



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

**DEBATES  
and  
PROCEEDINGS**

26 Elizabeth II

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The Honourable Harry E. Graham  
Speaker*



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**10:00 a.m. Friday, June 9, 1978**

# Manitoba Legislative Assembly

## Thirty-First Legislature

### Members, Constituencies and Political Affiliation

<i>Name</i>	<i>Constituency</i>	<i>Political Affiliation</i>
ADAM, A.R. (Pete)	Ste. Rose	NDP
ANDERSON, Robert (Bob)	Springfield	P.C.
AXWORTHY, Lloyd	Fort Rouge	Lib.
BANMAN, Robert, Hon.	La Verendrye	P.C.
BARROW, Thomas A.	Flin Flon	NDP
BLAKE, David R.	Minnedosa	P.C.
BOSTROM, Harvey	Rupertsland	NDP
BOYCE, J.R. (Bud)	Winnipeg Centre	NDP
BROWN, Arnold	Rhineland	P.C.
CHERNIACK, Saul M., Q.C.	St. Johns	NDP
CORRIN, Brian	Wellington	NDP
COSENS, Keith A., Hon.	Gimli	P.C.
COWAN, Jay	Churchill	NDP
CRAIK, Donald W., Hon.	Riel	P.C.
DESJARDINS, Laurent L.	St. Boniface	NDP
DOERN, Russell J.	Elmwood	NDP
DOMINO, Len	St. Matthews	P.C.
DOWNEY, James E., Hon.	Arthur	P.C.
DRIEDGER, Albert	Emerson	P.C.
EINARSON, Henry	Rock Lake	P.C.
ENNS, Harry J., Hon.	Lakeside	P.C.
EVANS, Leonard S.	Brandon East	NDP
FERGUSON, James R.	Gladstone	P.C.
FOX, Peter	Kildonan	NDP
GALBRAITH, James	Dauphin	P.C.
GOURLAY, Douglas	Swan River	P.C.
GRAHAM, Harry E., Hon.	Birtle-Russell	P.C.
GREEN, Sidney, Q.C.	Inkster	NDP
HANUSCHAK, Ben	Burrows	NDP
HYDE, Lloyd G.	Portage la Prairie	P.C.
JENKINS, William W.	Logan	NDP
JOHNSTON, J. Frank, Hon.	Sturgeon Creek	P.C.
JORGENSEN, Warner H., Hon.	Morris	P.C.
KOVNATS, Abe	Radisson	P.C.
LYON, Sterling R., Q.C., Hon.	Charleswood	P.C.
MacMASTER, Ken, Hon.	Thompson	P.C.
McBRYDE, Ronald	The Pas	NDP
McGILL, Edward R., Hon.	Brandon West	P.C.
McGREGOR, Morris	Virten	P.C.
McKENZIE, J. Wally	Roblin	P.C.
MALINOWSKI, Donald	Point Douglas	NDP
MERCIER, Gerald W.J., Q.C., Hon.	Osborne	P.C.
MILLER, Saul A.	Seven Oaks	NDP
MINAKER, George	St. James	P.C.
ORCHARD, Donald W.	Pembina	P.C.
PARASIUK, Wilson	Transcona	NDP
PAWLEY, Howard, Q.C.	Selkirk	NDP
PRICE, Norma Hon.	Assiniboia	P.C.
RANSOM, Brian, Hon.	Souris-Killarney	P.C.
SCHREYER, Edward R.	Rossmere	NDP
SHERMAN, Louis R., Hon. (Bud)	Fort Garry	P.C.
SPIVAK, Sidney, Q.C., Hon.	River Heights	P.C.
STEEN, Warren	Crescentwood	P.C.
URUSKI, Billie	St. George	NDP
USKIW, Samuel	Lac du Bonnet	NDP
WALDING, D. James	St. Vital	NDP
WILSON, Robert G.	Wolseley	P.C.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, June 9, 1978

Time: 10:00 a.m.

**OPENING PRAYER** by Mr. Speaker.

**MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell):** Before we proceed I should like to draw the honourable members attention to the gallery, where we have 65 students of Grade 9 standing, from EarlHaig School, under the direction of Mr. Cullen. This school is located in the constituency of the Honourable Member for Brandon East.

We also have 25 students of Grade 5 standing, from Wolseley School, under the direction of Miss Hopkins. This school is located in the constituency of the Honourable Member for Wolseley.

We have 21 students of Grade 5 standing, from Hamiota School, under the direction of Mrs. Irwin. This school is located in the constituency of the Honourable Member for Minnedosa.

We have 60 students of Grade 6 standing, from Niverville, under the direction of Mrs. Redekopp. This school is located in the constituency of the Honourable Minister of Industry and Commerce.

On behalf of all the members, we welcome you here this morning.

Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion.

## INTRODUCTION OF BILLS

**MR. DAVID BLAKE (Minnedosa)** introduced Bill No. 55, An Act for the Relief of Ingibjorg E.A. Hawes.

## 800RAL QUESTIONS

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

**MR. EDWARD SCHREYER (Rossmere):** Mr. Speaker, noticing the presence of the Minister of Agriculture, I'd like to ask the Minister of Agriculture if in the course of the past two or three months — they're questions that were earlier asked here with respect to the Government of Manitoba making representations to the Government of Canada with respect to possible improvements in the handling and transportation of prairie grain. May I ask the Minister, since this problem still lingers, whether he has made representations of a formal kind to the Government of Canada with respect to this problem?

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

**HON. JAMES E. DOWNEY (Arthur):** Yes, Mr. Speaker. In answer to the Honourable Leader of the Opposition, we have been in discussions with the federal people in charge of the grain handling system, in particular with the head of The Canadian Wheat Board. Because of the problem of slow movement of grains, we requested an extension to begin with of the quotas that were to end on the 9th of June, and there has been an extension to the end of June to help the farm people, to give some more time to move some of the grains out of the congested elevators, and that is the first thing that I can report. There has been a problem not only in Manitoba but all across the west, and we are having our department do a complete review or a fairly thorough review of what is taking place at this time.

**MR. SCHREYER:** Mr. Speaker, taking note of that answer, I'd like to ask the Minister if he can indicate whether there is any move afoot to establish some form of formal or more systematic study, investigation, or inquiry, into the movement of western grain, given that country elevators are still plugged, even at this time of the year, while at the same time terminal facilities are in some cases

Friday, June 9, 1978

empty, and this connotes only one thing, Sir, and that is a very tangible letdown really on the part of the transportation system. I would like to ask the Minister if he is lending himself to others who are asking for a systematic inquiry.

**MR. DOWNEY:** Mr. Speaker, it is of real concern to myself, my department, and to our government, and I can assure him that I am considering a more in-depth look at the whole system. However, it has been announced by the federal people that they are going to be doing a more thorough investigation into the whole transportation system. We will be having some grain meetings at the western provincial level and federal level I believe, on the 16th of June, and I am sure this will be one of the things that will be discussed at that time.

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

**MR. A.R. (PETE) ADAM:** Thank you, Mr. Speaker. To the same Minister, some time ago I asked the Minister a question in regards to the delayed payments on subsidies to beef producers on steers. At that time he said it would be soon. Could he advise the House if those payments have now been made?

**MR. DOWNEY:** Mr. Speaker, it is as I stated earlier. I regret the delay in payment of the provincial payout. I can announce that it will be made probably within the next two weeks, within the next week if possible. We have no official announcement from Ottawa. We were waiting on their payout because it is calculated in the return to the provincial producers returns for their slaughtered cattle. We received a phone call from Ottawa yesterday that there would be no federal payout which we were expecting, so that enables us now to go ahead and make the payout that the farmers are expecting.

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

**MR. SIDNEY GREEN:** Mr. Speaker, I'd like to direct a question to the Honourable the Minister to whom the Manitoba Development Corporation reports. In view of the fact that one of Winnipeg's newspapers continues to try to drive industry out of the province by attempting to discredit Flyer Industries Limited, could the Minister now affirm, I think it would be to the benefit of Flyer's bids throughout Canada and North America, that rather than losing money in its last year that Flyer Industries made a profit, which means that for three years running Flyer Industries has made a profit which shows that it's a viable enterprise from whom people can be satisfied that they will be able to buy the buses which are bid on by Flyer Industries Limited and that the public will be able to produce them viably.

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

**HON. ROBERT (Bob) BANMAN (La Verendrye):** Mr. Speaker, I think that the member — I don't want to enter into a debate with this particular matter at this present time — the records show that we did take a substantial loss one year to offset some of the contracts that were awarded and as a result we did show some profits over the last number of years. We are hopeful, and I'm sure the member will share that same hope, that we will be able to get some more contracts. At present, because of the problems being faced in different urban municipalities throughout Canada, we are not having the type of orders being put on market but we just received an order for some 31 buses from the City of Toronto which has helped to keep the plant open. We really require some more orders in order to make sure that we break even and I know the staff and the sales staff is out trying to arrange for some more contracts right now.

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

**MR. GREEN:** Mr. Speaker, in view of the fact that it's now June and that the Minister has been aware that since the month of February at least that the corporation made a profit on its last fiscal year which has not been officially announced. Would it be of advantage to the company in view of the fact that the Free Press continues to say that it will lose \$3 million a year. Will it be of advantage to the company if the Minister officially announced that in its last fiscal year the company showed a profit which means three years in a row it showed a profit.

**MR. BANMAN:** Mr. Speaker, in keeping with what has happened in previous years I hope that the Economic Development Committee will meet very shortly. We will be tabling the Financial Statement for last year and then everybody will be able to have a look at it and at that time we can discuss

that particular statement.

**MR. GREEN:** Mr. Speaker, I quite agree with the Minister that that's the normal time to release statements, but in view of the fact that somebody, a newspaper in Winnipeg, is trying to discredit the company, would the Minister not want to offset that now, not by giving us the details but announcing that in its last fiscal year Flyer Industries showed a profit which means three years in a row it showed a profit?

**MR. BANMAN:** Mr. Speaker, I think the member will agree that just because there is something that some particular individual or some particular thing that might happen with regard to media reports and stuff like that, I think it's the practice of the Legislature that we have tabled those reports at that time and I think at that time we'll have a good chance to discuss that particular statement.

**MR. SPEAKER:** The Honourable Member for Inkster with a fourth question.

**MR. GREEN:** Yes, Mr. Speaker, can the Honourable Minister tell me why it is of such great discomfort to him to announce a profit in the last year of operation of Flyer Industries Limited?

**MR. BANMAN:** Mr. Speaker, it's of no discomfort to me at all. I would like to see that we could sell the remaining assets of Saunders Aircraft for \$40 million. I would like to see that we didn't lose any money on ManFor, Mr. Speaker. I would like to see that we came out of all these companies in which we are presently in deficit position. We don't want to lose any money for the taxpayers of Manitoba.

