, Mr. Speaker, to come back to the nub of it, is the reason why the government moved on this particular piece of legislation at this time. And, as I indicated at second reading, we are doing a review to determine what anomalies exist because we know lots of anomalies exist in the tax credit scheme, to try and determine what is our best course of action to do two things: (1) Relief to property taxes, (2) To tailor and develop if it's possible, other than through the income tax mechanism, a mechanism where people, through lack of income, through the tax credit scheme, through the Cost-of-Living Tax Credit scheme, that that sort of problem — cost-of-living — is dealt with properly and that the property tax credit is not used to cover off the other. In other words, do what the schemes say they are supposed to do. Property tax credits to cover property taxes and cost-of-living tax credits to cover those problem areas where lack of income is the problem because, again, property is not necessarily a true reflection, in enough cases, of ability to pay and that is particularly so in the case of senior citizens and pensioners.

Mr. Speaker, I think the Member for St. Johns wanted to direct a question. He has got a half a minute.

MR. CHERNIACK: Thank you, Mr. Speaker. I thank the Honourable Minister. I wanted him to clarify how it is that he calculates the tax credits have gone up this year, other than in the fact that real property taxes may have gone up.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Well, Mr. Speaker, I presume the member is referring to the figures I am quoting from the Estimates Book. —(Interjection)— Well, the property tax credits go up for any number of reasons. The \$2 million, for instance, from the senior citizen's program is contained in there. The federal formula is contained in there. That puts it up, Mr. Speaker. All of these cause it to go up. The point of it all is that the tax credits are up, the property tax credits are up by \$12.5 million. Those go to the property tax payer.

Mr. Speaker, that's all I have to say. If you wish to call a vote, I am prepared to go ahead with it.

QUESTION put, MOTION carried.

WITHDRAWAL OF STATEMENT

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE: Mr. Speaker, in reviewing Hansard today it was drawn to my attention that I made certain allegations against the Honourable Member for Lac du Bonnet. I withdraw the allegations and apologize to the Honourable Member for Lac du Bonnet for having said, "Saul, Sam made a fortune as a Minister." I withdraw it.

PRIVATE MEMBERS' HOUR

RESOLUTION NO 5 - CAPITAL PUNISHMENT

MR. SPEAKER: Order please. Order please. We're now in Private Members' Hour dealing with resolutions. The first resolution on the Order Paper is Resolution No. 5 dealing with Capital Punishment. The Honourable Member for St. Matthews.

MR. LEN DOMINO: Mr. Speaker, it's moved by myself, seconded by the Honourable Minister of Highways, that I'd like to present the following motion:

Whereas many Manitobans have expressed concern and alarm at the ever increasing number of murders in Manitoba and Canada today;

And whereas many Manitobans have expressed dismay over the abolition of capital punishment;

Therefore be it resolved that this House recommend to the Government of Canada that Section 218(1) of the Criminal Code be amended to provide for the death penalty upon conviction for first degree murder.

MOTION presented.

MR. SPEAKER: The Honourable Member for St. Matthews.

MR. DOMINO: Mr. Speaker, I'm fully aware that discussion of death penalty can become a very emotional issue.

I recall first debating this issue during a Youth Model Parliament in my home town of Transcona. Although it was quite awhile ago and I was only a high school student at the time, I recall vividly how the question very quickly became a matter of personal belief and not a matter of verifiable facts. At that time in the mid-1960s, I was a high school student and so were my fellow Model Parliament. We were young and we were inexperienced and I think we lacked the patience and the tolerance which hopefully comes with increased maturity and with increased age. We allowed our debates at that time to sink to a level of name-calling. We spent most of our time during that debate involved with challenging the motives of our fellow members of the parliament. I believe that children can be excused for this kind of behaviour. I hope though that during the next hour — and if we should be so lucky as to find even more time during this Session to discuss this issue — I hope that this Assembly can demonstrate a higher degree of maturity and more tolerance when discussing this issue.

Mr. Speaker, I do not expect unanimous agreement on this resolution. Not all members will accept my beliefs, and I accept this. Mr. Speaker, I accept that a member need not be deceitful or dishonest or corrupt or even hard-hearted or cruel in order to disagree with my beliefs.

Mr. Speaker, I accept the possibility of honest disagreement. Mr. Speaker, I also accept that most abolitionists are sincere in their motives. But there are some things, Mr. Speaker, involved in the debate on Capital Punishment and the death penalty that I cannot accept.

Mr. Speaker, I cannot accept that Capital Punishment is not a deterrent. I cannot accept the death penalty as a return to barbarianism. Mr. Speaker, I cannot accept that vengeful motives destroy the value of the death penalty. And above all else, Mr. Speaker, I cannot accept the death penalty as morally wrong.

