

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 9 July, 1985.

Time — 2:00 p.m.

**OPENING PRAYER** by Mr. Speaker.

**MR. SPEAKER, Hon. J. Walding:** Presenting Petitions  
. . . Reading and Receiving Petitions . . .

## PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**MR. SPEAKER:** The Honourable Member for River East.

**MR. P. EYLER:** Mr. Speaker, I beg to present the First Report of the Committee on Municipal Affairs.

**MR. CLERK, W. Remnant:** Your committee met on Tuesday, July 9, 1985 at 10:00 a.m. in Room 255 of the Legislative Building. As Honourable Mr. Anstett had resigned as Chairman, Mr. Eyler was elected to replace him. Your committee heard representations with respect to the bills before the committee as follows:

Bill No. 83, An Act to amend The Municipal Assessment Act and Various Other Acts of the Legislature; Loi modifiant la loi sur l'évaluation municipale et d'autres dispositions statutaires:

Mr. Murray Smith - Manitoba Teachers' Society.

Your committee has considered:

Bill No. 68, An Act to amend The Municipal Boundaries Act; Loi modifiant la loi sur les limites municipales.

Bill No. 69, An Act to amend The Municipal Act; Loi modifiant la loi sur les municipalités.

Bill No. 83, An Act to amend The Municipal Assessment Act and Various Other Acts of the Legislature; Loi modifiant la loi sur l'évaluation municipale et d'autres dispositions statutaires.

And has agreed to report the same with certain amendments.

**MR. SPEAKER:** The Honourable Member for River East.

**MR. P. EYLER:** Mr. Speaker, I move, seconded by the Member for Inkster, that the Report of the Committee be received.

**MOTION presented and carried.**

**MR. SPEAKER:** The Honourable Member for River East.

**MR. P. EYLER:** Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Member for Inkster, that the Report of the Committee be received.

**MOTION presented and carried.**

**MR. SPEAKER:** Ministerial Statements and Tabling of Reports . . . Notices of Motions . . . Introduction of Bills . . .

## ORAL QUESTIONS

### French language rights - government policy on

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Thank you, Mr. Speaker.

My question is for the Premier. Last evening, when the Minister of Health spoke and advocated that the government ought to proceed with a constitutional amendment and legislation similar to what was proposed in the 1983 Session of the Legislature with respect to French language rights, was the Minister of Health, when he spoke last evening, indicating government policy?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, I have made very very clear from the day that the Supreme Court handed down its decision that although the Supreme Court decision was a tough one, was a difficult one insofar as Manitobans would be concerned, that we would be obeying the Supreme Court decision. An application would be made to the Supreme Court pursuant to the judgment itself or the appropriate time period in which we could be asking time in order to translate the statutes. The Minister of Health is in support of that approach, Mr. Speaker, and not in opposition to that approach as suggested by the Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, I'm not certain that the Premier and his colleagues and others on this side were listening to the same speech last evening because clearly the Minister of Health was advocating that the government ought to proceed with a proposal similar to that which was rejected in 1983, that is, a constitutional amendment on French language rights. Was the Minister of Health indicating government policy when he spoke last evening?

**HON. H. PAWLEY:** Mr. Speaker, I've responded to that question. I've indicated what government policy is concerned and the Leader of the Opposition for his own purposes is not properly reflecting the position of the Minister of Health.

**MR. G. FILMON:** Well, Mr. Speaker, I will not reflect as to what the Minister was advocating last evening. I will simply ask the Premier: was the Minister of Health indicating government policy when he spoke last evening?

**HON. H. PAWLEY:** Mr. Speaker, how many times do I have to make it very very clear to the Leader of the Opposition whose research is obviously in some difficulty? It's been reflected day by day in this House throughout the Session, that the statement I issued in

this House - was it June 12th or 13th? - is government policy, that remains government policy, then application has been made to the Supreme Court of Canada and I gather the hearing will take place likely sometime in October or early November.

We anticipate the Supreme Court will be reasonable in response to that application that will be made to them in order to set an appropriate time period in which we can proceed with the translations. As onerous as that may be, that is the will of the Supreme Court of Canada, the highest court in the land from which there is no appeal and whether honourable members like it or not, we are obliged to follow the Supreme Court decision.

The Minister of Health indicated that he wished there was a different approach, a different alternative, that was available. We all wish, Mr. Speaker, that there was a different approach that was available and anybody in their right mind would wish there was a different alternative and approach. That is no longer a relative position, Mr. Speaker. We will be proceeding to the Supreme Court, as I indicated in this House some three weeks ago, that is government's position.

**MR. G. FILMON:** Mr. Speaker, last evening the Minister of Health took positions that apparently are different from the policy of the government of this province on issues such as the aid to independent schools, such as the French language rights. How are the people of Manitoba to know when the Minister of Health is speaking, whether or not he is speaking government policy?

**HON. H. PAWLEY:** Mr. Speaker, the Minister of Health, in fact, indicated to me just a few moments ago, that he has indicated already that any suggestion that might be made that we reintroduce a constitutional amendment would be asinine, Mr. Speaker. So the Leader of the Opposition need not attempt to misrepresent the position of the Minister of Health in this Chamber.

The Leader of the Opposition has enough difficulty in his own ranks, Mr. Speaker, when we see them split votes in this Chamber on the basis of who supports who for leadership across the way. When only the other day, Mr. Speaker, we saw the split in the ranks of the opposition when the education critic voted one way in an important matter pertaining to education, the Leader of the Opposition voted another way by a vote of some 11 to six. So let the Leader of the Opposition reflect insofar as the problems that he is confronted with, Mr. Speaker. We have no problems on this side of the House. The Leader of the Opposition is the one that has found himself and his party plunging in the polls the last few months. It is the Leader of the Opposition that is nervous and is reflecting that during the last three or four days in this Chamber.

**MR. G. FILMON:** Mr. Speaker, I haven't had a member of my Cabinet call me naive, say that I was inexperienced, say that I mishandled the matters before the House. Mr. Speaker, this Premier has.

My question is: in view of the fact of the highly unusual spectacle last evening of the Minister of Health standing up in this House and distancing himself from

his Premier, is the Premier going to repudiate the statements of the Minister of Health if they do not represent public policy?

**HON. H. PAWLEY:** Mr. Speaker, I don't know again how many times it will be before the Leader of the Opposition will realize that he is misinterpreting the position of the Minister of Health in this House. I pay tribute to the thinking that was expressed by a member of this House who sat in this House for 27 years as a Francophone member in this House, who represents a constituency that is mainly Francophone in respect to the waste involved in the Supreme Court decision. I associate myself with that concern as to the toughness of the Supreme Court decision.

But, Mr. Speaker, that does not mean that all members in this House do not concur with the need to fulfill the directions of the Supreme Court decision, the need to make application to the Supreme Court in order to obtain the time frame that is required in order to translate the statutes.

Mr. Speaker, I know the Leader of the Opposition is concerned about his Prime Minister. He's concerned about COR. He's got a lot of irritants that are worrying him these days in respect to his own flanks, and I understand his sensitivity and irritation in this Chamber.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the Premier has indicated that members of his Treasury Bench are free to express their own views, will he be allowing the Minister of the Environment to express his views on this issue?

**HON. H. PAWLEY:** Mr. Speaker, I find the Leader of the Opposition's questions really so silly that they are not worthy of a response in this House.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the Minister of Health has been allowed to express his views independently of those of his Cabinet and government on a major issue in this Legislature, and in view of the fact that others apparently have issues that contradict those of his administration, how many other Ministers in his government disagree with his stand on the French language issue?

**HON. H. PAWLEY:** Mr. Speaker, let me again repeat, because the Leader of the Opposition — (Interjection) — Mr. Speaker, I wonder if we could find some hearing aids that might be circulated freely to members of this Chamber, particularly to honourable members across the way.

I have indicated - I believe this is for the third or fourth time - the Minister of Health supports government policy in respect to the application to the Supreme Court in regard to our response in regard to the decision by the Supreme Court of Canada. There is no disagreement in respect to the position of the Minister of Health in this government, except in the imagination of the Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, clearly last evening on the record, the Minister of Health said he disagreed with his government on full recognition to independent schools, on abortion, and on the issue of the handling

of the French language matter in this province. He said that he did not agree with going along with the Supreme Court decision, that he preferred to have a negotiated settlement.

Will the Premier be repudiating the remarks of the Minister of Health or asking for this resignation?

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

The Honourable Minister of Health on a point of order.

**HON. L. DESJARDINS:** On a point of order, Mr. Speaker. I think it is the responsibility of the members of this House to not misquote or misrepresent what has been said by any members. I want to say for the edification of my honourable friend that I said I will continue to fight for the things I was elected for. I will always ask for more.

I have never said that I was against the policy of the government in any of the points that you said. I said that I agreed with what the government had done. I said that we showed that we had inexperience; I said that. I also said that we should keep on finding something that will be acceptable. I will continue to do that. This is my role and it is not my honourable friend that will deter me from that at all.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, specifically, the Minister of Health said, in referring to his preference for proceeding with a constitutional amendment as a solution - yes, the constitutional amendment as a solution - "If two years ago we thought this was the right way to go, I think we should at least look at it again." That's what he urged his Premier. Is that not different from the position that this Premier has taken?

**HON. L. DESJARDINS:** What I can explain why we felt that they should be guaranteeing the law because these rights have been taken away by duly elected members on two occasions. I said that we brought in some services the last time that we should look at it again right. I think we should and I'll always advocate that. I'll work within the government and in any other way; in caucus, I'll do the same thing. I don't want this to finish there. I want us to get something that will prevent, first of all, this lunacy of spending millions of dollars that are not wanted, that are a waste, that we cannot afford and bring some services to these people to really look at the real character of this country.

**MR. G. FILMON:** Mr. Speaker, is the Minister of Health denying that he is advocating that we ought to be providing French language services by legislation or constitutional amendment in this province?

**HON. L. DESJARDINS:** I'm not denying that you stopped us from doing that while your misrepresentation in scaring the hell out of the people of Manitoba. What I am saying is, fine, that couldn't be done the way we chose. I'm saying that we have to find a better way, another way, of preventing all this waste of money and

to bring in some services in recognizing the right of the Franco-Manitoban. That is exactly what I am saying.

### Gov't position vs personal position

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

**MR. B. RANSOM:** Mr. Speaker, we have had a number of situations now during the past couple of years where Cabinet Ministers have spoken out contrary to government policy and subsequently had their views repudiated by the Premier. Will he advise members of the House and the public how we should know when members of his Cabinet are speaking government policy and when they are speaking for themselves?

**MR. SPEAKER:** Order Please.  
The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, unlike the Conservative Party federally, provincially, that is not a problem on this side of the Chamber.

**MR. B. RANSOM:** Mr. Speaker, a supplementary to the First Minister. Can members of the public assume that any statement made by a Minister of the Crown, such as the statement made by the Minister of Health last night, is indeed government policy?

**HON. H. PAWLEY:** Mr. Speaker, let me be very very clear because, again, apparently the Leader of the Opposition and the Member for Turtle Mountain prefer purposely not to understand what took place last night, what took place as a result of the last 10 or 15 minutes. The Minister of Health (a) has not indicated any disagreement in respect to the decision by the government; in fact, it isn't a decision. We have no alternative, no alternative - and I look to the Attorney-General - but to obey the finding of the Supreme Court of Canada. We are making the application to the Supreme Court as pursuant the decision by the Supreme Court of Canada which is the highest court in the land.

Mr. Speaker, I indicated and all the members of this side, even though the Leader of the Opposition doesn't grasp it, realize that is a tough and difficult decision, but that is the decision of the Supreme Court. We are going to obey that decision despite the fact that we know that we'll be translating hundreds, indeed thousands of statutes that will incur millions of dollars in expenditure, an expenditure of monies that we on this side did not invite, we did not want. We are prepared to accept rather than poison the waters - as honourable members across the way have done - we are prepared to accept the decision of the Supreme Court to proceed on with the translations that are necessary and, Mr. Speaker, honourable members can't have it both ways.

They were the ones, Mr. Speaker, who wanted this matter to go to the Supreme Court . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. Order please.

May I remind members that the answer to a question should not become a speech.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Thank you, Mr. Speaker.

My specific question to the First Minister had to do with how we in this House and how members of the public can recognize when a Cabinet Minister is making policy statements and when he's simply expressing his own views. So my question to the First Minister was: can we assume that whenever a Cabinet Minister speaks with respect to matters of public policy that he is voicing the opinions of the government? It's a fairly direct question I believe, Mr. Speaker.

**HON. H. PAWLEY:** Mr. Speaker, I guess we have to assume that the Hansard isn't already out, but my recollection is that the Minister upon rising in his place, which is the right of every member in this Chamber - unless honourable members would like to deny certain members the right of rising on a grievance - the Member for St. Boniface . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

**HON. H. PAWLEY:** Mr. Speaker, they're really smarting over their plunge in public opinion polls. That's very clear. The faces of desperation across the way on the part of honourable members across the way, and the greatest look of desperation is on the part of the Leader of the Opposition.

Mr. Speaker, the Member for St. Boniface in rising in his place, indicated he was speaking as an individual, was speaking as a Member for St. Boniface. At no time did the Member for St. Boniface, the Minister of Health indicate that he was disagreeing with the government position. His remarks were very clearly - and I wish I had the Hansard here - prefaced by the fact that he was speaking as the Member for St. Boniface.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

**MR. B. RANSOM:** Since Cabinet Ministers appear to be free to speak their minds in a fashion that is contrary to government policy, Mr. Speaker, I direct a question to the Minister of the Environment. Is the Minister of the Environment fully supportive of the government's stand on the French language issue?

**HON. A. ANSTETT:** Point of order, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

The Honourable Government House Leader on a point of order.

**HON. A. ANSTETT:** Yes, thank you, Mr. Speaker.

Perhaps I should have risen earlier on a point of order. The question of administrative responsibility with regard to the portfolios and other responsibilities of each individual Cabinet Minister is well understood.

The Premier is responsible for government policy respecting the matter being discussed in question period today, and those questions are appropriately directed to the First Minister, not to the Member for Radisson as Minister of Environment, or to the Minister of Health.

**MR. SPEAKER:** The Honourable Member for Lakeside on the same point.

**MR. H. ENNS:** No, Mr. Speaker, a question.

### **French language rights - government policy on**

**MR. SPEAKER:** The Honourable Member for Lakeside.

**MR. H. ENNS:** Well, Mr. Speaker, I direct a question to the First Minister. It follows on the questions that have been asked and the difficulty that the opposition and Manitobans will have in trying to determine when government policy is being stated; and whether the opposition members or the government members believe it or not, I do like to run a relatively honest election campaign.

My question to the First Minister is: will I be honestly portraying the government's position when I suggest to my constituents that NDP Minister or Ministers - because I think there must be more Ministers - urge revival of French bill? Will that be an honest presentation of the government's position as we go into this election?

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

I don't think what the Honourable Member for Lakeside says in an election campaign is within the administrative responsibility of this government. Perhaps the honourable member would wish to rephrase his question.

The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, surely one of the more important things that we try to do is to accurately represent the positions that different members and parties take in this House.

I am asking the First Minister a simple direct question. Will I be misrepresenting his government, his party's position with respect to this issue if I suggest to my constituents that NDP Ministers, in plural, urge revival of French bill?

**MR. SPEAKER:** Order please, order please.

That is the same question. Would the honourable member wish to rephrase his question to seek information on a matter which is in the administrative competence of the government?

Order please. The question was out of order. Order please. The question was out of order.

**MR. H. ENNS:** I am sorry about that, Mr. Speaker.

### **RentalStart Program - status of approvals**

**MR. SPEAKER:** The Honourable Member for River East.

**MR. P. EYLER:** Thank you, Mr. Speaker.

I have a question for the Minister of Housing. I notice that there has been a RentalStart project approved in the River East area. I wonder if the Minister can report on the status of project approvals for the RentalStart Program provincewide.

