

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 24 April, 1987.

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 Fort Garry.

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

The government has always asked for cooperation from this side of the House, and it was nice to see that some of my colleagues felt that we could accommodate the government by electing myself as chairman of the Standing Committee on Public Utilities and Natural Resources. It may not be a first, but it's first in recent times, Madam Speaker.

I must also indicate to the Assembly that while I was in the Chair, the proceedings ran along relatively smoothly. It is only after the committee rose that certain incidents occurred that were reported in the newspaper, and I take no responsibility for those.

Madam Speaker, I beg to present the report of the Committee on Public Utilities and Natural Resources.

**MR. CLERK, W. Remnant:** Your Committee met on Thursday, April 9; Tuesday, April 14; Thursday, April 16; and Thursday, April 23, 1987, in Room 255 of the Legislative Building to consider the Annual Reports of the Manitoba Energy Authority and Manitoba Hydro-Electric Board. At the meeting on Tuesday, April 14, 1987, your Committee elected Mr. C. Birt as Chairman.

Your Committee received all information desired from Mr. Marc Eliesen, Chairperson and Executive Director, and other members of the staff with respect to all matters pertaining to the Annual Report and the business of the Manitoba Energy Authority. The fullest opportunity was accorded to all Members of the Committee to seek any information desired.

Your Committee received all information desired from Messrs. Marc Eliesen, Chairperson of the Board of Directors, G.H. Beatty, President and Chief Executive Officer, and other members of the staff with respect to all matters pertaining to the Annual Report and the business of the Manitoba Hydro-Electric Board.

Your Committee examined the Annual Report of the Manitoba Energy Authority for the fiscal year ended March 31, 1986; and the Annual Report of the Manitoba Hydro-Electric Board for the fiscal year ended March 31, 1986, and adopted the same as presented.

All of which is respectfully submitted.

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

**MR. C. BIRT:** I move, seconded by the Member for Tuxedo, that the Report of the Committee be received.

**MOTION presented and carried.**

**MADAM SPEAKER:** Ministerial Statements and Tabling of Reports . . . Notices of Motion . . .

### INTRODUCTION OF GUESTS

**MADAM SPEAKER:** Before moving to Oral Questions, may I direct the attention of honourable members to the gallery where we have 35 students from Grade 11 from Daniel McIntyre Collegiate under the direction of Mr. Rudy Rohs. The school is located in the constituency of the Honourable Member for Ellice.

We have 25 students from Grade 11 from the Teulon Collegiate under the direction of Mr. Ed Masters and Mr. Alvin Reinsch. The school is located in the constituency of the Minister of Municipal Affairs.

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

### INTRODUCTION OF BILLS

**HON. R. PENNER** introduced, by leave, Bill No. 20, The Crime Prevention Foundation Act; Loi sur la Fondation de prévention du crime, (Recommended by His Honour, the Lieutenant-Governor); and, by leave, Bill No. 21, The Family Law Amendment Act; Loi modifiant le droit de la famille.

**HON. L. HARAPIAK** introduced, by leave, Bill No. 22, An Act to amend The Water Resources Administration Act and The Real Property Act; Loi modifiant la Loi sur l'aménagement hydraulique et la Loi sur les biens réels.

**HON. J. PLOHMAN** introduced, by leave, Bill No. 23, An Act to amend The Highway Traffic Act; Loi modifiant le Code de la route.

### ORAL QUESTIONS

#### Sugar beet industry - tripartite agreement

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

**MR. G. FILMON:** Thank you, Madam Speaker. My question is to the Acting Premier.

Madam Speaker, at the present time, approximately 400 sugar beet producers are waiting to be able to be given word as to seeding. Conditions are such that they could be seeding, but every day that passes they lose potential quality and yield. In addition, 93 full-time workers and 150 part-time workers at Manitoba Sugar, 68 workers in the trucking industry, and as many as 2,000 part-time temporary jobs remain in jeopardy as a result of this government's stubborn refusal to enter into a tripartite agreement.

My question to the Acting Premier is: Why is the Manitoba Government putting all of these lives at risk in economic terms; why are they putting all of the futures of these people in jeopardy when they should be taking action to enter into the tripartite agreement and have the sugar industry confirmed to stay in Manitoba in future?

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

**HON. B. URUSKI:** Madam Speaker, I wish the Honourable Leader of the Opposition would clearly state the situation as it is and not over-exaggerate the facts as he is known to have done in other instances.

Madam Speaker, I want to indicate that our staff, based on our request for a meeting, are now discussing a possible agreement. We have always said that we're prepared to sign the tripartite agreement, but we would not sign an agreement which would have an unlimited deficit. Basically, we would not sign a blank cheque.

Madam Speaker, it's my hope, based on the meetings that we had last weekend with the Hon. Jake Epp and the Hon. Charles Mayer, Minister of Industry, Trade and Commerce, and myself, based on those meetings and federal acknowledgement that they are certainly concerned with our position vis-a-vis the deficit, that they are prepared to sit down and negotiate. I'm hopeful, Madam Speaker, based on what has transpired to date, those discussions are, in fact, going very well, and it's my hope that an agreement might be able to be signed before next week.

### **Sugar beet industry - loss of provincial revenue**

**MR. G. FILMON:** Madam Speaker, my question to the Acting Premier, the Deputy Premier, is: Has she or the government been informed that the loss of the sugar industry to Manitoba would mean the loss of direct revenues just from the sugar company in Fort Garry and the trucking company, Kleysen's, direct provincial revenues of over three-quarters of a million dollars annually?

