



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

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 1 August, 1983.

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: 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 Government Services.

HON. J. PLOHMAN: Mr. Speaker, I would like to report on the status of the aerial spraying program to combat a potential outbreak of Western Equine Encephalitis.

During the weekend, aerial spraying was conducted over Brandon, Dauphin, Virden and Swan River.

This brings to 20 the number of "high-risk" communities throughout Manitoba which have received the aerial application.

Monitoring of the mosquito kill in sprayed areas has proven the aerial application to be very effective and, as was mentioned earlier this week, monitoring of viral activity in mosquitoes and birds is continuing and expanding throughout Western Manitoba and the Red River Valley area.

I would also like to report that the central task team has asked that the DC-6 aircraft used to conduct the aerial spraying be kept in Manitoba on a stand-by basis for up to a week until viral activity monitoring results have been received and evaluated.

Again, let me restate that despite reports that a horse case of Western Equine Encephalitis has been positively identified, there has not been a single confirmed case of a human or a horse having the disease.

The Emergency Information Centre has handled over 8,000 telephone calls since becoming operational July 20th. As the communities designated as high risk have all been sprayed, I am announcing that the Emergency Information Centre will operate on reduced hours throughout the remainder of the health emergency. The hours will be 8:30 a.m. to 4:30 p.m. Anyone with questions or concerns about Western Equine Encephalitis or the aerial spraying program is invited to contact the Information Centre.

As an aside, I can inform the members that the City of Winnipeg has completed its larviciding program within a five to ten mile radius around the city and will start larviciding in the 10 to 15 mile zone next week.

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

MR. G. MERCIER: Mr. Speaker, we thank the Minister for his further statement with respect to the Aerial Spraying Program and wish to indicate support for the position of retaining the aircraft on stand-by for one further week in order that, if further problems arise,

the aircraft will be available for further spraying. There seems to be reports indicating a growth again in the number of mosquitoes and perhaps it may very well be necessary to use the aircraft again and we think it is a worthwhile position for the government to keep the aircraft on stand-by.

MR. SPEAKER: Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Western Equine Encephalitis

MR. SPEAKER: The Honourable Member for Brandon West.

MR. H. CARROLL: Mr. Speaker, I have a question for the Minister of Government Services.

In the report that he just presented to the House, he indicates that a horse case of Western Equine Encephalitis has been positively identified and then goes on to say that there hasn't been a single confirmed case of human or horse having the disease. Would he care to clarify that for me?

MR. SPEAKER: The Honourable Minister of Government Services.

HON. J. PLOHMAN: Yes, Mr. Speaker, I'd be happy to. The case was identified clinically, but it has not been confirmed by the lab, so therefore it is not confirmed. It is still in a suspected list case, although it might be very probable.

MR. SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: To the Minister of Government Services, Mr. Speaker. Unlike Baygon, has there been any adverse reaction with this new agent, malathion, reported at all?

MR. SPEAKER: The Honourable Minister of Government Services.

HON. J. PLOHMAN: I think that question is best answered by the Minister of the Environment, however, I can inform the House that the ill effects have been minimal. There have been virtually no reported problems from human cases or problems with humans with regard to the spraying, but the Minister of the Environment might want to elaborate more on the monitoring program that has gone on as to the effect that it has had on people and other animals and insects.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. A. MACKLING: Mr. Speaker, just before calling the bills, I might indicate to the House that there will

be a sitting at 2 o'clock this afternoon, likely one at 8 o'clock, although I'll confirm that this afternoon, and I'm giving notice now that all the bills that are called from this afternoon onwards will not be allowed to stand in the name of any speaker. We want to see debate pursued in the House, Mr. Speaker.

This morning we will start with Bill No. 95.

ADJOURNED DEBATE ON SECOND READING

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 95, the Honourable Member for Tuxedo. (Stand)

HON. A. MACKLING: Bill 107, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Community Services, Bill 107, the Honourable Member for Fort Garry. (Stand)

HON. A. MACKLING: Mr. Speaker, I will leave one then. Bill 55, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 55, the Honourable Member for Lakeside. (Stand)

HON. A. MACKLING: Bill 62, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill 62, the Honourable Member for Sturgeon Creek. (Stand)

HON. A. MACKLING: Bill 77, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Education, Bill 77, the Honourable Member for Fort Garry. (Stand)

HON. A. MACKLING: Bill 30, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Agriculture and the amendment thereto proposed by the Honourable Member for Kirkfield Park, are you ready for the question?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Are you ready for the question?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. I am unsure what is before the House. Does the honourable member wish to proceed with Bill No. 3?

HON. A. MACKLING: 30 - three zero, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Finance, Bill 30, standing in the name of the Honourable Member for Tuxedo. (Stand)

HON. A. MACKLING: Bill 110, Mr. Speaker.

BILL 110 - THE CONSUMER PROTECTION ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Consumer and Corporate Affairs, Bill 110, standing in the name of the Honourable Member for Tuxedo.

MR. R. BANMAN: Mr. Speaker, I'm prepared to speak on this bill, as long as it stands in the name of the Member for Tuxedo. (Agreed)

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Mr. Speaker, if there's any bill in this Session that shows the total lack and incompetence of this government, here is one.

We have a clause in this particular bill which I'm sure none of the members opposite have had a serious look at. That clause that I refer to, Mr. Speaker, is the one dealing with the measure which will preclude any retailer, any person that makes a custom-made product in this province for some consumer, to charge more than 5 percent deposit with regard to that particular product. Mr. Speaker, that is absolutely ridiculous.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I believe the honourable member has already spoken on this bill. I will have to ask the Clerk to confirm that.

MR. R. BANMAN: Mr. Speaker, just another indication of how incompetent this House Leader is.

HON. A. MACKLING: I'm advised that it's a similar speech, Mr. Speaker, but apparently made on another bill.

MR. R. BANMAN: Mr. Speaker, the idiotic House Leader on the other side who thinks he's the smart man in this group just has to go out and take this bill to the small retailers in his constituency and find out what they say, so he can sit there and laugh as much as he can, but this bill is indicative of the fact that this government has lost total touch with the small business person in this province and with the consumers in this province. There is no way that somebody making a custom-built window for an individual can make that window and charge a 5 percent deposit and hope that particular consumer is going to receive that product. There just is no way, in doing business in this province, that this type of legislation can be allowed.

What we have seen with regard to members opposite, in their haste and their preoccupation with the bilingual resolution, which is now before us, they seem to have lost control of other types of legislation that they're bringing into this Chamber. I, several days ago, mentioned the fact that this particular section of the bill, which deals with this deposit requirement is one

which the government should remove immediately. Why not tell the people of Manitoba you've made a mistake on this one, withdraw it before it comes to committee and you're going to have to hear all the small retailers, the furniture dealers, the people who are involved in issuing specialized or custom equipment for consumers. These people can't deal with a 5 percent deposit; it's absolutely ludicrous. You take a person who's a small entrepreneur in my town, who's making drapes, making custom-made drapes for people; you're going to say to him or her now they should only take a 5 percent deposit? What business is it of the government, if those funds are going to be put in trust, what business is it of the government to tell the consumer and the retailer what kind of deposit is to be made? This is absolutely ridiculous. It's tinkering of the worst order that this government has done.

I want the Minister of Consumer and Corporate Affairs to tell the people of Manitoba that he is erred, that just because some bureaucrat or somebody who's never been involved in the retailing sector sits down and thinks it's a good idea, sits behind his desk with his \$35,000 or \$40,000 a year, and says, this is a nice thing to do, Mr. Speaker, they know not of what they speak.

The Minister of Economic Development should intervene in this case and have that removed, because after a 1.5 percent payroll tax, after a number of measures that this government has imposed, I've had many people call me in the small business sector, and say, hey, it's just not worth it. Why should I bother employing some people and working these long hours when this is the type of recognition this government gives to that. Mr. Speaker, there are a lot of people in this province that are ready to throw up their hands when they see this type of legislation come in.

Not only is it totally impractical, it also flies in the face of what every retailer and every consumer knows is something that should be worked out between the two parties that are making the deal, but to go ahead and tell the people of Manitoba that you are now not allowed to pay more than 5 percent of the cash price of your product as a deposit, Mr. Speaker, that's ludicrous.

I've indicated publicly that I will support the portion of the bill which says to people, to retailers, that that money should be put into a separate trust account. I've been talking to banks and other people - I did that about six months or a year ago - to see if there were any steps that could be taken to avoid the type of thing that we had at Ollman's Furniture, that we had at Terry Balkan where there was some difficulty. I think at the Terry Balkan receivership, I think General Motors, as well as some other people, honoured just about all the deposits that were made. There's no question that where somebody leaves a substantial deposit, there should be some protection involved with that. Mr. Speaker, I say that it's also not only good for the consumer; it's also good for the retailer.

There are many instances where a retailer requires a fairly substantial deposit to go ahead and order in a specialty type of item. If the consumer is in any way concerned about the viability of that company, that consumer will be reluctant to give a large deposit to that individual. So I think in that particular case, the retailer will benefit from this act, from that section of the act which requires deposits, because it will put the

consumer's mind at ease that should a receivership occur with regard to that company in the intervening time while he or she is waiting for her particular order, then, of course, they will be protected. So I think, to that extent, it allows the retailer to go ahead and get a deposit which is substantial enough to ensure that the goods will be picked up by the person that buys them; but, on the other hand, also allows him to allay any fears that the consumer might have of getting that money back should something happen to his or her company. So, Mr. Speaker, I have no argument with that side of the act; but to tell the people of Manitoba, in a bill, what they are allowed to put down as a deposit is the height of lunacy.

I guess, coming back to what I said before, it really indicates the total lack of understanding of members opposite of what business is really all about. I guess that's something we've come to know about this government. During the election, they went around and said they were going to help the small business person; they were going to help the small people; they were going to look after them, because those were the people that were the backbone of this province of ours. I agree, Mr. Speaker, that they are the backbone of this province, but they do not require this type of legislation.

The Minister of Highways has been involved in selling. Surely, he must know that when a farmer comes in to buy a particular specialized piece of equipment and the dealer has to bring it in from Regina or has to bring it in from somewhere else, 5 percent is not enough of a deterrent; very often the transportation costs are that. So a consumer is going to come in and want a specialized piece of equipment which the dealer doesn't stock and, Mr. Speaker, the reason dealers don't stock very much these days is that everybody is trying to run their operation as lean and as profitable as possible. Times are tough; you can't afford those high interest rates of the combine at \$110,000 sitting on your lot, so what's happening now is many dealers in the car business, in the manufacturing business, in the truck business, in all these retailing sectors are drawing on other dealers with regard to certain equipment.