**MR. SPEAKER:** The Honourable Minister of Northern Affairs.

**HON. KEN MacMASTER (Thompson):** Mr. Speaker, in my absence from the House and the city on government business yesterday, there was a question directed to me by the Member for Rupertsland as to when the Charlie-Sinclair ferry would be back in operation; we hope that that will be late next week, Mr. Speaker.

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

**MR. LEONARD S. EVANS:** Thank you, Mr. Speaker. I would like to address a question to the Minister of Agriculture who I believe is responsible for legislation pertaining to fertilizers, insecticides and other chemicals used by farmers in Manitoba. Has the Minister of Agriculture any information on the use of anhydrous ammonia as a fertilizer by farmers in Manitoba? He may wish to take this question as notice, Mr. Speaker, but specifically, can the Minister advise whether anhydrous ammonia is being used in increasing amounts in the Province of Manitoba by our farmers and could he advise to what extent it is being used? For instance, what percentage of the farmers are now using it?

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

**MR. DOWNEY:** Mr. Speaker, in general terms, because of the association that I've had with the farming community, without any backup research that would be required to give him the specific percentages of increase of numbers of farmers using it or quantity being used, I would not be able to be specific. But in general, I would say that there is a definite increase in the use of anhydrous ammonia in Manitoba.

**MR. EVANS:** I thank the Minister for his information, Mr. Speaker. I would like to ask him a supplementary question. Has the Minister of Agriculture received any reports from his department, and I'm thinking particularly of his field staff, with regard to accidents or difficulties experienced by farmers in transporting and in the handling of anhydrous ammonia?

**MR. DOWNEY:** Mr. Speaker, there is no official report from the department at this time.

**MR. EVANS:** Well, one other supplementary then, Mr. Speaker. I wonder whether these are suited for and sufficient for the needs and safety of farmers, police, fire departments, hospital staff, etc., regarding anhydrous ammonia.

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

**HON. NORMA L. PRICE (Assiniboia):** I'm sure, Mr. Speaker, that the companies that are handling the product are well aware of what is the proper procedure and the proper knowledge that these people have to have in order to handle it. I would say that I am satisfied.

**MR. PARASIUK:** Is the Minister then saying that company procedures for distributors are sufficient for farmers and for hospital staff in dealing with the treatment of problems arising from people coming in contact with anhydrous ammonia? Is she telling us that company procedures are sufficient for the public safety of Manitobans and has she, in fact, checked that our specifically when she says she has given us a detailed report on the matter? .

**MRS. PRICE:** Mr. Speaker, I think that we can deal with this in my Estimates.

**MR. PARASIUK:** Mr. Speaker, I asked the question whether in fact they are available free of charge to these other groups and, secondly, I'm asking her if she can tell us how many farmers, hospital staff, police departments and fire departments have actually availed themselves of this program in order to determine whether in fact the people have had sufficient training.

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

**HON. DONALD W. CRAIK (Riel):** Mr. Speaker, the information being referred to by the Member was supplied to him through the Estimates process. The matter has been discussed in Estimates already; it will continue to be discussed in Estimates. The question in the Question Period is completely out of order.

**MR. SPEAKER:** The Honourable Member for Transcona on the same point of order?

**MR. PARASIUK:** Yes, Mr. Speaker. This information is not supplied in this report despite the fact that we were told that it would be supplied in the detailed report. This detailed report does not exist; it's a very superficial report. Therefore, I am asking specific questions arising from this very superficial piece of evidence that we've got before us. And, Mr. Speaker, we have not had a chance to discuss this yet in Estimates. We have had long detailed matters which are being discussed. I think this is a matter of urgency so, therefore, I raise it in Question Period which is a very normal thing to do.

**MR. SPEAKER:** Orders of the Day. The Honourable Government House Leader.

**HON. WARNER H. JORGENSEN (Morris):** It's entirely up to my honourable friend how soon he gets to that particular subject in the Estimates. It's entirely up to my honourable friend. The questions that he is now asking are more appropriately asked in the Estimates and they will be answered in the Estimates, not at this particular time.

**MR. SPEAKER:** The Honourable Member for Transcona on the same point of order.

**MR. PARASIUK:** Yes, Mr. Speaker. The House Leader is implying that it is totally up to members on this side of the House when we get to this particular item. I have been sitting in the Estimates procedure regarding Labour and the people who have been spending a lot of time talking are the Conservative members who have been spending their time attacking unions in that Estimates procedure. So it is not entirely up to me as to when I can get it . . .

**MR. SPEAKER:** Order please, order please. The Honourable Member for Seven Oaks.

**MR. SAUL A. MILLER:** Mr. Speaker, about two months ago and again last month, I inquired from the Minister responsible for Housing when the residential lots which MHRC has developed will be made available. These are the lots that are in north Winnipeg just north of Inkster and could be brought on the market for between \$4,000 and \$6,000 less per residential building lot than the private sector. He undertook to look into it but the season is now upon us and those lots are ready to market. They're serviced and people are waiting to buy them.

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

**HON. J. FRANK JOHNSTON (Sturgeon Creek):** Mr. Speaker, I must say the honourable member has asked me that on two occasions. As he mentioned it came up in my Estimates and I assured

the Committee when I was in my Estimates that those lots would be available this year and houses would be on them this year. I am a little disappointed that it hasn't happened by now but there have been some technical things that have slowed us down that we believe we have overcome. I would say without putting myself in an awkward position, I'm sure that those lots will be announced and be on the market for sale within a week and a half at the latest.

**MR. SPEAKER:** The Honourable Member for Fort Rouge.

**MR. LLOYD AXWORTHY:** Mr. Speaker, I have a question for the Attorney-General. I wonder if the Attorney-General can indicate whether the chairman of the Manitoba Human Rights Commission has been in receipt of a communication from the Honourable Herb Gray, the Member of Parliament for Essex West, concerning a reference to the Manitoba Human Rights Commission of the Manitoba Telephone System Association with Bell in application of the Saudi Arabia project?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. GERALD W. J. MERCIER (Osborne):** Mr. Speaker, I'll have to accept that question as notice and inquire into that matter.

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

**MR. BILLIE URUSKI:** Thank you, Mr. Speaker. I'd like to ask a question of the Minister of Agriculture which refers to a submission made to him by the Board Directors of the Manitoba Producers Co-op Association dealing with milk quotas. Is the Minister investigating that request about being able to allow producers to sell their quotas? Is he considering that request that was made of him?

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

**MR. DOWNEY:** Mr. Speaker, because the Manitoba Marketing Board is in place for the producer boards to deal with that matter, as I'm sure most of the individuals are aware of, is being dealt with by the Manitoba Marketing Board and their decision will be one that I have agreed with, the recent agreement, and I do not agree that the program as such would be able to allow the selling of quotas.

**MR. URUSKI:** Just a supplementary, Mr. Speaker. Then the Minister is confirming that there is no intent in terms of change of policy with respect to the selling of quotas between producers.

**MR. DOWNEY:** Mr. Speaker, it is my feeling that there should be no value included in the transfer of quota.

**MR. SPEAKER:** The Honourable Member for St. Johns.

**MR. SAUL CHERNIACK:** Mr. Speaker, I'd like to address a question to the Minister of Finance. Since his department keeps updated information available regarding the provincial tax comparison, could he indicate when he will be responding to the order for return which he accepted quite a while ago in that regard.

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

**MR. CRAIK:** Mr. Speaker, the answer is soon.

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

**MR. GREEN:** Mr. Speaker, I'd like to address a question to the Minister of Consumer Affairs to whom the Manitoba Telephone System reports. Can the Minister advise us if the Manitoba Telephone System which is under his jurisdiction, can he assure the House that that Telephone System will not cooperate in any way to facilitate a company in Canada boycotting the State of Israel or co-operating with a boycott against the State of Israel, that the Manitoba Telephone System will not facilitate such co-operation with a boycott against the State of Israel?

**HON. EDWARD MCGILL (Brandon West):** Mr. Speaker, I've attempted, in response to questions relating to the role being played by MTS as a member of the Trans-Canada Telephone System along with Bell Canada, in disseminating information relating to the contract which Bell Canada is

in Saudi Arabia. The role, Mr. Speaker, is essentially that, and only that, of doing what might reasonably be expected of a member of Trans-Canada Telephone System to make the information available to individual members who might be interested in a contract with Bell Canada. The decisions relating to the matter of whether or not Bell Canada in its activities is contravening Human Rights Acts I think has still to be made, but it is not one, Mr. Speaker, I suggest that will be made at the level of the Manitoba Telephone System.

**MR. GREEN:** Mr. Speaker, I'm asking the Minister whether he will satisfy himself as to whether Bell Canada is co-operating with an Arab boycott against the State of Israel, and if it is, will he see to it that the Manitoba Government does not facilitate Bell Canada in co-operating with this boycott.

**MR. MCGILL:** Mr. Speaker, the matter of my obtaining satisfaction in relation to the Bell Canada contract and whether or not it does contravene any of the Human Rights legislation under which we serve, that will be the way in which that satisfaction will be communicated to me when the investigations, which I understand are now being undertaken in another jurisdiction in that very matter, are become public. Then, Mr. Speaker, that information will be communicated to me.

**MR. GREEN:** Mr. Speaker, can I make it clear that I'm not talking about Human Rights legislation. I'm asking the Minister whether he will satisfy himself whether Bell Canada is co-operating with an Arab boycott against the State of Israel, and if it is so, will he assure this House that the Government of Manitoba will not facilitate Bell Canada in conducting itself in this way regardless of whether or not it violates Human Rights legislation, but as to whether or not it is a co-operation and an attempt by Arab States co-operated with by Bell Canada to financially ruin the State of Israel.

**MR. MCGILL:** Mr. Speaker, the latest question by the Member for Inkster in this matter has a number of requests and one hypothesis. I would like to examine the Hansard record of that before I respond in any greater detail.

**MR. SPEAKER:** The Honourable Member for St. Johns.

**MR. CHERNIACK:** Mr. Speaker, I was going to raise it as a point of privilege but possibly I should put it as a question. First, the Minister for Communications. My impression is that he stated that the Manitoba Telephone System is disseminating information about the Bell Canada program. I would ask him specifically whether, in addition to disseminating information, it is not actually making its facilities available for recruiting purposes? And I point out to him that there's a statement by the MTS in my possession and I assume that he — he sent it to me — saying Trans Canada Telephone System member companies have been approached to provide staffing for the project and MTS is looking for managers interested.

And then it goes on to say, "Upon receipt of your resume the Personnel Department will begin to process your application and you will be notified of subsequent stages as appropriate positions become available." Is he prepared to state that this is not a form of recruitment but is only dissemination of information if indeed applications will be processed — and that's the MTS word — for this type of application?

**MR. MCGILL:** Mr. Speaker, I can repeat what I gave the Member for St. Johns in response to previous questions that the role being played by MTS is that of a member company of the Trans-Canada Telephone System along with Bell Canada and it is providing to its employees the kind of information about the opportunities which Bell Canada is now asking all of the experienced people in the telephone companies to consider as a possible chance for additional experience. The role of MTS is simply as a member company providing that information to its employees.