As a high school student I quickly came to the conclusion that there was no incontrovertible evidence that proved or disproved the usefulness of Capital Punishment. But then, as now, I sincerely believe that the burden of proof must be borne by those people who presume to have located the point of zero marginal return before the death penalty.

Mr. Speaker, in July of 1976 Governor-General Jules Leger gave Royal Assent to the bill abolishing Capital Punishment. It's almost the second anniversary, now, of that bill. In that legislation first degree murder is generally defined as being a premeditated killing while second degree murder is murder committed on the spur of the moment.

Upon conviction of first degree murder, the Criminal Code calls for and allows for 25 years' imprisonment but it is possible to obtain parole in 15 years.

I've spoken to many politicians and some community leaders concerning this issue and many of them believe that the issue is settled. Mr. Speaker, I believe they are indulging in wishful thinking. The controversy has not died. The majority of Canadians have never asked that the death penalty be abolished and today the majority of Manitobans and the majority of Canadians do not accept as correct the abolition of Capital Punishment, especially in cases such as the recent murder of the Toronto shoe-shine boy.

People cry out of protest when they see cold-blooded murderers sentenced to prison terms. As in the case of the Toronto murder, murderers who coldly decided to drown a little boy in a sink in order that they would reduce the risk of their own discovery. Our present laws promise to those murderers that what they did to their victims will not be done to them. The majority of people in this province, the majority of Manitobans and the majority of Canadians, that promise strikes them as wrong, Mr. Speaker, and it's because the promise is wrong.

The majority of Manitobans and I believe that death should be the penalty for first degree murder. We also believe that the death penalty is useful in securing the lives of innocent citizens. And we believe that it is morally indefensible to let convicted murderers survive at the expense of the lives of innocent victims who might have been spared had we had the courage to execute convicted murderers.

Mr. Speaker, the question arises as to the evidence for the usefulness of the death penalty in securing the lives of citizens. As I've said earlier, as a high school student during the Sixties I researched the available material and I could find then, no statistical evidence for the effects sought. I could find no absolute proof for, as an example, marginal deterrent effects. In the material of research I could find no absolute proof for deterrent effects over and above those of other sanctions.

However, in the last few years we've seen some new and more sophisticated research conducted. I would refer members to the research of Professor Isaac Erlich. His research recently has led him to conclude that in the United States over the period, 1933 to 1969 — and I'll quote from a paper of his. I'm quoting: "An additional execution per year may have resulted on the average in seven or eight fewer murders." I would urge members of the House to look up this material and read it. You can find it in the American Economic Review of June, 1975. The paper is entitled, "The Deterrent Effects of Capital Punishment — A Question of Life and Death." The Professor has also completed several other more recent materials and research on the matter and they're available in the same Journal on later dates. I haven't got the exact dates for those.

Attempts have been made to refute Professor Erlich's research, but I believe that they have been unsuccessful and so do a large body of criminologists and people who are social scientists who work and research in the field. However, I accept that arguments are going to continue and I'm sure the matter will remain controversial for some time.

To this point, I would agree there is no incontrovertible evidence that proves or disproves the usefulness of Capital Punishment. However, in the face of uncertainty I believe it's wiser to assume the possibility of a deterrent rather than to reject it outright. If there is just a possibility that the death penalty will deter, then we should retain it.

I believe there's more than just a possibility. I believe that the evidence now suggests there is a probability that the death penalty does deter premeditated murders. Mr. Speaker, I believe the choice that we're faced with is to trade the certain shortening of the lives of convicted murderers for the survival of innocent victims, whose future murder by others may be less likely if we're willing to execute convicted murderers.

Mr. Speaker, in principle I'm sure we could conduct some experiments that would put this point to rest. I'm sure that if we wanted to, we could conduct experiments to test the deterrent effect of Capital Punishment. The most direct way would be to legislate the death penalty for premeditated murder on Monday, Wednesday and Tuesday, and to have life imprisonment as a punishment for premeditated murder on the other days of the week. The days could be changed around every two or three years to avoid any possible bias. Now I realize an experiment of this sort is not practical and I'm not advocating an experiment of this type.