Let's say somebody comes in and wants to buy a new piece of farm machinery, this particular dealer that doesn't have it, but he finds out somebody in Lethbridge has a piece like that. What does he do? He says to the farmer, I'll bring it in for you; I will transport it in. This is the price, but listen, there is only - let's say it's a special piece of equipment that he doesn't sell maybe one a year at - so he says, okay, I'll bring it in for you, but I want to be assured that you're going to take that.

The government is now saying you're only allowed to take a 5 percent deposit. Mr. Speaker, that dealer will not bring that piece of equipment in for 5 percent. Even though that farmer wants to buy it, he wants it, he's going to have to tell the farmer, go to Alberta and buy it, buy it from that dealer and then bring it in yourself, because I am not going to take the chance for 5 percent. This is the type of legislation this government is bringing in. At a time when the retail sector is already hard pressed; when the implement dealers are trying to survive; when the heavy truck industry is trying to survive, when many of the smaller stores in this province, the retailers, are trying to survive, they're bringing in legislation which will hurt the small person and hurt the consumer.

This is not going to tackle the big corporations; this is not going to hurt the multinationals that the members often talk about; this is going to hurt the small person. The multinationals and the large corporations and the banks, they'll look after themselves. They've got enough cash flow, they've got enough of a backing that they don't have to worry about this; but this particular piece of legislation which talks about limiting the deposits to 5 percent is going to work against every small retailer in this province.

I say to members opposite, before this bill gets to committee, do yourself the political favour, do the people of Manitoba the favour of withdrawing it, because at Law Amendments you're going to see submission after submission on this particular piece of legislation which will show the error of your ways. If at that time you are still foolish enough to pass this, all I can say, Mr. Speaker, is that from a political standpoint there is nothing better for the opposition than to have a government in power that is prepared to pass this type of legislation. Because for us, Mr. Speaker, this one issue alone will solidify and again show the people of Manitoba what kind of an anti-business, anti-small business, anti-private entrepreneur these particular members opposite are. As I've said before, if there's any bill that has really pointed out the fact that they don't read their legislation and that somebody is sitting in some ivory tower and just writing these things down because it looks good or sounds good, here's a classic example.

The Minister of Economic Development should be doing her job and speaking up for the business community of Manitoba and get her Minister of Consumer Affairs to withdraw that section, withdraw it quickly, so that the people of Manitoba can at least have some sanity with regard to this particular government. This is ludicrous, it's an absolute asinine suggestion to have that put in, and if the members opposite persist in moving this along, I just want to say to them not only are you going to hurt the retailers in this province, but you're actually going to do the opposition a favour, because it will indicate very clearly the type of anti-business bias that you have.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Thank you, Mr. Speaker. I would like to address just a few remarks to this bill, and more particularly to the comments made by the Member for La Verendrye, because I agree with much of the sentiments expressed by him and his specific concerns about one section of this bill, although I certainly don't agree with the way in which he has phrased those sentiments.

Mr. Speaker, I think it's worth pointing out that since the first comments were formulated by the public and by members of the opposition on this bill, the Minister has been concerned about the particular 5 percent deposit provision. I know that he is certainly willing to consider amendments to the bill at committee stage. Members on this side have been urging that consideration; there have been discussions of that. Certainly, as the Member for La Verendrye suggests, in specialty industries, in those industries where the

custom manufacturer or custom ordering of any kind of retail item is requested, a 5 percent deposit limit is an unreasonable requirement, and certainly members on this side are committed to having a look at that at committee stage with a view to amending it or removing it completely.

For the member to suggest though that such a requirement on some other straight retail purchases, which are purchases from stock or from standard lines, that would then be unreasonable in those situations, ignores the very citations he quoted of previous history of retail failure when he talked about a certain furniture plant, a certain car dealer, about travel agencies. Regardless of what particular retail business the Member for La Verendrye wants to talk about, there have been some serious concerns over the last several years. He was in government when some of those concerns raised their head, and I'm surprised that as a Minister in the previous government he was not party to bringing in some corrective legislation, but instead left that responsibility on the plate of the current Minister of Consumer and Corporate Affairs.

So for him now to loudly criticize this Minister for bringing in something which is totally inadequate and an affront to the whole retail sector of the province rings just a little hollow, Mr. Speaker. But certainly the one point of criticism he makes does have some validity to it, and I pledge to him, and I'm certain the Minister if he were available today would echo that pledge that will be looked at, at committee stage.

I only ask members opposite if they have these kinds of serious concerns, why they aren't raising them in the House and then immediately asking the Minister to get the bill into committee so the corrections can be made? That's the way the good legislative process works. Members raise their concerns. It's no use hammering it 23 times; the concern has been registered. I don't think it will convince the Minister any more to have me tell him that provision has to be changed, or to have five more members opposite. The Member for Emerson wants to get up and say exactly the same thing. Members on this side have taken to calling it Speech No. 3. Let's let the bill go to committee, let's change that provision and let's end up both helping the retailers of this province and protecting the consumers.

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker. I had no intention on speaking on this bill today, but I am absolutely forced to bring out a few comments, following what was just said by the Honourable Member for Springfield.

There were some comments brought to bear, I believe it was on Saturday when the House last sat, and the questions were asked of the Honourable Minister as to whether in fact he was going to eliminate this 5 percent deposit, particularly on specialty items. It was brought to the attention of the government and the government refused to answer. The Minister sat there with a blank look, and we know that he is reconsidering, particularly this one item of the 5 percent on specialty items. But he refused to give peace of mind to those people who were involved by advising those people

that there would be some changes made before it came to committee, or even after it came to committee, not giving them the peace of mind that is required and sitting and preparing presentations when in fact the Honourable Member for Springfield has just said that there will be some consideration and, I believe, that consideration to eliminate the 5 percent deposit on specialty items.

I have a letter here and I've received many many calls, probably more on this particular item than I have on almost anything else, but I would just like to read this letter which comes from a specialty manufacturer. I know that it's being considered, and I know that the government has a big heart because they are in favour of promoting small business, because I heard the Honourable First Minister make that comment that he is in complete support of small business.

I would just like to bring this letter to the attention of the honourable members. It comes from a very good friend of mine, by the way. This friend sent a letter to the Winnipeg Chamber of Commerce and this is a copy of the letter, and it's dated July 25, 1983:

"Winnipeg Chamber of Commerce, Attention: Mr. James Wright, President. Dear Sir: We are very concerned as to the attached article which appeared in the July 22nd edition of the Winnipeg Free Press." There's a copy of that one too which says 'Deposit safeguard for buyers proposed.'

"We ask the Chamber to lobby the government re the withdrawal of this bill. The consumer at present has more protection than the business or the merchant he is dealing with. If the government wants to protect the purchasers' deposit, we suggest businesses be bonded on their volume of business." Not only are they saying that it's a bad clause in the bill, but he's coming up with an alternative. "This, ensuring the purchasers' deposit, should the business go into bankruptcy.

"We are a manufacturer of customized windows and door products, with the value of most orders being in the \$1,200 to \$3,000 range with a 20 percent deposit applicable with delivery time being two to four weeks. We have received no customer complaints re this policy, and see no reason for a change. It's time businesses receive some help from the government, not more red tape and rules." It's signed, "Dorwin Industries Ltd., R.T. Johnson, President."

I bring that to the attention that this is only one letter that I have received, Mr. Speaker. I have received notes from other small businesses that advise me that they wouldn't be out of business if this clause went through, but it would certainly hinder them, and they can't understand why this government, who claims to be supportive of small business, is doing everything that they can to reduce small businesses' chances of surviving. They will survive in most cases, but they are shackling these people.

The government has come up with a clause in this bill that the cure is absolutely worse than the disease. It's like cutting off your arm at the shoulder to eliminate a sliver in your finger; it's like hitting a mosquito - and I'm not going to use the malathion clause, but it's like hitting a mosquito with a sledgehammer when particularly a little slap with the other hand, if it lands on your hand, would suffice.

I can't understand their thinking. Their thinking is all directed toward losing the next election. They are doing

everything in their power to reduce their chances in winning the next election. I'm not saying it's going to be a fait accompli because they might come up with some brilliant ideas. I don't know whether they can, but they might. By listening to the opposition and the criticisms that the opposition come up with, they might come up with some good ideas that just might turn around their chances in winning the next election. I doubt it very much, Mr. Speaker, because they have done too many things in the past to allow them the chance to win the next election.

I don't want to carry on too long on this, Mr. Speaker, because it's not really my intention to criticize what other members have said or done. I think that it's up to us as opposition and government members to come up with our own ideas in what we can do to correct a problem. I have found that I have never been one to criticize what has been said by others. I'm starting to change my attitude because I have heard things in the last little while, Mr. Speaker, that have caused me such concern that I just can't sit back any longer and allow this twisting of facts to go unnoticed. I, as a representative of the people of the Province of Manitoba, have to bring it to their attention that some of the things that have been stated are twisted rather than not twisted, and I'm doing everything I can not to make any reference to mistruths because I know it to be unparliamentary.

Mr. Speaker, before I sit down, I just want to make a couple of comments about things that were said in the House, and I know that it has something to do with this bill but very very little, where I listened to the Honourable Minister of Natural Resources make a comment that the opposition has refused to let a particular bill go to committee - and to make it absolutely acceptable so that I'm not leaving the part of this bill to allow it to be consistent with what went on, the Honourable Member for Springfield also made some remarks to allow this bill to go to committee - but I did hear that the Minister of Natural Resources advised that a previous bill was not allowed to go to committee, that the opposition is doing everything that they could not to allow it to go to committee and that the opposition was doing everything they could to keep the people of Manitoba from presenting their views to committee, and that it was a government that allowed people to come and make their presentations.

Mr. Speaker, I sat in a committee that was listening to presentations on seat belt legislation, on helmet legislation and on children's restraint, and that committee absolutely refused to allow the people of Manitoba to come again and make presentations.

MR. SPEAKER: Order please. The proceedings of a committee which has not yet reported should not be the subject of either questions or debate in the House.
The Honourable Member for Niakwa.

MR. A. KOVNATS: Mr. Speaker, I am speaking on the bill, and I . . .

MR. SPEAKER: Order please. The Honourable Member for Niakwa.

MR. A. KOVNATS: Mr. Speaker, I'm just at a bit of a loss because I am prepared to listen to Mr. Speaker

on any of the comments and I know where Mr. Speaker usually sits, but I have a problem because I am hearing some directions from the members of the government. I really would want to direct my remarks to Mr. Speaker, but if I have to direct my remarks to the members of the government, I would be happy to do so. I am just a bit confused because of some of the things that have been happening, and to speak on something that happened in committee, Mr. Speaker, and I'm not discussing this to bring your remarks to the front; I accept your remarks as to whether I should speak on whether the committee that I was sitting on concerning seat belt legislation, not allowing some people to make their presentation, so I accept that, Mr. Speaker.