**MR. CHERNIACK:** A supplementary, Mr. Speaker. Firstly, is not Manitoba Telephone System and every other member of the Trans-Canada Telephone System being provided a 40 percent profit on the cost of the salaries paid to the people recruited and does the Minister still insist that providing information is the description of processing an application by the MTS? Does he reject the suggestion, or rather my insistence, that processing an application is more than providing information?

**MR. MCGILL:** Mr. Speaker, I wouldn't like to advise the Member for St. Johns on how he should consider the word "processing" and what meaning he should attach to it. My information, again, is that Manitoba Telephone System has given this information to its employees; it is prepared to receive and send those applications if such employees make a positive application and actually proceed with the matter. To my knowledge, to this date, none has but that information is being

made available and whether the word processing has any greater meaning than simply receiving and disseminating, I wouldn't be prepared to say, Mr. Speaker.

**MR. CHERNIACK:** Thank you, Mr. Speaker. The Honourable Minister has not yet confirmed my impression that the Manitoba Telephone System will be making a profit of 40 percent on the salaries of the people who are assigned or seconded and that they therefore have been approached — and I quote again from the document he sent me — “to provide staffing for the project and MTS is looking for managers interested.” Does he still say that that is only a matter of disseminating information?

**MR. MCGILL:** Mr. Speaker, the member describes the 40 percent as a profit. I think that is not an accurate description. I would expect that that 40 percent matter would be in relation to the replacement and the training of any persons who might be needed by MTS by reason of the fact of some employees undertaking to go to the Bell Canada project.

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

**MR. RONALD MCBRYDE:** Mr. Speaker, I would like to address a question to the Minister of Northern Affairs. I wonder if the Minister of Northern Affairs has yet made his last week's decision in regard to Pakatawacun operation or whether last week's decision will be made next week in regard to that operation.

**MR. SPEAKER:** The Honourable Minister of Northern Affairs.

**MR. MacMASTER:** I think, Mr. Speaker, it is recorded Tuesday or Wednesday that I've said because of circumstances it would possibly be another two weeks.

**MR. MCBRYDE:** I thank the Minister for his answer. I would like to address a question to the Minister of Agriculture, Mr. Speaker. I wonder if the Minister of Agriculture has yet contacted the farmers at The Pas in regard to their request for utilization of the Saskeram area? This request was being made some time ago.

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

**MR. DOWNEY:** Mr. Speaker, I can report to the Member for The Pas that we have an official of the Department of Agriculture working with some of the other officials of other departments in discussion on that particular problem or project and I am unable to report. They have not reported back to me any of their recommendations at this time, however, we are working in that particular area.

**MR. MCBRYDE:** Yes, Mr. Speaker, I would like to direct a question to the Minister of Highways. I wonder if the Minister could check and report back on the condition of Highway 327 from No. 6 to Easterville, this is the old road not the new road. I understand it is in very dangerous condition and I wonder if he could check into that matter and let me know if any work will be being done on that road this year.

**MR. SPEAKER:** Orders of the Day. The Honourable Member for Fort Rouge.

**MR. AXWORTHY:** Mr. Speaker, I just wanted to raise a question with the Minister of Consumer Affairs which I find confusing. In response to questions to the Member for Inkster, he indicated that he hadn't yet determined what the relationship was between the Manitoba Telephone System and the various contracts that Bell Canada and Bell International had taken. Yet in the answer to a question that I raised last week, just about this time, he indicated that all investigations had been undertaken and he gave assurances that there was no particular acts of discrimination or agreements with an embargo. Could he indicate what has changed or altered his statement or his opinion in a week's intermediate time?

**MR. SPEAKER:** The Honourable Minister of Consumer Affairs.

**MR. MCGILL:** Mr. Speaker, I'm not aware of any change or alteration in the answers or explanations that I have given in response to a variety of questions. The earlier questions related to, I believe, the kind of information that was requested on the application forms and I was advised that there was no sign or indication of any form of discrimination which was reflected in the application forms

Friday, June 9, 1978

and the information which had been transmitted by Bell Canada to MTS in connection with informing its employees as to the opportunities which were being offered in this area.

**MR. AXWORTHY:** A supplementary, Mr. Speaker. I would ask the Minister to re-examine the questions and answers that were raised one week ago because they did relate to the question of examining whatever conditions of contract the Bell Canada or Bell International, which is a parent company, were accepting or agreeing to as part of the contract with Saudi Arabia for the revision of the telephone system and whether that contained within it any form of discrimination against a person or place. At that time, he did give assurances, or later gave assurances, that there seemed to be no particular acts of discrimination. I was wondering if the Minister has since had reason to alter that opinion or if he would then be prepared to initiate the kind of investigation that appears now was not done originally.

**MR. MCGILL:** Well I think, Mr. Speaker, the member is referring to a question he posed to me on June 2nd where he said, "Would the Minister undertake to gain a reading from either the federal Human Rights Commission or the provincial Human Rights Commission as to what the criteria on the contracts are, and whether they contain any form of discriminatory clauses, so that MTS employees would not be in complicity, an act of discrimination. The reply I gave at that time was that I could inform the Member for Fort Rouge that the contracts which will be signed between any MTS employee and Bell Canada in regard to the Saudi Arabia project have in no way any terms or clauses which could be regarded as discriminatory. I think that was the answer given. I don't think anything that has occurred or any subsequent answers have compromised that answer in any way.

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

**MR. SCHREYER:** To attempt to get to the heart of the matter, may I ask the Minister, taking note of his very clear answer that Manitoba Telephone System would not enter into a contract that had such provisions, can the Minister say, however, whether it is government policy that the Telephone System or any other agency of this Crown would or would not enter into a contract with a corporation or firm that in turn entered into a contract that had such features? That is the question.

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

**MR. DOWNEY:** Mr. Speaker, a question was taken as notice for me on Tuesday by the Honourable Minister of Health. The question was asked by the Member for St. Vital. The first question related to how changes in the retail food prices are communicated to the public. The answer, Mr. Speaker, is that a news release is put out weekly by the Communications Branch of my department. This news release contains the retail, wholesale and farm prices for various foods on a weekly basis. As a supplementary, the member asked whether I would confirm that the retail price index for food in April is up 15.2 percent over April of last year. Mr. Speaker, I cannot confirm this; I believe this is done at a national level and is available for all members or individuals of this Legislative Assembly.

**MR. SPEAKER:** The Honourable Member for St. Vital.

**MR. D. JAMES WALDING:** Thank you, Mr. Speaker. I wonder if the Minister of Agriculture would be kind enough to put my name on his mailing list for that new release weekly?

**MR. DOWNEY:** Mr. Speaker, I will see that that will be done for all the members, if they so desire.

**MR. WALDING:** One supplementary question, Mr. Speaker. Is the Minister of Agriculture aware of any particular branch or department of government which might be able to produce those food increase figures on a percentage basis?

**MR. DOWNEY:** Mr. Speaker, if he is asking for the Department of Agriculture that I am responsible for, we could give some consideration to that request.

**MR. SPEAKER:** The Honourable Minister of Consumer Affairs.

**MR. MCGILL:** Mr. Speaker, in response to the question of the Honourable Leader of the Opposition in that sequence of questions relating to the MTS and Bell Canada, I'll examine that as well. I think

it is somewhat similar to the one presented by the Member for Inkster, but I will take that as notice.

**MR. SPEAKER:** The Honourable Member for St. Johns.

**MR. CHERNIACK:** Mr. Speaker, to the Honourable Minister of Consumer Affairs — to make him aware that the Minister of Finance yesterday took as notice on behalf of the Minister of Consumer Affairs, my request that he comply more fully with his undertaking — on Page 3141 of Hansard, dealing with the information documents received from Bell Canada as a member of the Trans-Canada Telephone System, I pointed out then and I pointed out again yesterday, that the documents that the Minister sent to me did not include information which the Telephone System received dealing with the requirements of the country of Saudi Arabia as to visa applications and customs regulations which were sent by Bell Canada to MTS but were not included in the bundle which the Honourable Minister sent over to me, and at that time he did undertake to obtain and table documents received from Bell Canada, as a member of the Trans-Canada Telephone System.

**MR. MCGILL:** Mr. Speaker, in reply to the Member for St. Johns, I will have the Manitoba Telephone System recheck that matter to ensure that all of the documents were included in the papers that were tabled, and if any have been not tabled then we will endeavour to see that they are.

### ORDERS OF THE DAY

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

**MR. JORGENSEN:** Mr. Speaker, before calling Orders of the Day, I think it would be helpful and perhaps expedite the business of the House if my honourable friend, the Opposition House Leader, could indicate to me what bills my honourable friends may be prepared to proceed with today. But in the meantime, I will ask you to call Bills No. 36, 40 and 50 for second reading, standing in the names of the Minister of Highways, the Attorney-General and the Minister of Health and Social Development.

### GOVERNMENT BILLS — SECOND READING

#### BILL NO. 36 — AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (3)

**MR. HARRY ENNS** presented Bill No. 36, An Act to Amend The Highway Traffic Act (3), for second reading.

**MOTION presented.**

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

**MR. ENNS:** Mr. Speaker, in introducing this bill, I would like to outline basically what, in general principles, we have followed in converting from the Imperial units of measurement to the metric system, and that's really all this bill is about. It changes to the appropriate metric unit the various measurements that had been contained in The Highway Traffic Act heretofore indicated in Imperial units. In general, the principle was followed that wherever prescribed . . .

**MR. SPEAKER:** Order please. May I suggest to all members that we try and keep our conversation down to a dull roar so that members can hear what the Minister is saying.  
The Honourable Member for St. Johns on a point of order.

**MR. ; CHERNIACK:** It's not just the general discussion in the room I think the system isn't giving back the signals not only of the Minister of Highways, but you also have been discriminated against. Could we check that, Sir? Or speak more loudly, for a change.

**MR. ENNS:** Mr. Speaker, I always speak softly in this Chamber. Mr. Speaker, there need not be any need for any great pronouncements about this bill; in fact, I would prefer speaking very softly about this bill converting to the metric system. I don't quite know how the Government House Leader managed to get me on my feet first, when by Cabinet decision we had singled him out to do the metric conversion under this metric conversion bill into this Chamber. However, being the House Leader, he has managed to have me on my feet first on this conversion bill.

And that's what it is, honourable gentlemen — in general, I think of concern to the general public.

I would like to point out it's a bill that I won't deal with of course on Second Reading in any singular clause by clause manner. It has the several schedules A, B and C attached to it. The point that I would like to make is, that wherever the Act currently prescribes maximum units of length, height, width, or weight, or equivalent metric units, the action on our part was to increase slightly the maximum so that no vehicle currently in use would find itself in contravention of the maximum expressed in metric units. As well, wherever the Act prescribes a minimum, but no maximum, the approach was taken to reduce the minimum slightly again, in order that vehicles in use would continue to comply with the new metric units.

