

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 13 June, 1986.

Time — 10:00 a.m.

**OPENING PRAYER** by Madam Speaker.

**MADAM SPEAKER, Hon. M. Phillips:** Presenting Petitions . . . Reading and Receiving Petitions . . .

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

**MR. C. SANTOS:** The Committee of Supply has adopted certain resolutions, directs me to report same, and asks leave to sit again.

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

**MOTION presented and carried.**

### MINISTERIAL STATEMENTS AND TABLING OF REPORTS

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

**HON. H. PAWLEY:** I have a statement, Madam Speaker. Manitobans from many parts of our province will be gathering on the legislative grounds tomorrow morning at 11:30 for the annual Walk for Peace, organized by the Winnipeg Coordinating Committee for Disarmament.

Over the past four years, the Peace Walk has drawn the active participation of thousands of Winnipeggers and people throughout Manitoba and has reached thousands more with its vital message of concern.

Indeed, the Winnipeg Walk for Peace has become the second largest annual event of its kind in Canada.

In an important way, it unites Manitobans of diverse views and backgrounds, who share a common commitment to peace, to human rights and to international development.

The Walk for Peace reminds us that as individuals we have a responsibility to work actively for peace in our communities wherever we live.

The theme of the 1986 Walk for Peace is: "Stop the Arms Race — Fund Human Needs."

That message could hardly be more timely.

It is astonishing to realize that by 1985 the world has accumulated enough nuclear weapons to kill 58 billion people, or to kill every person now living 12 times over. Every day, five new warheads are added to the stockpile. In a world which spends \$800 billion a year on military programs, one adult in three cannot read nor write, and one person in four is hungry.

It is that deplorable waste of resources that the Legislature had in mind when it passed a resolution just over a year ago declaring Manitoba a nuclear weapons-free zone.

As well as the Peace Walk in Winnipeg and other parts of the Province of Manitoba tomorrow, I understand there will be similar activities in Thompson and elsewhere. I'm pleased to congratulate the organizers and volunteers whose hard work makes such opportunities possible for their communities. Particularly in this International Year of Peace, I invite all Manitobans to take part in these important events on whose success may rest, in some degree, the future of us all.

Thank you.

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

**MR. G. FILMON:** Thank you, Madam Speaker. I thank the First Minister for making that statement today.

The cause of world peace and nuclear disarmament is an issue that's shared by people throughout the world of all political philosophies, of all walks of life. Certainly we on this side join with the Premier and his colleagues in support of the peace march that will be taking place tomorrow. I believe a couple of members of my caucus will be participating in the march, and I know all of us show our support for that effort that is being put forward tomorrow.

All of us believe that, together, throughout the world we must work towards this common goal of peace and nuclear disarmament. We must do so by supporting such initiatives as the declaration by the United Nations of the International Year of Peace. We do so together. We do so recognizing this as a non-partisan issue, recognizing it as an issue in which all people can unite throughout the world.

Thank you very much.

**MADAM SPEAKER:** Notices of Motion . . . Introduction of Bills . . .

### INTRODUCTION OF GUESTS

**MADAM SPEAKER:** Before we move to Oral Questions, may I direct the attention of honourable members to the gallery where we have 27 students from Grades 7 to 9 from the Glenella School. The students are under the direction of Mr. Harvey Walker, and the school is located in the constituency of the Honourable Member for Ste. Rose.

We have 25 students from Grade 5 from the St. Alphonsus School. These students are under the direction of Mrs. M. Lancaster, and are accompanied by Mr. Clark Sinnott from the school board. The school is located in the constituency of the Honourable Member for Elmwood.

We have 48 students from the Lakewood School under the direction of Mr. Maharaj. The school is located in the constituency of the Honourable Member for Assiniboia.

On behalf of all the members, I welcome you all to the Legislature this morning.

## ORAL QUESTIONS

### Encephalitis

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

**MRS. B. MITCHELSON:** Thank you, Madam Speaker. My question is to the Minister of Health.

Given the fact that this government cancelled the Sentinel Chicken Flock Surveillance Program for early detection of equine encephalitis and given the fact that the City of Winnipeg has undertaken to fund this same program at its own expense because it felt an obligation to provide warning to the citizens of Manitoba of a potential outbreak of encephalitis, could this Minister tell this House why the Deputy Minister of Health stated that the Cadham Lab, funded by the citizens of Manitoba, has refused to test the serum collected and, by doing so, has forced the City of Winnipeg to courier the serum to the Banting Institute Lab in Toronto which has agreed to test the serum for the City of Winnipeg and for the citizens of Manitoba?

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

**HON. L. DESJARDINS:** Yes, Madam Speaker, the government, we stated very clearly that we did not want to give false security to anyone, that people should take the precaution. We had made a decision not to fund it, and part of the funding would be the work done at the Cadham Lab. If a decision was made, certainly, because somebody else decides that they're going to go ahead with the program, then they should deliver the program themselves.

It was stated at one time they couldn't even get enough mosquitoes to fill the traps, and the next day they were full, so you can see that it certainly did not give any information to the public at all. We don't believe that it does and, therefore, we're not funding the program.

**MRS. B. MITCHELSON:** A supplementary question to the Minister of Health. Can this Minister tell us at what cost it is to the Cadham Lab to test this serum for the protection of the citizens of Manitoba?

**HON. L. DESJARDINS:** First of all, we don't think it is for the protection of the people of Manitoba. There's no cost assessed to it because we are not delivering the program this year.

**MRS. B. MITCHELSON:** Madam Speaker, my final supplementary to the Minister of Health. Can you tell me why, when the citizen of Manitoba fund the Cadham Lab, the taxpayers of Manitoba provide funding for this lab, that they cannot test the serum here and we have to send it to another province to have that testing done?

**HON. L. DESJARDINS:** The people of Manitoba fund all the programs, and the deficit that my honourable friend, the critic, is always interested about is also a deficit that has to be funded by the people of Manitoba. After studies and discussion with the experts, it was felt that here in Manitoba that this would not be a program that would serve any purpose. It would give false security to the people. It would far, far from something that you can count on. The province has

decided not to subject the people of Manitoba to that cost. If somebody wants to force that cost, we can't help it. If another level of government wants to do that, we can't help that. Rightly or wrongly, we made the decision, and that is the reason why, if somebody wants to fund it, then they shouldn't come to us and say, here, you're going to pay to do part of the program.

**MADAM SPEAKER:** The Honourable Member for River East with a final, final supplementary.

**MRS. B. MITCHELSON:** Thank you, Madam Speaker. Might I ask him a final supplementary?

To the Minister of Health, given the fact that the figures I have been given for the cost of this testing, which is \$2 per test, and approximately 50 tests every two weeks, does this Minister feel that that is too much to ask of the Provincial Government to protect the people of Manitoba from equine encephalitis, or the early warning process, so that some steps might be taken to protect the citizens should there be an outbreak?

**HON. L. DESJARDINS:** Madam Speaker, the member does not understand, or does not want to understand. The decision was made after a study, as I say, with the experts. We took the recommendations of the experts that this was not a program that would serve any purpose, not just the question of funds, of money. The province has decided not to go along with the program. Some people disagree with that. The City of Winnipeg has decided to go ahead with the program and now it is their responsibility. They can't just turn around and say we've decided it is your responsibility. So they should go ahead and run the program.

We feel that it is not a program that has that much value. You know very well that the people of Manitoba and Canada, the experts, that is, are divided on that and the majority of the people are saying that it is not, that it is a question of education, that people should take care of themselves at all times. You don't wait — they say well, there might be some danger. If you have been where the mosquitoes are out, the education should be the same and the people should try to protect themselves from the bites. That is the safest way. You don't rely on something that is not sure at all. It is a false security and we're not going to encourage that.

### Manitoba Development Centre, Portage

**MADAM SPEAKER:** The Honourable Member for Portage la Prairie.

**MR. E. CONNERY:** To the Minister of Community Services. In 1978, there was a tragic fire at the Manitoba Developmental Centre with the tragic loss of life to several residents. Faulty equipment was the cause of the loss of life, because they couldn't exit the building.

I have in my possession memos stating there are still many deficiencies existing today which could cause another tragedy. Is the Minister going to allow this threat to lives of the mentally-retarded, or will she take immediate action to correct the safety deficiencies?

**MADAM SPEAKER:** The Honourable Minister of Communities Services.

**HON. M. SMITH:** Madam Speaker, the issue of safety of the residents at the school is a very deep personal concern to all of us. The decision to vacate the Northgrove building and not replace it, and to move people out into the community, is linked to our desire to make the MDC safer and also to improve the quality of life for increasing numbers of the mentally retarded who are able to function in the community.

We have discussed with the Fire Commissioner the procedures that we're following. The building will, in fact, be vacated sooner than a new replacement, or even a complete upgrading, the time that it would have taken.

In the interim, we have instituted regular fire drills. There was some looseness, a difficulty with a lock on one occasion. It was repaired immediately. There are standing orders that should any difficulty be found with any of the locks, that they are to get top priority. We have also hooked up the Northgrove building directly with the fire department in Portage la Prairie. We've done everything we can in the short-term to guarantee the safety and as the total numbers at MDC are now down at 713 and we expect to level off at 550, we feel that the fire safety precautions we're taking and the downsizing of the institution is movement towards full security. We would not claim that the task is completed as yet, but we're making rapid progress to the point where we feel we have optimum security.

**MR. E. CONNERY:** Madam Speaker, it's obvious that the Minister is not concerned about the safety of the residents. Is it true, Madam Speaker, that the material to upgrade Northgrove is on the site and has been there for two years or longer?

**HON. M. SMITH:** Madam Speaker, it's been alleged that there's some plastic pipe that has been purchased but the total upgrading is more complex than that. It's been guesstimated by Government Services to cost in the neighbourhood of \$900,000 and we have discussed with the Fire Commissioner our plans and procedures to retire that building from service and the interim measures we have put in and have received his agreement that is an appropriate way to handle the difficulty.

**MR. E. CONNERY:** While they're on the question of the residences, why are they turning residences into offices and offices into residences? Is this a cost-saving measure?

**HON. M. SMITH:** Madam Speaker, I do wonder why no progress was made in improving the fire safety from the time of the fire while the Opposition was the government. There were four years where very little progress was made.

The current schedule of upgrading some of the offices and converting some of the space in Southgrove for residents is part of the total reconfiguration of the building so that when we get the group that are being moved out with the welcome home thrust, in fact moved out, that the remaining residents will have more space, more vocational and educational opportunity and, in total, an enriched quality of life in that building. So it is true that there is some reallocation of space but the

simplicistic description given by the member from Portage la Prairie as to what's going on is really missing the main point of improving the quality of life and the security for people at MDC.

**MR. E. CONNERY:** A final supplementary, Madam Speaker.

The Member from Thompson had asked if there were names when I suggested that people were being badgered to allowing their children to go into the community. I do have names available for him.