**MR. SPEAKER:** The Honourable Minister of Housing.

**HON. J. BUCKLASCHUK:** Yes, thank you, Mr. Speaker.

I would like to thank the member for that question. In fact, the RentalStart Program has been one of the most successful programs within Manitoba housing, and one of the best examples of the Manitoba Jobs Fund at work.

I should indicate that under the first phase of RentalStart - RentalStart 1 - we have committed some \$25.5 million for projects, quite a number in Winnipeg and in rural areas such as Boissevain, Steinbach, Winkler, Minnedosa, Carman, Portage la Prairie, St. Adolphe. Under the RentalStart 2 Program we have approved \$20 million for the North Portage development for some 400 units of housing. In the last week or so we have committed an additional \$23.6 million for RentalStart projects, the most in Winnipeg, about five or six large projects including one in River East and projects in Swan River, Stonewall and Winkler, Manitoba, for a total of around \$60 to \$70 million worth of projects.

### **Manitoba Hydro - tenders re turbines**

**MR. SPEAKER:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Speaker.

My question is for the Minister of Energy. In recent months with the Limestone development the Minister and Manitoba Hydro have chosen tenders, which were not the lowest tenders, in cement. They have negotiated a contract on turbines. Could the Minister indicate to the House whether Manitoba Hydro is determining bidders on contracts worth as little as \$200,000 and exercising the right to arbitrarily choose other than the lowest presented tender?

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUUK:** Mr. Speaker, Manitoba Hydro advertises for tenders indicating that it has the right not to award to the lowest tenderer and it gives reasons why it doesn't award to the lowest tender if that's the case. That's been policy for some time.

**MR. D. ORCHARD:** Then, Mr. Speaker, would the Minister of Energy and Mines consider it fair that Manitoba Hydro arbitrarily chose a window supply contract . . .

**MR. SPEAKER:** Order please, order please. The question seeks an opinion. If the honourable member wishes information, would he so frame his question?

The Honourable Member for Pembina.

**MR. D. ORCHARD:** Mr. Speaker, is it the policy of Manitoba Hydro to arbitrarily choose on identical windows, in terms of meeting the standards set down by Manitoba Hydro, to arbitrarily choose one supplier of those windows at a \$5,000 greater cost than another Manitoba supplier who is approved by Manitoba Hydro and with whom the contractor wished to deal, but Manitoba Hydro refused to let the contractor deal with the second supplier in preference of another supplier at \$5,000 more money?

**HON. W. PARASIUUK:** If the member had given me advance notice of the question, as I can recall doing to members of the Treasury Bench when the Conservatives were in office, I certainly would have the specifics of that question. If he wants to give me the specifics I'll look into the matter, Mr. Speaker. I'll take it as notice and get back to him.

**MR. D. ORCHARD:** Mr. Speaker, what I am trying to elicit from the Minister is if this policy of arbitrarily choosing tenders extend down to tenders and contracts worth \$200,000, where Manitoba Hydro can exercise the right to pick and choose between Manitoba suppliers at the whim of Manitoba Hydro with no justification for choosing one over the other and costing Manitobans, through Limestone project, more money, is that the policy?

**HON. W. PARASIUUK:** The policy of Manitoba Hydro is to bring on the Limestone project efficiently and on schedule. And, Mr. Speaker, by following that policy I believe that Manitoba Hydro has indeed achieved a saving of some \$420 million to date, which I think is a pretty significant saving - a very significant saving.

Manitoba Hydro, when it assesses the contracts, takes into account the past performance, the quality - I don't know the specifics of the case - I certainly indicated that I would be willing to look into the matter and have Hydro give its reasons.

But, Mr. Speaker, the interesting thing is that I have heard no comments from the opposition as to, in fact, supporting Manitoba Hydro for saving the people of Manitoba \$420 million; but they try and talk about somehow the lack of integrity and credibility and professionalism on the part of Manitoba Hydro about a \$5,000 specific, Mr. Speaker.

Let them, in fact, say whether they would still be opposed to Limestone now that we're finding that the people of Manitoba are being saved some \$420 million.

### **ERDA Agreement - attempt to alter**

**MR. SPEAKER:** The Honourable Member for Burrows.

**MR. C. SANTOS:** Thank you, Mr. Speaker.

The paper recently reported some attempt on the part of the Federal Government to alter the Economic Regional Development Agreements with Manitoba. I would like to direct a question to the Minister of Industry, Trade and Technology as to whether or not he can confirm this federal attempt to alter the agreement, the ERDA agreement?

**MR. SPEAKER:** The Honourable Minister of Culture.

**HON. E. KOSTYRA:** Thank you, Mr. Speaker.

No, I can't confirm that the Federal Government is attempting to renegotiate the previously agreed to federal-provincial ERDA agreements.

We have had numerous meetings with the Federal Minister responsible for the federal ERDA agreements, Mr. Sinclair Stevens. In fact, as recent as last April there was the annual meeting of the Manitoba-Canada ERDA Ministers meeting in Gillam where Mr. Stevens reaffirmed the Federal Government's commitment to the previously negotiated ERDA agreements. In fact, there was a commitment on specific cash flows for this year.

So I, too, was quite surprised at the statements that appeared in the paper indicating that there was a Cabinet document that indicated that there was to be a renegotiation of those agreements, because we have not in any way, been notified of any attempt to renegotiate those agreements.

**MR. C. SANTOS:** Mr. Speaker, a supplementary. What measures or steps is the Minister taking, or planning to take to ensure that the ERDA job creation agreement will stay in Manitoba?

**HON. E. KOSTYRA:** I thank the member for that question. It is certainly our intention to go on implementing the federal-provincial ERDA agreements because they are going to and are having a significant economic impact in the Province of Manitoba. As a result of those comments of last Friday, I have attempted to contact the Federal Minister, Mr. Stevens, to find out whether or not that is the intention of the Federal Government; and I would anticipate that I will be in contact with him in the very near future, if not by phone, then in person.

But it's certainly our intention to ensure that those agreements stay in place because they were negotiated, looking at various aspects of the Manitoba economy, particularly looking at areas like transportation. The one area, though, I think we do have some concerns is with regard to the Churchill agreement because there has been persistent rumours of some lack of federal commitment to Churchill. In fact, in that regard the Minister of Transportation and myself met directly with a number of Federal Ministers to reaffirm our commitment and to ensure that there was a continuing federal commitment to the Port of Churchill.

However, we have also seen some and heard some rumour of cutback in terms of the federal commitment to the Port of Churchill.

### **ERDA job creation program - steps to maintain**

**MR. C. SANTOS:** Mr. Speaker, in view of the remarks of the Minister of Industry, Trade and Technology, I would like to direct another question to the Minister of Transportation, whether or not he is taking any step at all to maintain the job creation program created by ERDA with regard to the transportation agreement with respect to Churchill?

**MR. SPEAKER:** The Honourable Minister of Highways.

**HON. J. PLOHMAN:** Well, yes, Mr. Speaker, our commitment certainly is there and we are doing everything possible from the provincial jurisdiction to ensure that all of the aspects of the agreements are implemented as they were intended, both to the spirit and letter of the agreements.

However, even though we had initial positive responses from the Minister of Transport when I met with him since the federal election, since the meeting we had on May 1st with a number of Federal Ministers, we had encouraging responses with regard to the subagreements, particularly with regard to Churchill; development since that time has caused a great deal of concern for me, Mr. Speaker.

We are finding that there are significant delays by the federal jurisdiction with regard to the Boxcar Rehabilitation Program that was agreed on May 1st; we are finding that Ports Canada is now coming with delays with regard to the tug construction, the dredging in the port that was intended to go forward this summer; we have had delays from Transport Canada with regard to the air terminal renewal at the Port of Churchill; we have had delays as well with the agreements that are supposed to be worked out with the federal agencies with regard to hydro-electric power as a result of the line that we are putting into Churchill; and we have had also delays and inaction on the part of the Federal Government with regard to the season extension that was a full commitment at the May 1st meeting that we had to move forward.

We are finding that the monies federally are not being allocated, the decisions are not being made, and what we are seeing instead, Mr. Speaker, is a lot of rhetoric and talk but no action.

### **Engineers, Province of Manitoba - conciliation officer re dispute**

**MR. SPEAKER:** Order please.

The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker.

I direct my question to the Minister of Labour and would ask him if he could inform the House whether his department is still providing a conciliation officer in the labour dispute between the organization of professional engineers employed by the Province of Manitoba and the province?

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** Yes, Mr. Speaker.

**MR. R. BANMAN:** I wonder if the Minister could confirm that the organization of professional engineers employed by the Province of Manitoba have voted 90 percent for strike action.

**MR. SPEAKER:** Order please. I am not sure whether that subject matter is within the administrative competence of the government. Perhaps the honourable member would wish to rephrase his question.

**MR. R. BANMAN:** Well, Mr. Speaker, since the organization of professional engineers are dealing with

the Province of Manitoba, who is their employer, and since the Minister of Labour has put forward a conciliation officer to deal with it, I think that I would like to know whether or not the Minister could report to the House whether or not the organization of professional engineers employed by the Province of Manitoba have voted 90 percent in favour of strike action?

**MR. SPEAKER:** Order please. That is the same question and has the same objection. Would the honourable member wish to rephrase his question to seek information?

**MR. R. BANMAN:** Well, Mr. Speaker, I wonder if the Minister of Labour could then inform the House whether or not the organization of professional engineers employed by the Province of Manitoba have filed an unfair labour practice document on behalf of their association against the Province of Manitoba.

**HON. A. MACKLING:** Mr. Speaker, I am advised that the engineers association has been bargaining with government; there have been an extensive number of meetings; there still hasn't been a resolution of the differences that exist between the engineers and the government. I expect that the engineers will exercise whatever initiatives they feel are appropriate and that is fair under The Labour Relations Act.

I am not aware of any action that is being taken. I will be apprised of that if such is the case. I know that they have engaged the services of a former member of the Legislature, and I am sure that he is going to advance their cause as they think best.

### **Drugs, federal tax on - cost to Pharmacare**

**MR. SPEAKER:** The Honourable Member for Inkster.

**MR. D. SCOTT:** Thank you, Mr. Speaker.

I have a question for the Minister of Health. Mr. Speaker, when the Federal Government brought in their disastrous Budget in May, the Minister undertook to review the impact of the new 10 percent federal tax on drugs and to see if some of the prescription drugs would also be covered under that. Has the Minister received a report from his department on the cost to Manitoba of this new federal tax on drugs and the added cost to our Pharmacare Program?

**MR. SPEAKER:** Order please.

The Honourable Minister of Health.

**MR. H. ENNS:** Mr. Speaker, on a point of order.

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

**MR. H. ENNS:** Yes, Mr. Speaker. I don't mean to interrupt the Minister of Health from responding to that question, but it would be helpful if he would indicate before answering whether he was speaking as the MLA for St. Boniface or as the Minister of Health.

**MR. SPEAKER:** Order please. I believe the honourable member is quite aware that is not a point of order.

The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, he has been in this House long enough and should know that when somebody gets up to answer a question it must be as a Minister . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

The Honourable Minister of Health.

**HON. A. ANSTETT:** What preposterous nonsense!

**HON. L. DESJARDINS:** You got permission from Seech?

**MR. SPEAKER:** Order please.

The Honourable Minister of Health.

**A MEMBER:** Or Gil Roch.

**HON. L. DESJARDINS:** In fact, I've got a lot of other comebacks, a lot of them. I can talk to you about Gil Roch, what he said. Are you going to throw him out?

**SOME HONOURABLE MEMBERS:** Oh, oh!

**HON. L. DESJARDINS:** I can tell you what Abe said on the steps of the Legislature. Do you want that comeback? I know that you are too interested in that resolution to bring in legislation to prevent the abuse to the seniors, but you don't want us to talk about that, but we will tell you anyway, as Minister of Health, my dear friends.

I'll say, Mr. Speaker, that this new policy of the Federal Government - I haven't got all the figures - but it should cost us in excess of .5 million. There is a 10 percent tax on drugs that are not prescribed; now the seniors will pay for that themselves because that's not covered. On the covered drugs, there are a lot of drugs that are prescription drugs here, about 300 or so drugs, but are not listed in Ottawa. Of course, that, the taxpayers of Manitoba will pay, because as you know there is 80 percent of the cost after the deductible of \$50 for the senior citizens and \$100 for those under 65. So it will be a fair amount that will look somewhat as a hidden tax.

**MR. D. SCOTT:** Thank you, Mr. Speaker, a supplementary question to the Minister.

Has the Minister received any indication whatsoever from the Federal Minister of Health, Mr. Jake Epp, as to whether he will endeavour to make sure that Manitoba is compensated for this increased cost in our health delivery program by an increase in the Established Programs Financing funding towards the Province of Manitoba or in exempting those drugs which are included in the Manitoba Pharmacare list but that are included as well in the Government of Canada's list of which drugs shall be taxed?

**HON. L. DESJARDINS:** The second question could be taken as a suggestion and that could be discussed with

the Minister. As far as the cost-sharing and the financing of the program, that already was made very clear that this would not change from the present policy of the government.

### **French language services - Extension of**

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I would like to direct a question to the First Minister who has indicated a number of times that in spite of the cost of translating statutes and in spite of the Supreme Court ruling in that regard that he will be proceeding to add to and extend French language services, can he confirm this publicly stated position in the House?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, if it's already been made public, then I don't know in what way I am confirming already what is a public position, yes.

**MR. R. DOERN:** Mr. Speaker, can the First Minister be specific with regard to which new services will be introduced, which services will be enriched, and does he have any cost figures attached to these expansions?

**HON. H. PAWLEY:** Mr. Speaker, I don't know where the honourable member was last evening. He was in the Chamber when we dealt with French language service. Under my particular Estimates last evening, that item went by without a single question being raised in this House; not a word from the Member for Elmwood and yet today he rises in question period, after ignoring the opportunity to raise this question last night, and ask the question again today when he was silent last night, Mr. Speaker.

We will be providing, as we do insofar as government services are concerned; whether it be insofar as language services to the Francophone community; whether it's language services to other groups that require services; whether it be by way of health; whether it be way of additional social services; those announcements will be made in order to ensure that we satisfy a need that exists to the best of our ability.

**MR. SPEAKER:** Order please. The time for Oral Questions has expired.

### **ORDERS OF THE DAY COMMITTEE CHANGES**

**MR. SPEAKER:** The Honourable Member for Inkster.

**MR. D. SCOTT:** Thank you, Mr. Speaker.

I have a couple of committee changes before we proceed with the House business.

On the Standing Committee on Private Bills, the Member for Thompson will replace the Member for St. Johns; and on the Standing Committee on Industrial Relations, the Member for Springfield will replace the Member for Logan.

**MR. SPEAKER:** The Honourable Member for Emerson.

**MR. A. DRIEDGER:** Yes, thank you, Mr. Speaker.

I have a change in the Committee of Statutory Regulations and Orders: the Member for Arthur for the Member for St. Norbert.

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

Mr. Speaker, I would ask if there is leave to introduce Bill No. 28, Manitoba Heritage Resources Act which was distributed yesterday; and Bill No. 65, The Statute Law Amendment Taxation Act, 1985. If there is, Sir, we'd move with the introduction of those two bills first and then proceed with the adjourned debates.

**MR. SPEAKER:** Is there leave to introduce Bills 28 and 65? Leave having been granted - the Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, would you please call Bill No. 28? Although it stands in the name of the Honourable Minister of Natural Resources, the Acting Minister the Minister of Labour will be introducing the bill today.

### **SECOND READING**

#### **BILL 28 - THE MANITOBA HABITAT HERITAGE ACT; LOI SUR LA PROTECTION DU PATRIMOINE ÉCOLOGIQUE DU MANITOBA**

**HON. A. MACKLING** presented, by leave, on behalf of the Minister of Natural Resources, Bill No. 28, The Manitoba Habitat Heritage Act; Loi Sur La Protection du Patrimoine Écologique du Manitoba, for Second Reading.