However, if society was willing to allow an experiment of this sort, I'm certain we would find that there would be less premeditated murders on the life imprisonment days than on death penalty days. —(Interjection)—

Mr. Speaker, it has been pointed out to me that many acts of murderers are irrational acts of passion and there's certainly no way that an irrational act of passion can be deterred by the death penalty. —(Interjection)—

I would like first to mention and point out to this House that my resolution doesn't call for the death penalty for acts of passion. I would also like to point out that if most murders are irrational acts, it would seem to me that the traditional threat of death has been successful in deterring most

rational people, or at least most people when rational from committing murder. It's hardly a reason for abolishing the death penalty or else we would have to abolish penalties whenever they were successful in deterring from committing crimes. I am fully aware, Mr. Speaker, that some people cannot be deterred by any threats, but some people can be deterred, and most people respond to the size of the threat addressed to them. Since death is the ultimate penalty, it's the greatest threat that we have available to us as a society. It should be reserved only for the ultimate crime, even though we know that that particular threat will not always succeed in preventing murder. Some people believe that a return to the death penalty would be a return to barbarism, it would be an act of barbarianism on the part of the State.

I had a little girl who called up a radio station where I was appearing on an open line show last week to make this point. She said something to the effect that, well, laws which punish homicide themselves commit it. I would ask members of this Legislature, Mr. Speaker, to remember that the difference between crimes and lawful acts is not physical. The difference is legal. Crime differs from other acts because crime is unlawful. For example, the difference between driving a stolen car and between legally driving your own car, is not physically distinguishable at all; there's no difference. The difference is legal. The difference between kidnapping and lawful arrest need not be any physical difference. To accuse the State of barbarism is to deny that the execution of a convicted murderer differs from the act of murder.

Mr. Speaker, there are many who reject the death penalty for they believe that motives of the death penalty may include vengeance. Mr. Speaker, I believe that vengeance is a psychological satisfaction for injured parties, or for injured groups. I do not see vengeance in itself as being morally blameworthy. When regulated and controlled, vengeance can be socially useful. Legal vengeance solidifies social solidarity against law breakers and probably is the only alternative to the very destructive private revenge. At any rate, Mr. Speaker, I would suggest that vengeance is irrelevant to the function of the death penalty, for the death penalty must be justified independently by its purpose, whatever the motives. No rule should be discarded or regarded as morally wrong, or morally right for that matter, because of the motives of those who support it. Actions, rules, penalties, are justified not by the motives of the supporters, but by their purpose and by their effectiveness in achieving that purpose without excessively impairing other objectives.

MR. SPEAKER: The Honourable Member has five minutes.

MR. DOMINO: Mr. Speaker, I would suggest to the members of this House, Capital Punishment is warranted if it achieves its purpose of doing justice and deterring crime regardless of whether or not it is motivated by vengeful feelings. —(Interjection)— The Member for I am not sure where, but somewhere on the east side of Lake Winnipeg, I think is being rude and immature. When you want to speak on this matter I promise I am not going to make, what I consider, obscene gestures, and I am not going to be throwing insults. I am going to respond if I get the opportunity to respond in a rational intelligent manner.

MR. SPEAKER: The Honourable Member for St. George.

MR. URUSKI: Mr. Speaker, would the honourable member permit a question, since I believe he was referring to me, and my constituency is in the Interlake, not on the east side of Lake Winnipeg. Would he permit a question?

MR. DOMINO: I first of all apologize for not recognizing the proper constituency of the member opposite. I won't really submit to a question at this time because I have some more to say. If I can get it in the next three or four minutes, I will submit to a question.

Mr. Speaker, I was saying that capital punishment is warranted if its purpose, which is doing justice and deterring crime, is met. And I believe capital punishment is warranted.

Abolitionists argue that the execution of a murderer is morally wrong, for they believe that every individual has an absolute right to an uninterrupted life span. They claim that if the innocent victim had a right to live, so does the murderer. Mr. Speaker, that is taking egalitarianism too far for me, a way too far.

Crime sets the victim and the murderer apart. If the victim died the murderer doesn't have a right to live. If innocents are to be secure in their lives, murderers cannot be. The thought that murderers are to be given the same rights to live as their victims oppresses me. The thought that a Stalin or that a Hitler or that an Idi Amein should have the same right to live as their victims did is wrong. Never to execute a wrongdoer regardless of how depraved his act is to proclaim that no act can be so heinous and so vicious as to deserve death, that no human being can be so wicked to be deprived of his own life. Mr. Speaker, who can believe that? I certainly can't believe that.

Mr. Speaker, abolitionists argue that the execution of a murderer is morally wrong. They say that every individual has an absolute right to an uninterrupted life span. I believe the death penalty does not violate the sanctity of life. Mr. Speaker, I believe the death penalty reaffirms the sanctity of life.

The ancients tell us the life of each man should be sacred unto each other. But, Mr. Speaker, those same ancients unflinchingly executed murderers' because they realized that it is not enough to proclaim the sacredness and the inviolability of human life. It must be secured as well by threatening with the loss of their own lives those who would take other lives, those who violate what has been proclaimed as inviolable, the right of innocence to live.