So, Mr. Speaker, in the conversions there will be no disturbance or no unit, no truck, no car, no vehicle, that is currently on the highways and is licensed to be on the highways, will find itself all of a sudden in contravention of the changeover laws. That's a fundamental position that was taken I think with some care, Mr. Speaker, in this bill.

Likewise the same thing applies to some of the other regulations that are governed through the Motor Vehicle Branch and through the Highway Traffic Acts where we set out the prescribed limits, lengths of truck units allowed to travel the Manitoba highways. In this instance, there was an attempt made to standardize or to make more uniform with sister provinces, particularly the western provinces, and there was in some instances, some increases allowed. For instance, the maximum length for the semi-trailer trucks is presently set at 65 feet. This has been converted to 20 metres, resulting in an increase of about 7 inches. Well, 7 inches may not be all that important to everybody at any time, but at least we haven't reduced it in any way. I'm trying to stay away from the details of this bill because I want you to understand that when we speak in the Act . . . For instance on Page 3 of the bill, that in one instance, 4 inches is 110 millimetres and two lines down, the same 4 inches becomes 100 millimetres, that there is in effect no shrinkage taken place. It's simply a situation again where we've gone to either the maximums or the minimums and the conversion to the metric units is not to be considered literal in the bill. We have made, as I indicated in the opening remarks, sure that the present detailed specifications were either heightened somewhat where there were maximums prior, or where there minimums they were lowered somewhat, so as not to trap any existing vehicles on the road. This maximum length for combination of vehicles now, presently set at 65 feet, has been converted to 21.5 metres resulting in an increase in this instance of 5 ½ feet and is uniform with Saskatchewan, Alberta, and Ontario. For our through carriers, that's rather an important item, that we standardize our acceptable lengths.

British Columbia has gone, I must inform the House, one step further. They have gone to a further length of 22 metres or just over 72 feet. Hopefully in the years to come, it will be possible to standardize these critical units of measurement so that it would not constitute hindrance to the motor carriers operating interprovincially.

Schedule C, Mr. Speaker, on the bill, sets out again in the third category the various conversions from pounds to kilograms. The conversions have resulted in most cases in slight increases. The maximum weight of 74,000 pounds has been increased to 33,600 kilograms, for an increase of some 88 pounds.

Again, I am not suggesting that these increases are of note or of great import, merely pointing out that the increases were made so that no existing unit would in any way find itself in contravention when the bill becomes law and when the change to metric conversion in fact takes place. And again, the move in these cases, there has been an attempt made to make it consistent with the maximum weights adopted by other western provinces. It should be pointed out that on certain designated highways within the province, the maximum is higher and that of course is set by regulation. I am now referring to those designated highways that we have by regulation accepted a gross vehicle weight of 110,000 pounds per unit. The maximum permissible on a Class B highway presently is set at 44,000 pounds, and has been converted to 20,000 kilograms, in this case for a slight net decrease of 12 pounds. The maximum weight on Class C highways is set at 28,000 pounds, which has been converted to a 12,700 kilograms, for a decrease of 2 pounds.

Well, Mr. Speaker, in essence then, this bill provides for the conversion of all those established by statute and by regulation, detailed lengths, widths, weights, and other measurements that govern and regulate the motor vehicle, the trucks, the trucking industry, as to what is and is not permissible on our highways, to change those units of measure which have, of course, in the old Highway Traffic Act been set down in imperial units' to the metric units. I assure the honourable members that care has been taken through the process of this conversion not to inconvenience any existing licensed trucker or vehicle, and that virtually in all instances, there has been a slight expansion or an increase of the allowable weights, widths, or lengths permissible.

Mr. Speaker, I would suspect that this bill, except perhaps for the general comment, if they so choose, as to the merits of the metric system would meet with rather hasty and speedy approval by our members opposite.

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

**MR. ADAM:** Mr. Chairman, the metric system is all Greek to me, but if no one else wants to speak, I beg to move, seconded by the Member for St. Vital, that debate be adjourned.

**MOTION presented and carried.**

**BILL NO. 40 — AN ACT TO AMEND THE PROVINCIAL JUDGES ACT (2)**

**MR. MERCIER** presented Bill No. 40, An Act to amend the Provincial Judges Act (2), for second reading.

**MOTION presented**

**MR. SPEAKER:** The Honourable Attorney-General.

**MR. MERCIER:** Mr. Speaker, this bill contains virtually the same wording as the previous Section 36 of the previous Family Maintenance Act. This section gives the provincial judges the same powers to make rules as do the judges of the County Court and the Queen's Bench. It was considered that it was more appropriate that this authority be contained in the Provincial Judges Act rather than the Family Maintenance Act. We have removed some previous statutory guidelines as to procedure from the Family Maintenance Act in order to give the courts the discretion to make rules and to alter rules as may be necessary because of different circumstances that exist in bringing applications under the Family Maintenance Act, for example, in the Family Court in Tuxedo as compared to that in a rural area such as South Indian Lake. So, Mr. Speaker, this is a companion bill to the Family Maintenance Act and simply provides the same authority as was contained in the previous legislation for the judges to make rules.

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

**MR. HOWARD PAWLEY:** Mr. Speaker, I have perused the bill before us and I say that there certainly is valid justification for bringing this bill into the House. Without this bill there would be a lack of uniformity insofar as the practice in the courts. There certainly is also a need for improvement and streamlining of the rules of procedure pertaining to the bringing of family matters before the courts. So that what we will have here is improvement, I assume, in the existing rules and procedures including the possible use of examinations and other methods to assist parties to obtain information prior to the presentation of that information to the court for the court's adjudication. At the same time, it will receive, I think, and I am sure the Minister would agree, greater uniformity insofar as the courts are concerned that are dealing with Family Law.

I would be much happier, Mr. Speaker, if I could say this: that if simultaneously with the uniformity that we are achieving insofar as rules are concerned, if we could also hear from the Attorney-General an announcement which would be received with great pleasure of a decision by the government to proceed with the unified family court project. I'm not going to enter into that field but it certainly would fit, I think, very conveniently with improvement and streamlining of procedure pertaining to Family Law in the province.

So, Mr. Speaker, we do not intend to delay this bill and we would give support to second reading so that we may process same and get it on its way to committee.

**MR. SPEAKER:** The Honourable Attorney-General will be closing debate.

**MR. MERCIER:** Mr. Speaker, I thank the Honourable Member for Selkirk for his comments. The unified family court project, of course, as he well knows, has no connection whatsoever with this piece of legislation but that matter will be considered and dealt with at a later date.

**QUESTION put, MOTION declared carried.**

**BILL NO. 50 — AN ACT TO AMEND THE TUBERCULOSIS CONTROL ACT**

**MR. SPEAKER:** Bill No. 50, the Honourable Minister of Health.

**HON. L. R. (Bud) SHERMAN, Minister of Health (Fort Garry)** presented Bill No. 50, An Act to amend The Tuberculosis Control Act, for second reading.

**MOTION presented.**

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

**MR. SHERMAN:** Mr. Speaker, Bill No. 50 would amend The Tuberculosis Control Act to remove the exemption from municipal taxes currently enjoyed by property owned by the Sanatorium Board of Manitoba, the rationale being that that exemption is now an anachronism. The Tuberculosis Control Act, among other things, established the Sanatorium Board of Manitoba and in doing so, established it as the agency to control TB in the province and exempted all property owned by the Board from all forms of municipal taxation. Such property includes the former TB facility at Ninette which is now operated as a 70-bed facility for the care of adult retarded persons and an office building in Winnipeg.

Tuberculosis is no longer a disease requiring care and treatment in specialty hospitals, Sir, and property currently owned by the Board, in the view of the government, should be subject to municipal taxation in the same manner as any other property. Thus, Bill 50 proposes to amend The Tuberculosis Control Act to permit municipal taxation of Sanatorium Board property, there being no continuing rationale in the view of the government for continuing with the existing exemption.

The Ninette property would, however, remain exempt from school taxes under Section 25 of the Municipal Assessment Act. The Department of Health and Social Development has an ongoing funding relationship with the Sanatorium Board and additional funds have been included in my department's 1978-79 budget to permit these municipal taxes to be paid. They are estimated for the year to be approximately \$40,000.00.

**MR. SPEAKER:** The Honourable Member for St. Boniface.

**MR. DESJARDINS:** Well, Mr. Chairman, we have perused the bill and listened to the explanation of the Minister and we are familiar with the situation so we have no objection at all to this bill to go in second reading.

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

**MR. SHERMAN:** Mr. Speaker, I appreciate the response of the Honourable Member for St. Boniface on behalf of his party and thank him for the co-operation in moving this legislation forward.

**QUESTION put, MOTION carried.**

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

**MR. JORGENSON:** Would you call Bill No. 25, Mr. Speaker.

## ADJOURNED DEBATES — SECOND READINGS

### BILL NO. 25 — THE CATTLE PRODUCERS ASSOCIATION ACT

**MR. SPEAKER:** Adjourned Debate on Second Reading on Bill No. 25, The Cattle Producers Association Act. The Honourable Leader of the Opposition.

**MR. SCHREYER:** Mr. Speaker, I do not propose to speak at great length on Bill 25 because most of the salient points that must and need be made with respect to this bill have already been made by colleagues.

I speak at this time principally in response — and it is difficult to resist — in response to speeches made in support of Bill 25 by the Honourable Member for Swan River and the Honourable Member for Emerson, mainly for that reason although I do take this opportunity to speak to the substance of the bill proper.

What must be said in my opinion, Mr. Speaker, is that Bill 25 is being represented as some kind of re-endorsement of freedom and liberty by the Conservative Party, when in fact Bill 25 is an attempt to transfer certain heavy authority to a private association.

My honourable friends can't have it both ways. They talk about the encroachment of the heavy-handedness of government and I dare say, Sir, that that can and occasionally does happen. Indeed the history of civilization is nothing much more than an attempt to balance the need for maximization of freedom and liberty; with the need for having orderliness and authority in society in order to be able to protect the general public interest. This kind of tension that always exists between freedom and liberty on the one hand, and the need for rules, regulations, laws on the other,

will go on from now until society itself exists.

So I don't dwell on that point except to make this argument, that it has generally been found preferable that if there must be the setting out of rules, regulations and the authority to enforce them, that it is better that it be done by means of a procedure that has accountability to the general public rather than to spin it off and delegate heavy-handedness to private associations. That's really what the issue is here, and it has been, I believe, well stated by others.

There is no use of my honourable friends opposite pretending that because it is not the instrument of the public, namely government, that is exercising a certain authority, but rather an association, that therefore *ipso facto* and by definition there cannot be heavy-handedness. Of course, maybe in the long run we refuse to learn other than by experience.