**MADAM SPEAKER:** Order please. The purpose of question period is not to convey information but to seek information. Does the honourable member have a final supplementary with no preamble?

**MR. E. CONNERY:** Yes. Will the Minister now assure us that this practice of coercing people will stop?

**HON. M. SMITH:** . . . opposite to give me evidence if there is anyone who is being . . .

**MR. E. CONNERY:** I've got it. I've got it.

**HON. M. SMITH:** I have asked for the names and the member said "Oh, I can't give them." Now I understand he will and I welcome that. One of the criteria of the programs is that there be agreement, willingness by the community and the family. Now if there would have been a transgression on that — I have asked repeatedly for evidence of that — because it is specifically guarded against in the criteria for the program.

**MADAM SPEAKER:** The Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** Yes, thank you, Madam Speaker.

The provincial Fire Commissioner has recognized that the fire safety shortcomings of Northgrove has given the Manitoba Developmental Centre until December 31, 1986, to vacate all residents. Because of these problems, the MDC is overcrowding the residents into other areas. In light of the fact that there are approximately 23 residents crowded being into Westgrove, which was designed for 15 residents, what action is the Minister planning to take to correct the situation?

**MADAM SPEAKER:** The Honourable Minister of Community Services.

**HON. M. SMITH:** Madam Speaker, I repeat my outrage that accusations of poor safety and overcrowding are coming from members of a government that did nothing while they were in power to improve the situation.

We have progressively planned, Madam Speaker, to downsize . . .

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

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

**HON. M. SMITH:** Madam Speaker, we have progressively planned to downsize the MDC. We have

put extra facilities and a gradual improvement in staff ratio into the criteria for staffing MDC. In addition, we have put a great deal of extra money — and that will come out during the Estimates debate — into the Welcome Home thrust to provide real alternatives in the community for these people. If there is an overcrowding situation at MDC, it is one of longstanding, one which we are addressing progressively over time.

Madam Speaker, we are committed to bringing the standards to the best that we currently, as a society, can manage for the retarded brothers and sisters who live at MDC.

**MRS. G. HAMMOND:** To the same Minister, is it the policy of this government to allow the quality of life of the residents at MDC to deteriorate, as reported to parents at a committee meeting held to discuss moving a resident in the community; that the level of care at the MDC will not be maintained?

**MADAM SPEAKER:** Order please. It's the member's duty to ascertain the truth of the statement. Would you like to rephrase your question?

The Honourable Member for Kirkfield Park.

**MRS. G. HAMMOND:** Is it the policy of this government that the level of care at the MDC will not be maintained?

**HON. M. SMITH:** Madam Speaker, the Welcome Home Program is a three-pronged thrust to improve the alternatives in the community, to improve the services to at-risk people in the community, and to improve the quality of care at MDC and that has to do with staff ratios and the expansion of the vocational education through a \$2.7 million new construction, which is about to — the digging is about to start — and the overall staff ratio is gradually improving, Madam Speaker. It is still not at the point where I would like to see it.

**MRS. G. HAMMOND:** Yes, a question to the Premier, Madam Speaker.

In light of the extremely low morale at the centre, caused by overcrowding in the wards, the overuse of term employees and the general poor working conditions, will the First Minister call for an independent inquiry into all aspects of care and service to the mentally retarded residents of Manitoba, and especially at the MDC?

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

**HON. H. PAWLEY:** Madam Speaker, after four or five years of no action, this government has been undertaking a course of action that is clearly defined insofar as assisting the mentally retarded in the Province of Manitoba. The Minister, just a few moments ago, if the Member for Kirkfield had heard the Minister speak above the noise around her, would have heard the advice as to the activity that is going to be taking place shortly in Portage at the Centre, the Welcome Home Program, the increased initiative in encouraging the movement of those that can function in the community, and those only that can function in the community, to be welcomed into the community through the Welcome Home Program that is under the stewardship of the Minister of Community Services.

I must say, Madam Speaker, not all is being done in this very important and vital area that we would like to see done, not as much money has been expended, but this government has pumped more money into assisting the mentally retarded children and those in need in that area than I am sure any other administration, and certainly the administration of '77-'81, by way of a deliberate course of action, deliberate planning, and no commission of inquiry is needed in response to demands from the honourable members across the way.

**MADAM SPEAKER:** Does the Honourable Member for Kirkfield Park have a supplementary?

**MRS. G. HAMMOND:** Yes, I have one question to the First Minister.

Is it the policy of this government to ignore the plight of the residents at MDC because a new program has been put into policy?

**HON. H. PAWLEY:** Honourable members unfortunately appear to have a prepared script and they don't listen to the answers that they receive in response to their prepared questions or they wouldn't keep asking the same question over and over again because the Minister answered, Madam Speaker, in considerable detail, including an expenditure of some \$2.7 million by way of additional facilities to improve the quality of life of those at Portage, the construction of which is just about ready to start; so how honourable members can say, with major expenditures of that nature that there is neglect at Portage, undue neglect, I understand not, Madam Speaker.

### Government vehicles — personal mileage

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

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

I had taken a question as notice on June 5 from the Honourable Member for Emerson with regard to car allowances. Rather than go through a lengthy response, I'll table for him a copy of the General Manual of Administration, or the sections out of there that relate to the area that he asked the question.

### Manitoba Development Centre, Portage

**MADAM SPEAKER:** The Honourable Member for River Heights.

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker. My question is to the Community Services Minister.

In her statements with regard to MDC today, she said that Northgrove was to be retired from service. Is it not true that workshops will continue in Northgrove and, therefore, safety upgrading will be required there still?

**MADAM SPEAKER:** The Honourable Minister of Community Services.

**HON. M. SMITH:** No, Madam Speaker, the new building, the \$2.7 million building that I have spoken

of, will contain the vocational, educational and recreational activities, some of which have apparently been going on in Northgrove.

**MRS. S. CARSTAIRS:** A supplementary question. Is it not true that the activity centre that is presently being built at a cost of \$2.7 million will not have access for many of the residents at MDC because it is not connected by tunnels or by any other indoor system?

**HON. M. SMITH:** Madam Speaker, the facility out at MDC has not got interconnections that I'm aware of among all the buildings. The terrain is fairly flat, there are sidewalks, and there are people who can help with movement of people. Certainly, I don't know the details of the design but the people at Portage would have had ample opportunity to look at the design and could take it if in fact there were a problem such as the member suggests. I mean people do get outdoors regardless of their disability level.

I think the building is contiguous. It's virtually within a block, a sort of normal city block; that would be about the furthest distance for any group, and it's virtually across the street for many. So I don't anticipate that problem; however, to be doubly sure, I will ask those responsible for the design just to check into that. But if the member is suggesting that we build an interconnecting system of tunnels at this stage of the life of that institution, I really question the validity of that expenditure.

**MRS. S. CARSTAIRS:** A final supplementary, Madam Speaker. If the new level at MDC is to be 550, and if we are going to close down a residence which is some 120, how are we going to prevent the continuation of overcrowding conditions?

**HON. M. SMITH:** Madam Speaker, if the member opposite is suggesting that there is a perfect ratio of resident to space, I'd like to hear her discussion on that.

What we have been trying to do is to improve the space and the variety of opportunities that the people have there for living a satisfying life at the same time as we've been greatly enriching not only the support services for residents who move out and for at-risk people in the community, but we have been building from the ground up with a lot more support for parents of young children, infant stimulation programs, day care programs, where there is support in integrated day care to the greatest extent possible, and some specialized day cares as well, and supports in the school system. So the total system of services to the mentally retarded people is undergoing a total change and improvement, Madam Speaker.

**MADAM SPEAKER:** The Honourable Member for River Heights with a final supplementary.

**MRS. S. CARSTAIRS:** With a final final, Madam Speaker, it's a question of numbers. If there's overcrowding and the Minister said there was overcrowding, if you close a residence and you don't open more facilities, don't you still have the same overcrowding problem?

**HON. M. SMITH:** Madam Speaker, I would be prepared to sit with the member and go through some of the numbers. The Southgrove upgrading is including some conversion of office space to resident care. So there is a little bit of leeway there. The ongoing downsizing will enable there to be some flexibility, but the actual standard to be achieved and the way in which we'll get there, I think is more suitable for discussion during Estimates.

### Mosquitoes - monitoring of

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

**MR. D. SCOTT:** Thank you very much, Madam Speaker. I have a question for the Minister of the Environment.

Has your department been monitoring the numbers and species of mosquitos over the past month or so, and, in particular, the variety *Culex Tarsalis* which is the primary vector carrying the Western Equine Encephalitis virus?

**MADAM SPEAKER:** The Honourable Minister of the Environment.

**HON. G. LECUYER:** Thank you, Madam Speaker.

As the Minister of Health already has mentioned a number of times, we've retained the monitoring in horses as well to determine the presence of the encephalitis virus, but the department indeed has traps established in 10 different localities in the surroundings of Winnipeg and has been monitoring on a daily basis for over a month now.

I'm happy to say, Madam Speaker, that in all 10 of these traps over the entire monitoring period, we have not had a single *Culex Tarsalis* Mosquito, the carrier of the encephalitis virus.

**MR. D. SCOTT:** Madam Speaker, I now have a question to the Minister of Health.

Does the Minister of Health, would he direct his department or feel it wise to direct his department to undertake an extensive daily monitoring or multiple weekly monitoring in doing serum tests on the mosquitoes or sentinel flocks when there are no primary mosquitoes present that are carriers of the vector? Does it make sense to continue and to do an extensive monitoring test?

**MADAM SPEAKER:** That question is out of order. It answers itself.

### Versatile Farm Equipment Company

**MADAM SPEAKER:** The Honourable Member for Fort Garry.

**MR. C. BIRT:** Madam Speaker, my question is directed to the Minister of Finance.

There have been rumours on the local provincial scene for the last couple of weeks, and apparently a story out of the West Coast yesterday said that there is a potential problem with the John Deere takeover of the Versatile Manufacturing operation.

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**MADAM SPEAKER:** Order please. Could the honourable member please rephrase his question? We do not deal with rumours. It's the member's duty to ascertain the truth of facts that he brings to the House.

**MR. C. BIRT:** Thank you, Madam Speaker. There has been a story on the West Coast that there will be a problem . . .

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

**MADAM SPEAKER:** Order please, order please, while the honourable member rephrases his question.

**MR. C. BIRT:** Thank you. Could the Minister of Finance confirm that there is a potential problem or, in fact, perhaps a real problem of preventing the takeover of the Versatile Manufacturing operation by John Deere that would jeopardize the jobs in Fort Garry and the other plants and the future expansion of those jobs?

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

**HON. H. PAWLEY:** Madam Speaker, I thank the Member for Fort Garry for raising this very deep concern in regard to a possible delay or prevention insofar as the purchase of Versatile by John Deere.