To punish a murderer by incarcerating him, as one does a pickpocket, cannot but cheapen human life in my opinion, for the difference between the two crimes is defined by a difference of degree only.

Mr. Speaker, what we have done is we have erased the qualitative distinction that recognizes that a crime against human life is different than a crime against property. Manitobans today, and I think Canadians, do not consider the death penalty suitable for pickpockets, or for crimes against property, but society does believe and society demands the death penalty for premeditated murder. Murder differs in quality from other crimes and deserves, therefore, a punishment that differs in quality from other punishments. Murder is not a trifling offence, remember. The punishment for murder must be proportional to the gravity of the crime. All penal systems — proportionate punishment to crimes. The worst the crime, the harsher the penalty proclaimed. Why not then the highest penalty, death, for the worst crime, cold-blooded murder.

Mr. Speaker, I firmly believe that it is true that the life of each man should be sacred to each other man, but I also believe that the abolition of a death penalty does not affirm this precept; it denies it.

MR. SPEAKER: Order please. The honourable member's time is up, unless he has leave from the rest of the House to continue.

MR. DOMINO: Thank you, Mr. Speaker. I'll sum up by saying that the sanctity of human life can only be affirmed and enforced when the ultimate penalty is exacted for the ultimate crime. Thank you.

MR. SPEAKER: The Honourable Member for Inkster . . . The Honourable Member for St. Vital with a question.

MR. WALDING: Mr. Speaker, I would like to ask the honourable member a question for clarification of his remarks. Would the honourable member —(Interjection)— Mr. Speaker, I understood that a unanimous consent had been given when the House allowed the honourable member to continue.

My question to the Honourable Member for St. Matthews, Mr. Speaker, was would he consider abortion to be the premeditated taking of human life?

MR. SPEAKER: The Honourable Member for St. Matthews.

MR. DOMINO: Mr. Speaker, the whole question of abortion, as the Minister of Highways suggests, is another subject. It is a very delicate, complicated subject. I'm not sure. I think it depends on when you define a human life — how you define the conception process and at what point you define a fetus as being a human life. In most cases, I would think that abortion is not an act of premeditated murder.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, first of all, let me make some positions clear. The New Democratic Party Opposition regards this particular subject as one which is more properly debated in an area where the result is effective, namely at the federal level. Furthermore, Mr. Speaker, I am advised that there is no particular position of the Party with respect to this question and because it is regarded as a subject which is more properly debated on the federal level it is very unlikely that there will be extended debate on the part of many of the members on this side.

Having said that, Mr. Speaker, I do feel that it would be contrary to — and I would always have a guilty conscience if nothing was said on this question in view of the fact that I think part of the reason for the resolution, Mr. Speaker, is that honourable members opposite think that capital punishment is a good hot issue, that anybody who speaks against it is going to suffer discredit to himself and therefore if they can only smoke out those people who are against capital punishment,

that there would be some political discredit to them.

Mr. Speaker, I have never ducked a debate on capital punishment and as a matter of fact, Mr. Speaker, I think that when the screams are loudest that we should run around killing people on the supposed assumption that it will stop killing, that at least somebody should get up and put the alternative view and hopefully, Mr. Speaker, although some people suggest that a referendum on capital punishment would be largely supported and I don't say one way or the other on that question, for one reason or the other, despite the fact that a referendum on capital punishment might or might not be supported, what we do know is the public has tended to vote for people, at least over the past 10 years, who have not adopted the proposition that killing people will stop killing. Therefore the question of a referendum becomes quite irrelevant, Mr. Speaker. It may be that in my friend's constituency, the Leader of the Conservative Party, Joe Clark, that a vote on capital punishment might pass 80 percent, but a Liberal running against Joe Clark who believes in capital punishment will no doubt lose to Joe Clark, who doesn't believe in capital punishment.

This really bespeaks the inadequacy and, Mr. Speaker, may I say the truly Conservative inadequacy of trying to rule by referendum or by what one perceives to be popular opinion. If my honourable friend wants an authority for that, I give him Burke, who was not a socialist, who was not a liberal, but was a hard and fast Conservative, and would reject out of hand the notion that there should be government by what one perceives to be the popular view, or by some type of computer sampling of the popular view.