I'm not going to take time this morning to theorize about that. But my honourable friend, the onus of proof is on them since they are sponsoring the legislation, to demonstrate that in fact . . . As they contend, they must now demonstrate in fact that there is, they say, legislation in place in three or four other provinces similar — or they mean to imply identical — to what they are proposing here, and I am not convinced that that is so at all.

Anyway, when they ask us to support this bill and then rise in their place and acknowledge and admit that there are certain sections in Bill 25 that are perhaps excessively heavy-handed or onerous and that they may well amend the bill and delete those provisions, they can hardly expect us to support the legislation for that reason alone.

We expect, of course, that even in opposing this legislation since they are determined to ignore history — recent history at that — and put this legislation on the statute Books, that it will in the process come to Committee and there will be a number of questions asked with respect to, why they feel it is so critically necessary at this time.

They continue to make the argument that this legislation merely enables groups of producers to voluntarily band together, to carry out specific functions in the promotion of production in beef marketing and sale of product, which is I believe quite a silly argument for them to make since it has been open to all these people and associations to proceed by way of voluntary action for years, decades, indeed one could say a century, as long as the province itself.

So there must be something more involved here than the right to band together in voluntary action, since that has existed for a long long time. It must be that they want a more systematic means of raising funds — of enabling the association to raise funds — but it has always been open to Beef Growers Associations, and similar associations, to raise funds by voluntary subscription. So they must have something in mind here that goes beyond volunteerism, otherwise, why bother with yet another piece of legislation that would seem to be redundant in every respect.

Well, I know that my honourable friends opposite took a great deal of political satisfaction in pointing out that the previous administration, in expressing a bias or preference in favour of a more comprehensive type of beef marketing system, namely, a marketing board, that that proposal was defeated in substantial numbers and that is certainly true. There was nothing opposed, nothing in opposition to the spirit of democracy, the spirit of voluntary action in putting the proposal, and encouraging the putting of the proposal to a vote of the producers themselves, and that's exactly what happened, and a majority of the producers indicated they did not wish to proceed in that direction. So far, so good, no violation of freedom or liberty at all.

But now my honourable friends would rather try to hide the fact and it is a fact that not that many years ago — only three or four years ago — a proposal was put to the cattle producers of this province, as to whether or not they wanted a check-off system, much like what is being proposed right here in Bill 25 and it was defeated. The expression of the attitude, or will of the producers having been ascertained, it was in the negative; they didn't want a system or a proposal such as is embodied here in Bill 25.

So now to proceed to enact such legislation, since my honourable friends have such a preoccupation with freedom and liberty — or at least a rhetoric surrounding it — they must surely understand that what they are doing flies in the face of the expressed will. —(Interjection)— Now they say, "Oh, but it wasn't a significant indication because the vote was four out of seven — a ratio of four out of seven — against." Well, I believe, quickly calculated that that means in the order of 57 percent or 58 percent opposed, and that, Sir, is a significant differential in any democratic system, to determine issues far larger in scope than this. . .

**MR. GREEN:** It's more than 49 percent.

**MR. SCHREYER:** Yes, and accordingly, Mr. Speaker, it was just impossible to avoid that single fact, that there was an opportunity for a systematic ascertaining of the producers' will on this and it was not one of enthusiasm or even support.

I don't think . . . Well, I can say that I was not surprised that there was this difference of opinion among the producers themselves, since there are many issues in the field of agriculture, in the field

of farming, in which there have been divergence of opinion for many years and decades as to which policies and which directions are the better way to go; therefore I wasn't surprised with the vote with respect to — three years ago or so — with respect to a promotional checkoff, nor was I particularly surprised with the results of the more comprehensive livestock marketing referendum. But what I come back to in conclusion though, Mr. Speaker, is to say that we do have the words of a number of speakers of the Conservative Party opposite acknowledging that there may be sections in this bill that are, as one member puts it, for Swan River, "clucking" provisions being taken out of the bill, whatever "clucking," whatever connotation he puts on the word "clucking," but I gather he means those provisions that have to do, or that provide for a rather excessive solicitude on the part of — well, that's what I gather he means by "clucking."

**MR. GREEN:** It's a synonym of "fuddling."

**MR. SCHREYER:** No, no, no. I don't think so, but I read the little story the Honourable Member for Swan River entertained us with last week; the main problem with the mother hen is that she has an excessive solicitude; I guess that's the shortest way I can describe it. —(Interjection)— Right on. My honourable friends having acknowledged that there are sections in this bill, then, that are really providing for an excessive degree of transfer or delegation of power and authority, certainly I don't hesitate for a split second to say that for that reason alone it is not likely, not likely at all, that we could see our way clear to support Bill 25.

The other factor is that it does go in the face of an ascertained decision of the majority will of the producers themselves back some three or four years ago.

The third reason, and here I speak perhaps personally, perhaps on behalf of a unanimous consensus of my colleagues, and that is, that for a political party to engage in the rhetoric of freedom and liberty, and then to turn around and to delegate that, which, if exercised by the Crown or by the public instrumentality of government, they would call heavy handedness, but then to proceed to delegate that to a private association, they find somehow to be more consistent with freedom and liberty, when I say that it is more antithetical to it, is yet another reason for opposing this bill.

And a fourth reason is for them to argue that a rebate or refund *post facto* is the same as having the right to opt out, is simply playing with words.

And fifth, and perhaps most important of all, there are provisions in this bill, Section 6 and/or Section 7, although I refrain from dealing with specific clauses or sections at this stage, Sir, those sections, however, are such that do grant, unless this bill is tidied up, rather a surprising degree of law enforcement and police inspection type of power to an association that is being given scope and powers here that I am surprised my honourable friends would even have contemplated.

But I suppose we can't complain too much, because some honourable members opposite have said, "Well, we may take them out in Committee." Well, we say in advance that we're not inclined to support this; it has been too sloppily drawn, and more important, there are objectionable features of principle here.

**MR. FERGUSON:** Mr. Speaker, I beg to move, seconded by the Honourable Member for Arthur, debate be adjourned.

**MOTION presented and carried.**

### **BILL NO. 28 — AN ACT TO AMEND THE PAYMENT OF WAGES ACT**

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

**MR. JORGENSON:** Will you call Bill No. 28 standing in the name of the Honourable Member for Logan?

**MR. DEPUTY SPEAKER:** The Honourable Member for Logan on Bill 28.

**MR. JENKINS:** Thank you, Mr. Speaker. My comments are going to be very brief on this bill. We have perused the bill and we agree that some of the recommended changes that the Honourable Minister of Labour has introduced in this bill are necessary. There are just two or three things that perhaps we would like to have a bit more information on, and when the Minister is closing debate on the bill I hope that she will be able to give us that information; if not, there, then we'll probably get it at the Committee stage.

The one basically is the section of the bill that is the grandfather clause in the bill which — and I know I'm not supposed to discuss the sections of the bill — but it's for the information of

our side of the House. I understand that there are a couple of cases that have been disallowed by the county court and we would like assurance that these two cases will be reconsidered when the new legislation comes in.

Another one is why the reduction on the appeal mechanism from seven days to three days, and basically those are the only questions that we have on the bill. Otherwise, we are prepared to see the bill proceed to Committee, and hear representations and explanations of the bill in clause by clause consideration at that time. So, we are prepared to see the bill pass second reading and go to Committee for further study.

**MOTION presented and carried.**

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

**MR. JORGENSON:** Will you call Bill No. 39, Mr. Speaker.

### **BILL NO. 39 — THE FAMILY MAINTENANCE ACT**

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

**MR. PAWLEY:** Mr. Speaker, this bill, like the companion bill, The Marital Property Act, will be voted against by the members on this side. This bill, in the same way as The Marital Property Act, is a step backward, and Mr. Speaker, that clear step backward is to the effect that it clearly and unequivocally repeals the legislation which was passed last June by the previous New Democratic Party government, legislation which was far-reaching, and was an advance in Family Law. In the Family Maintenance Act before us, as in The Marital Property Act, there is specific action to repeal legislation which was passed last year, Mr. Speaker, and it would be ridiculous in the extreme for members of the opposition to support any effort whatsoever to repeal legislation passed last year that was recognized by people all through the provinces in Canada as among the most progressive pieces of legislation passed in Family Law reform.

Mr. Speaker, I would also like to point out to the House that this legislation, unlike The Marital Property Act, had had opportunity to come into effect. It did, in fact, been effected and had been working for approximately a one-month period. Mr. Speaker, the reports that I received, I believe other members in this House would have received, is that the legislation which we are now attempting to repeal, worked very well during that one-month period. Lawyers appeared before the Committee of the Legislature last December and had a hard time restraining their glee as to how well the legislation was working, that we are now being asked to repeal.

Mr. Speaker, the principal difference in respect to this legislation and the legislation passed last June is insofar as the consideration of conduct pre-separation. As members know, in the legislation which was passed last year, circumstances could be examined post-separation in order to ascertain whether that conduct was of such a magnitude as should be considered insofar as reduction of maintenance payments. But what honourable members now are doing is introducing the entire range of conduct pre-separation, so that again, in the courts, there can be examination of the entire lifetime of the marital existence in order to attempt to ascertain blame and condemnation.

Mr. Speaker, I thought that Winnipeg Tribune columnist Frances Russell, probably better than anyone, has presented with clarity to Manitobans the grave difficulties in respect to the present legislation that has been introduced in the House. I would like to read, if I could, because I believe that she has expressed in words, much better than I am able to express in words, her criticisms of the legislation presently presented to us by the Attorney-General in this House. On June 2, 1978, and I read, "And no matter how much Mr. Mercier may think the finding of fault and misconduct is acceptable and just in the decision about degree of support, he forgets that its inclusion perpetuates a grave injustice in and of itself. Fault might be considered if it weighed equally on both spouses, but fault really only affects the dependent spouse, who usually is the wife. The inclusion of fault thus intensifies her inequality as it means her behaviour will be used as a gauge to measure her future economic circumstances. In this instance the law reduces a dependent spouse to little more than a chattel. If the court attempts to penalize the independent spouse, usually the husband, by awarding higher support, he can easily avoid payment." Then she goes on to say that the Attorney-General has referred to the bad example set forth to children by instituting unrestricted no-fault maintenance. "What about the impact on those same children, of watching their parents battle in court, attempting to prove whose misconduct was more gross?"

Frances Russell goes on, of course, to point out that the previous legislation was not unrestricted, no-fault maintenance, contrary to some reports, but that the very basis and the very arrangement by which fault was entered into consideration was different under the previous legislation than under the legislation that has been introduced in this House for our consideration.

Mr. Speaker, I referred the other day to Mrs. Bowman, and she again has expressed her views in respect to the legislation before us; a lady lawyer that was obviously very well respected by the Attorney-General since he added Mrs. Bowman to the Task Force, albeit after a little bit of complaint by different groups within the community, but he did eventually add her to the Task Force, and she has indicated in interview that there's going to be a great deal of litigation and nobody is going to know exactly where they stand in respect to this legislation.