(Recommended by Her Honour the Lieutenant-Governor)

**MOTION presented.**

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** Mr. Speaker, I want to thank my honourable colleague, the Minister of Municipal Affairs, for encouraging me in setting out to do my utmost to explain to the satisfaction of all of the members of the House the worthiness of the bill that has been introduced by my colleague, the Minister of Natural Resources.

I am not unfamiliar with the policy thrust contained within this bill because, as you know, I had some interest in the pursuit of the principles that this bill contains while I was Minister of Natural Resources.

Mr. Speaker, I think it would be useful to set the proposed Manitoba Habitat Heritage bill into the context of efforts to preserve and expand wildlife habitat elsewhere in the world.

Statistics indicate that approximately 70 percent of world extinctions - now these are animal extinctions,



not human extinctions - are due to habitat loss. Although I might digress to say that when you lose habitat, it affects humans as well. We are now losing species at the rate of at least one per day. By the late '80s scientists estimate the rate will be one per hour. With this in mind the World Wildlife Fund International was founded in 1961 and the World Wildlife Fund Canada in 1967, they are dedicated to the conservation of wild animals and plants and their habitats for their own sake and the long-term benefit of humankind.

In early 1984, Wildlife Habitat Canada was formed to deal with the growing problem of habitat destruction and deterioration. Since its inception a number of habitat projects with funding of almost \$1 million has been approved. These projects span the country from British Columbia to Prince Edward Island and are mostly wetlands related.

A loss and deterioration of habitat is one of the most serious factors affecting the abundance of fish in wildlife populations in Manitoba, particularly in the more populated southern portions of the province. It has been estimated that Manitoba's losing wooded habitat at rates in excess of 200 square miles per year and wetlands at the rate of 50 square miles per year. It is predicted that if these rates of loss continue, deer and duck populations will decline by 33 percent within the next 15 years. In addition many other species of wildlife, including rare and endangered species, birds of prey, colonial nesting birds and songbirds are being negatively impacted.

From a fisheries standpoint, nutrient enrichment, pollution, channelization and drainage, erosion and sedimentation and obstruction to fish movements, have detrimentally affected fish populations.

This Manitoba Heritage bill, to establish the Manitoba Heritage Corporation, will be a non-profit entity, aimed solely at meeting its objectives and capable of receiving income tax deductible donations from private organizations or individuals. It will be initially funded primarily from funds granted by the Legislature through the Estimates process. Members will recall that a fund was set up in 1984 and 1985 at the \$250,000 level and is continued at this level in the Estimates that were processed during this Session of the Legislature.

Objectives of the Corporation will include promoting and engaging in the conservation and restoration and enhancement of fish and wildlife habitat in the Province of Manitoba, to provide a mechanism for collecting and disbursing funds for the conservation and enhancement of fish and wildlife habitat, and to foster co-ordination and leadership in the conservation, restoration and enhancement of fish and wildlife habitat.

The Corporation will have power to: (1) accept financial grants and contributions; (2) accept and hold bequests of real and personal property of all kinds; (3) acquire by purchase, lease, exchange or otherwise, any real property or any interest or rights therein; (4) hold, manage, improve, develop, exchange, lease, sell, or otherwise deal with real or personal property; (5) enter into agreements with any person or authority to further the Corporation's purposes and; (6) donate money or property to any person or authority on condition that such money or property is used entirely in support of the purposes of the Corporation.

I believe that I have absolutely no difficulty, Mr. Speaker, in obtaining the support of all members for

this measure, since I know that so many have a deep interest in wildlife resources. Mr. Speaker, this measure is designed to facilitate and co-ordinate the efforts of government in respect to the conservation of necessary wildlife and fish habitat. It will be complementary to initiatives by Wildlife Canada and by local organizations who, like the Manitoba Wildlife Federation, have done excellent work in respect to obtaining and preserving habitat. — (Interjection) — Well, the honourable member opposite says, the organization I resigned from. If the honourable member would do more research in respect to his work as a critic, he would find that I'm a member in good standing of the Manitoba Wildlife Federation.

Mr. Speaker, there are many people in this province who appreciate the value of wildlife and, I think are prepared to see vigorous leadership on the part of government to ensure that collectively the people of Manitoba, not merely those who hunt and fish, but those who love wildlife for wildlife's sake, have an opportunity to be involved in the preservation and in some cases, even the restoration of wildlife that has been endangered.

So, Mr. Speaker, during the course of the Committee Stage hearing, I am sure my colleague, the Minister of Natural Resources, and certainly I, will be prepared to enlarge on any further details in respect to the makeup of the Corporation.

The Corporation will be reflective of the broad interest of farmers, of people who fish, people who hunt and people who love wildlife generally, and that Corporation will be dedicated to the interests of all Manitobans, and dedicated to the interests of preserving wildlife and fish habitat in this province.

So I commend this legislation, Mr. Speaker, to all members of the Legislature.

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

**MR. A. DRIEDGER:** Mr. Speaker, I move, seconded by the Member for Virden, that debate be adjourned.

**MOTION presented and carried.**

**BILL 65 - THE STATUTE LAW  
AMENDMENT  
(TAXATION) ACT (1985);  
LOI DE 1985 MODIFIANT LA LÉGISLATION  
RELATIVE À LA FISCALITÉ**

**HON. V. SCHROEDER** presented, by leave, Bill No. 65, The Statute Law Amendment (Taxation) Act (1985); Loi de 1985 Modifiant La Législation relative à La Fiscalité, for Second Reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Minister of Finance.

**HON. V. SCHROEDER:** The bill provides the legislative authority for the tax changes announced in the Budget together with a number of housekeeping changes. The tax increases provided are limited to three areas, fuel,

tobacco and water power rental rates. I should say that coloured farm fuel continues to be fully exempt from provincial fuel taxation.

The Manitoba Manufacturing Investment Tax Credit introduced last year, and which was due to expire at the end of the year, is extended for a further one year. The credit applies to investments in new buildings, machinery and equipment which are used in a manufacturing or processing business in Manitoba. The recommended fuel for unvented kerosene heaters, type 1K kerosene is exempted from tax.

In addition, there are a number of technical changes to various taxation statutes. Substantive changes are being made to the Gasoline Tax Act and Motive Fuel Tax Act in regard to record keeping. Changes will assist fleet operators in maintaining records for fuel taxation purposes in line with the provisions of the new Canadian agreement for vehicle registration. We've had requests from the Manitoba Propane Dealers' Association for some changes - cylinder fills of propane formerly taxed at two rates based on literage are now to be taxed at a single rate, based on weight.

Most of the amendments to The Income Tax Act are being made at the request of the Federal Government. Under the terms of the Canada-Manitoba Tax Collection Agreement the province is required to maintain its legislation in parallel fashion to the Federal Act with a few specified exceptions in the case of provincial income tax programs which the Federal Government has agreed to administer on our behalf.

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I move, seconded by the Member for Sturgeon Creek, that debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker.  
Would you please call on debates for Second Reading, Bill No. 58, Bill No. 60, Bill No. 74, Bill No. 85, Bill No. 90 and Bill No. 94?

### **ADJOURNED DEBATE ON SECOND READING**

#### **BILL 58 - THE MORTGAGE ACT; LA LOI SUR LES HYPOTHÈQUES**

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General, Bill No. 58, the Honourable Member for Fort Garry.

**MR. C. BIRT:** I've had a chance to review the bill and there are some questions that I have, but I think perhaps the technical detail that some of the concerns I have can best be resolved in committee and I will reserve some of those comments to that time.

I understand the reason for this bill basically because there was a change in the old Mortgage Brokers and

Mortgage Dealers Act and they request in that act certain information that had to be supplied or given to anyone who took out a mortgage. I have been advised by an individual who is involved in this industry that that form was seldom, if ever, used. There were other forms of information conveyed to the potential borrowers that pretty well provided the information that was needed.

The new act deals with a couple of specific areas of saying, before a borrower signs any documents certain information must be sent out to them. Primarily, what is the cost of any fees or expenditures or payments that they might have to face; whether or not they're getting the full value of the mortgage or some amount that is less; also some figure has to be set out as to what costs will be associated with that mortgage.

The two areas of concern that I have in here is in relation to how far these costs relate. I think it is perhaps one of open or perhaps loose drafting rather than the improper drafting because there is a phrase that says, "any disbursement, expenditure, payment or cost in respect to the mortgage to be charged or will be charged in effect in the future." The question really here is, at what time does this commitment stop? Because, if certain consequences flow, that if you are not falling within the intent of this particular section of the new proposed act then either certain costs will flow to certain parties or in fact the mortgage contract can be breached.

The concern here is, I think if there is going to be some uncertainty introduced into the mortgage market and the type of documents and arrangements that are being referred to in this particular proposed amendment affect every person who has a mortgage; that to ensure that the mortgage industry remains in its healthy viable state and the consumers are getting the best interests protected and they are getting the best supply and sufficient supply of funds, that something doesn't dry them up or inhibit the good working market that is out there.

It is these concerns that were, in fact, at what point or when does the amount of costs, stop? Because we can get into an area of renewal without registering the mortgage. We can merely sign a contract to extend the mortgage or those costs would be referred to. I don't think they do, but in fact, I think the wording as indicated here, may very well include them.

I have no quarrel that the borrower should know exactly how much money he is going to receive or how much he has to pay or the rate of interest or anything like that. I think that is a good concept, and it is a concept that every borrower should be prepared to understand. So at some future date they can't say that they didn't know when they entered into the contract.

Certain things flow from it, that if the itemized amount of money that is being borrowed and the costs associated with it or the estimated costs associated with it don't flow then there is either a repayment or a rebate to the borrower, or there is a possibility if certain information or procedures are not followed that the mortgage itself can be cashed out at no penalty or cost. There is nothing serious with this either, providing that it does not impact onto the provision of funds provided by the mortgage industry. I don't think it will.

The key comes in though and the concern one has is when one refers to a certain clause where it says

certain liabilities or accountability will flow should there be any omissions or should any of those errors occur that the act is trying to prevent. It says that not only is the institution liable for those costs or repayment of those costs but also the people who induced you to enter into that contract.

My reading of the proposed legislation would include, any real estate agent would also become potentially liable for anything dealing with the creation of the mortgage. Now, in most sales today I think one of the key things is to arrange financing. A lot of agents, in fact, that is where the skill comes in, is to arrange the financing so that the vendor and purchaser can consummate their proposed contract.

The concern here is that the real estate agent or industry may not be aware of this role or this potential problem and I don't think quite frankly that it was the intention to extend it this far.

It seems to me that if there is the requirement for financial disclosure and penalties flow from the failure to provide that financial disclosure, it should fall on the money lender or the institution. I really question what is involved by saying there should be extra parties, whether they be a solicitor, a mortgage dealer or an agent. That seems to me is saying you're giving them extra insurance or an extra guarantee. It perhaps may be argued that that is just putting those parties on notice that they make sure that the borrower knows in fact what they are getting into.

Unless we can either tighten that up, it would seem to me that it is the institution or person lending the money that should really bear the consequences of not ensuring that the consumer knows the true cost.

So, with those few concerns, and I know we can deal with them more specifically in the Committee Stage, I'm prepared to conclude debate and have this matter referred to committee.

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

The Honourable Attorney-General will be closing debate.

**HON. R. PENNER:** Very briefly, Mr. Speaker, I would just like to put on record my thanks to the member for raising some very constructive points. I hope to be in a position to deal with them when we reach committee stage.

**QUESTION put, MOTION carried.**

#### **COMMITTEE CHANGE**

**MR. SPEAKER:** The Honourable Member for Emerson.

**MR. A. DRIEDGER:** Mr. Speaker, thank you very much. I've had a request to fill a vacancy in one of the committees. In the Private Bills Committee, the Member for Niakwa for a vacancy that was on there.

#### **ADJOURNED DEBATE ON SECOND READING**

#### **BILL NO. 60 - THE STATUTE LAW AMENDMENT ACT; LOI MODIFIANT LA LOI SUR LES HYPOTHÈQUES**

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General, Bill No. 60 - the Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I adjourned the debate. On behalf of other members who may wish to have some comments, then I understand the Member for Sturgeon Creek wishes to do so, and he will be passing it on to committee.

**MR. SPEAKER:** The Honourable Member for Sturgeon Creek.

**MR. F. JOHNSTON:** Mr. Speaker, I just have one point to bring up to the Attorney-General, and the Attorney-General certainly has been very aware and very interested in comments from this side of the House and has taken action when he felt it was necessary. I would bring one item of this bill, in The Manitoba Intercultural Council Act, which is 155 of the Statutes and the principle of this change is to sort of take the ropes off the Intercultural Council as far as dealing with other organizations are concerned.

But in the explanation of the section, I would just refer to the last sentence of the Minister's explanation. It says, conversely there are very few organizations which have proposed purposes similar to those of the council and the restrictive words in section 19 are being deleted out so that the council may do business with virtually anybody. I think that is rather a very free privilege that they are giving this Intercultural Council. I can understand that there aren't many organizations with the same purpose, Mr. Speaker, but there is in the Estimates of the House, an item of \$195,000 which is administered by the Manitoba Intercultural Council. I would suggest to the Minister that if he could look at the wording from the point of view that they couldn't deal with virtually anybody that they should have some reins on their dealings when they are handling that large amount of money for the Province of Manitoba, or the people's money, that it should be a little tighter than it is, Mr. Speaker.

Thank you very much.

**QUESTION put, MOTION carried.**

#### **BILL 74 - THE EQUAL RIGHTS STATUTE AMENDMENT ACT; LE DROIT STATUTAIRE AFIN DE FAVORISER LEGALITE DES DROITS**

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General, Bill No. 74 - the Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, there are two areas that I wanted to comment on in connection with this bill. I am now looking at the press release distributed by the Attorney-General mentioning that they are going to eliminate so-called sexist language and discrimination based on sex and so on in this bill. Then, of course, there is also a provision for paternity and adoption leave for the first time in Manitoba.

I want to just say, in general, in context, that I am one of those who is very bored and sick and tired of

listening to all this talk about sexist language. I think if ever there was a trendy thing in our society that is being overdone, that is it. It would be very interesting to hear some of the explanations that the Attorney-General might provide of some of the pain and suffering that is being caused in our society because of "sexist language".

We know, Mr. Speaker, that this is a great fad of the 1970s and the early 1980s, and we have people in this Chamber who are examples of those trendy types who learn a new vocabulary or patter and then use it ad nauseam. So we have all heard, starting in the old days, of the aggressive feminist movement, all this talk about "male chauvinist pig" and other insulting chatter such as that. Then we moved on to the more enlightened phase where people could not, under mortal pain and agony, say the word "man" so that we no longer could have the expression "chairman". The mere mention of such a thing caused some people to faint or go into a rage because of the sexist connotation and the terrible ramifications of using a comment such as that.

So have this evolution of, well, we can't have the word "chairman" so we will then move on to the word "chairperson" - this wonderful expression used by the Member for Inkster and used by many many members on the other side who are travelling along, picking up the latest jargon, trying to be with it, trying to learn the newspeak and the new language and the new nonsense of our time. Well, "groovy", except I guess there are different words. Groovy is from the '50s and the '60s, so there must be something else, something from the '80s. The Valley Girls in Los Angeles, they are the ones who could give us the latest in that regard. So we have the evolution taking place - this is called "progress" - it's called making people more sensitive or sensitizing and so on.

I think it's a step backward, Mr. Speaker. I think the attempt frequently to eliminate sexist language is sexist in itself. All this nonsense about from "chairman" to "chairperson", now we have "chair". Of course, we have people who realize that chairperson is a bit, as the young generation would say, "yucky", so we won't have that; we'll now go to "chair" because that will sound much better.