Now, Mr. Speaker, let me put myself clearly on the record. If I believed that killing would stop killing, I would believe in capital punishment. If I thought that killing a murderer would stop one other murder, I would vote for capital punishment, Mr. Speaker. But, Mr. Speaker, somebody two thousand years ago said that killing begets killing and love begets love, and that a society that bases itself on the notion that you can stop killing by killing, merely indicates that man in its most highest level of organization, if it is prepared to kill, does something to the attitudes of every person living in that society with respect to killing. Therefore, Mr. Speaker, when my honourable friend says that capital punishment shouldn't apply to pickpockets, well, Mr. Speaker, if you could stop all things by killing out the bad people, why would you not apply it to crimes that on a judgment value may be worse than murder.

Now, I ask my honourable friend to consider the following, that a man who for one reason or another is destitute, his family is starving — and let he who is without sin cast the first stone — believes that he is desperate, has got on pot because of a system in our society whereby the manufacture and sale and distribution of pot may be carried on at the highest levels and amongst the highest pillars of society, who cannot get a job, who cannot feed his family, in desperation, Mr. Speaker, takes a gun, goes to rob somebody and in the course of that robbery, kills somebody. That man, you will put to death, because that is premeditated murder.

A man who has everything in the world goes to a party, drinks himself sick, gets into a car, drives home and kills five people innocently on the highway — you would say, let him live, because that's the difference in the two crimes.

Now, Mr. Speaker, I think that my honourable friend will have to consider whether murder is the worst crime. I think that murder is a horrendous crime but I would have to examine the circumstances, Mr. Speaker, to see whether the individual himself, in a different case, is in a different position. Now, Mr. Speaker, I don't believe in coddling criminals, but my main position with regard to a person who has taken the life of another as to what should be done to him, is not vengeance, although my honourable friend, I will agree, it cannot be entirely discounted because there is a vindictiveness and it might be righteous indication, but nevertheless there is a vindictiveness that has to be satisfied and we all have it, whether we believe it or not. But I believe that the main reason for incarcerating a prisoner and not letting him loose is the protection of society, for a practical reason. Therefore, Mr. Speaker, I would say that with regard to murder, that the way of dealing with the question would be to incarcerate the person and not let him loose. If my honourable friend says, well, that is not now the law, he can't dodge the fact that that is a sufficient answer to his resolution.

Now, Mr. Speaker, I can't make the greatest speech on the question of capital punishment. The greatest speech that was ever made on capital punishment was made by a lawyer by the name of Clarence Darrow. It had to do with a trial that is very interestingly very much like the one that my learned friend tried to stir up hatred with, that is the trial of the youngster in Toronto. Mr. Darrow defended two youngsters by the name of Leopold and Lade. They killed a young person, a cousin of one of them or a distance cousin of one of them, they killed him for kicks, Mr. Speaker, they killed him for laughs. Dickie Lade was subsequently murdered by a fellow prisoner in prison. Nathan Leopold went to jail, stayed there from 1926 to maybe 1966 — it would be pretty close to 40 years — did some excellent work as a human being within that institution, was subsequently released, Mr. Speaker, and was an ordinary citizen of society.

The fact is, Mr. Speaker, that Mr. Darrow was successful in convincing the Court, at that time, because he spoke to a single judge, that capital punishment has never proved to be an effective way of dealing with murder. And my honourable friend says that there are beliefs on either side, and I agree with that and I don't think that this resolution is ever going to be decided one way or the other by any single group of living human beings, that it will always be bounced back and forth. But Mr. Darrow was able to demonstrate that people who are involved in things where killing another human being are a feature of their actions find it easier to kill other human beings. And he showed, Mr. Speaker, that after every war there was an increase in murderers because young people, in legitimate defense of their nation, got used to the fact of seeing another person die; and by getting used to it it made it easier for them to do it when they came back home. And if you will look at the statistics, Mr. Speaker, after every war, and the return of people who had been engaged in war, you will find an increase in the incidence of murder, because it is quite natural for a human being to detest the sight of another human being being killed, and find it very difficult to indulge in the same act. But when it happens, once, twice or the third time, it becomes an acceptable thing, and if any of you have ever walked into a slaughterhouse you will see it happen to yourself, Mr. Speaker. You will see it happen to yourself.

The first time I walked into a slaughterhouse there was a man standing on the platform. They led a cow in, the cow walked in, he took a big sledgehammer, hit the cow over the head, knocked it dead, dragged it out and then slit the cow's throat. And the first time I saw it, Mr. Speaker, I almost brought up — I couldn't look. The next time I saw it I winced. After three or four cows passed through the operation I was watching it without any difficulty at all, and the man who was doing it was doing it as if he was swatting flies. Nay, not even swatting flies, because that is also killing, he was doing it as if he was counting dollar bills, and the reason is, Mr. Speaker, that it became a thing which was completely acceptable in his mind.