Yesterday, we received correspondence in fact from the Versatile dealers' organization requesting what assistance could be provided in order to help facilitate the transfer to the John Deere corporation.

I've written a telex to the Prime Minister, which has been already forwarded, which is worded as follows: "I'm extremely concerned about the lengthy delay on the part of the U.S. Department of Justice in the matter of the impending acquisition of Versatile Farm Equipment Company by John Deere. Versatile is a key firm in Manitoba. Any threat to its viability by reason of this delay would have a major adverse impact upon Manitoba's industrial composition. If the U.S. Department of Justice disallows the acquisition, we estimate Versatile's situation would be very serious indeed.

"In the meantime, Versatile is operating in a state of extreme uncertainty. As you know, this acquisition has been announced by the companies, was approved by the Investment Canada on March 13, 1986. I understand John Deere has committed to expand Versatile's operations should the acquisition proceed.

"I would request your immediate further attention in this matter, including additional representations to the U.S. Department of Justice and others, to positively influence a quick and a favourable decision."

**MR. C. BIRT:** Thank you, Madam Speaker, and I would thank the First Minister for his response on that question.

I would like to ask him what further steps he and his government contemplate undertaking in addition to the telegram that they sent to the Prime Minister.

**HON. H. PAWLEY:** Madam Speaker, we have reviewed any other action that could be undertaken at the provincial level.

At the present time, I'm not aware of any further positive action we can undertake, except to ensure that the Federal Government uses its offices insofar as External Affairs is concerned and the various facilities that are available jurisdictionally to the Federal Government in that respect, to ensure that the problems are brought home to the Federal Government.

If the Member for Fort Garry has any further suggestions, I would welcome those suggestions. This would appear to be the only jurisdictional route, the appropriate manner by which the Province of Manitoba can facilitate the transfer of the operations.

### Headingley Jail Guards - racial tension

**MADAM SPEAKER:** The Honourable Member for Rhineland.

**MR. A. BROWN:** Thank you, Madam Speaker, my question is asked of the Minister of Community Services and Corrections. My question is asked because of the racial harassment against a black Headingley jail guard.

Has the Minister had an inquiry into the actions of prison guards who staged a phoney prison break and dressed as members of the Ku Klux Klan, all designed to embarrass a black prison guard who, I understand, has a Master's degree in criminology?

**MADAM SPEAKER:** The Honourable Minister of Community Services.

**HON. M. SMITH:** Madam Speaker, as a normal procedure when there is a grievance by one guard against another, there is a procedure for investigating. In fact, the member is referring to a story that was publicized some time ago, and I had satisfied myself at that time that there had been an appropriate investigation and procedure followed. There was some disciplinary action taken, Madam Speaker, but not all the facts alleged by the member were in fact accurate.

**MR. A. BROWN:** Can the Minister tell me then if this inquiry that was supposed to have happened and, from the reports I am receiving, it did not happen, did this inquiry clear the names of those guards who were not involved in those actions?

**HON. M. SMITH:** Madam Speaker, there are grievance procedures for dealing with disputes among staff. Normally, they are kept confidential within that group, because that seems to be the best way to resolve the dispute.

Now should any party to a grievance not feel that they have been justly treated, they have other remedies open to them. But my understanding is that there was a mutual acceptance of the decision.

**MR. A. BROWN:** Can the Minister tell me what disciplinary action was taken because, from what I understand, the racial tension is still there and it is mounting daily at Headingley?

**HON. M. SMITH:** Madam Speaker, the Member for Rhineland who's putting the question, is suggesting by putting two ideas side by side that there's an automatic

connection. It is true that racial tension exists in our prisons as in our society. It is also true that because of the particular circumstances of a prison environment, those feelings are sometimes more intense. But he is linking that automatically to the particular case and the procedure followed.

Madam Speaker, disciplinary action was taken. The details, as I say, are normally not disclosed publicly if the parties to the grievance are satisfied with the mediation procedure.

### Multicultural Advertising Program

**MADAM SPEAKER:** The Honourable Minister of Business Development and Tourism.

**HON. M. HEMPHILL:** Thank you, Madam Speaker, my exercise for the day.

I would like to provide some information to the Leader of the Opposition who asked a question the other day about the province's participation with the Federal Government in the Multicultural Advertising Program and at the time, I indicated we had a number of concerns.

I am pleased to say that I have been in lengthy discussions with the Honourable Jack Murta yesterday and last night, and I met with the representatives of the Intercultural Council last night and all of the concerns that we raised have been addressed. I now have a commitment and an agreement by Mr. Murta that we will undertake, not a one-shot deal like this program is, but a long-term program on multiculturalism.

We have agreed also that we will, in the future program, be able to tap the tourism agreement, because the No. 1 priority for both the Federal and the Provincial Government is to promote multiculturalism in the Province of Manitoba for the tourist industry.

We also have agreement that there will be a broader-based consultation, including representatives of the Intercultural Council and other groups, and that we're going to broaden the scope of the program so that it's not just focussing on Folklorama, which is the shining light for Manitoba, but it will also focus on all of the broad activities that are representative of the full multicultural community.

On that basis, Madam Speaker, I am pleased to inform the House that the Province of Manitoba is participating to the tune of \$50,000, and the program will be kicked off in the next week or so.

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

**MR. G. FILMON:** Madam Speaker, given that various members of the Minister's staff, Mr. Yuel, Mr. Bridge, Mr. Sasso (phonetic), and Ms. White have been participating in this process for a number of months now, and given the fact that the commitments were given by the Folk Arts Council, the Chamber of Commerce, the Convention and Visitors' Bureau, the City and the Federal Government for a long time, does the Minister really believe that her 24 hour intervention really made a big difference?

**MADAM SPEAKER:** . . . irrelevant. Would you like to amend your question?

I'm suggesting to the Honourable Leader of the Opposition that what the Minister believes is irrelevant. Would you like to amend your question?

The Honourable Leader of the Opposition.

**MR. G. FILMON:** Madam Speaker, I guess you're right.

### Fishing - non-residents

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

**MR. A. DRIEDGER:** Thank you, Madam Speaker. My question is to the Minister of Natural Resources.

American sport fishermen are catching fish way in excess of their limits at the Fairford Dam and then taking sales slips from local commercial fishermen so that they can take these illegal fish across the line. Can the Minister indicate what action he's prepared to take to stop this kind of activity and practice all across Manitoba?

**MADAM SPEAKER:** The Honourable Minister of Natural Resources.

**HON. L. HARAPIAK:** Madam Speaker, I would like to thank the Member for Emerson for having given me some veiled notice of his question yesterday.

I want to indicate to him that on the basis of the information that he presented yesterday that a statement that he makes in the House today is a gross exaggeration of the facts. In checking with field staff, there was one incident in which three non-residents were involved in a fishing expedition in the Dauphin River area and a conservation officer in checking these people discovered that, in fact, they were over the limit.

In dealing with the matter, the visitors thanked the conservation officer for having dealt with it in an expeditious manner. The two visitors from California boarded a plane and departed in that fashion. The other drove to North Dakota. I say to you yes, there was an incident involving a charge against one individual. If, in fact, the Member for Emerson can substantiate a claim that there is a wide-based problem, I would be glad to take a look at it, but I think he casts our visiting fishermen in a very bad light unless he can substantiate his claim.

**MR. A. DRIEDGER:** To the same Minister. Would the Minister consider implementing Operation Cooperation, which was implemented last year on a three day period between June 7 and June 10, in which approximately \$4,000 worth of fines was levied and over 800 pounds of fish was taken in a three day period, on a permanent basis?

**HON. L. HARAPIAK:** Madam Speaker, there is an ongoing effort on the part of our conservation officers to deal with the matter of infractions not only in the area of fishing but wildlife management generally. If the Member for Emerson can bring forward specific cases that have to be looked at, if he has suggestions which go over and beyond the regular enforcement duties which I think our conservation officers are handling in a sensitive and efficient manner recognizing

that people are on a recreational outing and we do not want to leave the impression that we are going to be harassing our visitors.

**MADAM SPEAKER:** The time for Oral Questions has expired.

## HOUSE BUSINESS

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

**HON. J. COWAN:** Yes, Madam Speaker.

On a matter of House Business, I'd first like to indicate — (Interjection) — that the . . .

**MADAM SPEAKER:** Order.

**HON. J. COWAN:** . . . Standing Committee on Economic Development will be considering the Report on McKenzie Seeds on Thursday next and, of course, it had been indicated earlier that they will be considering the Report of Moose Lake Loggers CEDF and Channel Area Loggers on Tuesday next.

It's also my understanding that following the Second Readings today when we resolve ourselves into Committee of Supply that we'll be dealing with only one Estimates on agreement between the Minister of Agriculture and the Agricultural critic for the Opposition, that we would not deal with those Estimates today but will be dealing only with Highways.

Previous to making that motion, Madam Speaker, I'd like to call debate on Second Reading starting with Bill No. 9 and then proceeding to Bill No. 18 and then if you would call the Adjourned Debates on Second Reading as they appear on the Order Paper.

## ORDERS OF THE DAY

### SECOND READING

#### BILL NO. 9 — THE PUBLIC SCHOOLS ACT; LA LOI SUR LES ÉCOLES PUBLIQUES

**HON. J. STORIE** presented, by leave, Bill No. 9, An Act to amend The Public Schools Act; Loi modifiant la Loi sur les écoles publiques, for Second Reading.

**MOTION presented.**

**HON. J. STORIE:** Thank you, Madam Speaker.

I had some brief speaking notes which I will provide to the Honourable Member for Fort Garry. However, my remarks are going to be quite brief. Madam Speaker, Bill No. 9, An Act to amend The Public Schools Act deals mainly with administrative matters, minor amendments essentially eliminating some obsolete sections and updating some additional sections in The Public Schools Act.

Madam Speaker, for many years, as an example, the school boards were required to file copies of individual teacher contracts with the Department of Education. However, since salary negotiations and working conditions are spelled out in detail under collective

agreements at this point in time and since government provides block grants rather than categorical grants to cover the cost of teachers' salaries, that information is no longer required with respect to individual contracts. We believe that there will be some administrative streamlining possible within the department as a result of removing that requirement and we're proceeding at this time to do that.

In addition, Madam Speaker, we're updating the procedures for borrowing by public schools for capital expenditures. Under The Public Schools Act, school boards currently when they're borrowing money for capital purposes through the issue of debentures are required in addition to obtaining approval from the Public Schools Finance Board, also must obtain authorization from the Municipal Board. This procedure is unnecessary since the Public Schools Finance Board already reviews the borrowing and municipalities per se are no longer involved in the capital finance of public schools. As part of the update as well, the method by which support to special revenue schools is being modified. There have been some ongoing difficulties with providing special schools revenue. We're trying to streamline the procedure, make it more flexible.