I would just like to, before closing, and I have spoken about how this bill or this clause in this bill is absolutely not to the best interests of the small businesses in the Province of Manitoba, and I think we established that. I think that the government agrees with it. I think the only thing that has to be brought to attention is that a change has to be made now. Let's not keep these people who are so concerned dangling from a little string. I think that the government is prepared to make a change. They are not completely unscrupulous, but I think that the government is prepared to make a change. There has been some indication that they would.

The Honourable Member for Springfield has just advised that the government would make some considerations during committee. I think that if they just bring it forward a little bit, not as a carrot to the opposition to try and force some things through that have to be debated, I think that the government would have it all added to their credit.

Before I close, Mr. Speaker, I would just wonder and I know that I have no other way of finding out, but I believe this to be a collector's item. This Routine Business and Order Paper, dated Winnipeg, Monday, August 1, 1983, I believe it to be a collector's item somewhat like the Winnipeg Tribune that is no longer in existence, and I was just wondering where I would go to get some additional copies, because I know it to be a collector's item because I believe that this is the first time in the history of the Province of Manitoba that the House has met on a holiday, August 1, 1983. Well, regardless of the year but on August 1st, and I would like to get some additional copies of this, Mr. Speaker, because I know that sometime during the future they'll be worth something; today they're worth nothing. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Thank you, Mr. Speaker. I think this bill is an important measure which should be understood to be a modification of the traditional doctrine of freedom of contract. We have often in the past justified inequitable negotiations and bargaining on the grounds that it is a doctrine of the freedom of contract, but the freedom of contract is meaningful only if the parties to it are of equal bargaining power. If they are situated in more or less equal bargaining positions, then it makes sense to allow them some leeway in order to arrive at certain agreements which will be acceptable to both. But in many situations in life, we find that parties to

an agreement are normally not always in the same economic position. Usually there are people who have a strong bargaining position on the one side, bargaining and negotiating with other parties with a weaker position on the other side, and to insist that in such a situation we will uphold the freedom of contract would sometimes and often result in certain inequities and injustice.

In this bill, I think, it makes sense to put the money that has been deposited, especially if it is a sizeable amount in the form of a trust account. In this sense it will protect the customer. It is good public policy that the government should intervene and protect the general public in matters of this kind.

Where the manufacturer is a custom manufacturer, as has been indicated by the Member for La Verendrye, it would seem that common sense indicates that a 5 percent deposit really in certain instances would be unreasonable. I'm inclined to agree with that position. Perhaps the deposit should be a little bit higher than 5 percent, especially if the product is specially to be manufactured for a customer who has a special order of the product.

It is the function of government to intervene in the economic negotiations if there are some inequities and inequalities that are resulting where the parties to the negotiations are in unequal economic positions. Too often we say that we always fight for fairness because we are afraid of suffering injustice at the hands of other people, and so we always stand up and fight for justice and equality if we are on the losing side of the bargain.

I think the general interest in this matter is that where there are unequal economic bargaining positions, it is the function of the government to intervene and to protect the weaker party of the negotiating parties. Only then can we assure that justice will be done, that no one shall suffer injustice at the hands of another. The weak should need the protection of the strong and the strong is the government. The stronger parties to the negotiation needs no help, they can protect themselves. In this regard we should proceed and work this legislation out so that the necessary changes can be made and we can facilitate the work of this House.

Thank you, Mr. Speaker.

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

MR. G. MERCIER: Thank you, Mr. Speaker. I want to speak for a few moments with respect to this bill because it is obviously a bill that will severely disrupt the small business sector and retail community. It is a bill containing this principle with respect to a 5 percent deposit that is utterly impractical, Mr. Speaker, and is another example of the total incompetence of this government, who have said on the one hand that they are concerned about employment in Manitoba, that is the main battle of this government. They're supposedly having a war on unemployment in Manitoba, Mr. Speaker, and they bring in a bill which will jeopardize business throughout the Province of Manitoba with respect to this provision of 5 percent deposits. Mr. Speaker, there are so many areas of business in Manitoba at retail sales that can simply not operate with such a provision and it will throw people out of work.

It's another example, Mr. Speaker, of the total ineffectiveness of this government. A government that has imposed a 1.5 percent payroll tax, that has caused unemployment in this province, and this is another provision like that, Mr. Speaker, which will cause further unemployment in this province. It is totally impractical, Mr. Speaker. It is an ideological position for the government to take, lacks common sense completely, and is just mind-boggling to the small business sector of our province who are trying to operate in very difficult times.

Now, Mr. Speaker, months ago I suggested to the Minister of Consumer and Corporate Affairs that there is no question there is a problem with the consumer losing deposits in certain transactions, where the company to whom he has made the deposit has gone into bankruptcy. There is a way to fix that, Mr. Speaker. I told him months ago, Mr. Speaker, to commence discussions with the Federal Government, because what is required in this area and with respect to workers' unpaid wages are amendments to The Federal Bankruptcy Act to improve the priority of consumers who lose deposits as a result of the insolvency of companies and to workers whose wages are not paid because of bankruptcy or insolvency. That is what should be done, Mr. Speaker, and I would think it would be appropriate if the Minister of Consumer and Corporate Affairs and the Minister of Labour together hopefully try and engage the support of their provincial counterparts would do so and would approach the Federal Government with respect to an amendment to The Federal Bankruptcy Act in order to improve the priority of consumers who lose deposits when companies go bankrupt and in respect to workers whose wages are unpaid to improve their position upon bankruptcy or insolvency.

Now, Mr. Speaker, with respect to this bill and all those others on the Order Paper, the Acting Government House Leader has indicated that as of this afternoon they will not allow this bill or any other bill to stand. Now, Mr. Speaker, this is done despite an agreement between the Government House Leader and the Opposition House Leader that the House would not sit on Saturday and Monday this weekend. It's done in spite of that agreement. Pursuant to that agreement, of course, Mr. Speaker, the Government House Leader is not here and the Opposition House Leader is not here, because they made an agreement, Mr. Speaker, and that's why they're not here.

In spite of that, Mr. Speaker, the government called the House Saturday, today, Monday, August 1st, Civic Holiday for all other residents of the Province of Manitoba, he called the House in spite of that agreement and now, in the morning of the Monday he's imposing closure on the opposition. We can't stand any more bills, the Acting Government House Leader has said. Mr. Speaker, it shows again how incompetent this government is.

Mr. Speaker, on Page 11 they have five bills they haven't even introduced yet; five bills they haven't even given Second Reading to; they're going to impose closure, and they haven't even introduced these bills. Three of them stand in the name of the Attorney-General, Mr. Speaker, who is at the lake pursuant to the agreement he made with the Opposition House Leader.

Now, Mr. Speaker, why does the government want to impose closure on this bill? In fact, Mr. Speaker, specifically with respect to this bill, I said to the Minister of Consumer and Corporate Affairs in question period on Saturday morning, he must know how impractical the amendment with respect to the 5 percent deposit is. Why doesn't he say now that he's going to withdraw that section, or is he going to follow, Mr. Speaker, the bad example set by the Minister of Labour a couple of weeks ago in committee on The Payment of Wages Act?

She had citizens of the City of Winnipeg and the Province of Manitoba come down to the Legislature, 8 o'clock - the temperature must have been 95 degrees - had them all come down to the committee meeting and made a statement that she was withdrawing the bill as a result of the objections raised by the opposition and the public of Manitoba. She could have announced that in the House that day and had the Clerk's Office telephone those people, so that they weren't inconvenienced, so that they didn't have to come out on a hot evening, Mr. Speaker.

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

HON. M.B. DOLIN: Mr. Speaker, it was announced in committee that night, and I told the honourable member that those people were called in the afternoon; they chose to be there.

MR. G. MERCIER: If that happened, Mr. Speaker, I wasn't aware that had happened. No doubt the reason they came is that they didn't trust the Minister and this government, and for good reason, Mr. Speaker.

Mr. Speaker, the public of Manitoba on this bill then, if that that was what the Minister of Labour did on that bill, then the public should be told in the same way on this bill, that the Minister and the government realizes they've brought forward another piece of impractical legislation, one that would do great harm to business in Manitoba, and they were going to withdraw it, but so far he hasn't announced that. He was going to make them come out to a committee meeting, some warm hot night in August, Mr. Speaker, perhaps even to return from their vacations, to inconvenience them once again. This is a bill, Mr. Speaker, in which the government is going to impose closure this afternoon, another one.

They say, Mr. Speaker, with respect to this and other resolutions before the Legislature, they want to give the public of Manitoba an opportunity to be heard. We saw what they're up to, Mr. Speaker, on Friday afternoon with respect to seat-belt legislation. They cut off public hearings, Mr. Speaker. They had a list of people who wanted to be heard, and they were cut off, Mr. Speaker.

Mr. Speaker, we're not going to let that happen with respect to this bill, or with respect to any other matter before this Legislature. Mr. Speaker, we will do all within our power to stop this government from cutting off the public of Manitoba. Mr. Speaker, that's why we're going to oppose passage of this bill and many other bills and resolutions which are on the Order Paper at this time, which this government is trying to ram through the Legislature of Manitoba at a time when people are away on vacation, Mr. Speaker. Acting like they did on Friday,

we have great concerns once again that they're going to cut off the people of Manitoba from public hearings.

There's one well-known resolution on this Order Paper, Mr. Speaker, which we have argued should be heard by an intersessional committee. The reason for that is obvious, because we have seen now, last Friday afternoon, how they want to push matters through the Legislature, how they want to cut off the public hearings, how they want to impose closure on the opposition, Mr. Speaker, today having given notice just some two hours, meeting on days when it was agreed last week that the Legislature shouldn't meet, and now they've even gone worse and said they're going to impose closure. What an arrogant government, Mr. Speaker!

This government has lost touch with the people of Manitoba, Mr. Speaker. It doesn't even want to hear from the people of Manitoba anymore. They just want to ram everything through, force everything through, cut off public hearings, and get their legislation through the House - ill-conceived, impractical legislation, Mr. Speaker. — (Interjection) — The Acting Government House Leader calls for order. That's what we would like to see, Mr. Speaker, is some order in the government's business, some semblance of order. Instead of this, we're meeting to discuss this bill on days when it was agreed last week that the Legislature wouldn't sit and the Government House Leader they're going to impose closure on this bill and all of the other matters on the Order Paper before us, Mr. Speaker.

Mr. Speaker, this is the worst government the people of Manitoba have ever had, and it becomes more evident day after day in this Legislature. They're out of control, Mr. Speaker. They don't know what they're doing. They have no idea what they're doing. This bill is evidence of that. This is evidence of that, Mr. Speaker, to limit deposits to 5 percent of the cash price. What were they doing in Cabinet, in caucus when this bill passed? Doesn't anybody over there have any brains? Don't they have any idea of what goes on in the real world. This is evidence that they don't, Mr. Speaker, to limit deposits to not more than 5 percent.