And what Mr. Darrow said, and I'm going to, for my honourable friend, give him a copy of Clarence Darrow's speech in that connection, so that he will have an opportunity of reading it, he no doubt is willing to expose himself to the view of others, he may not be entirely correct. And he will see, Mr. Speaker, that what Darrow said is that the chances are that the state, involving itself in taking the life of a human being, merely makes the life of a human being something which someone may make the decision is acceptable to take, whereas, the state says that it will not take the life of a human being, the attitude of the state is more likely to permeate society, and that people will get the idea that this is not done, and that you will have less murders.

Now, Mr. Speaker, my honourable friend talks about murderers as if they are the worst creatures, it is the most capital crime. The fact is, Mr. Speaker, the ironic fact is that in most cases —(Interjection)— No, Mr. Speaker, in most cases a murderer is a first offender, that most murders — the greater number of them — are a husband killing a wife, or a wife killing a husband, and a wife killing all of his children. Mr. Speaker, those are premeditated murders. —(Interjection)— No, they are not crimes of passion, I am talking about premeditated murders.

Most murders fall into a category of a man suddenly not being himself for one reason or another and resulting in a killing. Now there are other killings, there are killings of people engaged in armed robbery — one of the cases which I have just described — there are killers of policemen — and you know that all of these are terrible things. I don't know why the one with policemen is always raised as if that is the most horrendous murder. I think that it is also a horrendous murder for a father to kill his children which happened out in Saskatchewan some years ago where he went through the house and killed a whole slew of them. And, Mr. Speaker, I say to you, that if I believe, if I could be convinced by the Member for St. Matthews, that killing any of these people would stop one killing I would be in favour of capital punishment. But not only do I not believe that they will stop them, I think it will just make killing more acceptable.

The honourable member said that he wouldn't have capital punishment for pickpockets. If we could stop all of these crimes — after all, let us assume that we could stop all pickpockets by executing one pickpocket, if you calculate it, if you stop pickpocketing forever by executing a pickpocket, on the basis of a reasonable calculation it might be a good thing to do. And, Mr. Speaker, they tried it. It used to be the case that in England there were over — and I'm now giving you a figure which I am trying to recall correctly and I'm going to be a little bit low just so I won't be way out — there were over a hundred crimes that were punishable by capital punishment, including pickpockets. Do you know what happened? They had the hangings in public — that's a better deterrent — at the hanging people had their pocket's picked all over the place. That's what happened during the hanging and this is a recorded historical fact. —(Interjection)—

MR. ENNS: The moral of the story is leave your money at home when you go to watch a hanging.

MR. GREEN: Well, Mr. Speaker, I knew that the Member for St. Matthews was bringing this debate

forward for its comic effect, and it does have some comic effect in the light that what is being attempted here is to expose those people who believe in murderers.

Well, Mr. Speaker, you know, I think that all through history one can look at people who wanted to try to achieve the objective of gaining public opprobrium over somebody who happened to want to stand for the courage of his convictions. There is another factor that my honourable friend doesn't take into account, it is a practical factor. He may understand practical factors.

Twelve jurymen trying a case — and this was known to be the case — do you know that they used to try people in Manitoba for criminal negligence rather than motor manslaughter. Do you know that they used to charge them with manslaughter rather than murder. Do you know why? Because if they charged them with murder twelve people knew that that man was going to be hanged, and despite my learned friend's feeling about hanging people, and the pleasure — that's unfair — although the words that he was using. . . Yes, I'll withdraw. The readiness with which he is to scream "death" to the murderers, that is not something that you can get twelve people in one room to readily accept in many cases, and therefore the twelve people were acquitting, or reducing charges, on the basis of the fact that they didn't want to kill somebody. And that was a practical problem. There were numerous charges of criminal negligence instead of motor manslaughter because they couldn't get a conviction for motor manslaughter. And why couldn't they get a conviction for motor manslaughter? Because of the twelve jurors there were a couple of them who drive cars — five or six of them — and as they are listening to the evidence they said, "My God, three weeks ago I drove home when maybe I shouln't have and it could have happened to me." And that's why they couldn't get the conviction.

So I tell my honourable friend, and I tell this House for what it's worth, that I have no fear whatsoever of standing up and saying that I am not convinced that killing will stop killing, and, Mr. Speaker, the honourable member says that the onus is on me. The onus is on those who want to not kill to prove that they are right. That's the way the worm has turned. It seems to me that the onus should be on those who are going to take a life to prove that there is value in doing it, but the onus has now come around that if you want to save, not this murderer, but save the conception of the sanctity of human life, not the freeing of murderers or that murderers should go unpunished because nobody is suggesting that.