Finally, Madam Speaker, we're also going to be making it easier for parents to obtain certification that their children have been immunized against communicable diseases. Provisions are being made for such certificates to be signed by nurses, as well as physicians. I think, as members opposite appreciate, in some communities access to a physician is not as easy as it is in other circumstances, so that amendment will provide some additional ease for parents in some rural communities, in particular in northern communities, to fulfill the requirements of the act.

An additional amendment is going to be, Madam Speaker, changing the compulsory retirement age. As members opposite know, some years ago now, that particular provision under The Public Schools Act was challenged under the Human Rights Act, and the Charter of Rights and Freedoms. So that particular requirement, reference to compulsory retirement ages, are being removed.

In total, the amendments are minor, administrative changes, no particularly substantive changes, but changes which we believe will provide some administrative ease and perhaps allow for some streamlining within the department, as well.

**MADAM SPEAKER:** The Honourable Member for Fort Garry.

**MR. C. BIRT:** Thank you, Madam Speaker.

Before I adjourn debate on this matter, I have a question of clarification that I would like to ask the Minister. It relates to, I believe he touched on the change in formula of funding for independent schools, or words to that effect, or you would streamline the formula for the funding of independent schools.

There has been a delay in the payments to the independent schools and I'm wondering if this change has caused the delay in sending out those payments. Now, I believe the payments have been sent, but it was some six or eight weeks late from their normal time. That's the problem I'm having with the comments the

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Minister said, because I don't have his notes in front of me, but I believe he touched on that formula.

**HON. J. STORIE:** Madam Speaker, my remarks had nothing to do with the funding of independent schools. The reference was to special schools, special revenue districts, Pinawa, Gypsumville, others where there were separate arrangements made with those particular school districts and it required some additional flexibility because of changing circumstance.

**MADAM SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Thank you, Madam Speaker. I, too, have a question for clarification of the Minister. He indicated a minor change which would remove age 65 for compulsory retirement. Could the Minister indicate how many teachers are teaching in Manitoba past the age of 65 years?

**HON. J. STORIE:** Madam Speaker, I do not have that information. I believe it is very few. I did hear a number, but I wouldn't want to put it on record. I would certainly take that question as notice and provide that information at committee or some other point.

**MADAM SPEAKER:** The Honourable Member for Fort Garry.

**MR. C. BIRT:** Thank you, Madam Speaker. I move, seconded by the Member for Morris, that debate on this bill be adjourned.

**MOTION presented and carried.**

**BILL 18 - THE STATUTE LAW AMENDMENT  
(ELECTIONS) ACT (1986); LOI DE 1986  
MODIFIANT LE DROIT STATUTAIRE  
EN MATIÈRE D'ÉLECTIONS**

**MADAM SPEAKER:** The Minister of Municipal Affairs.

**HON. J. BUCKLASCHUK** presented, by leave, Bill No. 18, The Statute Law Amendment (Elections) Act (1986); Loi de 1986 modifiant le droit statutaire en matière d'élections, for Second Reading.

**MOTION presented.**

**MADAM SPEAKER:** The Honourable Minister of Municipal Affairs.

**HON. J. BUCKLASCHUK:** Thank you, Madam Speaker. Bill No. 18 brings together the election or voting procedures under The Liquor Control Act, and The Public Schools Act in a uniform fashion.

Generally speaking, the election procedures, or the procedures for the holding of a referendum, were uniform in nature in local authorities. Some anomalies did exist regarding the definition of elector, and the bill renders the procedures in The Liquor Control Act, and The Public Schools Act uniform with those applicable to municipalities under The Local Authorities Election Act.

Provision is made to change the appropriate forms or repeal them where appropriate.

Members will also note that in Section 1, Subsection 7 of Bill 18, "head of council" is substituted for "clerk." In that instance, reference was made to the calling of a special meeting of council. The appropriate person to call such a meeting is the head of council, rather than the clerk, and the change is basically of a housekeeping nature.

In general, the provisions of Bill 18 bring the three pieces of legislation into a common process and this, of course, was the basic intent of having a Local Authorities Election Act, a uniform procedure for local authorities throughout the province.

I believe this bill accomplishes that requirement. I can assure members that these provisions will clarify and simplify the procedures in local authorities, for either holding elections or taking referenda votes. No substantive change is made regarding qualification of an elector or candidate. The changes are procedural and of a housekeeping nature.

I would draw to the attention of members a typographical error which will be corrected at committee. In Section 1(2) of the bill, the reference should be to Clause 2(1)(47), instead of 2(47).

**MADAM SPEAKER:** I presume the Minister is aware that he is to be addressing the principle on Second Reading, not the specifics.

The Honourable Minister.

**HON. J. BUCKLASCHUK:** I'm finished.

**MADAM SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** A question for clarification, to the Minister, Madam Speaker. Can he indicate whether prisoners will be allowed to vote in municipal and school board elections this fall?

**MADAM SPEAKER:** The question is out of order. It's not addressing the principle of the changes.

**MR. G. MERCIER:** On a point of order, Madam Speaker. The bill relates to the municipal and school board elections and I'm asking the Minister if, under The Local Authorities Election Act, prisoners will be allowed to vote this fall in municipal and school board elections?

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

**HON. J. COWAN:** On the point of order, perhaps the Minister might like to address the question, in principle, applying his answer to the principle of the bill as to whether or not there will be a policy or a principle change in that regard. We may be able to have that question and answer flow in that way and not get ourselves into difficulty in respect to the detail of the bill.

**MADAM SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** I move, seconded by the Member for Morris, that debate be adjourned.

**MOTION presented and carried.**

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**ADJOURNED DEBATE ON SECOND  
READING**

**BILL 11 - THE PLANNING ACT;  
LA LOI SUR L'AMÉNAGEMENT  
DU TERRITOIRE**

**MADAM SPEAKER:** Debates on Second Reading on the proposed motion of the Honourable Minister of Agriculture, standing in the name of the Honourable Member for Virden.

On the proposed motion — and there's a typographical error in the Order Paper — on the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 11, standing in the name of the Honourable Member for Arthur.

**MR. A. DRIEDGER:** Stand, Madam Speaker.

**MADAM SPEAKER:** Stand.

On the proposed motion of the Honourable Minister of Agriculture, Bill No. 22, standing in the name of the Honourable Member for Virden.

**MR. G. FINDLAY:** Stand.

**MADAM SPEAKER:** Stand.

**HOUSE BUSINESS (Cont'd)**

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

**HON. J. COWAN:** Yes, before moving the motion to move us into Committee of Supply, I'd like to indicate that the discussion on Estimates today will be on one section only, as was suggested earlier upon agreement, that it will be in the committee room, as per the requirements of normal proceedings of the House; and on Monday, when we next consider Estimates, we will move back into the two committees; one section in the House and one section in the committee room itself.

With that explanation, Madam Speaker, I move that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to Consider of the Supply to be Granted to Her Majesty, seconded by the Minister of Municipal Affairs.

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

**CONCURRENT COMMITTEES OF SUPPLY  
SUPPLY — HIGHWAYS AND  
TRANSPORTATION**

**MR. CHAIRMAN, M. Dolin:** Committee, come to order. We are dealing with Resolution 95, No. 6 on Page 97 of the Highways Estimates. The Minister has a few words to say.

The Minister of Highways.

**HON. J. PLOHMAN:** I was going to mention, Mr. Chairman, that I had indicated there were some fee increases. There was an indication of this in the Budget as well, but not in detail. The fee increases in the division of Driver and Vehicle Licensing will add an additional \$3.7 million annually.

They include an increase a provision for an overdimensional vehicle permit fee similar to other provinces which ranges, depending on the nature of the vehicle, from \$5 to \$100 effective October 1, 1986. It would also include a provision for a written driver examination fee increase from \$2 to \$4 for the written driver examination. That would come into effect October 1, 1986 as well; Class 1 road tests from \$20 to \$30; Class 2 and 3 road tests from \$15 to \$25; Class 4, 5, and 6 road tests from \$10 to \$15; that's where the majority of the drivers are located, in that area; and this all comes into effect October 1, 1986.

The driver's license fee will increase from \$5 to \$7 as of December 1, 1986. That hasn't been increased since 1983 so there's about three years where there was no increase.

The vehicle registration fees, various fees, an average of a \$3 increase per vehicle will take effect March 1, 1987; and the personalized license plates will go up from \$50 to \$75, March 1, 1987.

The comparison of the 1985 passenger car registration fees shows Manitoba's rates are among the lowest in the country. The average fee for passenger cars range from \$21.60 in Manitoba to \$57.10 in Quebec, so we're still very low.

The latest revenue statistics that we received from Statistics Canada are for the 1982-83 year, which is several years ago but still, for comparison purposes, is relevant, shows that Manitoba's registration fees generate the lowest revenue per motor vehicle of any province. The average revenue per vehicle at that time was \$54.79, far below the national average of \$125.23. In Saskatchewan, the average revenue per vehicle was \$106, so we were only half of what Saskatchewan is.

The drivers' licence fees and vehicle registration fees were last increased in 1983, and I want to point out, as I did in my opening remarks, that we are still spending substantially more on highway related expenditures than we are collecting through fees and taxes that are related to highway use.

**MR. D. BLAKE:** We'll debate that statement of the Minister's maybe at some length later. I just wondered if . . .

**HON. J. PLOHMAN:** Don't let Orchard in though; he'll distort it.

**MR. D. BLAKE:** . . . the increase in these fees, if these are designated funds that are going to be expended on improvements.

**HON. J. PLOHMAN:** Mr. Chairman, these are not, and not at this time. I know the Member for Lakeside had mentioned that he felt that we should be moving towards dedication of certain fees. That has not been an accepted policy, but it's certainly something that, in terms of the rationale that he gave, I have expressed and feel it may be something that should be looked

at in the future. These are rather minor increases right across the board.

If we were to get into major increases that would put substantial additional dollars into the coffers of the province, I would certainly think that it should be justified by a corresponding or some substantial increase in highway related expenditures. I don't think it has to be specifically dedicated, but it certainly could be correlated in some way so that there would be a corresponding increase.

The answer, of course, is no for these.

**MR. D. BLAKE:** Can I ask the Minister what he's going to use it for?

**HON. J. PLOHMAN:** As I indicated during the opening statements, the department takes in about \$168 million attributed to highway taxes and fuel fees, registration fees, and we spend about 187 million if you take out non-highway-related expenditures in the department. So we are still spending substantially more than we are taking in in fees and taxes.

However, this goes into general revenue and it will be used to provide the health care in the member's community and used for providing education and used for some of the highways projects and for social services programs and so on and so forth. Obviously, I can't cover them all.

**MR. D. BLAKE:** Why should the drivers of motor vehicles be paying an additional share of these costs? Wouldn't it be better to have that come out of the general tax levy where everyone is sharing in it? Why designate a certain number of fees and funds coming from the driving public and funnel those funds into the general benefit category?