The same way, Mr. Speaker, as the The Marital Property Act legislation — uncertainty, vagueness and a tremendous increase, in litigation. —(Interjection)— Well, Mr. Speaker, the honourable member ask what did she recommend? She did not recommend the vague phraseology which attempts to appeal to all sides of the issue, as the Honourable Attorney-General has attempted to do in this House in respect to considerations before us.

Mr. Speaker, the Attorney-General has also provided us with a list of cases in an attempt to define for us just what exactly is meant by his use of the phrase "gross and obvious repudiation". Mr. Speaker, a reading of those cases will find that we mainly deal with equal division of assets, and not with a question of maintenance and secondly, if each case is carefully analyzed, we would find that the result which was achieved in the cases in question could just as easily have been attained by reference to the various factors which were outlined in the bill of last June. The bill that the Attorney-General has provided us with this year, insofar as factors that might be weighed in respect to the awarding of maintenance what the Attorney-General has done, Mr. Speaker, by adding the clause which he has provided us of gross and obvious misconduct of such a nature as to repudiate the marriage relationship, has added an element that (1) will increase litigation fees and costs, and (2) will create confusion as to just what may be obtained insofar as a court of law is concerned. And a clause, Mr. Speaker, which I suggest to you is not necessary, that the factors which we had included in our legislation of last June would have dealt with more fully, more clearly, and would have arrived at a fair and reasonable conclusion without doing what the Attorney-General has done, added in phraseology and wording, a factor which can only as I have indicated add to a great deal of costs and delay and uncertainty in the court process.

There's enough cost and delay and uncertainty in all Family Law legislation, whether it is the Family Law legislation that we introduced last June, which I've never suggested was perfect — but surely, Mr. Speaker, we ought not to add to costs and delay and confusion insofar as Family Law legislation, and that is unfortunately what has happened in the case before us.

I remember very well, and I'm sure honourable members recall, the final evening of the session in June. I only wish the Attorney-General was present. I would urge the Attorney-General to read the words expressed with great vigor and conviction by — and I only wish he was sitting where you are now, Mr. Speaker, because Mr. Speaker is not present — Mr. Speaker, who spoke well and eloquently of his concerns on June 17, 1977, on the The Family Maintenance Act which was presented in this House. He voted against the legislation which we had introduced but he advised us, very clearly, as to the reasons for which he was voting against our legislation. I would like to place those words Mr. Speaker, and ask the Attorney-General on the record' if he is not going to consider the recommendations by various groups and by the opposition in this Legislature — whether he has considered the words of Mr. Speaker, when Mr. Speaker addressed this House June 17th, then as the Member for Birtle-Russell, or — and I will arrive at this point — whether he has considered the words by his colleague, the Minister of Health and Social Development insofar as The Family Maintenance Act.

And I want to therefore read to the House the words by the Member for Birtle-Russell:

"Sir," said the Member for Birtle-Russell, "if we haven't put the machinery in place to handle the problems, then I suggest there will be more problems; that the problems that we have today are great, but they will be greater; if we have not got the machinery to handle them, then I think the priorities this government have taken are wrong. I would have hoped that they would have put forward the unified Family Court Project."

And you know, Mr. Speaker, I sat across there — I trembled, because we had deferred it for a brief period of time, and the Member for Birtle-Russell was quite correct. I was sure therefore, Mr. Speaker, that one of their top priorities would have been to have raced ahead with the Unified Family Court Project. Well, I understand, not only have they deferred it but they've lost the moneys. The moneys now that were going to be provided by Ottawa have ended up in another province, is what I understand to be the case. The Attorney-General I don't believe has confirmed that yet, but that is certainly my understanding.

Mr. Speaker, I am glad that you have taken your seat, because I was expressing your position. I know you are unable to express your position, but I was expressing the position which you took so eloquently June 17, 1977, in this Chamber, Mr. Speaker, because I assume from the legislation which we have before us that the Attorney-General, and I know because of the pressures of other concerns, had not had the opportunity to read your very fine statements in the House of last June 17th. —(Interjection)— Don't let me lose my train of thought here.

And the Member for Birtle-Russell went on to say, "and that in existence and operation." You suggested, Mr. Speaker, that the Unified Family Court Project should have been in existence before we had proceeded with The Family Maintenance Act, you will recall, last year. It should have been in existence and operation before they even attempted to bring in this type of legislation. Then he went on to say, "I would have hoped that they would have listened to the accord that was given to them a year ago — and here again I have to correct my memory, I stand to be corrected." Well I think maybe you were correct; I think it was almost unanimous, the support that was given to the concept of the Unified Family Court.

"Now we find, Sir, that instead of providing the machinery, they are providing us with a bill instead." Those were the words of the Member for Birtle-Russell last year.

The Minister of Health and Social Development however is able to speak in this Chamber. I wish he was present, because he too spoke . . .

**A MEMBER:** He's here; he's over there.

**MR. PAWLEY:** Yes, fine. He also spoke with deep convictions of his concerns in respect to The Family Maintenance Act we introduced last session. I would like to place on the record and acknowledge that the Minister of Health and Social Development is in the Chamber — I am pleased he can listen to a replay of his words of that same day, June 17, 1977: Page 3,931 of Hansard —(Interjection)— Of 1977, June 17th: "Because it lacks," referring to our bill, the then Member for Fort Garry, "because it lacks . . . —(Interjection)— "Mr. Speaker, I intend to be very brief. I want to say that I believe Bill 60 can be made to work. I believe that it can be made to work with some more intensive work on it over the next few months, and with the creation and establishment of the type of enforcement procedure that has been referred to by previous speakers, it would guarantee payments of maintenance orders" — the Minister of Health and Social Development wanted us to guarantee payment orders, and you know that was even too much for us to be able to deal with, but he wanted us to guarantee maintenance payments — "because it lacks that at the present time," Yes it did, but it still lacks it, Mr. Speaker, in the bill introduced by the Honourable Attorney-General. "I believe, Sir, that it is essentially meaningless legislation. What matters in maintenance is that the maintenance cheque gets into the hands of the person, the spouse — it's usually the wife — who is supposed to be receiving that money. If you can't put that money into her hands, then all the fine, high-blown, high sounding phraseology that we develop and enshrine in statute in this House is nothing; it means nothing and is totally meaningless." Very fine words by the Minister of Health and Social Development last year.

Then he went on to say, "I suggest, Sir, that until we are able to improve the system, the bill counts for nought. Now it's not easy to improve the system, but that is the challenge that this legislation, that the government and the opposition should be working on, and that is the challenge, a target that was entirely missed by the bill in front of us. I'm not laying that at anyone's doorstep as blame, I simply suggest that that is what has happened. We got off track on family maintenance and started pursuing objectives that are far, far down the list of priorities to the top priority essential job that has to be done." And the Minister of Health and Social Development then proceeded to vote against The Family Maintenance Act which we had introduced last year for those reasons.

Well, then, Mr. Speaker, is there any reason why we would not have expected that when we received the bill which is before us — that there would be first an announcement that the Unified Family Court Project was in fact proceeding after all, that arrangements had been made with the Federal Government for cost-sharing, and the Attorney-General to have announced, "We are making this major step forward." No such announcement. Well, the no such announcement was to be given to us — then we would have assumed, Mr. Speaker, in view of the strong position taken by the Minister of Health and Social Development last year, that there'd be some innovation, some new techniques spelled out in the legislation before us insofar as enforcement is concerned.

Now I stand to be corrected, but I believe word for word every section dealing with enforcement and procedure in the bill before us is a carbon copy, a carbon copy of the Family Maintenance legislation passed last June. And I do hope that the Minister of Health and Social Development enters into the debate, to explain to us, because we are all very curious as to how he can now support the carbon copy of legislation which he condemned last June, because he said it was meaningless legislation. I hope that he enters into this debate, because I do believe that the Minister of Health and Social Development has some explaining to do.

And I believe, because the Minister of Health and Social Development was acting as a spokesman for the Conservative Opposition, not just for himself, but as the official spokesman, either he was, or you were, Mr. Speaker, I won't argue that point, but certainly your thoughts were similar — that there is some need for an explanation by members across as to why there has been a complete and total flip-flop. Well, the Attorney-General is nodding his head; I agree with the Attorney-General. There is need for his colleagues, because he wasn't here last June, to explain this 180 degree flip-flop

in their position — because if the legislation was then meaningless because there was no Unified Family Court Project, there was no improvement in enforcement procedures, I challenge members to show where there's been any change in that regard in the legislation before us. It's a carbon copy.

So we have to then, Mr. Speaker, say that it puzzles us why the legislation of last June was suspended in the first place. It was working well, members of the legal profession advised us of that last December. We now have legislation which is a carbon copy procedure wise of what we had introduced last June, no changes in that respect, so why was the legislation suspended in the first place? I would welcome some response by honourable members.

Mr. Speaker, we object to this legislation, we shall vote against this legislation, because we are being requested to repeal the legislation, the fine legislation which we had introduced of last June. We see no improvement whatsoever; we see the very reverse — the very reverse — in the legislation that is now before us, and we can't help but conceal our curiosity, our curiosity as to the peculiar position, very very peculiar position, that members opposite have unfortunately placed themselves in. They don't have explaining to do just to members in this House, but I'm sure there will be Manitobans from one end of this province to the other that will be asking honourable members if they can explain the flip-flop in relationship to the statements expressed in opposition to the legislation that we had introduced last June.

**MR. SPEAKER:** Are you ready for the question? The Honourable Minister of Health.

**MR. SHERMAN:** Mr. Speaker, I beg to move, seconded by the Honourable Minister of Consumer and Corporate Affairs, that debate be adjourned.

**MOTION presented and carried.**

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

**MR. JORGENSEN:** Mr. Speaker, will you call Bill No. 26, please.

**BILL NO. 26 — THE STATUTE LAW AMENDMENT (TAXATION) ACT (1978)**

**MR. SPEAKER:** The Honourable Member for St. Johns.

**MR. CHERNIACK:** Mr. Speaker . . . stand but I believe that another member is prepared to speak.

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

**MR. URUSKI:** Thank you, Mr. Speaker, I wish to relate a few comments insofar as Bill No. 26 is concerned, and particularly one major aspect that the Conservative Party has brought into the legislation, and that was the aspect that was announced last fall and early winter, that they would be removing the 2-cent a gallon insurance premium, and diverting those revenues to general revenues. That no longer would the Insurance Corporation be able to and allowed to receive the 2-cents a gallon tax towards insurance purposes, and now what will happen is that the motorists will still continue to pay the 2-cents a gallon tax and the insurance premiums as a result will on the surface be reduced but the motorists will still be paying the same amount.

Mr. Speaker, there have been some comments by the Minister of Highways and the Minister of Finance indicating that the Conservative Party has always been in opposition to this measure, in fact there have been some editorials recently indicating that the government in its opposition is on the right track on the gasoline tax to removing that 2-cent a gallon tax, primarily because of costs and they have used the issue of the trucking industry. They have used the issue that the cost of goods and services borne by the trucking industry within the Province of Manitoba will increase costs to consumers. Well, Mr. Speaker, let's look at the revenue picture of the Insurance Corporation and let's examine it as to how this whole revenue picture relates to the trucking industry, to the general motorists and the like.