The honourable member chooses to make the debate solely on the death penalty, and I say that all he has to be answered with is that you can remove parole if you want to — and I'm not going to take that particular position — but to answer my learned friend —(Interjection)—

MR. CHAIRMAN: Order please. The honourable member's time is up unless he has leave to complete his remarks.

MR. GREEN: I'll just be a few minutes, Mr. Speaker.

I'll say to my honourable friend that the onus should be on those who are suggesting that by the taking away of a life they are going to save lives, and when they are able to demonstrate that, which my honourable friend agrees that he researched and it could not be demonstrated, the person who is putting the proposition says that it cannot be demonstrated, the thing is he is asking us to do a pretty horrendous thing. He's asking us to agree to kill somebody, although he can't prove that it is going to do any good. If he could prove that it is going to do good, Mr. Speaker, then I tell him I will be happy to associate myself with him in taking lives. I will go further, Mr. Speaker, why simple electrocution? Why simple electrocution, or why hanging — those are fast, I mean, the guy who kills somebody he hardly feels it for a second. Why not tie him to four stakes, lay him in the sand on a beach and let the ants eat him to death? That would be capital punishment worth something; that would deter people. Mr. Speaker, it wouldn't deter one murder.

MR. ENNS: The most democratic way is a lynch mob, only one person objects to it.

MR. GREEN: Mr. Speaker, that is correct, the fact is that the Member for Lakeside — I believe that I can say so — that sometimes the e is a lynch mentality, that perhaps the Member for St. Matthews feels in the air that the public is demanding death, and now is the time to move such a resolution, because they will reek vengeance on those who do not say, "Aye". Mr. Speaker, I say, "Nay" and I have no difficulty with it at all.

MR. SPEAKER: The Honourable Member for Pembina.

MR. DON ORCHARD: Mr. Speaker, I wonder if the Honourable Member for Inkster would yield to a question.

When you mentioned that the incidence of murder went up after veterans or members of the armed forces returned from a war, that because during the war they had gotten used to killing,

so that it became — and I don't want to put words in your mouth — a more common event, therefore, it was committed with less compulsion, there was no aversion to it, would you not agree that that same situation applies to repeat murderers, who, if the death penalty were imposed, would not be around to repeat the crime because it became very easy to do from repetition?

MR. GREEN: Mr. Speaker, the honourable member who presented this resolution chose to rely strictly on the death penalty, therefore my honourable friend's argument is not relevant. I never talked about letting out murderers, and if we could be satisfied that a murderer is incarcerated in whatever security provisions you want, that he cannot get out that's all we have to answer in this debate. If we are going to have another debate on the question of penal servitude and the effectiveness of it in one way or another, I am prepared to get into that too. I'm not going to run away from it. But the honourable member is talking about releasing murderers, that's not part of the debate.

We are arguing against the resolution, not that people get out after 25 years, or anything of that nature. We are arguing against a resolution that every premeditated murderer be put to death — that is what we are arguing about.

4MR. SPEAKER: The Honourable Member for Pembina.

MR. ORCHARD: If I may just ask one more question of the Member for Inkster then. You said that if you could prove that one murder would be prevented by institution of the death penalty you would vote for it; how can — like, it doesn't matter whether the man is in . . .

MR. SPEAKER: Order please. Order please. May I suggest to the honourable member that he is debating, and if he wants to continue in the debate, that is quite all right.

Are you ready for the question?

The Honourable Government House Leader.

MR. JORGENSEN: Well, Mr. Speaker, the arguments posed by the Member for Inkster are intriguing arguments indeed. Now, I've gone through this debate before; I was in the House of Commons in 1966 when this measure was first introduced in the House and I see very little difference in the kind of debate that went on at that time and the debate that is going on here today. If there is one thing about this question of capital punishment that I have found, it's that you don't convince anybody; you either believe that there should be a death penalty for certain crimes, or you are opposed to it in principle, you don't believe in the taking of lives.

The argument that is most commonly used is that the death penalty is not a deterrent, and during the debate in 1966 both the people who argued for and those who argued against the death penalty used the same textbook, and at that time there wasn't much of a textbook on this subject. There was a book that was circulated by the proponents of the abolition of capital punishment and the most articulate of those was Arthur Maloney, a famous criminal lawyer in Ontario and now the Ontario Ombudsman. The book purported to show statistics about murder and how crimes were committed and how the death penalty would affect the commission of those crimes. The interesting thing was that, as I say, both sides used the same textbook to prove opposite arguments, so one cannot help but wonder about the futility of statistics in attempting to arrive at a definitive conclusion as to whether or not capital punishment is a deterrent.