**HON. J. PLOHMAN:** Well, that's the nature of our taxation system, that we do not have dedicated taxes for specific purposes. It all goes into general revenues and it is used . . .

**MR. D. BLAKE:** It's not a tax; it's a fee.

**HON. J. PLOHMAN:** That's right. But there are fees and taxes that all come into providing revenue for the province to carry out certain services. As I said, we are still spending substantially more than we're taking in. If the member in his mind wants to attribute all of this revenue towards highway expenditures, he could justify it by saying, well despite the fact that they took in more fees and more taxes related to highway use, they are still spending more on highways. So therefore, in my mind, it's justified.

**MR. D. BLAKE:** I think the Minister would agree that more funds should be expended on highways the way that our system is deteriorating.

**HON. J. PLOHMAN:** I don't know what the point is, Mr. Chairman. I have indicated in my opening remarks that I would like to see, and I felt it was a necessity in the province of having additional expenditures and that, if there were substantial increases in fees in future or in fuel taxes, whatever it might be, I feel that there

should be an increase in the construction budget that may correspond in some way to those increases; but that we do not have a policy of dedicated taxation or user taxes specifically.

**MR. D. BLAKE:** I'm not feeling that well this morning, Mr. Chairman. I'm not going to carry this on any further, but I may feel better on Monday.

**MR. CHAIRMAN:** Item 6.(a) — the Member for Morris.

**MR. C. MANNES:** Thank you, Mr. Chairman. Yes, Mr. Chairman, I'll defer to the Member for Virden who has only a single question.

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

**MR. G. FINDLAY:** Thank you.

I know I missed my opportunity, but because of Ag Estimates on at the same time, I'll bring this in now, and raise it.

The situation in the Town of Hamiota, when restrictions are on the local fuel supplier to get from his bulk tanks or from the town to this farmer's yard, there's absolutely only one way to get to that yard and that's down less than an eighth of a mile from the town and into his lane. There's no other access to the yard at all.

In previous years, the system has been working. I guess maybe the inspectors haven't been watching that short stretch, but this year they did tag the truck and found it to be in violation of their restrictions. There's some concern in that town about how they can get to that yard and deliver fuel during seeding time, which is when the restrictions are on.

I was wondering if the Minister has any plans to facilitate that kind of commerce going on during the restriction period. This generally applies to fuel, fertilizer, grain, seed trucks and so on.

**HON. J. PLOHMAN:** Mr. Chairman, I just wanted to ask a question for clarification then, before I answer. Was this on a PR 469 or . . .

**MR. G. FINDLAY:** On 21 Highway.

**HON. J. PLOHMAN:** On 21 Highway. From your information, that was restricted. I don't have the sheets in front of me. Was that restricted to a 250 or 45 kilograms?

**MR. G. FINDLAY:** It was 250 at that time, yes.

**HON. J. PLOHMAN:** Well we have, Mr. Chairman, recognized over the years, I guess, that there have been problems that are more substantial in certain areas caused by restrictions because of lack of alternatives in certain areas, and when there is shown to be an urgency for certain commodities to be brought in or taken out, there is some flexibility shown by the inspectors in those areas. Of course, they have to be very careful how many exceptions they make because every time they make an exception you're jeopardizing the road because it doesn't take long to break up a road during that period of time when the base is very

unstable. So they have to kind of balance that, and we have certainly indicated to the branch that they should be flexible where possible and where it is warranted.

However, we have taken some steps, for example, in the area of Rossburn area on 45, I believe, where we are going to be putting an overlay, and I explained this the other day during the Estimates, a two-inch overlay of bituminous pavement over the AST, the asphalt surface treatment that is there now, so that it would not have to be decreased or weight-restricted to the same extent down to 250, but only to 350, which would mean a lot of movement can still take place.

We are endeavoring to do that in some of the most critical areas where weight restrictions have really prevented normal, well, even worse than that, any flow of goods into a major centre. So the 45 is being done as well as, I believe 245, in the Graysville-Carman area, as another major project.

This is a new process, actually. In the past, when the AST's have been load-limited and they wanted to be brought up to full highway loading, the department has put on about another foot of base and then a four-inch bituminous overlay. That is obviously much more expensive. It means it's very difficult to meet all the demands with the limited dollars across the province. What we're attempting to do here is to reduce the standards a bit by only putting a two-inch overlay right over the AST that is there, and we want to see after a couple of years of experience, by not load limiting down to 250 but only to 350, whether they will hold up and thus be a more efficient way of bringing those roads up and preventing severe restrictions.

So this might be a candidate. If there is a specific area in here — I have not had this specific one brought to my attention as a major problem area — I think that the department is now aware of it and we can look at that in the future. The member may want also to send me a specific letter on it or ask the municipality to do the same and then we can see how we can fit that into the priorities in the future, but I have not been aware that there was a specific problem there.

**MR. G. FINDLAY:** I believe that the municipality of Hamiota will be raising it through the municipal meetings. I have also mentioned to you in the past, a concern in the Oakner area for the same thing, trying to get to the access to the elevator. There was some suspicion that maybe there was a little careful eye he kept there this year in terms of transport of things in and out.

Can I give the community of Hamiota any guideline as to time when there might be something done in the nature you talked about to address the problem?

**HON. J. PLOHMAN:** Well, that could be considered for as early as next year, depending on how the system works this year. This is a new initiative, to undertake this new process on AST's. I'm not certain, first of all, whether that applies to this case. I'd have to look at it. It's No. 21 highway, you say, and whether that is an AST as opposed to a bituminous pavement, I'll have to check that and then see whether this process would apply in that case.

I'm rather surprised, if it's a bituminous pavement, that it would be load limited that low, but there was

a severe problem this year in some areas because of the wet conditions and they may have had to restrict it further than normal and it may not be a case that happens every year. That's another piece of information I would like to get before I make a commitment as to how severe this problem is and how quickly we should address it.

**MR. G. FINDLAY:** Would it be advisable for — this is Co-op that had the trouble — for them to communicate with the department next year before restrictions come on, to know what latitude they had to get fuel, say, to this specific farmer?

**HON. J. PLOHMAN:** They should do that now, rather than waiting, so that we can look at whether we can take some long-term remedies. There's always going to be these situations where certain farmers cannot get fuel during that period of time, unless they can find a way around on a municipal road or some other road that isn't restricted. What they should do is plan for that, wherever possible, that the farmer will try to get his fuel in before restrictions come in because he knows that they're going to be there, and to plan accordingly. In the case of fuel, I think that could be done.

**MR. G. FINDLAY:** This spring, there were two situations that prevented that from happening. One was the tightness of cash. They were waiting and waiting until the last minute before they'd make a commitment to get fuel into their storage tanks. The other was the fact that the price was falling and there was anticipation that next week it'll be lower again, another economic reason to hold back and those two issues caused them to be bringing the fuel in during the restricted period. Even if they did fill their tanks prior to the restricted period, during seeding they would absolutely have to have more brought in.

I will give you the details on it and hopefully it will be addressed in the near future.

**HON. J. PLOHMAN:** Thank you very much.

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

**MR. C. MANNES:** Thank you, Mr. Chairman.

I propose to engage in rather a lengthy discussion now in the whole area of motor vehicle accidents, injuries and deaths.

I guess it all involves the whole seat belt question and, Mr. Chairman, it probably comes as no surprise to new members, when we debated the bill in 1983, I voted against the compulsory aspects.

**MR. CHAIRMAN:** If I could interrupt the member for a second, we are dealing with driver and vehicle licensing. Item 6(c) is Safety. I wonder if it wouldn't be more appropriate . . . unless you want to deal with the whole thing in generality.

**MR. C. MANNES:** Mr. Chairman, I propose to deal with it in a general sense because I believe our critic is out right now and if the Minister would consider . . .

**HON. J. PLOHMAN:** I have no problems with that.

**MR. C. MANNESS:** I'd like to complete it today if I can.

**HON. J. PLOHMAN:** Sure.

**MR. C. MANNESS:** Mr. Chairman, as I was saying, with respect to my view on the compulsory aspect of seat belts, however I wanted to make it well-known at this time, I do believe that seat belts do save lives in circumstances.

I also, however, believe in a few situations where seat belts cost lives — and I'm not talking about the examples in the past that have been used where vehicles overturn into water or things of that nature — I guess I've seen it first-hand in the City of Winnipeg where individuals that have been belted in, particularly one that was well-known to me, a neighbour was hit at 25 or 30 miles an hour from the side and died; and I'd say as a result, certainly is directly or indirectly, because of wearing a seat belt.

I was just at a — I won't say testimonial — I'd say a celebration of an event where two constituents of mine received heroic awards from the RCMP because they pulled somebody out of a vehicle just before it exploded and that person was not belted in and even the RCMP indicated, that had they been belted in the individual — who was unconscious at the time — would have died.

I use that as preamble, Mr. Chairman, because I think it's very important that we begin to look at the statistics associated with motor vehicle accidents, dealing specifically with motor vehicle occupants, and try to tell the public of Manitoba — specifically from a statistical standpoint — how it is that our compulsory legislation has helped deaths and injury statistic totals.

Mr. Chairman, you might not remember, but I'm sure the Minister does, that when we debated the seat-belt bill and when we came into committee, various people associated with either the Manitoba Medical Association, or other groups, indicated to those of us who were trying to reach some type of conclusion with respect to the bill that there would be a 30 percent saving of life and I think that was a commitment. It can be documented, I don't have it before me, but certainly it's documented in Hansard; and secondly, it was also used on some of the literature, some of the advertisement that went out early in that campaign.

Statistics that have been provided to me by Mr. Martens — and I know the Minister is well aware of his involvement in attempting to use raw data and come to, I believe, objective conclusions — causes me to ask the Minister some very specific questions with respect to the compulsory aspect of seat belts.

Let me also say, Mr. Chairman, at this time, that my teenage children who are of driving age — one of them — when he leaves the yard I insist that he be belted up because, on average, I believe that there is a safety factor involved with their use and I prefer to play the odds, and I want to see him and my other children belted up.

But I think it's pretty important that the Minister and the department be very candid with the releasing of the statistics, and allow the whole discussion to continue again with respect to the compulsory aspect. I asked the Minister in the House, I believe, two or three weeks

ago, how the 1984 statistics compared to 1983. I then gave him some of the numbers that had been detailed for me, and he chose not to, in any way, argue with them, so I assume that they were correct. Indeed the number of people that died — I'm talking about people who were motor vehicle occupants — increased from 78 to 92. Also, the total number of injured increased marginally for 1984 versus 1983, even though the rate of usage jumped to approximately 50 percent or 60 percent in 1984 versus the estimated 10 percent to 12 percent in 1983.