They don't have anybody over there obviously, Mr. Speaker, who has any idea what goes on in the business world, in the retail world. Don't they even talk to their constituents, Mr. Speaker? Have they gone so out of touch with the people of Manitoba, Mr. Speaker, that they would introduce this kind of legislation? Obviously, Mr. Speaker.

Obviously, they're not listening to the people of Manitoba. If they were, Mr. Speaker, they wouldn't be coming in here today to impose closure on this and all of the other bills and resolutions on the Order Paper. That's what it in effect amounts to, Mr. Speaker, when you don't allow a bill to be stood. That's what it amounts to, Mr. Speaker, it's closure.

They don't like to hear it, Mr. Speaker, because this is a government that's going to listen, this is a government who is going to consult, this was going to be the open government, Mr. Speaker, this was going to be such an open government, and now they've got to the stage where they're going to impose closure to pass their ill-conceived, impractical pieces of legislation, which is going to cause unemployment in this province, Mr. Speaker. They've already done enough of that, Mr. Speaker. They're already nearly 20,000 more people unemployed under this government, Mr. Speaker, already more than 20,000 more unemployed.

We've heard, Mr. Speaker, the financial guidelines from the Minister of Finance, 0 and 5 he supports now. He wouldn't support 6 and 5, but they handled the economy so badly, it's now 0 and 5, Mr. Speaker.

What they doing at the same time as they're imposing this on the people of Manitoba, Mr. Speaker? They want us to pass with closure, Bill No. 48, The Election Finances Act. It's all right for the people to suffer. It's all right for the people to have decreased services, to have increased mill rates, to have increased user fees, but we want the taxpayers and the people of Manitoba to pay one-half of the NDP election expenses. Well, they are really concerned with the people of Manitoba, aren't they, Mr. Speaker? They're really concerned with the people.

The heck with the people is their attitude. We're going to cut their services; we're going to increase the mill rates; we're going to increase user fees, but the people are going to pay one-half of our election expenses. That's their concern, Mr. Speaker.

A MEMBER: Is that the bill we're talking about?

MR. G. MERCIER: We're talking about The Consumer Protection Act, Mr. Speaker. We are talking about a bill that will limit deposits to not more than 5 percent of the purchase price, a bill that will put people out of work in this province. That's what they've done, Mr. Speaker, ever since they got into government, they've put people out of work. Mr. Speaker, they have an anti-business attitude that has been described by people, not in the opposition but people outside of government; anti-business, anti-private sector. This is just another indication. They don't have any idea what goes on in the private sector. No wonder they are anti-private sector, Mr. Speaker. They have no idea of what's going on in the private sector and this legislation is a further indication of it.

Mr. Speaker, if they want to impose closure on this bill, I want to say to the Acting Government House Leader, we will speak on this bill until everyone has spoken and we will do everything we can to stop this legislation so that more people are not put out of work in Manitoba by this government.

Mr. Speaker, there's nothing announced. The Minister of Consumer and Corporate Affairs will not announce anything. So, Mr. Speaker, this is just another example of the anti-private sector attitude of this government, their lack of concern for the working people of Manitoba who they are going to put out of jobs by this legislation, and we will not in any way support this legislation. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Mr. Speaker, I believe that the presentation - if one would be so kind as to call it that - by the Member for St. Norbert, to which he has just subjected us, very clearly outlines the problems that we are having in this Legislature today and the problems we have been having in this Legislature for the past number of weeks. Throughout his - to be kind - fumbling and rambling of dissertation on this bill, he touched on a number of issues and very clearly betrayed the

fact that they have no desire to see the business of this House proceed, that they have no desire to see the work of this Legislature benefit the people of this province, that they have no desire to let this government that was duly elected govern on behalf of the people that elected it.

You know, Mr. Speaker, the problem is that they can't believe that they lost the last election. Now, that's all right if they can't believe it, but what they want to do is deny the people of the province, the government which they voted for a number of months ago, the government which they put their faith in, the government which they entrusted this legislative process to — (Interjection) — well, the Member for Emerson says they're trying to save the people from us.

Let me tell him that the people a number of months ago saved the province from his incompetent administration that for four years brought ruin and destruction to this province and put in place a New Democratic Party Government that is going to turn that around, that is turning that around and will continue to do so.

Their bully tactics are beginning to wear thin. Their refusal to allow the business of the House to proceed is beginning to become apparent, and the people of this province will see through the transparency of their manipulations; the people of this province will reject that sort of obstructionist. They talk about examples of what this particular bill provides by way of a reflection on this government. They talk about examples of how it shows in their opinion that this government won't listen, that this government won't respond, when that is the farthest thing from the truth that one would want to imagine. Certainly, they are strangers themselves to the truth that they would have the people of the Province of Manitoba believe that by way of their speeches.

I can't say it's hypocritical; I can't say that there is hypocrisy rampant throughout the ranks of that side; but what I can say, Mr. Speaker, is there are inconsistencies over there that border on hypocrisy and if carried any further, one will be left with no choice but to call it exactly what it is. They have, throughout the course of their remarks, talked about those examples, but their remarks themselves onto themselves have provided examples to all the people of this province. What are those examples?

One is that they have fallen prey to obstructionist tendencies of the worst sort, of the worst kind. They take a bill which the Member for Springfield has clearly indicated we are prepared to take to committee, to listen to the people, to respond to their needs and to make changes if necessary, and they use it as a plaything, a parliamentary plaything to try to point out that we won't listen to the people when, in fact, exactly the opposite was just put on the record. So either it is they cannot hear or they will not hear. By doing that, Sir, with all due respect, they are perpetrating a disservice on the people of the province that will go down in the ranks of history.

The Member for Niakwa, a good friend of mine I hope, and I hope he'll be a good friend of mine after these comments because I do not intend to attack personally. I think that is a tactic that they are far better at than I will ever be and, therefore, do not want to even begin down that slippery slope of trying to put everything into personal connotations. In his remarks,

he talked about the fact that we are putting this bill forward and we are not prepared to listen.

The fact is we want to attempt to get this bill to committee so we can listen. Why do we want that? Because we value the opinion of the people of this province, and we value the legislative process that is unique to this province that allows for people to come forward to committees to make their views known, and allows for our government to respond in the most honest and sincere way to the comments, to the criticisms where they are constructive and to the suggestions of the people of this province. They are the ones that are stopping that; not us. If they say they want changes, then let them allow the process to unfold to bring those changes forward. Also, what was clear by their speeches is that they are attempting to thwart the process not only in this House but outside of this House through that committee structure.

It is also clear that members opposite are suffering from some obscure form of dyslexia where they see everything backwards. Either that is the case and they are honestly telling us their concerns, or they are purposely manipulating and distorting what's been said in this House, because we did not say that we want closure. Well, the Member for St. Norbert shakes his head, perhaps trying to get some sense back into it, but the fact is — (Interjection) — No, but we said very clearly is that we will not allow the bill to stand, that we want debate, that we want you to put on the record what you think about these issues. Allow them to go to committee so the people can tell us what they think and then we can perfect the legislation which we feel is necessary to protect the people of this province. Let's take a look at this bill.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. COWAN: Well, Mr. Speaker, they say that's closure. Well, then if in their minds we are guilty of closure, they are the ones who set the precedent because I can remember very clearly standing in my place across the Chamber when they said we will not allow this bill to stand, and when did they say it? They said it at 2:00 o'clock in the morning when we were tired, when we deserved a break and we had been here for many long hours, and they said we will not allow this bill to stand, speak, speak, speak. And we spoke, we didn't obstruct, we didn't thwart, we knew they were the government. We knew we'd be the government soon, but we knew they were the government then, and we were prepared to let them govern by way of providing advice to them where we thought it was appropriate. They won't even allow us that, but they have done it. To members on the opposite side, I implore you, think back to those days and those Sessions when you brought forward bills and you forced speakers to speak on them and think back how we responded to it. I think we responded to it in a responsible manner. We said we don't like it, we said we think it's foolish to have to do it in this way, but we spoke nonetheless because we recognized the will of the people of this province had put them into office. We recognized the will of the people of this province

and make certain that they had the shortest term of office in the history of this province.

We were patient, we didn't run to turn the bells on every time we had a disagreement with them. We didn't try to prevent the House from conducting its business in an orderly way because we know that when any party in the House attempts to do that, whether it be an independent party, whether it be the opposition, whether it be the government, that it's not this House that suffers the most, although we sit the long hard hours in here, but it's the people of this province who suffer because government cannot provide the sorts of services which it should and that is the penalty that they are imposing. That is the penalty that the Conservatives are imposing on the people of this province by their obstructionist tendencies. They are not allowing the government to function in the way by which all governments have been allowed to function in the past.

So what we've said is we will not allow the debate to stand. Now, what does that mean, Mr. Speaker?

A MEMBER: Closure.

HON. J. COWAN: Well, we hear them yell again across the Chamber, it means closure. Well, what it means to me is that they are confused about the process; closure is when we tell them they can't speak. I'm going to try to put this into the simplest terms possible because I think they need a simple explanation of what closure means. Closure is when we say there will be no more debate, no more dialogue, no more discussion on an item. What we are saying is that members opposite have a responsibility to speak to the issue, a responsibility to allow that issue to proceed to the committee where the people of this province can speak and we are going to force that responsibility on them if they are too irresponsible to take it on themselves and we will do that.

Then they talk about their objection to this bill in terms of how agreements have been broken. Agreements have been broken in regard to sitting here on Saturday and perhaps even sitting here today. Well, they say right again. Yet their own House Leader, whom I presume speaks on behalf of House business for them, because he is in fact the Leader of the House for their particular caucus, said, well, there may have been an agreement, there may not have been an agreement. It's one of those things where I think honest people can have two different interpretations. I would ask if in fact he categorically believes that there was an unequivocal agreement for him to stand and to say that in fact there was an unequivocal, categorical, unrepeatable agreement not to sit on Saturday. We have not heard him say that.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. COWAN: We have not heard that statement come forward. So all I know from where I sit, not having been privy to the private negotiations that go on over this, is that there was no agreement and that no individual in this House or outside of this House has in unequivocal terms said that there was an agreement.

So, please, let us be a bit more honest, let us be a bit more truthful, let us be a bit more sincere and a little bit less inconsistent, and I say that on behalf of the members opposite because they won't say it on their own behalf and let us try to get around to conducting the business of this House.