Well, I see the Honourable Member for Burrows smiling. I don't know what he is called when he sits in the chair. He is probably called chairman from the Conservatives and chairperson by the New Democratic Party and chair or chesterfield by some of the women members in the New Democratic Party. The Member for Burrows - I don't want to revive an old debate, Mr. Speaker - but he got himself into a bit of a flap because he once made a very very very mild comment in this Chamber and, good heavens, the Member for Wolseley, she just about passed out.

Mr. Speaker, I happened to be in the caucus room at that time. The Member for Wolseley came in. She was so upset, she was so distraught, I kid you not, that she had to lie down in the back room of the caucus, in the coffee room. She was helped into the back room, almost required first aid because of the fact of a terrific onslaught by the Member for Burrows. Now the Member for Burrows, unfortunately, didn't realize he had said anything wrong and neither did I and neither did anybody else, but, boy, the Member for Wolseley, she sure felt it. It just "freaked" her out - "freaked" her

out, if I might be allowed a trendy expression, Mr. Speaker.

Mr. Speaker, we are now getting some other nonsense verbal in our time. In the old days we had people who were normal, then we had people who were abnormal, then we had people who were perverted, then we had people who were homosexuals and so on. I won't name some of the derisive terms that could be applied to that group. But now we have talk, of course, of sexual preference. Well, it's all a matter of sexual preference, you see. It doesn't matter whether it's a man or a woman or an animal; it's just a matter of preference, whatever it turns you on.

Well, Mr. Speaker, that to me is a sick concept, and behind it is an attitude on the part of certain people who are grinding axes on behalf of certain sectors of our society and that talk of sexual preference to me is a cover for a great deal of sickness in our society.

It's very interesting to watch the Attorney-General and the Premier who are being pressured from these people in our society, who are starving - Rick North and all the other people - who are only asking for equal treatment and equal rights and the fact that they just have a slightly different sexual preference and they don't see what's wrong with that. I am glad that at least to this point I will give the Attorney-General credit for standing up on that particular issue and not caving in.

Mr. Speaker, I wouldn't have called you, Mr. Chairperson, at any rate, Sir. I would only by accident have called you Mr. Chairman.

Mr. Speaker, the trendy vocabulary is all around us. It is just so rife in the NDP that it's enough to make a person ill. If we took away certain words from some of the members of the New Democratic Party at their conventions and in their caucuses and in the women's movement, they wouldn't know what to say, Mr. Speaker. They would not know what to say.

If you took away the words "sharing" and "caring," I'll bet you that they could not communicate at all, because those are the trendy catchwords of certain members' dialogue. I don't know all of them.

I know that the Deputy Premier who is a very nice person or a very nice woman, and I like her personally - Mr. Speaker, the Deputy Premier, if you took the words "sharing" and "caring" away from her, she wouldn't know what to do. She wouldn't be able to express herself.

Isn't this the corny jargon that comes up from California? I mean, we all know what the word "sharing" means. We know what it is to share, and we know what it is to care about somebody, but it becomes a catchword. It becomes a meaningless slogan, it becomes a trendy word of our time and it destroys a lot of good English words, Mr. Speaker.

You know, in California I think they have a little joke that puts this into perspective, that in California and L.A., it requires 21 people to change a light bulb? Why? Well, first of all, one person has to get the ladder and take the light bulb out, and the other 20 share the experience.

I'm glad you never heard that before, Mr. Speaker, but that's . . .

**HON. R. PENNER:** I hope you're proud of your audience, Russ.

**MR. R. DOERN:** I am proud of my audience, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please.

**MR. R. DOERN:** So I'm saying, Mr. Speaker, wait for it, wait for it. Mr. Speaker, I simply say that a lot of this stuff has become trendy talk that has found its way up north and, of course, people quickly latch onto new expressions. In this case, they're trying to force us to use these expressions. I can tell you right now, Mr. Speaker, I will not use the word "chairperson." It's going to be very interesting someday when the order comes from the government that you must use the word, "chairperson." Otherwise you'll be ejected from the Legislature and ejected from committee, because we're not taking any more of that sexist chairman stuff in this Chamber and in this province.

Then another trendy word that we have that we are so fond of on the part of the women in the New Democratic Party and a few of the men is a "gutsy woman." Boy, I really like that one. That one really gets me. I too understand what it means to be gutsy, Mr. Speaker. I understand what that expression is. But what does that mean today in 1985? I'll tell you what it means. It means somebody who - not all - but it is a cover again for somebody who is rude and aggressive and offensive and ill-mannered. That's what it is often a cover for, somebody who grunts and groans and yells and screams - that's considered gutsy. It is also considered poor manners, Mr. Speaker. That's another thing that it's considered. We have, of course, examples of that quite frequently in this Chamber.

Then we have other words. I don't want to get into this, but I'll simply mention in passing. We had the word "bigot" which came out in the French language debate. We heard it over and over and over and over again from the Minister of the Environment and a few other people on that side. What did that mean, Mr. Speaker? It meant, "a person who does not support the government's French language proposals." That's all it meant. It didn't mean anything more than that. It was an attempt to silence the opposition, to scare the opposition, to frighten the opposition, and it's not very nice to be called certain words.

I was in the New Democratic Party for a long time and, on rare occasion, somebody would call me a communist, a rare occasion. I always thought that was very funny. I remember a little old lady or a little old person one time - I knocked on an apartment door in Elmwood in my first campaign, 1966. There were two elderly ladies in that apartment, and they were real ladies I suppose, Mr. Chairman - because I want to also say, by way of interruption, that the word "lady" is another one. I mean, that's a trendy term. If you're a female, you are a lady now. You're no longer a woman. You're no longer a girl! — (Interjection) — no, there are people who say "lady." There is a group that says "lady." All that means is it's sort of a compliment.

But I say in the old days, back in the '50s when I grew up, back in the '50s and '60s, a lady was a female or a woman who had some class and some manners. It was a sort of a category. I think that was a well-

understood expression, somebody with class. Now it just means that you're a female. So that word has sort of changed as well — (Interjection) — well I have to finish the communist story, as the Member for River Heights insists.

I knocked on the door in an apartment in Elmwood. There were two elderly ladies - in the old sense of the word. One of them came to the door, and one was sitting farther back in the apartment. She was a little hard of hearing. So I said to this lady, "My name is Russ Doern. I'm the New Democratic candidate in Elmwood." The person at the back, the lady at the back said, "What did he say?" The woman at the door turned around and said, "He said he's with the NDP." The little old lady at the back kind of shriveled up and looked at me with a steely look through her round glasses and said, "Communist!" As a result, I said to her and I laughed, "Madam, I am no communist." I simply left and walked away — (Interjection) — he says I was a communist.

Mr. Speaker, the point that I'm making is - and I remember saying to people many times - if somebody actually believes that, if they really believe that, don't waste your time on them. Don't go back and try to persuade them. Somebody who has had that conviction about the CCF and the NDP since the 1930s, you're not going to persuade them with some interesting verbal gymnastics and some potent arguments about the differences between democratic socialism and the Soviet Union, etc., you cannot do it, Mr. Speaker. But nowadays, since I no longer can support this government and this party, because of their incompetent handling of the French language question, now the word comes back from that side to me that I'm a fascist. Well, Mr. Speaker, I simply say well I'm no fascist and, of course, the members of this side are used to that term, that's a derisive term that is thrown to the members of the Conservative parties and others.

Mr. Speaker, unfortunately this is the wrong topic but, if it were, I would say to the Attorney-General that I would like to debate him sometime because he's the one who said that, not too long ago, that I was not a very good historian. I said of him, just yesterday, and unfortunately he wasn't here so I didn't say very much, that the trouble with his understanding of history is that it is limited. It is not, unfortunately, steeped. He has not spent enough time reading and learning and understanding Manitoba history for number one, and Canadian history for number two. Because a lot of his interests all his life has been European, it has been Eastern European and it has been Soviet history. I will not fault him for that and I will not say that that is a deficiency, but it is a deficiency in the sense that a lot of his understanding of history is not Canadian.

**MR. H. ENNS:** Which Masters program was it they threw you out of, Russ?

**MR. R. DOERN:** Well, I'm sorry but I was never in any Master's program in History and I've never been thrown out of any program; I don't know about my honourable friend. But, Mr. Speaker, I simply say, in general, that when I hear people recoiling, they're running around deciding what to do next.

Now, what was one of the stupidest things we've ever seen? It was a letter in the Free Press about a week

ago, or on the weekend. There was a little letter to the Editor with a flag and underneath was some poor distraught woman or person who wrote a letter to the Free Press because, by George or by Sally, she was listening to the National Anthem one day, Mr. Speaker, and did you know there is sexist language in the National Anthem. Now I forgot that, and it says something about our sons. — (Interjection) — That's right; it has the word "sons". Well, Mr. Speaker, that has to go and this lady is going to start a movement and it's going to be seconded, I am sure, by the Member for River East because he's trying very hard to be trendy and he, I am sure, will bring in a bill next time to recommend to the Federal Government to change the words of the National Anthem to persons, instead of sons; "for we are sons and daughters, stand on guard for thee". Well, Mr. Speaker, this nonsense knows no bounds.

There's the people that are worried about the Museum of Man and Nature. They're worried about expressions about man-made; that's a terrible sexist remark. — (Interjection) — You better believe it. My honourable friend is absolutely right. He says that there are people who are worried about the word "person" because it has son in it, and do you know that woman and women have the words "man" and "men" in it. So what do the trendy types do in the United States, those great women's libbers, those outstanding feminists, they change the spelling. Yes, maybe you don't know that. They have changed the spelling of the word women and you can see in some publications, it's spelled w-o-m-y-n, or w-i-m-m-i-n; it's like swimmin and women. Mr. Speaker, we cannot have men even in the word women, we cannot have that, Mr. Speaker.

Mr. Speaker, we had the young impressionable Minister of Labour came back from Washington. You know, big "L" goes to Washington and then he comes back and what does he tell us. He says that he had a meeting with Congress persons; remember, he met with American congress persons, because he wants to be with it. The trouble with us is we're all getting older and we want to have the trendy vocabulary if we can't keep up with the latest thinking. We want a sound with it and so he's got Congress persons in Washington.

Mr. Speaker, the silliest example I ever saw, I believe, was two or three years ago in Ottawa or Toronto. It was in the springtime; it was the end of winter, there was still snow on the ground and two young ambitious young children got together. There was some nice wet snow and they rolled up a couple of big balls of snow and put together this figure and, right on the front page of this Ottawa paper, or this Toronto paper, were two young children who had built a snowperson; yes, a snowperson. I mean none of this old guff and garbage that some of us, unfortunately, have learned over the years about snowmen; none of that stuff, boy, that is out. So you have to have snowpersons and congresspersons and chairpersons and wimyn and you have to go back to school or go to Success, Angus Commercial College and take a course in spelling and learn how to spell and how to talk because you have to be recycled into the newest cliché-ridden period that we live in.

Well, Mr. Speaker, I could speak at greater length but I think I've made my point, and the point is that there is just a lot of total nonsense behind this concept of sexist language. In the old days, it used to be he,

she, and it, and now, Mr. Speaker, the he's are silent; the she's are noisy, and the it's are demonstrating in the streets.

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

The Honourable Attorney-General will be closing debate.

**HON. R. PENNER:** Mr. Speaker, my remarks in closing will be brief. I would like to note at the outset that it is a sad day when a member of this Legislature, in addressing one of the most important bills to come before this Legislature, not only in this Session but in this Legislature, having to do with something that the vast majority of Canada and Canadians cherish, that is the notion of equality rights, can do no better than trivialize that bill with jokes that illustrate, I would say, how despicable that person has become in addressing some of the mandates of the Charter.

You know, Mr. Speaker, the question of sexist language is not a joke. It's not the most important thing in this bill, but the question of sexist language has become a symbol of the exploitation of women in our society.

It is not baloney in the fact that all of those members over there, including the Member for Gladstone, thought it was all very funny, illustrates how serious the problem is when 51 percent of our population who have and continue to be exploited in our society in every way. That exploitation is carried as much culturally, as much by image, as much by the put down of language, as in any other way. Language is the carrier of attitudes. If you don't understand that, then you don't understand anything.

It is not, I would think, trivial for someone who is a woman to say that I would not like to be called a chairman, I am not a man, and the "man" in "chairman" means man. I would like to be called a chairperson because it is my dignity which is at stake.

To say that that is all very funny and trendy is to show how far this member has fallen from any understanding of equality issues. Indeed, I find it shocking that the members of the opposition, other than that member, should indicate how antediluvian they are. They will be exposed in the next election for how reactionary they are in this as in every other respect. They should talk to their own Prime Minister.

I have a lot of criticisms of the Prime Minister of this country but I will say that on this issue he has shown himself to be a leader. He has shown an example that this bunch of right-wing, red-necked Tories will never be able to emulate and that is why they live in the shadow of Manitoba history and they will continue to live in the shadow of Manitoba history and their defeat in the next election will make their defeat in 1981 pale in comparison.

You know, Mr. Speaker, it is cheapness in the extreme, having a difference, as the Member for Elmwood did, with the notion of sexist language to treat this whole bill with petty sarcasm and California jokes. I say no more about it than that.

He made one remark incidentally about myself in history which shows that he is here, as elsewhere, used to making statements about people and things without any research. Yes, it is true, Mr. Speaker, I have taught

history. The only history I have ever taught is Canadian history, and I taught it well. I taught about the traditions of this country, and I taught about the explorers of this country. I have taught about the founders of Manitoba, and I know more about the history of this country than he will ever know. The reason why he is incapable of knowing about the history of this country is because he is incapable of thinking in a principled way.

My only other remark, Sir, has to do with some criticisms which are made of the bill in terms of the provision with respect to paternity leave. I would just like to, reading from the record, note a remark made by the Honourable Member for La Verendrye and the Member for Minnedosa.

The Member for La Verendrye, in Hansard, on Friday, the 5th of July, 1985, Page 3633 said, "For a male to get six weeks off, if his wife has a baby, Mr. Speaker, by law, is absolutely ridiculous." — (Interjection) — Well, I'm not misquoting you. "I cannot support that section at all, and I can't understand the thinking of members opposite. It shows they do really live in some kind of a cocoon and really don't know what is happening out there in the real world." That's quote No. 1.

Quote No. 2 from the Member for Minnedosa: "I've had calls already as a result of the headline that they've got in the paper, that the average guy out there just thinks this is absolutely ridiculous to even consider it."

First of all, if I may, Mr. Deputy Speaker, to point out in answer to the question thrown from his place by the Member for Sturgeon Creek that they've had this — (Interjection) — if you wouldn't mind - in Saskatchewan and have it in Saskatchewan, which is open for business. Remember? Saskatchewan, open for business, has paternity leave and has had it for several years. It has proved a success and no one is criticizing it there. It hasn't disrupted all of the little businesses that the Member for La Verendrye said that it would. It hasn't.

But to go back to the two quotes, the assumption that is made is that this is something for the guys. The guys can hardly wait to get their wives pregnant so that at the appropriate time they can get this unpaid leave for six weeks. What palpable nonsense. You know, it is as if there is some sort of a population explosion that is going to be perpetuated by this bill so people can get off work for six weeks.

This same kind of argument that the Member for La Verendrye gave about the disruption of business was given time and time again when things like paid vacations and sick leave were argued — (Interjection) — yes they were. The same kind of "Cry 'Havoc!' and let slip the dogs of war," the same kind of doom and gloom.

The point that I would like to make is that paternity leave — (Interjection) — would you just listen for a moment - paternity leave is not for the guys. Paternity leave . . .

**HON. MEMBERS:** Bye-bye Rolly.

**HON. R. PENNER:** You should live so long. I'll be back in this House. Oh, yes, I will. I'll be back in this House and on this side of the House when a lot of you are down there back on the farm on the back 40, wondering what the hell it was all about.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. DEPUTY SPEAKER, D. Scott:** Order please. Order.