I would therefore ask the Minister, who probably has access to preliminary and maybe final 1985 results, whether this trend has stabilized or whether as a matter of fact we have had some decrease in the numbers of deaths and injuries since the advent of compulsory seat belt legislation and, if the numbers have not stabilized, whether or not the department or indeed he himself has some explanation to what has occurred and why numbers have not fallen off to any degree, and certainly to the 30 percent, as indicated that might occur, when we passed the legislation in 1983.

**HON. J. PLOHMAN:** Mr. Chairman, first of all, as I indicated in the House, it's rather a narrow view to look at only two years and say there's a trend developed or that there is a change from what may have been predicted, because that is a very small sampling. I think it's important to look over a period of years to see if there were trends that developed. It's certainly not conclusive in any way to look at one year and say, obviously it's not working. The fact is that there was an increase in the number of deaths, motor vehicle occupants, from 1983-84 to 92, so I'm not disputing that number.

According to our statistics, in 1985, there were 85, so there was a drop again of seven in 1985. We don't have the injuries total in 1985. What we do see is an increase in 1985 right across the country in fatalities, which is something that is somewhat alarming, I imagine, but again it's a very isolated snapshot of what's happened. There is an increase of 5.7 percent over 1984 fatalities right across the country, and an increase of 4.4 percent over the average fatalities in the last three years for Canada.

For Manitoba, there was actually a drop of nearly 12 percent over the average of the last three years in 1985, because there were substantially higher deaths in 1981, 1982 than there were in 1983. So I would look at 1983 as the anomaly, as a rather unusually low number of deaths. I would not think it would be proper to use that as the base point.

Another point that I want to make and I think that is very significant and one that I made in the House, and I think that it has to be given a great deal of consideration when looking at these figures, is that, by far and away, the majority of the people who were killed in motor vehicle accidents, as motor vehicle occupant victims, were not wearing seat belts. Where they were, some were only wearing their lap belts. But if you consider the fact that 62 out of the 85 in 1985 were not wearing a proper assembly or not wearing any assembly, that's 73 percent not wearing, and there are also eight unknowns. If you take half of those, you've got it almost up to 80 percent of the occupants not wearing their seat belts of those who were killed.

So you cannot measure the effectiveness of seat belts in that regard if all of those people were not wearing their seat belts when they were killed. It demonstrates that those people who were not wearing their seat belts were obviously much more vulnerable, it would seem to me, than those who were wearing their seat belts since only 20 percent of the deaths were associated with those wearing a proper assembly.

I think that is a very important statistic, and one that we should not lose sight of. There's a similar kind of correlation in other provinces as well with regard to occupants wearing their seat belts and those who weren't, in terms of fatalities.

**MR. C. MANNESS:** Mr. Chairman, I'm glad to hear that there was a drop in 1985 in motor vehicle occupant deaths.

Is Manitoba though still the lowest? Does it still have the lowest death either to total mileage driven, lowest deaths to the total number of motor vehicle registrations, whatever the measure is? Do we still not have the lowest experience per whatever measure there is within the nation?

**HON. J. PLOHMAN:** I don't have the latest figures on that, but I know the latest that I did see, we were, and I think I provided that information in last year's Estimates. We don't have the revised table, but there's no reason to indicate by the number of deaths and by the statistics I just gave that show the rest of Canada has had an increase in fatalities overall in 1985, whereas we've had a decrease over the last three-year average. It would seem to indicate clearly that we haven't changed our position in that regard.

**MR. C. MANNESS:** Mr. Chairman, I won't move into a long debate about the reason why the number in 1983 and 1984, totalling 78 in 1983 and 92 in 1984 were killed, although if one looks at the detailed list, there certainly is a large proportion of people who were killed — and I have the odd detail here — who were under the influence of some degree of alcohol. I guess, some people would say that prevention and safe driving are still the proper ways in which to bring down those statistics.

But the Minister claims that the majority that were killed were not wearing seat belts, and I have no argument with that; but some people would argue that the police, when they arrive at an accident scene and find people who have survived the accident, and who may not have been wearing seat belts, never ever put a report in as to whether they would have survived had they been wearing seat belts. That's one other side of the argument that we never measure statistically.

I guess that's one of the arguments I would have in opposition to the Minister when he says, well, 80 percent may have been saved had they been wearing a seat belt. It moves again to that whole realm of statistics, because the Minister remembers well the debates that we had when we were discussing the bill and the assumed numbers of lives that would be saved if we brought in this law. Now it isn't happening; we're not saving 30 percent, as he indicated.

I'm glad to hear that the numbers dropped in 1985, but, using the numbers that he's giving me on a national

perspective, why then are the numbers increasing? I mean it was indicated in 1982-83 that the economy had something to do with the fact that there were fewer deaths and injuries during those years.

I won't accept as a rationale that the economy is better now and people are therefore driving more and that's the reason the numbers are once again increasing. Surely, there must be some explanation as to why the numbers, in a national sense, are increasing and why, in 1984, ours increased so dramatically even though they had been moderated to certainly some degree in 1985.

What is the explanation for these numbers continuing to increase?

**HON. J. PLOHMAN:** Again the member is looking at it from a single snap shot of the year previous and said why are these increasing again. As I indicated, in Manitoba, over the three-year average, there was a general decrease.

I just wanted to total the fatal victims; this is not occupant victims. I just want to give a kind of a trend of the last number of years just to show what has been the experience in the past. 1978 was 198; 1979 — 183; 1980 — 175; 1981, back up to 198; 1982 — 151; 1983 — 133; 1984 — 127; 1985 — 133. So there has been a leveling off of deaths in highway fatalities, generally, in Manitoba.

**A MEMBER:** Is that all kinds, or only pedestrians?

**HON. J. PLOHMAN:** No, these are deaths in motorcycles and pedestrians hit, but I'm just saying total number of deaths. However, I have indicated before that there was also a drop in the number of occupant deaths. From 1981, from 128 down to 105 in 1982; and then this huge anomaly, this big drop down to 78 in 1983; and then back up to 92, which is still a significant reduction from 1982 of 105, but there's that 78 stuck in the middle; and then 85 in 1985. So you can see that 1983 really stands out as an anomaly in the dropping figures as far as motor vehicle deaths are concerned.

Now, I just want to point out that the assumptions that were made were based on 80 percent usage of seat belts. Any figures given as opposed to the figure that we had a couple of weeks ago of some 52 or 55 percent that were wearing seat belts in Manitoba, if you're not having the usage, obviously, your projections cannot hold true or cannot even come close to holding true in that regard. So that is why the stepped-up enforcement took place this past couple of weeks, and we haven't got the information yet as to what the wearing rate is now that took place.

**MR. G. ROCH:** And I hope it's lower.

**HON. J. PLOHMAN:** You know the Member for Springfield is showing complete irresponsibility in his snide little comments that are coming out about how he hopes it's lower. Obviously, he has no regard for deaths and injuries . . .

**MR. G. ROCH:** Do you wear yours? Do you wear yours all the time?

**HON. J. PLOHMAN:** . . . and the pain and suffering for people that are affected by accidents and injuries on the highway system. He should perhaps take a look at what he is saying before he says it.

**MR. G. ROCH:** Maybe you should take a look at what you're saying.

**HON. J. PLOHMAN:** With regard to the statistical information, the Member for Morris would be interested in knowing . . .

**MR. CHAIRMAN:** Order please, order please. The Member for Springfield is on the speakers' list next. Would the Member for Springfield please wait until he has his opportunity; the Member for Morris has a question which the Minister is responding to.

The Honourable Minister.

**HON. J. PLOHMAN:** Mr. Chairman, I will try to ignore the interjections by the Member for Springfield.

I wanted to mention that the University of Manitoba is undertaking — a Professor Mulligan — a study that I think would answer some of the questions that the Member for Morris raised insofar as whether a person would have been injured or killed or the injuries would have been more severe had he not been wearing a seat belt versus whether he was at the time of an accident.

That study is being funded through the sub-agreement. The Federal Government is funding that study. I believe we, and MPIC also, have some input into it. It is quite an independent study and they are attending the scenes of each motorcycle accident, investigating to determine the degree of injury and whether death would have resulted regardless of helmet usage; for example, injuries to other parts of the body, areas of the body.

They would also look at motor vehicle accidents, examine each vehicle to determine whether a seat belt was in use at the time of accidents; investigate injuries to determine whether injury would have been more or less severe without the seat belt usage. The study uses the year before the year of legislation and the year following implementation as a basis for comparison using all of that information.

So I think that study will provide us with some significant information that we can actually use as a measuring stick, but we don't have that yet and we should have that study completed I think it's by December of 1986. It has taken longer than we expected, but it's still ongoing.

**MR. C. MANNESS:** Mr. Chairman, I guess I have a lot of comments in rebuttal. First of all, I thank the Minister for at least pulling out the motor vehicle occupant deaths because today I mean we're too enlightened to begin to — particularly myself when I'm talking about seat belts specifically — to look at the total deaths and, of course, as the Minister indicates, include pedestrians, motorcycle riders and drivers and the whole group of people that are killed anywhere on a thoroughfare, and yet the seat belt argument specifically deals with the motor vehicle occupant deaths.

The Minister has given me those totals for four consecutive years and now actually for 1985 also,

totalling 85, I believe, so there would be five consecutive years.

But I think the Minister talks about the phenomenon of 1983 dropping to 78. Well, Mr. Chairman, I don't know what 1980 looked like, but there were significant decreases leading up to 1983. I mean we came down from 128 to 105 to 78, so something was occurring. I think the Minister, following his argument, has to pull out more than just 1983. He also has to look at 1982 and 1981 because there were significant decreases before the advent of the law. But I'll put that aside for now.

The Minister also says that the assumptions aren't valid unless we have 80 percent . . .

**HON. J. PLOHMAN:** Or more.

**MR. C. MANNESS:** . . . buckling up. I can't understand, though, how if we had 55 percent, which was five-and-a-half times greater than what we had before — again the advent of the legislation in 1983 — why at least there wouldn't be some type of decrease. So the Minister says unless we have 80, we don't have a valid test. Mr. Chairman, that doesn't make any sense at all. I would have to think that if we tripled or quadrupled the use, there would be some type of saving of life.

The number for 1985, I can't quite fit that into my thinking pattern right now but I'm more concerned, and I guess what I resent the most in this whole discussion, as it's taken place over the last three years, that those of us who were trying to decide how to vote on the issue were told by some of the very same people who are doing the research now, that there would be a specific saving of life, that it was a certainty.

So when I see the same people involved in the research and then I'm aware of some of the difficulty Mr. Martens has had in looking at data on comparable terms, I believe that, to some degree, there is an attempt out there to not, in the most objective fashion, deal with the raw data, deal with the realities of the accidents, to give those of us who are very concerned about this issue a totally objective conclusion with respect to either individual accidents or year-end summaries.