Notwithstanding the fact that there may have been in their own mind, distorted as the perception might be, a perception of an agreement. Even if that was the case, what do they have against coming in on a Saturday and trying to conduct business on behalf of the people of this province? What is so sacred and valuable about their Saturday that they can't come forward to put in a few extra hours so that we can get the business of this House conducted in a proper way? Are they so lazy that they don't want to come in on a Saturday? Are they so lazy that they don't want to be here today? I think not, Mr. Speaker, I don't believe they're lazy, but that in my own mind leaves a question that remains unanswered because they say they wanted Speed-up. I won't say they begged for Speed-up, because that would be unkind. Well, the Member for Springfield would say that, but I wouldn't. I wouldn't say they implored for Speed-up, but I would say that they made a very strong case for Speed-up in this House.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. COWAN: If I listened to them, and I did, what they said is please bring in Speed-up so that we can start to get some of these bills through, so that we can start to get the business of the House finished, so that we can go back to our constituencies and talk to the people - and that's what we want to do as well - so that we can do that other part of our activities that is so important to members of the Legislative Assembly, and day after day after day until it almost became redundant they asked for Speed-up. Now, what does Speed-up mean?

MR. A. ANSTETT: That they wouldn't sit on Saturdays until they had Speed-up.

HON. J. COWAN: Well, the Member for Springfield makes a good point, perhaps it should be on the record. They did not allow us to go into committee meetings at times when committee meetings were not normally structured. They said they would not sit on Saturdays until Speed-up was brought forward and the Member for La Verendrye shakes his head in agreement and says, yes, yes. They said that Speed-up would tend to expedite the business of this House. Now, without trying to betray my own personal feelings about Speed-up, which are very well known, what I will indicate was I was somewhat skeptical about that. I was somewhat skeptical of their assurances; I was somewhat skeptical of the fact that they said this would speed up the business of the House because I'd never known it to happen in the past. I had never known it to happen in the past, I had no clear indication that it was going to happen in the future, but I do know that if the opposition co-operates . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. J. COWAN: . . . it can make things move. So what do they do? They implore for Speed-up, they request Speed-up, they're on the record as supporting Speed-up and then they turn around and slow everything down. As soon as we have Speed-up, they slow everything down. Now, I talked about hypocrisy earlier, and I said I couldn't say it and I won't say it now, but it certainly is inconsistent. It certainly is hard to fathom why they would be so vehement, and they were vehement, in urging this government to bring Speed-up onto the Order Paper and to pass it. As a matter of fact, I think we even passed it in very . . .

HON. A. ADAM: Under duress.

HON. J. COWAN: . . . well, not under duress but in very speedy terms. It didn't take as long as it took in other years, because they were so anxious to get to the business of the House. So they got the business before them, why don't they do it now? That's the question.

What do we hear from the members opposite but a chorus, a veritable chorus of stand, stand, stand, stand, and then what does that mean? That means they don't want to speak to the bills, that's involuntary closure on their parts. They don't want to speak to the bills, so if anybody talks about closure they're the ones that are attempting to choke off the debate on this House on matters of urgent business, they're the ones who are using the mechanisms of this Chamber to invoke closure on the people of this province. The people of this province can't go to the committee to speak on important issues, because the Conservatives have invoked closure on them by bell ringing, by standing bills, and by their general obstructionist tendencies in this House. They should be ashamed of that.

We have a bill before us now, the purpose of which is to protect the consumers of this province. Now, it's not a perfect bill and no bill is a perfect bill, but the fact is it is a bill that will provide protection that is not there now; it is a bill that perhaps can use some improvement and we're prepared to look to that improvement; and it is a bill that is long overdue because this is nothing new to this province. They knew there was a problem when they were in government; they knew that they should have done something about it; but they refused to do anything about it and now they refuse to let the elected government of this province do anything about it. They don't know they're opposition yet, they still think they're government.

Well, we can't have the tail wag the dog any longer. We will not stand for that and they will not stand bills anymore, because they will speak because — (Interjection) — well, the Member for La Verendrye yells "Closure" again. I tried to explain it in the simplest terms possible, but perhaps I failed so let me try once again, Mr. Speaker.

We want these bills to go to committee so that the people of this province can speak to them, so that we

can make amendments and changes where necessary. We want that to happen. That cannot happen as long as the members opposite stand the bills. Therefore, they are the ones that do not want the people of this province to have that opportunity and they are proving it by their very actions every time we call a bill of significance.

So, let there be no doubt in the Member for La Verendrye's mind, if that is at all possible, as to why we want these bills to proceed. We want the people of this province to be able to speak to them. Now, perhaps I can't convince him of that sincerity and that objective, but I know I can convince the people of the province because they know and they see through the transparent obstructionist tendencies of the members opposite only too well. They see that these members opposite don't want to allow the business of this House to unfold as it should. They see that the members opposite don't want the people of this province to have an opportunity to speak to these bills in a recognized manner that has served this Legislature and served their needs and their desires well over many many years.

So, no, we will not allow the bills to stand anymore. That is not closure, that is demanding debate, and if they feel responsibility even in an opposition, if they feel responsibility to the people of this province, they will allow that debate to proceed, they will allow the bills to go to committee - this bill in specific and other bills that are on the Order Paper.

A couple of other things which they said in their remarks which have to be addressed, Mr. Speaker, and one is a reference to the absence of the Attorney-General. To them that indicates some sort of severe problem. Well, Mr. Speaker, it would only take a very quick glance around this Chamber to make the point very clearly demonstrated. We're here, we're here en masse, we're here to talk about the bills, we're here to conduct the business of the House and the opposition members, not referring to any specific member because I know it's unfair to refer to the absence of a specific member, but the opposition members ranks are weak, not only in responsibility and good sense, but now are weak in numbers as well.

I don't want to refer to specific individuals, but I feel responsibility to refer to a mass exodus of the opposition members to wherever they have gone, because it's obvious that they don't want to speak to the bills, it's obvious they don't want to move the bills through the House, it's obvious that they don't want to allow the business to proceed.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. J. COWAN: There's a little crossfire going on, Mr. Speaker, and it's interesting crossfire. They're talking about how many we have out and they're about how many they have outside of the Chamber right now, and they're saying that they have a lot of people in the building. — (Interjection) — Well, that's what they said. If they do, why aren't they here speaking, because they're standing bills on behalf of people who aren't here? If they're in the building, get them in the Chamber, and let them speak.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. J. COWAN: Oh, yes, now the Member for La Verendrye is saying, "Who said that?" "Who said that?" he said, after having just said it himself. Now I know what the problem is, it's not dyslexia, it's not distorted vision, they can't remember. They can't remember what they say from minute to minute. But the fact is they did say that, the fact is they indicated they had members in the building somewhere and we also know that they're standing bills because members aren't here, so if I can do some imploring, if I can do some requesting, I would ask them that they have those members come through on a rotating basis if they don't want to tie their time up in the Chamber, if they think that their time in the Chamber is not time well spent. Let them come through on a rotating basis when their bill is being called, stand and speak and let it proceed to committee, because we want to get the business of the House done, we want to get it done as quickly as we can and we are going to do everything including demanding debate on their part to make certain that that happens.

So, in conclusion, Sir, we have been subjected to rambling, bumbling, unconnected discourses on bills as part of, what I believe to be, a very definite obstructionist policy on the part of the members opposite. I believe they are attempting to obstruct the business of the House even on a bill such as this that could go to committee and they have clearly indicated they are doing that because they don't want to let this government govern. They ring the bells, they use other techniques, they allow the bells to ring for hours and hours and hours, and they threaten daily to allow them to ring for days and days and days, because they want to be the tail that wags the dog. Well, it will not happen. It will not continue. This government feels very strongly about its responsibility to bring forward legislation that protects the consumers, that protects the workers, that protects the business community in this province, that encourages a better business climate, that provides for a better standard of living for all Manitobans, that protects the pensioners, that does a whole myriad of other things which they did not do in four years when they had the chance and they are refusing to allow us to do now when we are the government.

They say it's on principle. Well, perhaps it is on principle, although I think the principles are as inconsistent and distorted as is their argument. However, that being the case, what we are doing, we are doing on the basis of principle as well, and we believe that those principles have to be mandated by way of legislation; by way of the work of this Assembly, we will get that work done. There is no closure. We have not said to them yet that they cannot debate. All we have said to them is they can no longer sit in their seats and not debate.

They are the ones that are attempting to choke off and to close the dialogue. They are the ones that are attempting to prevent the people of this province from speaking. They are the ones that refuse to allow the business of the House to unfold; they are they ones that are trying to bring this Chamber to a grinding halt. We are the ones that will not let them do it, Mr. Speaker.

MR. DEPUTY SPEAKER, P. EYLER: The Member for Kirkfield Park.

MRS. G. HAMMOND: Mr. Speaker, I have a few words to say on this bill and it relates to the 5 percent deposit.

As a consumer, Mr. Speaker, the 5 percent deposit doesn't make any sense even on behalf of a consumer. We realize that no business is going to be able to stay in business long if we want to be able to ask a retailer or anyone else in business if they would order something in specially and we have to put down just 5 percent, they're not going to do it; and as a consumer, I know that this is not going to be possible. This is one of the sections in a bill that makes it impossible for a consumer to order something in specially. Five percent is simply unrealistic, and I don't even know how that particular section could possibly have gotten in the bill because common sense should have told anyone that looked at that, that this was a totally unrealistic part of the legislation.

When you try to protect the consumer, you must think of the businessman as well, because if he's not going to be able to make a dollar on this, if he's going to get stuck or she's going to get stuck with that piece of merchandise with only a 5 percent deposit, which would be what, \$10 on a \$200 item.

Mr. Speaker, today, businesses are having a very hard time, they are having a struggle, and this government which proposes or says that they are the . . .

MR. DEPUTY SPEAKER: Order please. The Member for Springfield on a point of order.

MR. A. ANSTETT: No, Mr. Speaker, I'm wondering if the Member for Kirkfield Park will permit a question.

MRS. G. HAMMOND: No, Mr. Speaker. I want to refer to this government and ask them to withdraw this particular section, withdraw it so that business people won't have to come down to a committee hearing and make all sorts of presentations against something that they know is bad and are talking like they may withdraw it, but how do we know that they're going to withdraw it. You can't trust the word of this government; that's only proved by the fact that we're in here this weekend. You can't trust the word of this government. At least, they don't allow their House Leader to give his word to our House Leader. They draw back on that sort of thing, Mr. Speaker.

When I was young, Mr. Speaker, and lived at home, one of the things that my mother used to always tell me, when you were going to do something that was going to hurt yourself probably more than you'd hurt anyone else, and the expression still stands today, and that's what this government has done this weekend. This is a spiteful government. They said you're going to be in this House no matter what, and on Saturday they filibustered their own resolution; they spoke all day. Mr. Speaker, if that isn't cutting off your nose to spite your face, I can't imagine what is, and this is the government that says we want to get the business done. Like heck they want to get the business done! They want to get the business done in their way; they don't care about the opposition.

All we heard from the Minister of Northern Affairs, he said, we won the election and, by cracky, are they showing the people of Manitoba. We won the election and no matter what the opposition says, no matter what the people say, we're going to ram through our legislation. We're going to show them we won this

election and, by God, that's what they're trying to do and this is the sort of government that we have in today, that is spiteful, determined and stubborn. Boy, they said, you're going to be in here this weekend and, by cracky, you are. Well, I tell you, when I talk to people in my constituency, they tell us to keep up the good work; don't let them ram through pieces of legislation that you know are not good for the people of Manitoba, don't allow them to call that.