**HON. R. PENNER:** Paternity leave is not for the guys. Don't you remember what it's like for a woman coming back from the maternity hospital, having to come home, and all of the pain and the suffering that she has to go through, maybe looking after other kids. If there is any possibility that the man in the house can fulfill his responsibility as a caring parent - and I'm not ashamed of the word "caring" - and be able to come home and help. It is not for the guys. It is for the women who suffer the pain and suffering of childbirth and have to come home to the house chores and to the family chores. We're not talking here about those who live in extended families.

**A MEMBER:** Ask some of the women about it?

**HON. R. PENNER:** Yes, I have. I know that I talk to, I meet with, I mix with a lot of young parents and I know what the situation is. Paternity leave is widely accepted. It functions well. There was no need to get up there as the Member for La Verendrye did in semi-hysterics and worry what would happen if that mechanic in his repair shop . . .

**A MEMBER:** You seem to forget we're all fathers over here.

**HON. R. PENNER:** No, you've forgotten, I haven't forgotten.

**A MEMBER:** We've all been through it.

**HON. R. PENNER:** Yes, and so have I, and still am. You are the ones who have forgotten, I haven't forgotten. No, what you are reflecting is your one and only concern, the concern for the employer. That's the only concern you have. Your humanism is as narrow as that.

Mr. Speaker, in closing debate, I simply wanted to say that the fears that have been expressed with respect to paternity leave are misplaced. Paternity leave has been misunderstood. I think that simply shows that, in this respect as in so many other respects, they don't do the research. It's all knee-jerk reaction. They've got a bunch of sort of one liners there about socialism or communist boards or all the rest of it.

The Member for Elmwood is a ridiculous member in this House whose sole contribution to debate is that of turning everything into a joke in the hope that one day the press will finally pay him some attention, instead of treating him, as he deservedly should be treated, as somebody who has been thrown into the ashan of history.

Thank you, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**QUESTION put, MOTION carried.**

### **BILL 85 - THE HEALTH SERVICES INSURANCE ACT (2); LA LOI SUR L'ASSURANCE-MALADIE (2)**

**MR. DEPUTY SPEAKER:** On the proposed motion of the Honourable Mr. Desjardins, Bill 85, An Act to amend

The Health Services Insurance Act (2); Loi modifiant la loi sur l'assurance-maladie (2), standing in the name of Mr. Enns.

**MR. H. ENNS:** Mr. Speaker, I adjourned this debate for my honourable friend, the Member for Pembina.

**MR. DEPUTY SPEAKER:** The Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Speaker.

Mr. Speaker, I want to address a few remarks to Bill 85 now which was introduced with very little comment by the Minister of Health. His remarks were incisive and to the point, and probably couldn't be classified as hot air when he introduced this.

But, Mr. Speaker, the Minister of Health didn't exactly explain very much to the House on how he came to the realization for the need for this kind of legislation. I submit, Mr. Speaker, that the Minister of Health did not do the normal consultative homework that a Cabinet Minister of his seniority and his experience usually does in introducing this kind of legislation. I am finding that there are substantive concerns with this legislation in groups of people that I've talked to regarding the implications of this particular bill.

Now, first of all, Mr. Speaker, we have to realize what this legislation is. This legislation is restrictive legislation. It confers to the Health Services Commission, and ultimately to the Minister, a number of abilities of regulation and standard setting in two areas, that of personal care home operation and the operation of diagnostic labs.

Now, Mr. Speaker, some of the abilities of this legislation are currently contained in regulations; for instance, the personal care homes regulations under The Public Health Act currently provide a lot of the capability that the Minister is conferring to the Commission and to himself with some changes.

Now, Mr. Speaker, one of the things that - and I'll deal with the personal care home aspect of this legislation first off - is given in this legislation is the ability to determine the need for a personal care home and, where it is deemed by the Commission that the need exists, then a licence will be granted. Following on that are enabling clauses which will allow standards to be drawn, standards which currently exist in the operation of personal care homes, presumably for the protection of the residents that will be living in those personal care homes.

Mr. Speaker, the legislation also provides, by the amendment here, the ability of the Minister to revoke an existing approval. Now, Mr. Speaker, that existed under The Public Health Services legislation and is being formalized here and, I believe, the ability for the Minister to make the decision is being tightened up and being made more centralized within the Commission and within the Minister of Health's office.

Now that is sold presumably to the public as being necessary for the protection of the residents, who often are unable to care for themselves, of personal care homes. From that standpoint, most Manitobans would agree that ability to revoke the licence should lie with the licensing body and with the Minister. But, Mr.

Speaker, as was mentioned in the committee hearings this morning to The Ambulance Services Act by the Association of Rights and Liberties, the one flaw in this legislation - I'm sure if they are aware of this bill, Bill 85, they will probably be at the committee hearings to present the Minister with the same concerns - is that the Minister's decision does not have, by statutory amendment that he's presenting, any method of appeal; the Minister assumes the final say.

Once again, the Minister can justify that - the Attorney-General tried to justify it this morning to the Association of Rights and Liberties why it should exist. But, Mr. Speaker, in Manitoba right now, we have a system of both publicly-owned and funded personal care homes and private personal care homes. This government, the New Democratic Party, their party platform says that they do not agree with the private ownership of personal care homes. That is a standing party policy. This ability the Minister has now enshrined in Bill 85 to revoke an approval, without the mechanism of appeal to an impartial third body, could be arbitrarily used.

For instance, and I will use an example, in the instance of a protracted labour dispute at a privately owned personal care home; to settle that dispute this legislation could be triggered with the Minister pulling the licence, or threatening to revoke the licence, of that owner of the personal care home.

Mr. Speaker, there is no mechanism for appeal, and there are such words as "need" and "where the granting would not be contrary to the public interest". Well those are very broad and very wide legislative requirements or mandates. There is, once again, no definition of "need." There is no definition of what would be contrary to the public interest.

So, Mr. Speaker, this is not unusual, it happened before. But today in the era of the Charter of Rights which the Attorney-General just gave us a mini-lecture on, there are very wide-ranging powers in here that the next Minister of Health is going to be faced with, as to whether they will be abused by himself and by the Commission.

But, Mr. Speaker, those areas in terms of the personal care homes are not the major areas of concern. The major areas of concern that I have with this legislation is in the granted authority under this legislation to the Commission, and ultimately to the Minister of Health, the ability to license diagnostic labs. I guess one has to again reiterate to the Minister and to his caucus, who may not be aware of some of the abilities contained in Bill 85, this is restrictive legislation. This is not enabling legislation; this is restrictive legislation.

Mr. Speaker, it appears from the Minister's opening remarks of June 12th, Page 2905 in Hansard, it appears as if the prime target of this restrictive legislation will be the private diagnostic laboratories that operate in the Province of Manitoba and are providing services to various hospitals, to various health care institutions, to various doctors in the Province of Manitoba in their efforts to deliver quality health care to the people of Manitoba, because it is only in the Minister's opening remarks that he deals solely with the monies expended to private diagnostic labs that he offers as justification for this legislation.

Now, Mr. Speaker, I would ask the Minister of Health that in the course of developing this legislation, were



the various groups that are now currently involved with assuring quality services in our diagnostic labs, whether they be publicly owned and within the hospitals or within the clinics, or private free-standing diagnostic labs, were the people that are involved with them consulted as to what the Minister was proposing in legislation? Was the College of Physicians and Surgeons consulted? Was the MMA consulted? The Manitoba Association of Lab Technologists who by and large perform a lot of the laboratory operations, were they consulted? The physicians whose specialty is laboratory diagnosis, were they consulted as to the implications and the new powers conferred on the Commission by this legislation? Furthermore, do they have any concerns? I think, Mr. Speaker, we will find out that they do have concerns.

Now, Mr. Speaker, what is provided in terms of diagnostic laboratory licensing is the ability for the Commission to license and, once again, the Commission determines whether there is a need. And what is the definition of need? What criterion does the Commission, by direction of the Minister of Health and his governing party, use to determine need? There is no question there is need for ultrasound diagnosis throughout the Province of Manitoba, there is no question that there is need for CAT scanning capabilities in the Province of Manitoba, but yet those are currently not being fulfilled.

There is another section in the bill which says that the Commission, in granting the approval, must assure themselves that this approval would not be contrary to the public interest. Well what is the public interest? I think, if we all think about it, we would have to agree that the public interest is in providing the best possible health care services that we can.

But by conferring to the Commission and this Minister the licensing of labs and the ability to revoke them, we are setting with the Commission and the Minister of Health and the funding body the ability to determine need.

I suggest, Mr. Speaker, that what we have in this legislation is the granting and the conferring of the ability to ration diagnostic lab services in an effort by the Commission to control budget costs, and the need will be the need of the Commission to meet their budget and not necessarily the need of Manitobans to avail themselves of quality health care services and diagnostic procedures. This is not unique because the government, through the Health Services Commission, through budgets, are right now rationing services in the medical field and this legislation will enable them to ration further the availability of diagnostic services.

Mr. Speaker, what is the process right now by which our diagnostic labs are controlled, if you will, or monitored to assure that proper standards are achieved, to assure that Manitobans get good laboratory tests and results so that their physicians can make proper diagnoses? Well, right now the College of Physicians and Surgeons sets the standards and maintain and assure that those standards are met throughout the labs. There is a constant monitoring. There are standard blood samples and cultures that are sent out to the various labs for identification and those results come back and they have to be correct or that lab is subject to investigation.

I am given to understand, Mr. Speaker, that right now in Manitoba we offer through that system,

administered and watchdogged, if you will, by the College of Physicians and Surgeons, we have in Manitoba probably as high a standard in our diagnostic labs as exists anywhere in Canada and may well be as high as exists anywhere in North America. It is a good and functioning system.

Mr. Speaker, this legislation now - and I will deal with the process a little further - quite often when you have a new diagnostic procedure, the diagnostic labs, if that procedure is not covered by the Manitoba Health Services Commission fee schedule, has not been approved for payment by the MHSC under the Medicare plan, often those procedures will be undertaken for several years, either absorbed as part of the cost of providing health care services or they will be charged nominally to the patient for whom the procedure and the test is being done, but often it's a number of years before those procedures are approved for payment by MHSC as part of the Medicare plan, and those tests go on.

Mr. Speaker, the College of Physicians and Surgeons make sure in those cases that the procedure and the test is working, that it is a good procedure and a good test, but now, Sir, all of those regulatory and monitoring standards will be switched over to the Health Services Commission.

Now, Mr. Speaker, here is the danger in doing that, and I am sure the Minister must recognize it now. The danger is that MHSC is the paymaster; they are the people with the budget. They are the people who pay the bills to the diagnostic labs. Now you are going to have the paymaster set the standards and determine which labs shall and shall not be licensed and they shall determine also ultimately now, rather than the College of Physicians and Surgeons, which tests will be approved, which new diagnostic procedures will be approved. So here we have a conflict of interest, if you will, in which the paymaster now becomes the one who is setting the standards for what they are paying.

Mr. Speaker, in the era which we are in now - and this Minister of Health will not deny it - we do not have unlimited dollars to spend in our health care system. We have limited dollars. The next government, our government, will be faced with those same limited dollar problems.

I ask the Minister, is this the appropriate time to be removing from a quasi-independent body, the College of Physicians and Surgeons, the responsibility for the monitoring of diagnostic labs, the personnel in them, the standards they live by, and the procedures they undertake, and removing it from an independent body and putting it in the hands of the paymaster in a time of restricted budgets?

I don't think that this is the time to be doing it. It is fraught with problems, Mr. Speaker, and I don't think the Minister realized when he brought this legislation forward - and obviously it was drafted by the Health Services Commission - the kind of conflict of interest that he was proposing in this legislation.

So, Mr. Speaker, we have to ask ourselves when we are debating this legislation whether we want the paymaster to be determining the need for a new lab when they are applying for licensing. We have to ask ourselves whether we want the paymaster, the Manitoba Health Services Commission, to be determining where those labs shall be. Bearing in mind that many of us

are from rural Manitoba, will the Commission say that it is more efficient and cost-effective to have all those labs in the City of Winnipeg to the detriment of rural Manitoba? This legislation would allow it, Sir.

Are we now doing the right thing by conferring to the paymaster, the MHSC, the ability to set the standards in those labs when they are faced with limited budgets and efforts to cut costs? Mr. Speaker, are we doing the right thing by conferring to the paymaster the total ability now to determine what tests and what new procedures will be covered under the Medicare plan?

I suggest not, Mr. Speaker. We need that impartial third body as exists today and which has provided us in the College of Physicians and Surgeons with a very excellent standard of laboratory services in the Province of Manitoba.

So, Mr. Speaker, this legislation gives the paymaster the right to determine in what facility, where that facility is, and by what standards those procedures will be undertaken. I say that this may well be interpreted by anyone who is an objective, outside observer as the first step the government is taking to enable them to ration and control their budget and ration the medical diagnostic services available in the Province of Manitoba because of budgetary constraints. This legislation confers it on them.

Mr. Speaker, there is another area that I want to deal with very briefly with the Minister. This is an area that was mentioned to me by the Manitoba Lab Technologists Association.

There are exemptions in this legislation, Mr. Speaker. Excluded from the requirement of a licence as conferred by the MHSC, are offices of a medical practitioner, offices of a dentist and offices of chiropractors. Now that, Sir, is presumably to allow them to carry on with their normal X-raying in a chiropractor's office, the dental X-rays in the dentist's office, and certainly a lot of doctors' offices and major clinics have diagnostic labs as part of their facilities. So that will be allowed to continue.

But here is a concern that the lab technicians have mentioned to me that I wish the Minister would address. Within the doctor's office, within the office of a medical practitioner, the lab will be excluded from the licensing requirements - and I suppose one could take it on further in terms of the inspection facilities, etc., etc., although I don't think that that is the intent - but the labs associated with the office of a medical practitioner are exempt from licensing providing they follow the short list of diagnostic procedures and laboratory processes which are currently in effect.

What the lab technicians are concerned about is whether the short list which is established by the College of Physicians and Surgeons will ever be expanded. I don't know whether this is a legitimate problem - I understand that it may well be going the other way - but this legislation allows this to happen. It allows an expansion of the short list of laboratory procedures which can be undertaken in a diagnostic lab exempted from these legislative provisions. The lab technicians make the case that that takes it beyond any sort of reasonable input they might have in suggesting to the government what standards should be prevailed and whether those standards are being adhered to. It's a concern they have; it's a concern that the Minister

should be aware of; it's a concern the Minister should address.

Mr. Speaker, the Minister has conferred upon himself the ability, by summary conviction once again, to levy fines of not more than \$1,000 per day that an offence is deemed to have taken place. This whole process, once again, is in-house in the MHSC, the Manitoba Health Services Commission. They are the people who pay the bills, who now license the labs, set the standards in the labs, determine the procedures that are to be done in those labs, and now confer upon themselves the ability to determine whether any of those labs are offending those standards and that licensing and those procedures.

Now, Mr. Speaker, that is a complete in-house activity of the paymaster from start to finish - court, jury, judge, policing officer, arresting officer and the judge who assigns the fine, all in-house, all given to the Manitoba Health Services Commission. And I will stand corrected if the Minister can tell me where the method of appeal is in this legislation other than to the Health Services Commission and presumably to the Minister. It's a problem that the Minister listened to this morning being addressed by the Association of Rights and Liberties in The Ambulance Service Act this morning in committee, and that same criticism can be levelled here today.

Mr. Speaker, I want to further remind the Minister of an anomaly that he addressed when we talked about - it originally started out as Bill No. 2 and I don't know what it switched to, I think it was 56 - the extra billing legislation, the legislation that banned extra billing. I asked the Minister - and this is very important when we consider this legislation now because extra billing now is illegal in the Province of Manitoba - whether Bill No. 2 allowed the Minister of Health through summary conviction, to put Morgentaler out of business because Morgentaler is providing an insured service, an abortion, which is available through hospitals in Winnipeg and in rural Manitoba; and because Morgentaler charges much in excess of the Manitoba Health Services Commission's prescribed fee - whether this allowed the Minister of Health to shut Morgentaler down. The answer the Minister of Health gave me was no, because Morgentaler is not operating in a licensed facility.