So my question to the Minister, is he totally convinced of the objectivity of the studies that are taking place, bearing in mind that on average I would agree with him and those who believe that seat belts on average will save injuries. The argument goes beyond that, as he knows. It's one dealing with compulsion.

My question: Is he convinced that there's total objectivity with respect to the studies that are being conducted at this time?

**HON. J. PLOHMAN:** I can't say categorically whether I'm convinced until I see the results of the study, in light of what experience we've seen here with our statistics. It seems that there's been a delay in getting the work done, which has been some concern; I thought it was going to be ready earlier, so that has been somewhat frustrating. But in terms of whether I have confidence, I would hope that there will be objective statistics and analysis come out of the studies and I think it's premature to judge.

If it's obviously a fact that there hasn't been the kind of impact on deaths and injuries that was projected

on the basis of the amount of usage of seat belts, then I don't think any amount of manipulation of the figures can make black look white. So that's why I would like to see what they come up with and analyze that, take a look at it, before I pass judgment.

**MR. C. MANNES:** That's fair comment, Mr. Chairman. I guess I would ask the Minister whether anybody, any of his staff, or anybody that's researching the question today, either in Manitoba or elsewhere, have attempted to wrestle with the question as to whether or not people are driving any more recklessly because they believe that there's a greater safety factor associated with wearing seat belts; because the statistics point out, for instance, in Saskatchewan the collision rate increased by 10 percent in the year of compulsion; in Ontario it increased by about 6 percent. Of course, that's just one year. There may have been reasons, climatic reasons why that was very high, I don't want to say.

But the point being, is there any indication that may be occurring in Manitoba? Are there more collisions? Are there some people who do not understand the threat when they move, the threat of death and injury, if they do not drive in a safe fashion, people who are led to believe that they have some greater degree of safety as long as they do buckle up? Is that phenomena in existence at all in the Province of Manitoba.

**HON. J. PLOHMAN:** It's a difficult one to measure. I don't think we have any ways of doing that. I was just checking with staff here on that and, really, there isn't a way of determining whether people are more reckless.

I imagine if you consulted with people though, generally, or did some kind of a survey on it, you would find that they feel more secure with their seat belt on. Now, whether that translates into a different habit of driving, I don't know.

Then I look at the fact that 73 percent to 80 percent in the last year were not wearing seat belts when they were killed, so I just think the whole thing falls apart because they shouldn't be getting more reckless. Just because they're going to show everybody that they don't have to wear their seat belt, and still drive, I don't understand that kind of logic.

**MR. C. MANNES:** Mr. Chairman, if the Minister and the former Minister who introduced the bill had been listening to some of the debate, he'd understand why because as we indicated, the safest drivers and the people who will obey laws are naturally the people who will buckle it up. It will always be those, who will tend to be a little more reckless, who will disobey laws, that will still, in most situations, be involved in accidents. That was part of the rationale that we used within the debate. So his figures that he brings forward don't surprise me at all. They're synonymous with the rationale some of us provided during the debate. — (Interjection) — You're right; in fact, you're right.

Mr. Chairman, it brings me then to the next question. I know Mr. Martens has been trying to move into the injury data in greater detail and I don't know to what degree he may have imposed, in large measure, upon the time or the resources of staff, but who has access to the raw data associated with, well particularly with injuries? Because I know the way that data is coming

out with respect to deaths is, I think, quite acceptable, but the injury data? Who has access to that raw data? Will The Freedom of Information Act, when it's proclaimed, allow all residents who wish to view it, will it give them all opportunity to sift through that data?

**HON. J. PLOHMAN:** Of course, the data that is provided by the Motor Vehicle Branch is public once it's been released. Obviously, everyone has access to that.

I think maybe the member is referring to the data and trying to correlate the data between the Manitoba Health Services Commission and the Motor Vehicle Branch, and they have indicated that there is a special charge, a computer charge, to pull out all of this information, of some \$1,000, if the member has a copy of the letter that I sent to John Martens on May 14.

So it would seem at the present time that to get that detailed information, they could make it available but it's rather costly to do; a special computer run to glean it out. The fact is that there's a difference in the way that the two agencies put together their statistical information. One focuses on the victim, that's the Health Services Commission; and the Driver Vehicle Licensing focuses on motor vehicle traffic accidents statistics as its primary objective. They have different criteria used and therefore it is difficult to correlate the two. It's not certainly a deliberate effort to confuse people on anyone's part I don't believe, but certainly is something that may be needed in the future, some type of correlation. However, as long as you're dealing with the different objective, one dealing with the victims and one dealing with kinds of traffic accidents involved that you're going to have perhaps a difference in the figures.

**MR. C. MANNES:** The Minister indicates that there was mention in this letter that he sent to Mr. Martens, if there was a charge and yet . . .

**MR. CHAIRMAN:** Excuse me, it's becoming difficult to hear the honourable member.

**MR. C. MANNES:** . . . on Page 3 of that letter, of which I have a copy, the Minister indicates and I quote, about three-quarters of the way down the page, "Such confidential data is gathered by the Accident Research Unit at the University of Manitoba by means of analysis of hospital records." So, obviously, the University of Manitoba Road Safety Research Unit is collecting that data. I would ask why it cannot be available to an individual of the public who would want to see that data also.

**HON. J. PLOHMAN:** That would have to be asked I guess of the Manitoba Health Services Commission, if you're talking about their statistical information the Member for Morris is referring to. I'm trying to find the reference in that letter, but if we're talking about — (Interjection) —

**MR. C. MANNES:** Page 7. Page 3, and the reference to Page 7.

**HON. J. PLOHMAN:** Could the member make reference to the . . .

**MR. C. MANNES:** Excuse me, I'm reading from your July 4 letter.

**HON. J. PLOHMAN:** I had been referring to the May 14 one of '86 and I don't have that one in front of me. That is the communication we had last year and then there was another analysis done this year by John Martens and we responded to that on May 14. He's indicated that he was going to do another report prior to the opening of the Legislature and we don't have that one. I thought maybe the Member for Morris was going to be tabling that one today.

**MR. C. MANNES:** Well, Mr. Chairman, as a matter of fact, that was supposed to have been on my desk last night at 8 o'clock and I guess Mr. Martens, I suppose to his chagrin, missed the deadline on that. I'm sure he feels extremely badly. He's been desperately trying to prepare that report for about the last month-and-a-half now. Obviously, the Minister will see it in due course and maybe . . .

**A MEMBER:** Second hand, I guess.

**MR. C. MANNES:** . . . next week. I think though basically that much of the material that we've covered today would be the estimates of that. I don't think there's much use prolonging the discussion at this time because I take some solace from the fact that the Minister has indicated that obviously the proof is in the year-end statistics — at least by his interpretation — and that if these numbers don't continue to drop in some meaningful fashion — I don't want to put words in his mouth — but hopefully he's saying that we're maybe going to have to look at the compulsory aspect of the bill, because that's what's in question here in my view. Hopefully, the numbers will continue to drop in a significant fashion.

One final question though to the Minister. What impact does the fact that we're driving smaller vehicles have on this whole issue and to what degree are they placing us at greater risk or has that been researched, or is that a question at all that finds its way into the equation?

**HON. J. PLOHMAN:** Mr. Chairman, I just first of all want to comment that I have not reflected at all on any of the comments about the compulsory aspect of the legislation in that anything is leading me to believe that there should be any change in that, I think it would be obviously premature to make any decisions.

It's not just Manitoba, of course, that we have information. I'd like to pull together all of the studies if I had staff time to do that, and the information is sent from so many other jurisdictions on studies that they have done and to provide that to the member since he is obviously quite interested in spending time to analyze this kind of information and is interested in it that he may find very conclusive information in some other jurisdictions as well. Really, that was the basis for the legislation in the first place as opposed to what was happening precisely here in Manitoba. We were extrapolating I guess what the experience of other jurisdictions and saying if that holds true here and people are aware of the seat belts to a certain degree that the results should be this. Now, we are doing the analysis to determine if indeed they had a similar effect as they've had in other jurisdictions. That's still to come from the exhaustive studies that are undertaken at the

present time and once we have that information, I think we can make some decisions or draw some conclusions. I think it is premature to do that now, so I think the member was putting words in my mouth and I just wanted to clarify that for the record.

Insofar as the size of the vehicles, that may have an effect. There may be a bottoming out at some point in any event of how low you can go on a number of deaths. You can drop down so low and perhaps there will be a point where you can never get below a certain level. That's one thing that we have to keep in mind. The other is that it seems obvious to me that smaller vehicles would leave occupants more vulnerable than they would be in the larger vehicles. It used to be more prevalent on the highways, so I think that's a factor that we have to consider. There is, of course, more and more people driving the smaller vehicles.

**MR. C. MANNES:** Mr. Chairman, has the department asked the Attorney-General for a legal opinion at all whether or not the province can be held liable if an individual were killed or severely injured, and it could be proven that the cause of the severe injury particularly was due to the fact that we have a law in place that forced that individual to wear a seat belt?

**HON. J. PLOHMAN:** We have not asked for that specific opinion but I would just obviously remind the member that there would be a lot of jurisdictions in trouble if that was the case — most jurisdictions, provinces of Canada and a majority in the United States. So it certainly isn't unique, as the member knows, but we haven't asked for that specific opinion.

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

**MR. G. ROCH:** Can the Minister indicate whether or not the number of motorcycle-related accidents has increased or decreased in the last couple of years?

**HON. J. PLOHMAN:** Mr. Chairman, there has been a drop in the total motorcycle accidents from 1983-84 from 760 to 573. We don't have the figures for 1985. And there's been a drop in the total motorcycle victims from 566 — that includes injuries as well as deaths — down to 456 from 1983 to 1984.

**MR. G. ROCH:** What about the total number of registered motorcyclists? Has that increased or decreased?

**HON. J. PLOHMAN:** I believe, without having the figures in front of me, Mr. Chairman, that there has been a decrease in the number of motorcycle registrations. We do have those figures somewhere and can get them. It's not a substantial decrease, but there is a decrease.

**MR. G. ROCH:** Isn't it true that in the last three years all those killed in motorcycle accidents were wearing helmets?

**HON. J. PLOHMAN:** I would have to think that in the last three years, certainly that would not be the case. The helmet law has only been in effect — and I don't know if the member's reflecting on the date of

implementation of compulsory helmets in the province, if that's what he meant in his question. But I would have to get the figures.

I don't have figures with me as to whether they were wearing helmets or not when they were killed or injured, but I can get that information.

**MR. G. ROCH:** If the helmet laws do make it safer, why then have over half of the American states repealed the helmet laws?

**HON. J. PLOHMAN:** It's difficult to analyze every situation in other jurisdictions where helmet legislation has been repealed. I understand there are some jurisdictions where they're thinking of putting it in again after having repealed it. The figure of half is probably high. There were a number of states that have repealed legislation, but we should keep in mind that I believe there was some special provision passed by the Federal U.S. Government that made it obviously beneficial to the States to pass a law making helmets compulsory. I don't know what lever they had on it, but it was a provision for funding of some kind.