The only real evidence, the only sound evidence that I have seen as to the death penalty being a deterrent came from a mobster in New York, who was arrested by the police, and in their efforts to extract information from him, he refused on the grounds that if he gave that information, he would be killed by the members of the mob. Now, this fellow believed that the death penalty was effective, and that is the only sound evidence that I have seen as to the effectiveness of the death penalty, and it came from a criminal himself.

The Member for Inkster suggests that this is a popular subject and that the Member for St. Matthews is introducing it because he knows that across the country today there is a large number of people in this country who are demanding some law enforcement, and that people are insisting that the laws of this country be enforced. I find it very difficult to understand how we can expect the laws to be enforced, when at the same time, the people who are given the responsibility, or entrusted with the responsibility of enforcing the law, are having so many obstacles placed before them in the enforcement of that law.

If we want some real evidence though, as to whether or not the death penalty is an effective deterrent, the Member for St. Matthews suggested that perhaps we could have the death penalty on alternate days, but I suggest perhaps even a more effective way of determining that. Let's provide the death penalty for everybody that supports the abolition of the death penalty, and then let's see how many people will stand up and support it. I wonder then, if the Member for Inkster would —

and I believe he is one of those people that probably would — still stand up and defend the abolition of the death penalty.

But what the Member for Inkster has failed to do, is to take into consideration — he's narrowed down the argument of the Member for St. Matthews into one simple proposition, and I don't think that the proposition is as simple as the Member for Inkster would like us to believe it is. The Resolution recommends that the Government of Canada amend the Criminal Code to provide for the death penalty upon conviction of first degree murder, and he raises the case of those murders that are committed in the heat of passion. Those are not first degree murders and it was early in the years of the government of the Right Honourable Mr. Diefenbaker that there was a distinction made. It was the Honourable David Fulton, the then Minister of Justice, that did change the Criminal Code to provide for first and second degree murder, and it was only at that time that first degree murder carried with it the death penalty.

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

MR. GREEN: Yes, Mr. Speaker, I want to indicate to my honourable friend that I never raised the passion murder. I'm talking about a husband's premeditated murder of his wife, or premeditated murder of his children.

MR. JORGENSEN: That argument is frequently raised, whether my honourable friend raised it or not, I thought he did. He was talking about crimes that were committed in the heat of passion, and there is a provision in the Criminal Code that takes into consideration crimes that are committed in that fashion, and there is protection for the person who is accused and that protection comes in several forms.

First of all, there are appeals to the higher courts. If the person is convicted of second degree murder, that particular type of murder does not carry with it the death penalty, and even if he was convicted, there is still always the appeal to the highest court, and that's the CABINET ITSELF. In the past number of years, before the death penalty had been abolished, that was a pretty effective appeal, because the death penalty was, to all intents and purposes, removed in 1963 or so.

So we have found, in the ministrion of justice in Canada, there are ample safeguards to insure that an innocent life is not taken. That, in 1966, seemed to be the burden of the argument that was presented to the House at that time, the fear of a person wo who was innocent being convicted and hung. There is no danger of that happening today under the types and amount of appeal that is available to anyone that is convicted.

But the Member for Inkster, in us ng the argument that the death penalty is not a deterrent, I think fails to take into consideration one other factor and that's the one that was mentioned by him in his earlier remarks, and that is the attitude of the people of this country themselves. And I say to my honourable friend, and this is the danger that we face in this country right now, that if the law enfocement agencies of this country are not capable of insuring that law and order can be maintained, and that people can feel safe in walking the streets, then we will have anarchy, because the people will then take the law into their own hands. It has happened before, and it is indeed happening again in some of the cities of the United States. And if we are reduced to a state of anarchy, then there is no freedom for anyone.

So, in this whole question of whether or not the death penalty will be imposed upon those who commit first degree murder, one must take into consideration whether or not freedom will be maintained in this country, and I don't want to see us reach the stage where, because of our — and I hate to use the word "misguided" because I respect the view that is expressed by the Member for Inkster and others who believe in the proposition that he's put forth, but in taking that view, think they would want to take into consideration the effects upon society, and the ability of our law enforcement agencies to maintain law and order if the sanctity of life is not going to be preserved.

MR. SPEAKER: The hour being 5:30, the member will have eight minutes. The Honourable Member for Kildonan.

MR. FOX: I want to make a change on the Economic Development Committee, the Member for Brandon East to replace the Member for Inkster.

MR. SPEAKER: Is that agreed? (Agreed) The hour being 5:30, the House is adjourned and stands adjourned until 2:30 Thursday afternoon.