The total revenues of the Insurance Corporation in automobile insurance are in the neighbourhood of approximately \$103 million, and of that portion the gasoline tax revenues amount to approximately to \$7 million. The trucking industry, and I have asked those questions in the Committee of Public Utilities, the trucking industry . . . The public service vehicles and the commercial trucking industry are the two main transporters of goods throughout the province, especially throughout rural Manitoba, northern Manitoba, outside the City of Winnipeg. These are the two prime transporters of goods and services within the province. The information that I received at Committee, and I am even giving

the gross figure which includes some other classes of vehicles, the motorcycles in the revenue picture of insurance, and the total insurance revenue that the Corporation receives from the trucking industry and these other groups, is approximately \$8 million, for the entire PSVCT groups, who are the commercial vehicle carriers, which is approximately 8 percent of the total revenues of the Corporation. And this of course includes all the basic insurance and the extension insurance; all the extra coverage that is purchased by this industry.

Now, today, if you look at the premiums paid by the trucking industry, and I want to look at that example even though it is a very small portion of all insurance premiums paid within the Corporation, but even the trucking industry, where today the 2-cents a gallon financing of insurance premiums by the trucking industry amounts to approximately 25 percent of the insurance costs paid by that industry. If you look at the premiums of the trucks, the average or the — actually not the average — the highest premium paid by a trucker today who has a semi-trailer unit and is in the category of hauling a distance of a hundred miles or more, is in the vicinity of \$1,200, his actual vehicle insurance premium. Added to that would be an amount I have used of calculating distance of approximately 100,000 miles annually, with a figure of 20,000 gallons at 2 cents, would give an additional figure of \$400, which would amount to a premium of approximately \$1,600.00.

What could happen today . . . Even today, I maintain that the trucking industry could be financed with an additional 2, 4 cents at least, without having any differential impact on the cost of goods, provided of course, provided of course there can be a shift in the cost of premiums, in removing the cost of premiums from the direct premium costs that they are paying today. And it is possible today, to move to 6 cents a gallon of insurance premiums onto the motor fuel tax, especially on the motor fuel tax, because I think there is a difference in the way many people construe the gasoline as being the mode of transportation by the trucking industry. And they use the trucking industry which is, you know, only 10 percent of the insurance revenue of the Corporation as being the great — by using the trucking industry as an example as creating the great cost of moving goods throughout this province — and that is not factual because the prime movement of goods in this province is by the trucking industries, primarily by motor fuel, by diesel. And if there is an intent, and if there is an intent to finance insurance premiums, and it can be done on a differential between the trucking industry and the automobile industry, it is possible to have a different rate on motor fuel versus the vehicle drivers, so that no one has said that you have to go to the full amount of say 20 cents, as an example, to transport goods. But it is certainly possible to move to an increasing amount of financing the insurance portion on motor fuel.\$

Now, there is no doubt that the example, and I want to state that, that the trucking industry, by the Minister of Highways, has been singled out as one of the main moves why they are moving away from financing insurance premiums by gasoline. And I believe the leader of the Conservative Party has said that they do not want to subsidize the insurance portfolio; they don't want to subsidize the insurance portfolio. Well, Mr. Speaker, we have seen the moves by the Conservative Party in the last six months insofar as increasing the rate of taxation, on one hand increasing the costs of services, the user fees. There is no way that you will be able to, on one hand. All you will be able to do with respect to the shifting of insurance premiums from gasoline to the regular premium, you are really moving back in a very retrograded way.

The trucking industry, as I have said, makes up for a very small portion of the revenues, and let's look at what the trucking industry in Manitoba, and I mentioned the premiums of Manitoba, let's look at what the trucking industry pays in Alberta for insurance. And you know, if we use the Alberta premiums today in Manitoba, we could in fact finance the entire insurance premium in Manitoba by the use of gasoline and use the 20 cents and still break even. Because if you compare the insurance premiums in Alberta today, and I have checked them, Mr. Speaker, I have checked them this morning to find out what the premiums on a motor transport truck today in Alberta is, for the same type of vehicle as compared to Manitoba, and that is a unit that would be licensed for 84,000 pounds, which would be a relatively new tractor-trailer unit. The cost of insurance in Alberta would be in the neighbourhood of \$3,600 plus. So if you compare that premium today with that of Manitoba which is approximately \$1,600 which includes the gasoline revenue, there is no doubt that the premiums over the years will be rising, and if you compare that premium to Alberta, that today you could move — if our premiums were the height of Alberta today — you could move to at least 8 or 10 cents a gallon on motor fuel tax and still be able to collect those types of revenues and still be below the actual premium that they are paying.

And there is no doubt that the method of collection of premiums by relating the amount of exposure to the amount of miles driven is a most equitable way of collecting premiums. But, Mr. Speaker, the argument used, and I want to quote from an article made by the Minister of Highways, and I quote from an article of June 7th:

"The same truck taking food to Carman and taking food to Thompson now, has one annual premium. If the gas tax were used, the truck would have to pay much more for his delivery to Thompson and residents of Thompson would thus pay more than people in Carman for the same

goods. Well, Mr. Speaker, the fact of the matter is, today that is a fact. Not only with the insurance premium, the fact of the matter is the freight rates are different. The rate of goods transported to Carman are different to than those that are transported to Thompson. Is that not a fact that the freight rates today take into account the differential and the amount of distance that the goods have to travel, that is the fact, there is a differential.

There is also a differential today in the insurance premiums that the trucking industry pays. The less miles that the trucking industry does, if there is a distance of less than a hundred miles, there is a difference that is recognized by all insurance companies that there is a difference in premium in the neighbourhood of 5 percent to 10 percent if the trucking industry travels less than a hundred mile distance in the hauling of goods. So that principle is today recognized. Not only by the gasoline tax but by the insurance premiums, by the freight rates and the like, there is no doubt.

But, Mr. Speaker, that amount and that distance factor was also taken into account by the previous administration when we moved to the gasoline tax. What we did, is we equalized the northern Manitoba premiums with the southern Manitoba premiums even though the costs of repairing and the other costs are higher in northern Manitoba, and we did equalize them with southern Manitoba to take into account the longer distances of driving that motorists in northern Manitoba would have to do. So that method has been taken into account.

Mr. Speaker, but the bulk of the premiums received by the corporation are from the average motorists. The average motorists bring in approximately \$79 million or approximately 79 percent of the revenues arrived and brought in by the corporation.

Today, Mr. Speaker, that government, if they were in the position or wanted to move to a more equitable way of financing insurance premiums, they could move today to approximately 10 cents a gallon to take into account approximately 60 percent of the premium that the motorists pay today. You know, that would amount to as I said, about 10 cents a gallon. Well we know in any week in the City of Winnipeg gasoline prices move from 5 cents to 7 cents from day to day, that the gasoline prices fluctuate that much within the City of Winnipeg, so there is no reason why if the government was in a position, or wanted to, from a more equitable way of financing insurance premiums, could move today to take into account and move to at least 10 cents a gallon of financing insurance premiums within the province of Manitoba.

Mr. Speaker, the average motorist drives — and this is who this move will mainly affect — the average motorist in the province of Manitoba. I've used the figure of approximately 10,000 miles which I think on the average exceeds the miles driven by most motorists in Manitoba and if you take into account a figure of 10,000 miles at roughly 15 miles per gallon of gas, you will have an annual figure or cost of insurance of approximately \$13.00, not financed on Day One, on Day One that he renews his premium, not financed when he has to renew his vehicle registration, this is financed over the entire year.

What we are finding, Mr. Speaker, is insurance costs increase, more and more motorists are taking out time payment plan. They are taking out the time payment plan and spreading out their costs of insurance. Well what better way, Mr. Speaker, to spread out your insurance costs than by continuing the levy of the gasoline portion of their insurance and increasing that amount, so that they can spread out the costs of financing their insurance over the entire year. What better way of financing insurance premiums? But that is being taken away, Mr. Speaker, that is being shifted.

As I've stated, most of the PSV and especially the PSV, the long-hauling units, the units that the Minister of Highways spoke about in his interview, are diesel truck units. If the government intent was to move —(Interjection)— most of them are . . . I hear the Minister of Industry and Commerce saying, no. Am I correct in his assertion, is he speaking that they are not, the long distance haulers are not primarily diesel units? Is he disagreeing with the statement that I have made? I'm talking about intra-provincial, the haulers that go to Thompson, to the rural areas, the PSV, the majority of them would be diesel units today. As of five years ago I would have to indicate that that wouldn't have been the case, but today more and more units on the highway are diesel units.

There is nothing preventing the government from financing the trucking industry in a different way than they do the average motorist. There is nothing preventing the government of Manitoba from financing the trucking industry and they could go to 6 cents today on motive fuel tax to finance about 60 percent to 70 percent of of their insurance premiums and still be within the range and shift the premiums that are paying off the direct annual levy and shift it to motive fuel tax. There is nothing preventing them and that certainly wouldn't be an increased cost to the motorist because it would be a direct shift, they could do it today. And especially to the car driver, they could shift at least today to the 10 cents a gallon mark with no batting of an eyelash because we know, I've stated before, gasoline prices within the City of Winnipeg do fluctuate from week to week anywhere from 5 cents to 10 cents a gallon. We know that, we know that has been going on.

In the last four or five years what have we seen in gasoline prices? A doubling, almost a doubling, 30 cents to 40 cents a gallon increase. What is preventing the government today from moving to

a more equitable way of financing insurance premiums. We know that the principle is sound. If you are so tied to the ideology of the private insurance sector, look at the way they set up the rate structure. They have used this very principle of relating their premiums to exposure. The amount of exposure that the motorist or vehicle has is directly related to the risk. They do that rate that way and they do now charge premiums that way, so why are you so obsessed that this is not a sound principle way of charging premiums? There is no doubt, check the way the rate manuals of the private sector are written up. They do incorporate this principle. There is a direct correlation that the more a driver drives, the more he is on the road, the greater exposure he has, the greater the risk he has, and that's the way the premiums are set up. Not only by the Province of Manitoba by public corporation, the private sector does it. Look at the rate manuals. It is even, as I've stated, relates to the trucking industry. They do charge more premiums for those truckers who drive longer distances than those that drive shorter distances, but they do not have the same method of collecting. I am sure that if the private sector had the opportunity to collect the premiums in the same manner as the public corporation, they would do it.

**MR. BANMAN:** Mr. Speaker, I wonder if the member would submit to a question?

**MR. URUSKI:** Sure.

**MR. BANMAN:** I wonder if the member would advise me or confirm that the rates in rural Manitoba where people drive more are lower than in urban areas because of the concentration of units, and that really the mileage has nothing to do with it, it's the concentration of units and as a result people in Winnipeg who drive fewer miles have a higher potential rate of accidents than people in rural Manitoba.