So they may not have had a commitment to the changes to the introduction of compulsory helmet legislation when they made those decisions. Once the lever was lifted from their backs, they decided to repeal it as a result of the political pressures that might have been brought to bear in those individual states. But a lot of them were somewhat, I guess, coerced into passing that legislation.

**MR. G. ROCH:** That may or may not be true, but there are numerous studies coming out, including one from the American Medical Association which show that helmets may even be more dangerous when riding. As well as the seat belts, is your department reviewing the effects of the helmet legislation?

**HON. J. PLOHMAN:** Part of the Mulligan Study that I referred to in the seat belt discussion with the Member for Morris includes the helmet legislation, the effects, so that is being studied and analyzed as well. Once we receive that information, we're going to have to make some determinations as to the effectiveness of the helmet law.

I just wanted to point out that, in preliminary statistics for 1985, about 60 percent were wearing helmets, of the deaths in 1985, 60 percent. So it's not all of the people wearing helmets. According to our information, about 60 percent were wearing helmets.

**MR. G. ROCH:** Sixty percent wearing helmets of those who were involved in accidents or those who were involved in fatal accidents?

**HON. J. PLOHMAN:** Fatalities.

**MR. G. ROCH:** To go back to the studies which are being done, are you then suggesting that, if for example your studies show that the effectiveness of these laws, both the seat belts and the helmets are not what they are desired to be, is there a possibility of change in the future?

**HON. J. PLOHMAN:** I don't want to speculate at this time on that. I want to see what the results are. That's

obviously a hypothetical situation. I'm not hiding behind that. I just don't think it's appropriate for me to comment on whether the government would or would not do it. We would have to see that information obviously and bring it to the Cabinet and caucus attention if there are some glaring anomalies that show up that seem to indicate that we're on the wrong track.

**MR. G. ROCH:** You're not aware, and I don't know how long ago it is exactly now, possibly two years or so, there was a couple on Archibald Street who were involved in a motorcycle accident. They were hit by a car, and both lost their right legs. So actually, if you were to use a helmet logic, it almost seems that you should legislate suits of armour when riding a motorcycle.

**HON. J. PLOHMAN:** I think you have to use a reasonable approach, and I don't think it would be reasonable to ask people to wear a suit of armour.

**MR. G. ROCH:** I don't think so either.

**HON. J. PLOHMAN:** But I think it's important, considering the fact they do have devices to protect the head which is so essential to life. The leg obviously is essential for mobility, comfort and so on, but it doesn't necessarily mean that you're not going to live. In the case of the head, we're dealing with a vital part of the body, and it is formed in such a way that a helmet can indeed be worn over it to protect it, so it seems reasonable that we look at that kind of protection.

I think it's important to note that the Mulligan Study dealing with helmets has provision for direct visitations by the individuals involved in the study to attend the scene of each motorcycle accident to investigate, to determine the degree of injury and whether death would have resulted regardless of helmet usage. So that kind of information is going to be received, I think, in depth.

**MR. G. ROCH:** I guess what this whole argument on seat belts and helmets boils down to, is the fact that you seem to believe that government should force upon people what you believe is best for them, for their protection or safety.

**HON. J. PLOHMAN:** Mr. Chairman, there's obviously a lot of conservative governments across the country that have also come to the conclusion that it is in the public interest to require helmets and seatbelts to be worn. It's in the public interest and reasonable people have come to that conclusion, not necessarily on the basis of political philosophy and an effort to try to impose things on individuals, but from a reasonable standpoint of understanding that people tend to obey laws that are in place; and if it is in the public good that they should indeed be put in place, once all of the considerations have been weighed.

It seems that we have to consider the costs in Medicare. I know the Member will say, "Well, then, why don't you make people who smoke pay for their own Medicare?" But the fact is they do pay, very handsomely, through the taxes on cigarettes. You ask anybody that's smoking; they're paying an awful lot of money on cigarette tax. So in a sense they are contributing to the costs of providing care for them in an indirect way,

But the fact is, the Medicare costs are shown to be much reduced; hospital costs for belted drivers as opposed to unbelted drivers, the injuries tend to be more severe for unbelted drivers who end up smashing their face into the windshield and into the steering wheel and everything else and require expensive plastic surgery, and incur all of the suffering associated with that and their families. So it seems to be kind of a common-sense approach to me that you would try to provide some protection through law.

**MR. G. ROCH:** Well, I don't buy your argument that just because the smokers pay a high amount of tax on tobacco products that it should go on. Are you saying, then, that if you tax something it makes it right and if anything should be allowed as long as you tax it? That doesn't seem to make very much sense to me, because if you take a look at your statistics, a high proportion of hospital costs are partially related too. We're not taxing high cholesterol foods out of proportion because of that.

I think what it boils down to is that, good or bad, within certain limits, people should be entitled to a certain choice in society. That's my basic argument on both the seat belts and the helmets. Thank you, Mr. Chairman.

**HON. J. PLOHMAN:** Well, certainly I don't agree with the hypothesis put forward that because something that is taxed, that makes it right. I don't know whether the member is suggesting that. I don't agree with him.

**MR. CHAIRMAN:** The Member for Flin Flon.

**HON. J. STORIE:** Thank you, Mr. Chairperson.

A couple of comments on this debate: First of all, I'm frankly surprised at the tenor of questions from members opposite. I think their leader has clearly indicated and voted for the safety legislation which was introduced and was voted, as did the then former Minister of Health, Bud Sherman. So I'm a little surprised at this particular tact. I think it has also been indicated by the Leader of the Opposition that he would be opposed to making any changes.

However, I wanted to deal with a couple of the arguments and then pose a question to you. The first one is the argument about government imposing safety legislation.

The Member from Morris was making the argument that, or raised a question about the liability of the government with respect to injuries incurred while wearing seat belts.

The obvious analogy is, if an individual is stopped at a stop sign and is rear-ended by a car, and it's clear that the individual had to stop at the stop sign, is then the requirement, The Highway Traffic Act requirement, that you stop at a stop sign? Does that somehow make the province liable? Those kinds of rules are imposed for a very logical reason and it strikes me as rather a contradiction that we're talking about something that is mandated in many other circumstances for safety reasons.

Stop signs are employed and have been in the province and every other jurisdiction in the world for safety reasons. — (Interjection) — But they're not compulsory, right. So it's rather bizarre.

The second point, is that some weeks ago the argument was made that any amount of money should be spent to prevent deaths in the area of child abuse. We all recognize and there was a serious debate on the importance of it. Now we're talking about a measure which does save lives and the Member from Morris talked about the facts in Manitoba.

The facts across Canada, around the world, support the use of seat belts and we're saying that for a few moments' inconvenience, never mind taxpayers' money, but for a few moments of inconvenience, we shouldn't be requiring our citizens, for their safety, to save money to buckle up. It doesn't make any sense.

I just wanted to ask a question related to the points that the member from Morris was making about Manitoba data. Is there not a national safety body, an international safety body, which can provide us with information on the effects . . .

**HON. J. PLOHMAN:** There are several.

**HON. J. STORIE:** . . . of passenger safety devices, and could we have some information on it?

**HON. J. PLOHMAN:** Mr. Chairman, I did refer to those kinds of information and availability of the same from other jurisdictions. In all countries where seat belts are used there's been some kind of analysis done and we receive that information from many different sources from time to time. In all cases the information supports the use of seat belts.

However, I indicated earlier as well that I did not have the particular additional studies and information from other jurisdictions here but certainly can make statistical information available from other sources that we have received, that would support substantially what has been done here in Manitoba in terms of the legislation.

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

**MR. A. KOVNATS:** Mr. Chairman, I've got to get my thoughts together. Things have been happening. — (Interjection) — It's only going to take me up to five minutes.

**MR. CHAIRMAN:** We only have until 12:30, I remind the member.

**MR. A. KOVNATS:** My being against the mandatory helmet legislation is well-known from the time that I stood on the front steps of the Legislature and made those remarks and it wasn't because of the safety factor which I really didn't know at that time because I didn't have the facts and figures. I just felt that in a province like Manitoba, where we're all pretty well free thinkers that we should have the opportunity of having a choice of whether to wear helmets or not.

I would also be in support of freedom of choice on the seat belt legislation also. The only thing for people who cannot make up their minds on restraints, particularly who are not capable of making up their minds, then we do have to, in that regard, support the legislation that supports restraints for children and younger people who cannot make up their minds. So I am in complete support, and I do wear my seat belt

when I drive now. I feel the protection of it in my own mind, and . . .

**HON. J. PLOHMAN:** You feel the false security, too, yes.

**MR. A. KOVNATS:** I just feel that — this is my next question when we talk about false security.

Can the Honourable Minister, through the false security of wearing a helmet, because now we say that helmets will reduce deaths and accidents, can the Honourable Minister advise whether the security, or the false security that the drivers of the motorbikes have, has increased the amount of infractions concerning speeding of motorbikes on the highways in the last few years? Can the Honourable Minister give us some idea as to whether there has been increases in these types of moving offences on the highways?

**HON. J. PLOHMAN:** Mr. Chairman, we have dealt with that question a few minutes ago when the Member for Morris was asking as to whether the feeling of security — and I wouldn't call it false security because there's obviously some greater degree of safety in wearing the seat belt and having the helmet in my opinion and the opinion of many others and statistical evidence — so there is some reason to feel some sense of greater security but certainly not false security; that is that it's going to protect the person from any circumstances.

It's very difficult to measure that kind of subjective feeling that would be involved by individuals that they would indeed get on a motorcycle and drive faster or be more careless because they've got a helmet on. I don't believe that that would be the case, but we cannot and have not done — well, perhaps we could try to — but we have not done any surveys or have any statistical evidence to indicate that people are more reckless when they are using those safety devices. As a matter of fact, I believe it would be the opposite,

that those people who are wearing them are thinking about their safety and more conscious of it as opposed to those who choose not to wear them.

**MR. CHAIRMAN:** I was just wondering whether we should call it 12:30?

**MR. A. KOVNATS:** If you wish, because I do have quite an extensive amount of questions not only on this, Mr. Chairman, but on the actual licensing. They will be quite productive questions; I'm sure that the Minister would agree.

**MR. CHAIRMAN:** You'll get your opportunity. The time being 12:30 p.m., committee rise.

### IN SESSION

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

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

**MR. M. DOLIN:** I move, seconded by the Honourable Member for Inkster, that the Report of the Committee be received.

**MOTION presented and carried.**

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

**HON. J. COWAN:** I move, seconded graciously by the Member for Emerson, that the House do now adjourn.

**MOTION presented and carried** and the House adjourned and stands adjourned until 2:00 p.m. Monday.