They rant and rave about Speed-up, but we said there were going to be pieces of legislation that we were going to speak on and try to stop. Mr. Speaker, we had all day Saturday and what happened? The government spoke and spoke all day long on a piece that they didn't allow to come to a vote; we would have allowed it to come to a vote. No, they just had to keep going. So don't tell us about obstructing the House. There's no such thing; an agreement is an agreement. They're spiteful and they're vengeful and I can't say any other word for it; and boy, talk about cutting off your nose to spite your face, this is quite true.

MR. DEPUTY SPEAKER: Order please. The Honourable Minister of Finance on a point of order.

HON. V. SCHROEDER: On a point of order, Mr. Speaker, the member should be fully aware that we were told by the opposition that if that item had come to a vote on Saturday, they were prepared to allow the bells to ring until Tuesday afternoon. So there would have been nothing happening on Saturday afternoon, Monday morning or Monday afternoon, and they voted for Speed-up.

MR. DEPUTY SPEAKER: Order please. I thank the Minister of Finance. Order please. Order please. The Member for Kirkfield Park.

MRS. G. HAMMOND: Thank you, Mr. Speaker. I feel that, in this bill, that what we have is a matter of the government again trying to interfere in the business life of our community in every way that they can.

Who would ever imagine that you would ask someone to put down 5 percent in this day and age, 5 percent on an item that may be \$100, \$200, \$300, and expect a business person to be able to take the chance of bringing that item in and the person thinking, well, it's only 5 percent, I can afford to let that go, I can afford to change my mind rather than pay the whole amount, and I'll cut my losses and run. That's exactly what happens from time to time and that's the reason that the retailers, anyone in business must have a substantial down payment.

Putting the amounts in trust, that will save the consumer, but I don't believe surely that this government who perceives themselves as being a friend of the business community are not in any way helping the business community at all. In fact, even just by leaving it in in this way and going into committee in this manner, if the committee is sitting in the afternoon and if somebody wants to come down and speak to this, they may have to close their shop to do it.

If the government is serious, as some said, in withdrawing this certain piece, why don't they say so? Why don't they say so right now? But they hate to

because they think they've been caught and they want to do it in their own time to make it look like boy, we didn't back down on anything. Mr. Speaker, that's what this House is all about, that we look at pieces of legislation the same as they do and point out. You send the legislation to business people, you send the legislation to the people concerned, and they tell you, well gosh, this is going to kill me, we can't have this. That's the duty of an opposition is to point these things out to the government.

This government somehow, and maybe it's because as the Minister of Northern Affairs states, we won the election and, by gosh, the people are going to know that and they're going to have to accept everything that we want to put through whether they object or not; we won the election, we're not going to let the tail wag the dog. They're not going to listen to anything. It's been proven time and time again.

That is an arrogant government, Mr. Speaker. That isn't a government that listens to the people. They're saying to us in essence, by gosh, you do what we say or you're going to hear from us. In what way? We don't have to worry about the members of the government. We have to worry about our own constituents. We have to worry about the business people in this province as the government should be, but they don't seem to care. All they want to do is make points on the opposition. They want to keep us in this House on a long weekend where an agreement was made. No matter how they say the agreement wasn't made, it was. We believe our House Leader; we know what agreement was made.

I just feel that this government, for a Minister to stand up and say, we won the election, well, by God, they're sure going to show the people of Manitoba. By the time the four years, five years is up, they'll be shown; they'll be so anxious for an election, they'll be so anxious to get rid of this incompetent bunch, and that's all I can say for them. It's probably kind at the least, because it's time you paid attention to us, and it's time you listened to the opposition.

We're not in here for the good of our health; we're here to represent our constituents. Believe me, we intend to do that. You can call us any name, you can call us obstructionist, you can call us anything you like, but it's our duty to represent our constituents and the people of Manitoba, and if you won't listen to them, we certainly will! I have no intention, and we have no intention of being browbeaten by this incompetent bunch. So you can say what you like, it won't bother the opposition. We're here to defend the people of Manitoba even if you won't do it yourself.

In an item like this in this bill on 5 percent, when you know practically everyone that said anything and they are all indicating, oh, it's not going to happen, but I'll tell you, after this weekend, we don't trust you. We want to hear it. We don't trust the members in the government; we don't trust their word. I feel that if they are sincere in pulling out garbage like this 5 percent, let them do it today; let them say that it's going to be, but, of course, they can't because there is a parade somewhere. — (Interjection) — No, someone said that, but it wasn't the Minister that said that. I'm not taking the word of the Member for Springfield. Who would?

Believe me, this is a very fundamental issue here, and I want the members opposite, the government

opposite to realize that we are not here to obstruct; we are here to represent, and there's a mighty big difference. To sit there in such an arrogant manner as the Minister of Northern Affairs who said we won the election, well, I'll tell you, I won an election too, and I represent a certain portion of this province, and so do the 23 members that sit on this side of the House. I want you to know that we have no intention of allowing this incompetent bunch - and that's exactly what you are - that we cannot trust the word of the Government House Leader, because his own caucus probably won't back him up when he gives his word; that's more likely what's happening. We're not about to give into this government, because they choose on a Monday, which is a holiday in this province where everyone is away, to call — (Interjection) — yes, to call closure. I wish to state again that why won't they come up with someone because the Minister, of course, can't today, and I won't say why he can't . . .

A MEMBER: And where's the Minister?

A MEMBER: He's on holiday somewhere.

MRS. G. HAMMOND: We're discussing a bill and he can't get up even if he'd like to, because he probably is in a parade.

Mr. Speaker, there is nothing wrong with that; it's in his constituency, but don't sit there high and mighty with us and state, we want to do the business of the House and then call a bill that the Minister isn't even here to defend or even stand up, or have someone else stand up and say we're withdrawing it, another Minister, who we might believe, maybe even the Premier of this province. We might take the Premier's word on something like that.

I want to tell you that this has certainly been a lesson in democracy for me as a new member. I've seen a government stand up on Saturday, just spiteful, filibuster their own bill just so that, boy, and we hear it when we go by, you're not going to get away, you're going to be here this weekend they all say and they laugh. Well, I'll tell you this isn't a laughing matter and just because you won an election is no reason to think that the opposition is going to lay down and die because we're not.

Mr. Speaker, I want you to know that on this side of the House we believe in someone's word, but now what has happened between two House Leaders, I imagine now nothing can happen that isn't signed, sealed and delivered because we can't trust you any more. The people of Manitoba won't be able to trust you anymore and that's certainly what we want. What a shame that people that represent Manitoba, that we can't take each other's word, and that's what's happened. That's what you did to your Government House Leader when you allowed him to make an agreement and then stuck it to him and stuck it to us at the same time. We're not going to allow that to pass and for you to stand up, for the Minister of Northern Affairs to give a tirade on us not wanting to debate - absolute nonsense! That's an expression really I shouldn't use, because the Minister of Finance usually uses that, so I think I'll strike that, Mr. Speaker, if I get the chance.

I do believe that on this side of the House that when our House Leader gives his word, we stand behind him

100 percent. You might learn something from that, that this government cannot work, this House cannot work, unless we have a good working relationship between both sides of the House. There's got to be co-operation and there's got to be some trust. That has long since disappeared and it's thanks to a few members on that side of the House who will get up and say anything in any way to try and make the people of Manitoba believe that they know what is best. Mr. Speaker, we have voted on bills, bills have passed, there is no reason in the world for the government to feel that we are obstructionists, because there is one thing that we do is we are speaking for a certain segment of Manitobans and when we find a bill that there is something wrong with we want to do something to help the government see this.

Now, Mr. Speaker, I believe the Member for St. Norbert indicated that there were five bills on second reading that the government hasn't introduced yet. Why are they not calling those bills? Not on your life, because one, two, three of them couldn't be called because the Minister isn't here, so don't blame us.

Then we've got the Minister of Finance sitting there and there's two bills sitting, I think Bill 75 and Bill 109. They could speak on those, but they're not doing that, Mr. Speaker, not on your life. They want to make out to the press, oh look, we're such great guys, here we are. Not on your life because the press has ceased to believe you right now.

For this government to even pretend that they are wanting to do the business of the House, such nonsense. It's cutting off their nose to spite their face and that's the only reason we're in here today and we're in here this weekend at all. If you think the people of Manitoba are behind you on this, you are mistaken. You may never know, because you may never get to your constituency to find out.

I wish to say to you that we will tell the people of Manitoba what's going on in here and they'll know, they'll certainly believe us, because, Mr. Speaker, they don't trust this government any further. After the actions on the seat belt legislation, there's no way they're going to trust the government.

I think, Mr. Speaker, that on this bill for the government to sit there and say, well, we may have a point, without standing up and indicating that the government is not going to withdraw it, that they're going to inconvenience the shopkeepers, the retailers, the business people in Manitoba, I feel that that's a great mistake and why wouldn't they allow the people to know that this is going to be withdrawn? What have they got against doing that? They want to show that they're doing it themselves. They don't want to feel that the government might have been pushed a bit on this.

Mr. Speaker, we don't really care who gets the credit on this as long as the business community does not have to suffer for inadequate pieces of legislation and from time-to-time that is bound to happen. But for the Minister of Northern Affairs to stand up in his high and mighty role and say that they were elected the government. Well, Mr. Speaker, they soon will find out that you need co-operation to be a government and if they don't get off the pot and start acting like a government and start co-operating, I think it's time that the people of Manitoba saw what exactly is

happening in this government, what kind of incompetence we have.

I can't believe that after the pieces of legislation that they've tried to ram through, and are going to try and ram through, that this government thinks that any one would re-elect them in a few years. They're in trouble, Mr. Speaker, and as they mentioned they wouldn't go along with 6 and 5, but now we've got 0 and 5. I wonder how they're going to like that now? What are they going to do to people that are bargaining? Are they going to have to stay under the 0 and 5? We'll wait and see, I doubt very much that that's going to happen.

Mr. Speaker, this section of the bill that says "no seller may demand or accept from a purchaser a deposit with respect to a retail sale of goods that is more than 5 percent of the cash price," I can't see why the government, just in looking at it, the first person that spoke on this bill they should have stood up and said, look, we're taking that section out or we're amending that section. But no, they haven't done that, they're not choosing to do that and yet they want us to take their word that this will be done. Not on your life! We're not taking their word for anything anymore, we can't afford the luxury of taking their word, because we've seen this weekend what happens when we take the word of this government. It means absolutely nothing, and I think that the people of Manitoba do know that, they don't trust this government. I believe that the government is arrogant at best to consider an amendment in this bill and expect us to believe them anymore, that's not just about to happen, Mr. Speaker.