Now, Mr. Speaker, that was interesting. I believe it was something of a — (Interjection) — oh yes it was; you check Hansard. Mr. Speaker, the Minister said it was not an insured service, but Morgentaler is providing an insured service. There is where the problem is; it is an insured service that is paid for if it's done in a hospital. The Minister cannot and does not have the ability by the extra billing legislation to ban Dr. Morgentaler from performing abortions at a rate greater and far in excess of the MHSC fee schedule.

Mr. Speaker, the Minister said he can't touch Morgentaler. Then with this legislation, he will not be able to touch a private diagnostic clinic who operates presumably without a licence and, for instance, moves in as they do in California with a semi-trailer, with a complete diagnostic lab in the back of that semi-trailer which provides CAT scanning, ultrasound diagnosis. Remember, those two services are in demand in Manitoba; the waiting list is anywhere from four to eight weeks. We have Manitobans going to North Dakota to receive those kinds of services.

This legislation, because the Minister cannot deal with Dr. Henry Morgentaler in his unlicensed clinic - presumably, this legislation would not prevent an entrepreneur - it could even be somebody from California whose business is now dwindling in the shopping centres in California - from moving that trailer up and locating in the Polo Park Shopping Centre, setting up a booth in the middle of the lobby or in the aisleway in Polo Park Shopping Centre and having people go through for a CAT scan. They may well desire to do that, and pay the cost, and charge in excess of what MHSC prescribes as a prescribed and payable diagnostic fee for that CAT scan. So, Mr. Speaker, if the Minister says that that diagnostic lab, as I have described it, cannot possibly operate in Manitoba, he cannot have his cake and eat it too. He cannot sit on his picket fence and say that the diagnostic lab that is going to provide health diagnoses and save lives in Manitoba cannot come into Manitoba while, on the other hand, he says that his extra billing legislation still doesn't allow him to get at Morgentaler who is taking life in Manitoba.

So, Mr. Speaker, one way or the other, if his statement applies in Bill No. 2 in extra billing that is he is powerless to control Morgentaler, then he may well be powerless in this legislation to prevent the diagnostic lab coming into this province and providing a needed health care service to people in Manitoba who want to pay for it, because they don't like the delay of four to eight weeks through the paid-for Medicare system in the Province of Manitoba.

Mr. Speaker, in closing my remarks, I only reiterate that the Minister never mentioned one single word about standards, about quality of service in the diagnostic labs. The only thing he mentioned was the costs and the escalating costs paid to private diagnostic labs in the Province of Manitoba. It would be fair to conclude from any impartial observer that this legislation is designed for this government which is anti-private enterprise to devise a means to get at those private labs that are currently providing a service to Manitobans, to the physicians, to the hospitals in Manitoba. He didn't mention any other diagnostic lab except the private labs. If this is one more piece of legislation that enables this New Democratic Government to declare war on the private sector then, Mr. Speaker, no thinking Manitoban could support this.

The Minister offered no other explanation. He did not say that the standards in those labs were below an accepted level. He did not say that they were in violation, that there were problems. He just mentioned the cost.

That, Sir, is why I come to the conclusion, in reviewing this legislation and the Minister's remarks and in discussion with other individuals who are directly involved in the provision of laboratory services in the Province of Manitoba, this is enabling legislation for this government to ration diagnostic services to the need, as is said in this legislation, and the need being the budget of MHSC, not the need of health services of the people but the need to meet the government's budget in MHSC.

If that's the case, Mr. Speaker, we do not need this kind of restrictive legislation impacting upon health care in the Province of Manitoba. There are enough problems without further complicating it with arbitrary legislation

conferring arbitrary powers with no appeal to a body that is going to sit as licensing body, standards body, review body, prosecuting body and fine-collecting body - with no appeal, Mr. Speaker.

So, Mr. Speaker, the Minister, in closing debate, will no doubt attempt to clarify some of the concerns I have. I ask him to do so, and I ask him also whether this legislation has been discussed with the various parties who are involved in providing the current laboratory services such as the College of Physicians and Surgeons, the Association of Lab Technologists, and the MMA. Until the Minister can answer those kinds of questions, he cannot justify why we should be passing this legislation in undue haste as we are being asked to do today.

**MR. SPEAKER, Hon. J. Walding:** The Honourable Member for River East.

**MR. P. EYLER:** Thank you, Mr. Speaker.

I had not originally intended to speak on this bill, but I was stimulated to rise when I heard some of the comments made by the Member for Pembina. I realize he's new to his job and I realize I don't know all there is to know about Health, but I think that perhaps it would be useful for him to investigate some of the problems which do exist in the diagnostic services in this province today insofar as standards are concerned.

The Member for Pembina says that he is not aware of any problems with standards in the private labs. He says there is no reason that the Manitoba Health Services Commission should be involved in setting standards in private labs. Yet, I know for a fact that there is every reason to do that, Mr. Speaker.

In the one example that I am familiar with, which is the cervical cancer screening program in this province, I can tell you that the standards are a mess, and they've been a mess for quite some years. This has been one of the more or less secret causes that I have been embarked on over the last two or three years now. The wheels of government turn slowly, but they are turning. I am pleased to see that there is going to be some sort of improvement in the standards in the cervical cancer testing programs in this province.

The problem basically is that there are no real standards set for Pap smears in the cervical cancer testing program. The College of Physicians and Surgeons sets those standards, but those standards are, if I could be frank, abysmally lax. They are not up to standard. They are not up to North American medical standards.

There was a Manitoba Quality Assurance Program study done of the Pap smear testing program in this province a year ago. It found that, while we know that statistically some 3 percent of the women who have Pap smears tested will have some abnormality detected which should be either closely monitored or immediately looked after, we know that there are labs in this province which do 10,000 cases a year and find none. Statistically, there should be 300. That's how bad the standards are in some of the labs.

Now in the study that I saw, the labs weren't broken down into what is private and what is public. They were simply Lab A, Lab B, Lab C, but the standards are not there.

The Health Sciences Centre, for example, does a 10 percent rescreening of each Pap smear which is presented to them for testing. That means that, if they do 100 smears, then someone else will come by and check 10 of them. The private labs don't do that, because they get their money based on the volume that they put through. There is no College of Physicians and Surgeons standard requiring a 10 percent rescreening, and they get mistakes that way.

The results of this study, while the study was not exactly the most medically rigid and scientifically precise study of the standards for Pap smear testing in this province, I think it would be fair to say that, nevertheless, based on the statistics for 1983, there were some 500 women in Manitoba who were tested and not found to be having a problem which should be watched when, in fact, they should have. That means there are about 500 women who are at risk because of poor standards in the cervical cancer testing program in this province.

Now, I believe that things are happening. There was an article in the American Journal of Gynecology in March of '84, I believe it was, or April, which seriously took this province to task for not having adequate standards in this particular program. Throughout the medical literature, you'll find people not happy with what's happening in Manitoba. We once had a registry where women could have their Pap smears registered, and a central registry would be there for future reference. That was eliminated almost 10 years ago, over ten years ago, that should be re-introduced. These are things which must be done if you're going to have a logical and a rational and an effective screening program in this province. That is one of the things that this bill is geared towards. It's a major problem; there may be some cost savings, but the real savings is in lives. The fact that you have a province which is willing to lead the college may be dragging its feet. It's known about the problem for some years now, but the province, the government, which is leading the college, dragging its feet into setting better standards in these labs, and that's what's necessary.

I think that just because you have a group of doctors who say that they're not the MMA, they're on the standard side of things, that there's no conflict of interest; I don't believe that. I don't believe it for one minute that a doctor can sit off on the side in the College of Physicians and Surgeons and not have a conflict of interest necessarily. It's human nature, I think it can happen, you can't just rule it out. I think that's what's happening in this case, the College is simply protecting a lot of these doctors with their labs and not setting effective standards.

I just simply want to add those few remarks. If I'd known that I was going to speak, I would have had a much better presentation today but it came out of the blue and I want to get these remarks on the record for the Member for Pembina so that he knows that there are serious problems in some labs, in some areas, in some kinds of testing. The fact that hundreds of people can go undetected is not something which should be left unattended and left up to the College of Physicians and Surgeons to mull over year after year, after year. They have to be lead and it's the role of the government to ensure that effective standards are set for the diagnostic services labs in this province.

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

The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker. I just want to take this opportunity to relate to the Minister a concern that I have, and a problem that seems to be developing in this province in the last little while, and maybe it's something that the Minister is looking into. But, having listened to the Member for Pembina speaking and knowing that my colleagues in the Legislature many are receiving the same calls I am with regard to the CAT scan waiting lists, I would hope, Mr. Speaker, that this type of legislation will not put any further restrictions on the people who wish to have CAT scans.

Mr. Speaker, I think we find, as members of the Legislature, ourselves, in pretty tight spots sometimes when advising people on what to do. Someone with a brain tumor who is asked to wait five weeks or four weeks for a CAT scan, the mental anguish that that person goes through is something, I guess, that I can't really relate to a personally because I've never had it. But I know that people are really troubled by it.

We find ourselves, as legislators now, instead of being able to say, well listen maybe you can get it a little quicker, or there's something else we can do to help you, Mr. Speaker, we find ourselves saying, well if you go to Grand Forks you can get it done in a day, but you have to pay for it. But I want to tell the members opposite, that that in itself already tells me something, that we are slowly losing the access and the ability to move on some of these health care problems very quickly.

I have no hesitation in saying, Mr. Speaker, that if I were suspected of having a brain tumor and I had to wait four to five weeks to get a CAT scan done, I'll tell you, I'd spend that extra \$75 or \$100 to go down to Grand Forks and get it done the next day just to have the peace of mind and to know what was happening.

I say to members opposite that I don't pretend to be an expert in that field, but it is starting to be a real problem, because I think in the last month, I had three people who came to ask about the long waiting list for the CAT scan and so I say to members opposite that there is a problem developing. It seems to have become, I don't know if it's because of the higher incidence of cancer being detected these days, but I want to say to members opposite, that I can talk to almost everyone of my colleagues who, in the last month or two, has received a call concerned about the waiting period and the use of the CAT scan, and I say it to members opposite that if some of these people who are really desperate to have it done and want to know where they're at, the only option that the members of the Legislature have in dealing with this is to refer them to the United States.

And I think that's a pretty sad commentary of what we're headed and I hope the Minister will take that into consideration and provide us with some explanation as to how that problem can be alleviated.

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

The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Chairman, I certainly don't intend to re-open all the debates in the Estimates in

the Department of Health. Many of the things such as the concern of the last spoken were covered during the Estimates of the Department of Health. I will try to come directly to the point and explain what this is all about without playing games at all. I think that some of the points that were made are absolutely true; some others are not quite true.

The situation on this is that we've had an Advisory Committee who have discussed this with the people concerned. There is in the standards, actually I must disagree with my colleagues that talk about the standards, I think that the College of Physicians and Surgeons has done, not a perfect job, but I think we must try to improve the situation and to improve standards as much as possible. I think that they've done a pretty good job. I should say that one of the reasons I didn't say too much about the standards at the time, is that we are in the process, I was advised by our legal adviser, that was after the Act was printed, that it might need some amendments. There's no doubt; we're not trying to take that away at all. We're going to supervise and make sure that everything goes well, but the standards are the responsibility of the College of Physicians and Surgeons. It might be that we'll have, as I say, some amendments for that. That has been discussed with the College of Physicians.

I know, as I say, we might have an amendment on that, that's one of the reasons I didn't say too much. I'll make no bones about it, the standards are still the responsibility of the College of Physicians and Surgeons. It doesn't mean that we can't work with them on that and make sure that this is done, but we don't intend to take that away, something that was given by legislation to the College of Physicians, and they're doing it for the public.

The situation of CAT scan, as I say, it's a problem, there's no doubt about it. These are new technologies that come in - I haven't got all the answers. I can tell you this, I can tell you that right now one of the reasons is that there's only one that's really functioning, the one at St. Boniface hospital. The one at the Health Sciences Centre is practically obsolete now that you have to go there and then go back to St. Boniface. But that has been ordered, it's in the process and I can't go any faster. The next one will be a second one, probably at the Health Sciences Centre. Maybe one that'll do just the head, 75 percents of all CAT scans are done on the head, and then their next one would be for Brandon - that's all determined. But then that doesn't mean that you could go wild, and that's where the trick is. What is the answer? Where do you draw the line? That is what has the cost. There is no doubt about that.

Now as far as a fight with private enterprise, I think the honourable Member for Pembina was pretty realistic in many of the points he made. Now if he wants to insert that in the debate, that's his business. I would say without any hesitation at all, that I'm ready to challenge him on that, that we do not believe in privatization in that report that came from Ottawa, and if he wants to espouse the other thing, go ahead, try. We're ready to fight that at the next election. There is no problem at all.

Now to say that we are trying to get away with these labs, that is not the case. But, he is absolutely right, let me be very candid. That bill mostly is to control,

not to license, exactly that. And my honourable friend agrees with me. If he wants to admit it or not, I remember how responsible he was. I made that point during the time in the Estimates. He knows that we cannot keep up with the cost. I keep repeating that in 10 years if we do nothing different than just deal with an aging population, the cost of health will be \$3.044 billion, and the Federal Government has said, we're capping it; we are not cost sharing.

There is new technology; there are new ways; there is an aging population. We will not be able to keep what we have. If we want to improve the thing on CAT scan we've got to be careful at the other end. It has gone completely out of control in the United States. One of the reasons is because they are being sued so much that they can't afford not to have . . . They have three times the numbers of tests that we have here. It is not doing a thing, and they know it. But they have no choice because they are being sued. They've got to say, we've tried every single thing. It is unfortunate because that is adding the cost of health care in this North America.

Then you have other areas because of the competition of free enterprise medicine, and I'm certainly not against free enterprise, but I don't believe in privatization in the field of Health. It's as simple as that. The situation that you have is hospitals with 50 patients have got a CAT scan, because they are saying, if we haven't got a CAT scan, the people won't come to our hospitals. It is because that competition is there. That is ridiculous - for 50 patients a CAT scan. It doesn't make sense at all.

So I haven't got all the answers. I don't say that we've got enough. We certainly haven't. We've got others ordered, but to say how many, that is something that we'll have to work — (Interjection) — and I'm the only one listening to myself and I have trouble trouble hearing myself.

Mr. Chairman, Mr. Speaker, or Speakman or whatever. I heard that funny speech from the Member for Elmwood. That's what I was referring to - no disrespect to the Speaker.

**A MEMBER:** I don't believe that for a minute.

**HON. L. DESJARDINS:** Yes, but I don't give a damn what you believe, to be honest with you.

Mr. Speaker, so let's be clear, the standards, yes, and continue with I hope improvement, and if we need amendments we'll bring the amendments. Privatization in the field of health, no problem with that.

**MR. SPEAKER:** Order please, order please. Order please.

The time being 4:30, In Private Members' Hour. When this matter next reaches the floor, the Honourable Minister will have 37 minutes remaining.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, I would ask for leave to dispense with Private Members' Hour today.

**MR. SPEAKER:** Is there leave to dispense with Private Members' Hour today?

Leave having been granted, it's the will of the House to continue with this item, the Honourable Minister of Health.

**HON. L. DESJARDINS:** Yes, I think we were talking about the standards. We covered that. We talked about the new technology and I was talking about privatization of health care - if we disagree, we disagree. I have nothing against free enterprise, but I certainly don't believe in privatization in the field.

I've read the report prepared for the Minister of Health, the Federal Minister of Health, and we're not too interested in this province, to be honest with you. It looks like if we're not the only one, most of the provinces, all the provinces that I heard from feel exactly the same, Conservative Government or not. So I don't think it is a question of private enterprise.