**MR. URUSKI:** Mr. Speaker, there are two reasons. The premium rates in Manitoba are lower partially for that, they have been increased somewhat, but even though the motorists in Manitoba do drive, and I wouldn't say they drive to any greater distance than the drivers in the urban areas. You know, for example the farm trucks do not pay any provincial gasoline tax, they do not contribute to the levies made by the insurance corporation. Is the member aware of that? So, they are not being penalized, they're not paying their share of the premium.

Secondly, Mr. Speaker —(Interjection)— Will the Member for Pembina please button his lip and then maybe I will answer his question. Mr. Speaker, the rates that were struck at the time when the rates were set up, they were struck in line with the industry, there is no doubt about it. Not that the rates were actuarially sound, we know that we have had to — I think it was three years ago — we have had to virtually double the rates on farm trucks. Why? Because the premiums brought in on the farm, especially the half-ton truck insurance rates were not adequate to compensate for the accident ratio that those vehicles had, so that while those units maybe drove more, their accident picture on the basis of those rates were not actuarially sound.

There is today I am sure, some cross-subsidization by the car drivers of other urban areas subsidizing the car drivers of the rural areas, there is no doubt about it. There is some cross subsidization. The member shakes his head, no, the Minister of Industry and Commerce. Let him check the premium rates. Let him check the premium rates that there is some cross-subsidization. There is no doubt about it. I don't want to say that there isn't, there is. The rate structure set at that time was set in line with the industry rates, not that it was actuarially sound, there is some cross-subsidization.

Mr. Speaker, I have not said on this side that all the premiums should be shifted onto gasoline. While it may be a principle that would be in terms of administering the plan, the most efficient way of handling, you could do away with a lot of the administration, I believe that if you moved it totally to the gasoline premium, you would bring in as many inequities if you moved fully, as you have today in the way it is being financed. There would be inequities created. I don't deny that but certainly members on your side of the House cannot deny that there can be a substantial move in the principle of financing insurance out of gasoline revenues. There is no doubt that a much greater portion of insurance premiums can be financed by the method that is going to be done away with today. There is no doubt that it can be done.

There are many, Mr. Speaker, many people in urban areas who drive much less than the average and who would benefit much more by the method that is being implemented today, especially people who drive less than 10,000 miles and there are many people in Manitoba. The average motorist would benefit much more greatly by financing their insurance premium by the gasoline. They do not have to dish out \$200.00 at one point in time for insurance premiums at one year, they can finance their premium for the whole year provided there is a shift; as I've indicated earlier, provided there is a shift from the vehicle insurance premium to the gasoline tax.

The members from the rural areas, they just shake their heads, I don't know whether in disbelief,

or, I want to hear their statements —(Interjection) — Yes, I'm a rural member, Mr. Speaker, and there is no doubt that I agree and I would hope that the retrograde step that your government is taking today — I would say that when there is a change in government we will once again try and relate more equitably the financing of insurance premiums to the amounts that motorists drive, there is no doubt.

This move, Mr. Speaker, by the Conservative government is one of many direct and indirect moves to raise taxes in the last six or eight months really to offset the revenues they have provided to whom? To the much more affluent in our society. They have reduced the premiums on one hand, you know, they have reduced the premiums to the corporation, but on the other hand they've increased the taxes to everyone. They talk about people paying taxes in direct relationship. Mr. Speaker, what more better way of paying insurance premiums than this way of relating their amount of driving to the amount of insurance premiums they pay? What better way of financing it? You believe in that principle, of the user-pay principle. The user uses more gas and he is going to pay more insurance premiums. This is your principle. Why are you killing it? That is your user-pay principle.

But, Mr. Speaker, the Conservatives believe that this move — if it's brought in nicely — that the people will not really notice this change, because they will still be paying that two cents. The only thing is, they will not be getting the benefits of that insurance premium; they will still be paying the full amount of insurance; we will have an insurance hike this fall; and the Minister of Highways will get up and will say, "Look," and he will use probably the same type of stature that I used when I was Minister — "Look, we've had a hail storm that cost us a million and a half dollars," but not saying anything that we've shifted \$7 million of revenues away from the Corporation. He will use that kind of method and that kind of posture to say, "Well, look, we've had these increases in accidents; we've had a 10 percent increase in accidents; costs have risen and this is the reason why we are increasing premiums." And he won't mention that, "Look, we've taken away \$7 million in premiums and put it into general revenues," — to do what, Mr. Speaker, and I've said it before, to finance the reduction in taxes to the more affluent in our society. We are financing what? We are financing in a direct relationship the succession duties and gift taxes. I've said this before and I will repeat it.

It is the masses of people — all the people of Manitoba — paying for the gifts to 150, less than 200 people in society. As I've stated, it is socialism for the rich, free enterprise for the poor. The half a million motorists today are going to be paying for the \$7 million of gift taxes and succession duties to those 150 estates or somewhere in that range, in the coming years.

Mr. Speaker, it is a complete shift in the burden of taxation to the average individual from the individual people in society who have a little bit more and who are able to pay a little more, and there is no doubt. But you see, we have heard the Leader of the Conservative Party, of late, relate his election to what has happened in California of late, on the reduction of municipal taxes.

Mr. Speaker, the Conservative Party, they got elected on a — and I believe in all their press releases — that they got elected on a promise of a more efficient system with a continuation, with a continuation of the programs set up by the former administration because that was said; that we would not do away — we would not do away — as the Minister of Health has now been trying to defend his actions, that we've got to cut the programs; we've got to cut funding.

**MR. GREEN:** Don't forget the sheets.

**MR. URUSKI:** Mr. Speaker, they got elected on being able to manage a more efficient system and they would continue with the health care programs, they would continue many of the worthwhile programs. —(Interjection)— Mr. Speaker, the Minister of Health says we are, what a farce.

Mr. Speaker, within that promise there was that very subtle suggestion in their platform, the promise of acute protracted restraint, which most people did not catch. I would say many people did not catch. They on one hand said, "Look, we will continue all these good programs but we will have acute protracted restraint." While this is a complete direct contradiction from one to the other, they did get elected on that.

The government, Mr. Speaker, certainly is not living up to its commitments; but the Conservative leader, he's stated his position very clear several months ago, he doesn't worry about that. You know, let the people who worry about promises that political parties make at elections; let just those people worry about those things; it's not our worry now that we're in office, to worry about the promises we made. Let those people who worry about those things be worried that we're not carrying on with some of the commitments that we have made. What a very callous approach on behalf of the Conservative Party.

Mr. Speaker, since coming into office the Tories have tried to create the impression that they have had to cancel and cut back and make cuts, freeze the health care, educational and necessary public works projects because of the poor financial state of this province.

Mr. Speaker, they continue to claim that we are in such a poor financial state on one hand, while on the other hand what have we done? We've given away \$20 million in sales tax; we've given away approximately \$15 million to \$16 million in corporation tax and personal income tax; we've given away about \$7 million in succession duties and gift tax; we've made all these gifts —(Interjection)— We've given all these gifts.

Mr. Speaker, the Minister of Highways says, "Who did you take it from?" That is precisely the moves that you have been making. You have been really on a Robin Hood kick. —(Interjection)— You have taken now in the reverse. The Robin Hood now takes from everybody and gives to a few; a Robin Hood in reverse; that's the kind of people that you are now taking it from, Mr. Speaker. If we were in such a poor financial state, how were you able to finance the giveaways and the gifts to the more affluent and wealthy in society? —(Interjection)—

**MR. SPEAKER:** The honourable member has five minutes.

**MR. URUSKI:** Thank you, Mr. Chairman. This step in this bill and the moves that the Conservative Party has made, is a complete retrograde step; an added tax burden. —(Interjection)— It's a regressive and it's a retrograde step, they're moving backwards in terms of the gasoline tax.

Mr. Speaker, there is an added tax burden on the average citizen of this province, either through direct user fees — like in legal aid, like increased transit fares in the City of Winnipeg, in increased taxes and insurance costs on the motorists — which will be coming as a result of this move — increased municipal taxation.

Mr. Speaker, they indicated a great promise to the senior citizens, that they will reduce their education costs. Well, what a laugh. Mr. Speaker, I checked the municipal tax bill of my parents and they have, I would consider, a fairly decent home in the City of Winnipeg — they have a duplex — and their portion of the duplex is assessed at about \$6,500.00. Mr. Speaker, they don't qualify for a penny, not one cent; and they are in a — I would consider not even a modest — I would say a good home; the home was built in 1964 in the City of Winnipeg, so the home is only 12 years old. They don't get a penny. So you can tell the kind of moves that they have made by the property tax shift. You have to have a home that is assessed at, at least, \$7,000 or more than \$7,000 assessment. Well, when you have a home that is assessed at \$7,000, what kind of a home have you got? You know, that duplex, Mr. Speaker, —(Interjection)— Mr. Speaker, that home has to be valued, I would say on the marketplace, at about \$50,000, \$60,000 or more. Those are the kinds of people that they are helping by that kind of shift. That is the whole tenure of shifting the burden of taxation; that is what this is designed to do.

This is a total regressive move in taxation. Mr. Speaker, as I've stated, the gas price has moved approximately 30 cents to 40 cents in the last four years. While in principle, Mr. Speaker, it certainly could make the collection of premiums much more easier, the average motorist in any setting in the Province of Manitoba — and we know because there are more motorists taking out time payment plan — they would welcome and they would be able to finance their insurance premiums on a user-pay-principle, a Conservative principle, and it would be cheaper in the long run, Mr. Speaker. It would be cheaper for those motorists to finance this.

This move' Mr. Speaker, by the Conservative Party is not only regressive; it is a shift in the burden of taxation from the more affluent in society to the much more average citizen in the Province of Manitoba.

Mr. Speaker, I want to tell the Conservative Party — and we will be back in office — that we will come back and we will even use the user-pay principle of the Conservative Party. We will move that a more equitable way of paying insurance premiums, will be reinstated in the Province of Manitoba; that motorists will be able to finance their insurance premiums throughout the whole year rather than in one way.

This move, Mr. Speaker, will be opposed by members on this side and I believe that the Conservative Party are doing a complete disservice to the motorists of Manitoba.

**MR. SPEAKER:** The bill will be allowed to stand in the name of the Honourable Member for St. Johns. The Honourable Government House Leader.

**MR. JORGENSEN:** Mr. Speaker, I wonder if there are any other bills that my honourable friends would want to deal with, otherwise we could move into Committee of Supply, before the adjournment hour.

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

**MR. PETER FOX:** Mr. Speaker, the Honourable Member for Brandon East has indicated he would like to speak on Bill 14 which is standing in my name.

Friday, June 9, 1978

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**MR. SPEAKER:** The hour being 12:30, I am leaving the Chair to return at 2:30 p.m.