So, Mr. Speaker, I think I've indicated the feelings, certainly my feelings, on this piece of legislation. This part isn't good and I'm sorry that the Minister isn't here to indicate to someone, the Premier or someone, to stand up and tell us that they will be withdrawing it, but that's the way it is. So, in that case, we'll have to keep debating this until we do get an indication of what is happening.

MR. SPEAKER, Hon. J. Walding: Order please. If no other member wishes to speak, the bill will stand in the name of the Honourable Member for Tuxedo.

The Acting Government House Leader.

HON. A. MACKLING: Please call two second readings, Bills No. 75 and 109, Mr. Speaker.

SECOND READING - GOVERNMENT BILLS

BILL NO. 75 - THE STATUTE LAW AMENDMENT (TAXATION) ACT (1983)

HON. V. SCHROEDER presented Bill No. 75, The Statute Law Amendment (Taxation) Act (1983), for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

HON. V. SCHROEDER: Thank you, Mr. Speaker. I see the Member for Emerson shaking his head; I don't blame him. He knows that, ordinarily, these bills are

introduced in the presence of the opposition critic. However, this morning, we had just the previous speaker criticizing us for not introducing this bill in the absence of their House Leader, so we will introduce it.

Bill 75 provides the legislative authority for the tax changes announced in the February 24, 1983 Budget. Although the reasons for the changes were outlined in the Budget and the changes themselves were discussed during the Budget Debate, I would like to spend some time in explaining the proposed changes.

First, the Budget proposed general changes in tobacco and fuel taxes. These changes were intended to augment provincial revenues required to provide general programming and services and to contain the deficit to what we regard as an appropriate, manageable level.

On tobacco taxation, the changes involve an increase in the general rate of 0.3 cents per cigarette, with equivalent increases for fine-cut tobacco products.

With regard to fuel taxation, the Budget proposed an increase in litreage rates of 1.1 cent on gasoline to 7.5 cents; and 1.3 cents on diesel fuel, bringing the Manitoba rate to 8.6 cents. The 7.5 cents per litre gasoline tax is somewhat lower than the rate which would be in effect under the former government's 20 percent ad valorem system. In fact, at the time when the 7.5 cent per litre rate was introduced, the differential was close to a half a cent per litre. The rate is also third lowest among provinces levying fuel taxes in terms of cents per litre, and lowest in percentage terms among provinces with fuel tax levies.

The proposed 8.6 cent litreage rate on diesel fuel maintains the historical differential in the tax rates applied to these fuels, with diesel being taxed at 115 percent of the gasoline rate. As members know, this differential reflects the higher energy content of diesel fuel. Members will also be pleased to know that the new Manitoba rate is third lowest among the diesel fuel tax in provinces, an important factor for our trucking industry. Comparable increases are applicable to off-highway uses of these fuels. Of course, that doesn't apply to farm uses, as farmers in the Legislature know.

Two other changes should be mentioned at this point. The preference for gasohol under gasoline taxation will be reduced from 4 cents per litre to 3 cents per litre as of June 1, 1983. With that change, Manitoba remains the only province to provide a preferential tax rate for gasohol. This change is in accordance with recommendations made by officials of the Department of Energy and Mines to the effect that maintaining the preference until the 1984 Budget will provide gasohol producers in Manitoba with a sufficient preference to ensure the continued viability of their operations.

Last year, following the provincial Budget and Saskatchewan's elimination of gasoline and diesel fuel taxation, our government responded quickly with a program of competition assistance grants designed to protect the competitive position of Manitoba retailers close to the Saskatchewan border. This program, I am pleased to report, appears to have achieved its objectives. As announced earlier this year, our government has modified the competition assistance grants to make them more effective and sensitive to the needs of retailers in the area.

Our government could have confined its revenue adjustments to those measures and proceeded largely

with a housekeeping budget. However, we believe, and continue to believe, that the province has an obligation to take measures to create and protect jobs in this province. Accordingly, we included the Jobs Fund in our Budget; recognizing that when we did so, further tax increases would be necessary to finance part of the costs of those employment sustaining and protecting initiatives.

Three tax measures were proposed to meet the jobs imperative. First, we increased the sales tax rate from 5 to 6 percent, with a similar increase in the rate of taxation on liquor, other than domestic beer, from 10 to 12 percent. This change leaves Manitoba with the second lowest sales tax rate among the nine provinces with sales taxes. The general sales tax rate in Manitoba compares favourably with the 7 percent in Ontario and B.C.; 9 percent in Quebec; 10 percent in Nova Scotia, New Brunswick and Prince Edward Island; and 12 percent in Newfoundland. Then, of course, there's Saskatchewan at 5 percent and Alberta at 0.

Much as we would have liked to avoid the sales tax increase, our government concluded that having the increase, along with the substantial job creation initiatives facilitated by such an increase, was preferable to maintaining the sales tax at 5 percent and having no major employment creation initiatives. The decision was made somewhat easier because major exemptions for necessities are provided under the sales tax; food, children's clothing, housing, farm machinery and equipment and other items, and in light of the fact that tax credits introduced by the Schreyer Government, particularly the cost of living tax credit, provide significant help as well.

In this context, members may recall that when the cost of living tax credit was introduced in 1974 by the then Minister of Finance, Mr. Cherniack stated, "We want our new credit plan to help reduce the impact of provincial sales taxes in an equitable way, consistent with the principle of ability to pay."

The success of that program is illustrated in Appendix C of the Budget, which notes that the combined impact of the 6 percent sales tax and the cost of living tax credit program results in a progressive application of taxation for moderate and low income groups. I might add that, in our view, increasing the rate and thereby facilitating the maintenance of major exemptions was preferable to the Ontario Conservative approach of abolishing exemptions.

The second tax change proposed to help finance the Jobs Fund was an increase in the large business income tax rate from 15 to 16 percent and aligning the Manitoba tax treatment of personal service corporations with that of the six other provinces within the corporation income tax collection agreement.

I have heard some muted criticism of our proposal to increase the nominal corporation income tax rate on large business; however, the action is quite similar to the action taken by Ontario in increasing its large business tax rate as announced in its May Budget. In our view, since income tax applies only to corporations in a profitable position, only to those which generate a taxable income, it was viewed as being preferable to measures which would have affected non-profitable businesses. In this context, while the Manitoba large business income tax rate remains one point higher than Ontario's, Manitoba's capital tax rate remains at two-

thirds of the Ontario level. Moreover, even with the moderate increase proposed for large business corporations, income tax payments to the province from the corporate sector are estimated at \$106.9 million for '83-84, and that is some \$8 million lower than the corporate sector's contribution in 1981-82. The Manitoba income tax rate on small business corporations will remain at the reduced 10 percent level introduced by our government last year. We had dropped it from 11 to 10 in that year.

The final change to help finance the Jobs Fund Initiative involves the proposed extension of the special 2 percent capital tax rate on banks. The bill proposes a number of technical amendments to The Mining Tax Act. The restriction on the capitalization of certain development costs by an operator under The Mining Tax Act has been removed where the operators claim of a rate of capital cost allowance under The Income Tax Act is in excess of 50 percent of those development costs. The bill also proposes to clarify the previous intent of limiting the 5 percent investment tax credit to expenditures that are classified in the records of the operator as long-term capital assets.

The bill provides for a number of housekeeping changes to various other statutes. For example, it will provide for payment of interest by the government on successful appeals at the same rate of interest as is charged by the government. Similarly, the bill will provide for standardization of the period of necessary record retention which will, as far as possible, coincide with the present practices of the federal income tax authorities.

I'll be listening closely during the course of debate on this bill to the comments of all members. I believe this debate represents a real opportunity for the opposition to indicate whether they support the tax measures necessary to finance our vital job creation efforts and to maintain essential programming. I emphasize that because just a few weeks ago we had the opposition voting in favour of the Jobs Fund; voting in favour of the Jobs Fund entitles spending money. In order to spend money, people have to raise money. We are proposing that we will have to raise the money and we're proposing these tax changes for that purpose. And, Mr. Speaker, if there was ever a time when a person can say you can't have it both ways, it is at a time like this. When you vote to spend money, then one would also expect that people will be prepared to vote to raise that money in a fair and equitable way from the members of the public in Manitoba.

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

MR. G. MERCIER: Mr. Speaker, the Minister of Finance is of the view that makes certain presumptions with respect to this side voting for the Jobs Fund. Mr. Speaker, we voted for the Jobs Fund because that is the only program this government has to attempt to create any jobs in the Province of Manitoba. The short-term, make-work projects is the only way in which this government has proceeded to provide employment opportunities in the Province of Manitoba. Mr. Speaker, we are not going to oppose that program, even though it's the only program - a very very cynical program -

that the government has in the Province of Manitoba and that's why we voted for the Jobs Fund.

That indicates, Mr. Speaker, the mindset of this government. They seem to think that's the only way that you can create employment opportunities in the Province of Manitoba through government-funded, short-term, make-work projects. I grant, Mr. Speaker, that some of the facilities will be long lasting facilities and I don't object to that. What the government does is ignored completely the private sector which all other governments in Canada, including the Federal Government, has recognized as the only way of creating long-term employment opportunities not only for Manitobans but for all Canadians, Mr. Speaker. They have acted in such a manner, Mr. Speaker, that is negating the creation of employment opportunities in the Province of Manitoba.

There was a great deal of discussion on a bill earlier this morning, Mr. Speaker, The Consumer Protection Act amendments; amendments which, if enacted by this government, will throw a lot of people out of work in this province. They've already, as of this date, in some 18 or 19 months in office, allowed some 20,000 more people to be unemployed in the Province of Manitoba and this is a period of time, Mr. Speaker, in the summer months, when employment levels, as we all know, decline.

Mr. Speaker, there is no recognition in the government's or the Minister's actions to date that employment can be created through the private sector, but we have day after day seen policies introduced and legislation passed that has a very negative effect on business in Manitoba and on the creation of employment opportunities in Manitoba. We have seen, for example, the increases in the Consumer Price Index since last year, Mr. Speaker, showing that the City of Winnipeg has the second highest increase of any major Canadian city, when previously, in 1981, under our government, and even into 1982 under this government, before they had a chance to change policies, the City of Winnipeg had the lowest Consumer Price Index increase of any major Canadian city. Under this government, Mr. Speaker, it's the second highest of any major Canadian city and that affects the cost of doing business.

Of course, the Minister of Finance, will no doubt refer to his comparison that he did last fall. What he ignored, Mr. Speaker, was the cost of transportation for Manitoba. There are very high transportation costs from this province which he did not take into consideration.