**A MEMBER:** You and Bud agreed with everything else, Larry.

**HON. L. DESJARDINS:** Eh?

**A MEMBER:** You and Bud agreed with everything else.

**HON. L. DESJARDINS:** Well, I don't know if he really agrees with the report he wrote. He had to write something; that was his mandate, the privatization, and he wasn't that clear. If you read the report, he wasn't that clear. They are talking about trying it out and all that, but it didn't sound too convincing to me.

So, we're ready to take the money from the feds and try some pilot projects in other areas; I think that is very important. But going back to the reason of the bill, it is exactly that, to control, not to ration. I'm not surprised the Member for Rhineland using that word "ration," but I'm surprised the Member for Pembina because we've talked about that and he knows that by adding and multiplying the service that you're not necessarily getting better medicine. I'm sure the Member for Steinbach was agreeing with me that there are too many of these services in the States because of the state of affairs of the medical profession and them being sued so much.

So the situation is that we want to control more than ration. It is not ration. Now you have a situation that's going to become critical if we're not careful. I might say to you that the medical profession has such great concern about these new people who are going out and opening these - what do you call it? - shoppers marts, or whatever you call it, these offices.

**A MEMBER:** Walk-in clinics.

**HON. L. DESJARDINS:** Well, okay, walk-in clinics. That is a concern for members of the medical profession, because that is duplicating, that is creating more doctors in areas where they might not be needed. These are the people who want their x-rays and they are not satisfied with the smaller lab that we're ready to go along with in every doctor's office. But we're talking about areas where they want to open and then you have to man that with a specialist and so on, and that is a real concern. Right now, if it was just a question of standards, the Human Rights would make it quite plain that, fine, these people have proper standards so they should open their clinic, and they would duplicate it. It would mushroom all over the place and the cost of health care would be out of sight. That is

the concern and it is probably not very popular at this time. There are some people who are concerned.

I can tell you this, that our concern is not to start closing all kinds of them. Some people were saying, well, fine, you should make sure that anything that is open now won't be taken away. I don't think it is a good idea to prepare a bill and say there is a deal made that those people can have it but not the new ones. I don't think there is too much danger that we will be closing labs and so on, but we'll be very careful in those that will be opened, and the x-rays also.

So that is something that I wanted to say very plainly. We're defending that. We agree with that. This is the area where I say we've got to bite the bullet if we've got to keep the cost of health down. If we want to provide more scanners, things like that, that's one of the ways of doing it, of not having all these services and these x-rays and labs every time.

It might be that we should look, and the advisory committee is looking at that as a possibility of maybe having the x-ray plates, for instance, belonging to the patient and so on. Instead of going to see a doctor, then he is on holidays, you go and see somebody else, and the first thing you know you have a towel around you and you are going through the whole thing again. Everybody has their x-rays, and that's costly, so there has to be methods of being able to provide those without the cost that there is. That is correct, I won't deny this.

This is one of the main reasons for this bill to improve the standards but working, not against the Commission - okay, I'll wind it up - but not to work against the College of Physicians and Surgeons, work with them. As I say, there might be an amendment on that.

The Morgentaler, I'll just finish with that. We are talking about Bill 2 now. My understanding is this, that as far as the Minister of Health, the Minister of Health has the right to declare a certain facility as a hospital; that was not done. So, therefore, we are covering - before Bill 2 - the birth, the delivery only in a recognized hospital. So, therefore, that is not done. But it is illegal - an abortion, I mean - for him to perform that and he hasn't got his licence by the College of Physicians and Surgeons. So, therefore, it's in the hands of the Attorney-General and the courts, and he is being brought to court. But I haven't got the power in my act to prosecute him, things like that. He is just denied the right, and he is not covered by Medicare.

It might be that we will need some changes in the act and so on, that might come. So seeing that I am appreciated so much, Mr. Speaker, that everybody enjoys this speech, I will sit down.

**QUESTION put, MOTION carried.**

### **BILL 90 - THE ECOLOGICAL RESERVES ACT LA LOI SUR LES RESERVES ECOLOGIQUES**

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Natural Resources, Bill No. 90 - the Honourable Member for Arthur.

**MR. J. DOWNEY:** Thank you Mr. Speaker. I will not take a very long period of time. I just want to place a

couple of concerns on the record, and that, Mr. Speaker, deals with the allocation of Crown lands, or specified or designated areas, that could in fact cause problems unseen by those people who are making such proposals.

I make specific reference, as my colleague from Lakeside did yesterday, to some of the infestations of insects that cause difficulties for farmers coming out of, not necessarily the ecological areas, but wildlife management areas. I think special consideration has to be given to forms of compensation where this in fact takes place because, as I understand the principle of an ecological or wildlife management area, or Crown lands designated for the betterment of the entire public, that the entire public should be expected to pay some of the damages or causes of damage that occur from those kinds of sites in the area of destruction of agricultural crops.

I hope, Mr. Speaker, that the government takes every consideration in this regard as it deals with the ecological sites, and I will leave the final comments for our buyer critic, the Member for Emerson.

**MR. SPEAKER:** The Honourable Member for Emerson.

**MR. A. DREIDGER:** Thank you, Mr. Speaker. The bill, looking at it it looks innocent enough, it's a relatively short bill, and I think my House Leader indicated that we would really not have too much difficulty with the bill.

However, in looking through this bill, it's an amendment to The Ecological Reserves Act, and I think in 1981, when the bill was passed, certain areas were designated as ecological reserves, and the reason for this bill supposedly is because we have an enforcement problem where nobody seems to be having the authority in that. That, in itself, I think is innocent enough.

What bothers me though is that under this act we will allow the Minister to take and appoint any person as an officer to administrate the ecological reserve. This person will then have the authority, and it doesn't stress whether an individual has to have any qualifications, he can just appoint any person and that person, at the same time, then has the authority to appoint somebody else, again. And, then both, as we continue through this thing - I'm looking further on - that both, any one of these, has the full authority of a police officer, the same powers and authority that a police officer has, that a police constable has . . .

**A MEMBER:** Without writing any exams.

**MR. A. DRIEDGER:** . . . without having any training.

I am not sure whether I want to raise that question during the committee stages, whether that allows the individual then to carry firearms and the use of firearms because, if it has the same authority as a police officer, I would assume that is the same thing. The individual, the officer that will be appointed, again without any training or any guidelines, has the authority to seize, I suppose if he feels justified, equipment; vehicles, I assume; guns, if somebody is hunting in this area. That is the area that I feel very sensitive about, I think that has not been thought through very well.

We, at the present time, have officers, and I have one of these ecological reserves established in my area,

It's called the Cat Hills Ecological Reserve and it basically deals with reserving certain forestry back on Crown lands. At the present time, according to the information that I have received, nobody has the authority to enforce whatever laws on these reserves right now; but I dare say that on the reserve that I have in my area the conservation officers, for example, if anybody hunts, poaches there illegally, if anybody cuts Christmas trees or tries logging, RCOs will go in and will apprehend the individual and lay charges. So there has been a mechanism in place to enforce the rules of basic laws of the land.

Now when we look at what is happening with this bill, my concern is the quality of the individuals that a Minister may then appoint who will then adjudicate the law, lay charges and have the full powers of a police officer.

Towards the end of this bill - this is the other concern, why I certainly intend to pursue this further in the committee stages - it indicates that no liability will be attached to the Crown, to the Minister or to this individual who now has the power of a police officer.

Now, let's just look at the scenario momentarily. The Minister decides to appoint, let's say, my colleague for Arthur as officer - I use this scenario - or, let's say, the Minister of Labour. Let's use that scenario. This gentleman does not have any training whatsoever. He has no training whatsoever but now, by the Minister's hand, he is appointed and now has the status of a police officer. Actually, that scenario is a lot better than the one I was going to use with the Member for Arthur. But because this gentleman's views are rather narrow and his interpretation of what should be happening on an ecological reserve are such that he will almost make his own rules in this case, and has the full power to do these things, to use a firearm if necessary, to confiscate equipment if necessary, if in his mind he thinks so. Somebody might be driving through with a chainsaw, and he decides to confiscate that.

Nobody is liable. They are not liable. This individual would not be liable. The Minister is not liable. Nor is the Crown liable. That is where my concern comes in.

Other than that, as I indicated before, the bill looks harmless enough, but we want to have more of a definition as to who would qualify to be an officer. Hopefully, the Minister, before he brings it into committee, would maybe look at the possibility of amendments. If not, I would hope that we can look at that possibility of amending and defining the officer that is being referred to in this act here.

With those comments, Mr. Speaker, I am prepared to let the bill go to committee.

**QUESTION put, MOTION carried.**

### **BILL 94 - THE HOUSING AND RENEWAL CORPORATION ACT; LA LOI SUR LA SOCIÉTÉ D'HABITATION ET DE RÉNOVATION**

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Housing, Bill No. 94, the Honourable Member for Assiniboia.

**MR. R. NORDMAN:** Mr. Speaker, in perusing the Honourable Minister's remarks on the presentation of

Bill 94, it appears that this is an updating of the act reflecting changes that have occurred since the original passage. In reading it over, I still question whether the program initiatives are being aimed at the low-income earner. I don't know whether it is possible to reach the objectives.

The initiatives being undertaken to the people of special needs such as the handicapped are to be commended.

I do have a concern, Mr. Speaker, with the composition of the board of directors. It gives me some concern, in spite of what the Minister refers to in his submission as it being possibly composed of part-time political appointees. I'm afraid that it's going to probably have full-time political appointees that will be calling the shots.

I have no great concern. I know that the Member for Sturgeon Creek would like to say a few words on this, and I think that he will in turn be moving it on to committee.

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

The Honourable Member for Sturgeon Creek.

**MR. F. JOHNSTON:** Thank you, Mr. Speaker.

When I had the privilege of being the Minister of Housing, there was one time that I was accused by the present government when they were in opposition, of wanting to close the Manitoba Housing and Renewal Corporation. This bill, for all intents and purposes, basically does close the Manitoba Housing and Renewal Corporation.

I think that the bill really, as the Member for Assiniboia said, updates what the government has been doing, is creating the Department of Housing which is probably what they should have done instead of leaving the Manitoba Housing and Renewal Corporation as just a shell which is in complete control of the government. The board now is appointed by the Minister or by the Lieutenant-Governor-in-Council, but it stipulates that the Minister will be the chairman of the board. The Deputy will be the vice-chairman on the board, and the other three members of the board are going to be civil servants who are appointed from within the Civil Service.

Let's not kid ourselves. There is no corporation. The corporation is completely controlled by the Lieutenant-Governor-in-Council. There is no longer an independent board of people appointed who have the authority that the board used to have as far as the decisions of the Manitoba Housing and Renewal Corporation are concerned.

So when the government says in different parts of the bill that the board will carry out the operations of the Manitoba Housing and Renewal Corporation, we're really saying the government is carrying out the operations of the Manitoba Housing and Renewal Corporation, the ability to hire staff, etc. They don't have that anymore. All of the work will be done by the Department of Housing for them, and the staff will be working for the Department of Housing. So one would really wonder why they didn't go all the way and make it a Department of Housing.

There could be the possibility that the Federal Government prefers to deal with a corporation, rather

than with another government. That may be the principle for deciding to leave this shell of a corporation sitting at the present time.

It also says that the lifting of the \$5 million amount that the board can guarantee, the Minister did explain some of that in committee. He was in a position of having to have more funds than he presently has to operate certain programs, but we eliminate the words "\$5 million" and put in the words, "whatever the Lieutenant-Governor-in-Council may decide". Well, that leaves it completely wide open and doesn't put any limitation on what the corporation can do. It is basically what the government decides to do. So, again, the corporation is just absolutely a shell.

It removes all the provisions of The Land Acquisition Act, except in the Land Value and Appraisal Committee, but they don't have to worry about what the Land Value and Appraisal Commission says if they decide to purchase land or anything of that nature.

So, again, the board and the government are taking over completely the operation of the Manitoba Housing and Renewal Corporation as it was structured before. So let's not kid ourselves, Sir, the Manitoba Housing and Renewal Corporation is really not there. It is in control of the government Department of Housing, and there is no more board of people to advise and make decisions regarding the housing as far as the Province of Manitoba is concerned.

The board can set up the housing authorities and the Minister assures me, in committee, that the housing authorities will be made up as they always have been made up by, if it is a nine-person board, three appointed by the government, three appointed by the municipality and three appointed by the tenants.

Although reading the act, Mr. Speaker, I don't think that is what the government has to do. I think that is the policy at the present time and certainly that is incorporated by, I think, letters patent of the small corporations that are set up. I don't know how these small companies that are set up will be related to the provisions that apply as far as The Company's Act is concerned, but certainly to make any changes, those changes would have to be legal changes as far as the structure of the housing authorities are concerned.

Mr. Speaker, there is another provision in this bill that really is rather disgusting drafting as far as I'm concerned and anybody that has looked at it. It says, section under the proposed objects of the bill, it states, Mr. Speaker, as far as the government is concerned, the board will be authorized "to carry out and implement the policies of the Government of Manitoba, with respect to housing as directed by the Minister".

Well, you know, the Minister and the Lieutenant-Governor-in-Council and the Cabinet, but really, we have legislation. An act is basically a vehicle for policy but, under that particular section of this bill, they can do anything the Lieutenant-Governor-in-Council decides, the board will have to carry it out. Of course, the board is the Minister and the public servants, but they will have their policies set for them, according to this bill, by the Lieutenant-Governor-in-Council, and they will implement anything that is decided. Now if they decide to eliminate a district or eliminate something, they don't have to answer to anybody. I will say that in a court of law they might have to have some problems about stating what they can or can't do,



because they don't really stipulate what they can or can't do, except that this one says that they carry out and implement the policies of the Government of Manitoba with respect to housing as directed by the Minister.

Mr. Speaker, that is probably the worst drafting and the worst that I have seen really as far as control on any bill. For all intents and purposes, Mr. Speaker, this bill would never have to come back to the Legislature to be changed again because that section says that they carry out the policies as directed by the Minister.

So, Mr. Speaker, if they want to do anything, if they want to change their policies; if they want to make decisions that are drastic; if they want to take over or do anything in respect to housing in this province that could be harmful, even harmful to people, they wouldn't have to make any changes to this act because that particular section gives them the authority to do whatever they want and, as far as that is concerned, under that particular section, this bill would never have to come back to the House. As the Member for Assiniboia says, this is really making it a Department of Housing, MHRC is a shell and they have put in this bill control over the housing in the Province of Manitoba which, quite frankly, I don't think the government should go that far.

I think that section should really be eliminated because the policy can be structured in Cabinet and the Minister will direct that they carry out any of the policies that have been put forward.

So, Mr. Speaker, with those few words, and making it very clear that this government has effectively eliminated the Manitoba Housing and Renewal Corporation, put it in the hands of the government, all policies will be made by government and that is the philosophy and policy of the government. That's fine, but let's not have any kidding around about it, the Manitoba Housing and Renewal Corporation is no longer a structure within this province that makes any decisions as to what the housing policies will be in the province. It will be the government and the Lieutenant-Governor-in-Council that does it, and if this government wants to make that change that is entirely up to them.

But, certainly I think that you previously had a situation which had a board of people that would advise you and set policy for the housing, work with the Minister and the government as to what their philosophy or policies may be, but that is eliminated now.

So, Mr. Speaker, with those few words and to comment again on the complete control to carry out and implement the policies of the Government of Manitoba with respect to housing, as directed by the Minister. Mr. Speaker, really, as I said, this bill will never have to come back for any changes. It is not a vehicle for policy any longer; that bill gives complete control over housing in this province without any changes to this bill for eternity. Mr. Speaker, that is not the usual intention of legislation, but that is the way this government operates.

Thank you very much.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

I beg to move, seconded by the Minister of Housing that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

Mr. Speaker, it would be our intention to deal with the Estimates of the Department of Legislation. If there is sufficient time following that, we would proceed with the remaining smaller items which are left in the Estimates.

**MOTION presented and carried.** and the House resolved itself into a Committee to consider of the Supply be granted to Her Majesty, with the Honourable Member for River East in the Chair for the Department of Legislation.

## COMMITTEE OF SUPPLY SUPPLY - LEGISLATION

**MR. CHAIRMAN, P. EYLER:** Committee come to order. We are considering the Estimates of the Department of Legislation. Does the Minister have an opening statement?

The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Chairman.

On behalf of Mr. Speaker, I will be presenting the Estimates with regard to the Legislative Assembly and its independent House officers. Mr. Chairman, this is only the second opportunity and perhaps the first full opportunity for members of this House to have participated in the development of these Estimates and I wish to commend the members of the Legislative Assembly Management Commission who participated in this process. I am only one of the eight members on that Commission, Mr. Chairman, and I appreciate the honour afforded to me to present the Estimates.

The only major change, Mr. Chairman, that I would highlight for members beyond normal ongoing programs within the Legislative Assembly is the introduction this year, starting in September, of the Legislative Internship Program and I wish to commend members on both sides of the House for their work and effort in making that program possible.

Thank you, Mr. Chairman.

**MR. CHAIRMAN:** The Opposition House Leader.

**MR. H. ENNS:** Mr. Chairman, dealing with the first item and we talk about our own indemnities, I know that there's always a great deal of attention paid when any changes are made to our indemnities. It's perhaps worthwhile to just put on the record from time to time the fact that I believe that Manitobans get services by their elected members at reasonable cost. It is frequently indicated that we are the lowest paid legislators in the land. Does the Minister have at his fingertips, substantiation for that? In fact, are we the lowest paid legislators in the land?

**HON. A. ANSTETT:** Mr. Chairman, I don't have the figures handy. The comparative statistics put out by Tom Michelson, editor of the study book which comes

out each year at Queen's Park, just circulated that and I believe the Opposition House Leader did receive a copy. I do know that we have the lowest salaries for Cabinet Ministers in the nation. I believe the figures for MLAs are at or near the lowest; we may be the second or third lowest in the nation. Prince Edward Island is lower for MLAs. But other than Prince Edward Island and possibly Newfoundland, I believe we would be the lowest. Cabinet salaries, there may be one other province, Sir, which is lower for MLAs as well, so we're either sixth or seventh in terms of MLAs; we're lowest in terms of Cabinet salaries. But I think the Member for Lakeside is right in suggesting that in terms of total cost of salaries for legislators, we do have a very reasonable cost compared to other jurisdictions in the country.

If the member wishes, Sir, I can undertake to get him a copy of the table in that study which sets out all remuneration to MLAs and Cabinet Ministers across the country and federally.

**MR. CHAIRMAN:** I believe Items 1, 2, and 3 are statutory. Are there any comments on those three? Item 4.(a)—pass; 4.(b)—pass; 4.(c)—pass; 4.(d)—pass; 4.(e)—pass; 4.(f)—pass.

Item 5. Provincial Auditor's Office (a) Salaries - the Opposition House Leader.

**MR. H. ENNS:** I ask for the indulgence of the Minister to allow us some comment on the . . . I was just assuming, not being familiar with this section of the Estimates, that you were simply listing the Item 1, the statutory items having to do specifically with indemnities, I appreciate that. The other items having to do with allowances as well are statutory, but certainly the item under 4, Other Assembly Expenditures, provides administrative support for the Legislative Assembly, among other things are not statutory, and I would want to indicate at this time, we have now had the first full year of working with the Legislative Management Commission; While I am not a member of that Commission, members on our group do wish to express some concern about the operation of the Commission and I'd ask indulgence of the Minister to proceed along those basis.

**MR. CHAIRMAN:** Item 4. Other Assembly Expenditures (a) Leader of the Official Opposition Party - the Member for Emerson.

**MR. A. DRIEDGER:** Mr. Chairman, I apologize. I slipped up there, I suppose. I thought you were on the other page. Before you know it, we'd moved on this. I would just like to take this occasion to raise some questions and express some concerns as to what has happened under the Legislative Commission and have been wondering, together with my colleagues, I think, Mr. Chairman, the Minister responsible for the Commission must have realized over a period of time the less than enthusiastic approach and lack of participation, to some degree, by the members of the opposition. The reason for that is because we do not really feel comfortable with that whole establishment, by the government feeling that they wanted to establish this Commission.

Our responsibility of course, as members of the opposition, is to participate in that aspect of it, but

from the time that we started with that and the amount of time that has been spent, really in setting up the guidelines. For example, the endless hours that we have spent just working at the aspect of what you can qualify for under expenses, the detailed work that we finally have hammered out to some degree. It is this kind of thing that has us very cool towards the whole operation of that commission. I anticipate that, when the election comes, there could possibly be dramatic changes in that aspect of it, in spite of the fact that a lot of time has been spent on that.

But I indicated my opposition to the aspect of the \$2,500 for expenses that we've put in, the members are allowed to put in. It has been indicated many times, I think, by many of our members that, instead of using that approach, if we wanted to have an increase in our indemnities, let's cover it, let's give \$2,500 across-the-board instead of going through this piecemeal thing about having every member submit bills and fighting about it. We've done that to the point where, in some of our discussions that we had, we were discussing whether somebody had charged some food - a case of peaches or whatever. I use that as an example, maybe, but it is this kind of a thing that will always be recurring.

I indicated a long time ago that I thought it was really not in proper keeping with the members of the Legislature that we have to run around and keep tabs of all our expenses, of our mileage, what qualifies under food, what qualifies under your office expenses, stuff like that. Sure, every member qualifies and can justify \$2,500 worth of expenses; why do we have to use this kind of an approach?

It has been humiliating, in some cases, it has been very exasperating the way this thing has been handled. Some individual members on both sides have been upset to a point, because our chairman was not sure as to the guidelines, had questions that he raised. It has been a continuing fight almost up to this point. Even now, there is still a question as to certain things, certain things get called back.

The Minister that is responsible for this end of it has indicated that once we have these things set up it's going to be easier. I have my doubts about that; maybe in this one aspect of it we will, but we are looking already at expanding the whole realm of the commission in terms of dealing with when does Rules Committee deal with things, and when does the Management Commission deal with things? We're looking at getting into this jurisdiction of Government Services about space. We deal with space; we deal with the Speaker's pictures to be redone.

I'm not saying that these things are wrong, all I'm saying is what we're doing is creating another department that will gradually blossom to the point where we'll be overlapping on a lot of these things. I would like to just maybe allow the Minister to project and maybe indicate what he sees out of the Management Commission, where he sees this thing going, and then I would like to maybe give him some more comments as to how we feel about that.

**MR. CHAIRMAN:** The Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Chairman.

I appreciate the remarks of the Member for Emerson. I understand his position hasn't changed. We on this side and, I believe, some members on his side at the time believed that an accountable system with an increase from \$1,500 to \$2,500 - actually an increase substantially more than that, because the previous amount was fully taxable - was preferable in terms of giving members the resources to provide service to their constituents. I appreciate that some members did not agree with that approach.

Nonetheless, Mr. Chairman, we on this side still agree with that approach, and still feel very strongly that is preferable to giving members a blank cheque, which is what was occurring before and, in effect, it was only an increment on their salary of \$1,500-a-year for which they did not have to account. Whether they spent it or not, they received it; whether they provided service to their constituents or not, they received it. It would have been more honest, Mr. Speaker, we said at the time, to add that to the MLA's indemnity and pay nothing for constituency service. We felt it was more appropriate to provide an allowance for constituency service.

That is done in most other jurisdictions in Canada, and most other jurisdictions went through some growing pains. Those pains were far less when members believed in providing constituency service, and made it work. I believe members opposite do believe in doing that. They may not like this mechanism for doing it, but I believe that they generally wish to provide service to their constituents and, where that costs money, they think they should be reimbursed for it. It's really the mechanism of reimbursement.

There may be more members on this side who are more dedicated to providing more extensive services, and over time, perhaps as resources permit, that may occur.

But I think we're through the growing pains for the most part. I think we have established a fairly good set of constituency allowance rules. I think, as well, we dealt at the very last meeting with the question of jurisdiction between the Rules Committee and LAMC. I don't see that as presenting a problem in the future. I think generally what this Commission has done is placed the management of the Legislative Assembly, and the reporting mechanism for independent officers of the Assembly, in the hands of members of the Assembly, as the former Speaker, the Member for Virden, requested when he was Speaker of this House, of his government. He proposed a bill to do essentially the same type of thing, to provide a members' committee which oversaw the management . . .

**MR. H. GRAHAM:** Mr. Chairman, on a point of order.

**MR. CHAIRMAN:** Order please.

The Member for Virden on a point of order.

**MR. H. GRAHAM:** The member is attributing things to me. If he's making something referring to me, I would hope he would be factual.

**HON. A. ANSTETT:** Mr. Chairman, I'm sorry. If the Member for Virden at no time proposed that the members of this Assembly - in concert, I believe, at

the time with the then Attorney-General, the Member for St. Norbert - but if my information is inaccurate, then certainly, Sir, I withdraw the suggestion that those two gentlemen, when members of the government party in this House, wished to see members from both sides of the House participate in the management of the House's affairs without that being controlled in the Cabinet room. I thought that was their intention. If the Member for Virden is saying it is not, then I withdraw the suggestion. It was a commendation, Sir, on what I thought was his high regard for the independence of the Assembly. If he did not have that high regard, Sir, I withdraw the commendation.

But, Sir, that was the purpose of the LAMC. I believe we have achieved it. I don't see any need to expand that role; I don't see any new creations of independent officers beyond the three we have now, the Ombudsman, the Provincial Auditor, the Chief Electoral Officer and, of course, the Office of the Assembly and the staff associated with that in the Clerk's Offices.

So I see the role as being a very clear one and a very proper one. I certainly acknowledge and appreciate the concerns that the Member for Emerson expressed about the growing pains. They were there. Members on both sides experienced them and had concerns about them, but I'm sure that most members, hopefully, on both sides - although I acknowledge there may be some who still feel the way the Member for Emerson does - that in principle this was not the right way to go. We believe it was. We believe it is now working beyond the possibility as resources permit of expanded service capability and we've discussed that LAMC and the member has been there for those discussions. I don't see the Commission as expanding its role.

**MR. A. DRIEDGER:** Mr. Chairman, is the Minister responsible indicating that the point we're at right now with the Legislative Commission, there will be not an expanded role being played by that? Once we've dealt with the Ombudsman situation, we've dealt with the Chief Electoral Officer. Who else? We had a few of those that once we established the wage levels and the position that we were dealing with at the last meeting, for example, that once we have dealt with the room allocation, which we have been dealing with, let's say, for our staff, our caucus staff; once we have all these sorted out that maybe the Legislative Commission would only be meeting once in six months because there would be virtually no issues to deal with. The concern that has been cropping up and has been put forward by us from time to time is the fact of duplication.

We can, as a Legislative Commission, when we sit there as members, go ahead and say, well, we need more space. We need more space for the opposition caucus, for example, that our working girls are too crowded. We still have to go through the channels and go to the Minister of Government Services and ask to see whether he can find the space. Now if the Commission wasn't there, our request would have gone directly to the Minister of Government Services. Actually what we're doing in a sense in our view is we're doing a duplication of these things.

To date, if I looked at the time element that has been involved and spent with the Commission, I dare say that virtually 80 percent to 85 percent of the time, all

the time that has been spent, has been spent on trying to jockey as to what qualifies for expenses under our \$2,500 expense account.

So, I raise these concerns and questions because there is still a feeling of unsureness on our part, whether we would want to, given the opportunity, continue with the Legislative Commission as we have established it. Members on this side, especially within caucus, have been very critical of the way things have happened and the way they have been run. Maybe some of my colleagues can make some further comments on that end of it.

But this is why I raise the question with the Minister as to what he sees in the future if the Commission should remain. Once we have dealt with the immediate core of little problems, which could have been dealt with various departments, I believe - were not. It doesn't really matter. Once we have dealt with that, where are we at? Where are we going from there? Do we then gradually take over the Rules Committee that is set up because we are now trying to differentiate some of the guidelines? We've dealt with that at various times. It's been on the agenda. Who has what authority - the Commission versus the Rules Committee?

So you know, this is why I raise these things, where are we going with this thing?

**HON. A. ANSTETT:** Mr. Chairman, the last question with regard to the jurisdiction of LAMC and the Rules Committee I answered in my previous response. We dealt with that at the last meeting. I don't know why that is being raised a second time.

The other questions - the member asked, do I see an expanded role? I said no. Do I see a continuation of the existing role? I said yes, and that existing role is an ongoing role so that members, services and all of the management of the Assembly and independent Assembly officers is controlled by members, on a non-partisan basis preferably, and not by the government or the Cabinet. It was the purpose of the legislation, it is done in most other parliamentary jurisdictions in Canada and in the Commonwealth. I think it is commendable. It separates the Executive and Legislative Branches of Government which has always been the intention under the parliamentary system that we have.

Although we've had some growing pains, I think the system commends itself to members. I appreciate the differences of opinion that we do have sometimes with regard to how it works, but I think it is working very well and I guess the Member for Emerson and I will have to disagree about the merits of the system. I see no expansion in the role, but I see a continuation of the present role.

**MR. CHAIRMAN:** The Member for Virden.

**MR. H. GRAHAM:** Thank you very much, Mr. Chairman.

Mr. Chairman, what we have witnessed so far is, I think, a difference of opinion between the Government House Leader and the Member for Emerson who has, somewhat reluctantly, I think, taken on a role in that committee to be one of our representatives on that committee. We realize that committee is controlled by the majority of government members, so when the

Minister says this is being done in a non-partisan way, I have to say to the Minister that I wasn't born yesterday. The Minister can fool some of the people some of the time and all of the people some of the time, but he can't fool everybody all the time.

Mr. Chairman, I sat in one or two of those meetings, and I can confirm the concerns that were expressed by the Member for Emerson who said that 80 percent of the time was spent dealing with the picayune expense accounts of various members.

Mr. Chairman, where are the priorities of this Commission? This Commission was set up to deal with the affairs of the Legislature, not the individual expense accounts of members of the Assembly. Mr. Chairman, the Minister will have his opportunity to speak later. But when we need something such as computer services in our leader's office, somehow that gets pushed down on the priority list. Somehow it gets pushed down. I don't know why, Mr. Chairman, but it may be because we don't have the majority of members on the committee; that is entirely possible. But, however, we do know that the expense accounts for members, we've had a list of what is legitimate expense. We have seen that thing changed. We've had a second list, we've had a third list, we've had a fourth list, and it appears that the No. 1 concern of this Government House Leader is the expense accounts of members.

**MR. CHAIRMAN:** Order please, order please.

The hour is 5:30, the normal hour for recess. Committee rise.

Call in the Speaker.

## IN SESSION

Mr. Speaker, the Committee of Supply has considered certain resolutions, directed me to report progress and asks leave to sit again.

**MR. DEPUTY SPEAKER, P. EYLER:** The Member for Inkster.

**MR. D. SCOTT:** Mr. Speaker, I move, seconded by the Member for Rupertsland, that the report of the committee be received.

**MOTION presented and carried.**

## HOUSE BUSINESS

**MR. DEPUTY SPEAKER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, before I move adjournment, I wish to advise members of the Standing Committee on Statutory Regulations and Orders and the Standing Committee on Industrial Relations will both be meeting this evening in the committee rooms to consider bills referred at 8:00 p.m. this evening, Sir.

Tomorrow morning at 10:00 a.m., the Standing Committee on Private Bills and the Standing Committee on Statutory Regulations and Orders will meet in the committee rooms to consider bills referred.

Sir, the Standing Committee on Statutory Regulations and Orders will also meet, if necessary, tomorrow evening to continue consideration of bills referred.

**Tuesday, 9 July, 1985**

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I would move, Mr. Deputy Speaker, seconded by the Minister of Housing, that the House do now adjourn.

**MOTION presented and carried** and the House adjourned and stands adjourned until 2:00 p.m. tomorrow. (Wednesday)