Mr. Speaker, this bill contains the increases in taxes that the Minister of Finance introduced in his Budget. We all remember, Mr. Speaker, the great debate one year ago on the introduction of the sales tax and how it couldn't be proceeded with and what hardships it would create is what the Minister said in 1981. Then, in 1982, he increased the sales tax from 5 percent to 6 percent. That is a tax, as was indicated in the Budget of 1981, that would affect most harshly the unemployed, the low income, and middle income people of Manitoba, Mr. Speaker, because they're the ones that will pay the bulk of this increase in the sales tax. It's this government, Mr. Speaker, contrary to all of the rationale that they developed in 1981, brought in the increase in the sales tax this year on the consumers of Manitoba, Mr. Speaker, at a time when many people in Manitoba are having great difficulties in making ends meet.

This is the government that at the same time as they're introducing and enforcing these sales tax increases have taken off the freeze on Manitoba Hydro rates, Mr. Speaker. The consumer of Manitoba was fortunate over a period of four years in having a Hydro-rate freeze, Mr. Speaker. We have under this government, in the month of May or June, a 9.5 percent increase in hydro rates, Mr. Speaker. We have a payroll tax, Mr. Speaker, introduced last year, continued through, a tax on unemployed, a tax that has to effect the rate of remuneration or the number of jobs existing in Manitoba.

Mr. Speaker, this government seems to believe that there is no other alternative but to go to the well too often, to make the taxpayer pay for what they're doing. They're going to the taxpayer on The Election Finances Act to pay one-half of their NDP election expenses. They've increased the sales tax. They increased the tobacco and gasoline taxes. They introduced the payroll tax. They increased the Manitoba Hydro rate increase. Mr. Speaker, all of this results in the increases in the Consumer Price Index, putting the City of Winnipeg second highest among all major Canadian cities. Mr. Speaker, for what?

They're are 20,000 more unemployed people in Manitoba than when they took office. Mr. Speaker, this government is an absolute failure to the people of Manitoba, and they are saying to us in the Legislature this morning they want to impose closure to burden the taxpayer further, to make it more difficult for the citizens of Manitoba with respect to buying goods and making deposits, which will put people out of work in businesses where they custom order, and they simply can't on the basis of a 5 percent deposit or less put through that custom order. There'd be a loss of jobs there.

Mr. Speaker, the members of the government wonder why we on this side have so much concern with what their government is doing. They want us to pass everything in this Legislature, Mr. Speaker. Mr. Speaker, the public interest in Manitoba will be served by every day this government is not allowed to pass what they want to pass and to impose these burdens upon the taxpayer and the workers of Manitoba. That will be our position this morning, this afternoon, this evening, and every day that this Legislature sits, Mr. Speaker.

This government has been a disaster for the consumer in Manitoba. It's been a disaster for the worker in Manitoba, and now we have the evidence of the further tax increases that are imposed upon this government, Mr. Speaker, sale tax increases which will make it that much more difficult for the ordinary worker and the ordinary citizen of this province to make ends meet, and a tax that will make it much more difficult for people to get by. Somewhere along the line, this government should be recognizing, particularly when they see the Consumer Price Index increase, what effect they are having on the average consumer and the average citizen in Manitoba. This is what has caused that Consumer Price Index increase, Mr. Speaker. It's all government actions, government policies, government legislation, government increases in taxation, which has now put the City of Winnipeg in the unenviable position of having the second highest increase among all major Canadian cities, one which they will resent, because under our government, Mr.

Speaker, we were the lowest of all major Canadian cities.

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: I'd like to move, seconded by the Member for Niakwa, that debate be adjourned.

MOTION presented and carried.

BILL NO. 109 - THE LEGISLATIVE ASSEMBLY ACT

HON. V. SCHROEDER presented Bill No. 109, An act to amend The Legislative Assembly Act (2), for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

HON. V. SCHROEDER: This bill provides that the annual cost of living adjustment for MLA indemnity and expenses, as provided for in Section 59(3) of The Legislative Assembly Act shall not be effective in the '83-84 fiscal year until June 18th. It is the same effective date as was negotiated with the MGEA for implementation of the '83-84 civil service salary increases, and that effective the delay in implementation of the '83-84 cost of living adjustment for each MLA indemnity and expense allowance from April 1st to June 18th will be to reduce the adjustment from \$2,513.01 to \$1,908.03, a reduction of \$604.98.

On a percentage basis, the revised adjustment amounts to an increase of 6.38 percent. The total annual indemnity and expense allowance for each MLA will be increased.

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

MR. G. MERCIER: On a point of order. I wonder if the Minister of Finance could speak a little more clearly. I can't hear him.

MR. SPEAKER: The Honourable Minister.

HON. V. SCHROEDER: On a percentage basis, the revised adjustment amounts to an increase of 6.38 percent. The total annual indemnity expense allowance for each MLA will be increased from the existing 29,916.13 by the adjusted cost of living allowance of 1,908.03, to revise the total of 21,824.16.

It is intended to reduce all ministerial salaries by a corresponding amount of \$1,908.03, effective June 18, 1983, as evidence of this governments continued commitment to care in terms of spending, in terms of those people who are in the higher income brackets.

There was some reference previously to 6 and 5. We've never said that 6 percent, or 5 percent, or any specific number is something that's too low for everybody or too high; we've said that it depends on where you're at. If you're at the \$4 an hour minimum

wage, then 6 percent means very little. If you're earning \$50,000 a year, then at a time like this maybe 6 percent is too much. That's why for us it will be 0 for next year; for senior civil servants it will be 2 percent and less for next year; for some other people it will be more than the 6 percent, or whatever, and I think that it's being done on a more fair and equitable basis.

The Cabinet portion, of course, does not come to the Legislature and will be authorized by an Order-in-Council after the passage of Bill 109.

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

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

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Bill 23, Mr. Speaker, standing in the name of the Honourable Member for Turtle Mountain.

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 23 - the Honourable Member for Turtle Mountain. (Stand)
The Honourable Minister of Natural Resources.

HON. A. MACKLING: Well, Mr. Speaker, we'll call Bill No. 18. I see the Honourable Member for Emerson is here.

ADJOURNED DEBATE ON SECOND READING

BILL NO. 18 - THE LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL CONFLICT OF INTEREST ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 18.
The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker. I have no difficulty in debating Bill 18. In my opening remarks, I'd just like to indicate again, as we have been indicating for the last little while, the incompetence of the government in being able to run the affairs of the House properly.

We have just had a good illustration again just this morning when the Acting House Leader, who has been the reason for much of the problems that have been developing in this House, gets up and indicated that there would be no more bills allowed to stand starting this afternoon. At the same time, to prove the incompetence of the individual Minister, to prove exactly what I'm saying, is there are five bills that have not received second reading this morning yet; finally, through a little bit of badgering, two of them have been introduced for second reading, and the fact that there are three in the Attorney-General's name that will not even be given second reading here or introduced in second reading this afternoon . . .

A MEMBER: He's at the lake.

MR. A. DRIEDGER: He's at the lake. Then the Acting House Leader, as I indicated before, the problem-maker in this House to some degree, is indicating that no bills will be allowed to stand; start talking of closure on us. That's interesting enough.

I wonder, Mr. Speaker, if they called Bill 34 or the other ones that the Attorney-General is bringing in, how they'll force closure on those, because they haven't even been introduced. It's going to be very interesting. Or do they want to hunt and pick and choose which ones they're going to put the hammer on, which obviously seems to be the deal.

In speaking to the conflict of interest bill that has been brought in, I had occasion to speak to Bill 47, which is conflict of interest for municipal people; and it is our understanding that when the Municipal Committee met to deal with Bill 47, which was conflict of interest for municipal people, that they were not prepared to have that dealt with at that time, obviously, because there's problems in it. The same thing happens with this bill, but that is not unusual. Most of the controversial legislation that has been presented to this House to date has been very poorly thought out. I wonder, is it the Ministers that are responsible for the kind of incompetent legislation that's coming forward, or what is the problem? Is nobody on their side, does the back bench not check these bills when they're being introduced? It creates a lot of doubts in our minds.

This conflict of interest for the Legislative Assembly, I expect the same thing will have to happen there; that there will have to be amendments made, substantial amendments, because things that they didn't realize about this kind of legislation are becoming apparent now. The fact that spouses will have to declare, that could be a conflict with human rights. The thing with having adult children at home, what it does is create a problem, and I think everybody's been aware of that. It's going to create a problem.

For example, where there isn't harmony with a man and wife, the wife or husband, whoever it may be, could create a problem, could deny a member the right to run, because if the spouse does not want to declare, it handicaps the other individual from running because if you do not declare, you're not valid to have office. I'm sure there are situations.

The next mile that we can go is what if you have a live-in friend? Is that included as well? I don't have that problem at this time and I hope I never do have that problem, but presumably we can foresee the time and place where this can happen, where this can develop. Again, that kind of individual could say, no, I'm not disclosing my assets.

It further leads me to think about the conflict aspect of it. We have an Attorney-General who's introduced somewhat in the neighbourhood of 40 some-odd bills

of various nature, some controversial, some not; but each time we pass a bill, it sort of opens the door for the legal people to again have more trade develop from this. In my mind, with the kind of legislation that is being introduced, when we look at bills like 23 and 24, these are manna for the lawyers.

If a lawyer like the Attorney-General would introduce this kind of legislation which creates work for the legal people, does that put him in conflict for doing it? The other question I have is, for example, if we have farm bills - we're talking of the conflict aspect of it - is it then illegal for a member representing a rural area who is a farmer to vote on farm bills? If it could be, let's say, gain for every farmer, should he be entitled to it too? Should he be entitled to vote on it or not? Well, that's interesting enough, because then every time we bring in a bill that deals with the teachers' situation, then all teachers should not vote on it in this House. Is that what you're trying to establish here? Where do we stop with the conflict aspect of it?

The other day in committee in dealing with Bill 90, the Minister of Transportation was sitting there and accusing each one of the people that made a brief that they were in conflict because they were appointed to the board or elected to the board and here they were making a presentation to the committee, and he accused them all of being in conflict. Now, how far do we carry this thing? Because any bill, for example, on Bill 90, I would not be in a position to vote on it then. Being a farmer, being a beef producer, I would not have been allowed to vote on it. These are things that I would like to know. Where does this finally stop?

That's what leads me to think and again illustrate the fact that this government does not know what they're doing in many of the cases. When we were in government at that time when the Ministers came up with bills, and there are times when things get overlooked and there are mistakes than can be made and they should be corrected, I recall when this government, the beginning of this Session said, give us ideas, tell us what you think; we will listen.

We have seen an illustration of how they listen, what kind of open government they are operating. We have seen many flagrant examples of how they take and do not listen to the public, and don't want to listen to the public. It was illustrated in Bill 60, Mr. Speaker, when they closed the committee down and would hear no more representation. For four days, people came and sat and waited and waited endless hours. Then on a weekend . . .

MR. SPEAKER: When this motion is next before the House, the honourable member will have 34 minutes remaining.

The time being 12:30, the House is adjourned and will stand adjourned until 2:00 p.m.