**MADAM SPEAKER:** The Honourable Minister of Industry, Trade and Technology.

**HON. V. SCHROEDER:** Madam Speaker, we have been informed that the loss of revenue overall from the industry to the province would be in the range of less than one-third of the amount that we would be required to pay just for the first year's deficit. Should we have signed the agreement Ottawa asked us to sign? That's one of the reasons that it's unacceptable.

It's close to 40 times as much at the farm gate subsidy per dollar as it is, for example, with hogs, which is a tripartite arrangement, but it is so much larger that it is impossible for a small province like Manitoba to get into that kind of an arrangement.

We want to save the industry, and if the members opposite would help us rather than continuously attempting to attack us and say, sign that expensive agreement, and say to the Federal Government, be fair to us - be fair to us like you are to Alberta with all of

the money you poured in there with the banks and the PGRT and now the depletion allowances - be fair to us as you are to Quebec, whether it is with the CF-18 or whether it is with Oerlikon, or whether it is with all the other things they've done there - I believe we will get an agreement; but the only reason we will get an agreement is because we are persevering, and it is despite those people, not with their help, that we're going to get an agreement.

**MR. G. FILMON:** Madam Speaker, I regret that the jobs and the industry are not important to the Minister of Industry, Trade and Technology.

### **MPIC - extra billing by autobody shops re Autopac repairs**

**MR. G. FILMON:** My question, Madam Speaker, is to the Minister responsible for MPIC.

Recently it has been announced by representatives of the Automotive Trades Association and, indeed, the Manitoba Motor Trades Association that they are intending to bring . . .

**HON. V. SCHROEDER:** Madam Speaker, the Member for Tuxedo is imputing motives to me; I resent that very much. He suggests that I'm not interested in jobs in Manitoba. It is because I'm interested in jobs in Manitoba that we're doing everything possible to have a fair agreement signed with the Federal Government, and I ask for an apology.

**MADAM SPEAKER:** The Honourable Minister has taken issue with the words of the Honourable Leader of the Opposition and suggested that he's imputing motives to him, in his opinion.

Would the Honourable Leader of the Opposition please clarify his intent, that it was not imputing motives, I hope.

**MR. G. FILMON:** I imputed no motives, Madam Speaker, and I won't apologize for standing up for jobs and economic development in Manitoba.

Madam Speaker, recently, it has been announced by representatives of the Manitoba Motor Dealers Association and the Automotive Trades Association that they are planning to institute extra billing on rates for Autopac repairs.

What steps will the Minister responsible take to ensure that motorists don't have to pay for repairs that should be covered by their Autopac premiums?

**MADAM SPEAKER:** The Honourable Minister responsible for MPIC.

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

I noticed the Leader of the Opposition reads the morning papers. Today's Free Press carries a story about some auto repair shops proposing to extra bill. One should remember that some two weeks ago, the corporation did receive a letter from Mr. Don Sobering, the president of the ATA and MMDA, acknowledging the negotiated rates of something like 2 percent. It has been since that date that Mr. Sobering has been encouraging his membership to disregard what they

had agreed to in the letter of April 8 and to extra bill some \$1.90 per hour.

One should keep in mind that during the past six years, the CPI has increased by something like 36 percent and the negotiated settlements have been in excess of 50 percent. In view of that, the corporation felt that the 2.1 percent negotiated agreement was fair.

With respect to what can the motorists do - the corporation this morning is asking every claim centre to advise all claimants that the corporation will not be paying the extra charge, that claimants are forewarned and that there are, in fact, many auto repair shops who will be doing the work at the tariff that has been negotiated some two or three weeks ago.

**MR. G. FILMON:** Madam Speaker, given that many of the auto body shops that are covered here - in fact, they represent 80 percent of the auto repair work that's being done in Manitoba - are intending to extra bill, what will the Minister do to ensure that motorists, and those who are insured by MPIC, don't have to pay the extra billing and should be covered by their premiums?

**HON. J. BUCKLASCHUK:** I think the Leader of the Opposition is making a fallacious assumption that every member of the ATA and MMDA will choose to disregard a negotiated settlement. In fact, I believe that a good number of responsible auto repair shops will be adhering to the schedule and there will be no need for extra billing or for concern on the part of the claimants.

### Gas prices - review of

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

**MR. G. DUCHARME:** Thank you, Madam Speaker. My question is to the Minister of Consumer and Corporate Affairs.

Considering that Manitoba's gas pump prices have been the highest in the west since approximately September 1986; and in consideration of the First Minister's recent announcement of rollback in prices, can the Minister now explain when this will take place and what amount the Minister is anticipating them to be lowered to?

**MADAM SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**HON. A. MACKLING:** Thank you, Madam Speaker.

The honourable member and members will recall that subsequent to the Premier's concern, the oil companies did reduce prices. We didn't feel that they had reduced prices sufficiently and we proceeded with establishing an inquiry which is ongoing. We have not received the report from Dr. Costas Nicolaou yet. We anticipate receiving that early in the month of May, on the basis of which . . .

Madam Speaker, honourable members are not interested in hearing answers and only placing questions.

On the basis of the report, this government will then be in a position to determine whether or not a reference is required to the Public Utilities Board, or whether the government should initiate direct action of other kind. Those decisions will be made in due course.

### Gas prices - action possible under The Trade Practices Act

**MR. G. DUCHARME:** The Minister has explained under which legislation he will act. Has consideration been considered under The Trade Practices Act that was proclaimed in the House recently?

**HON. A. MACKLING:** Madam Speaker, the honourable member, quite rightly, reflects on legislation we passed at last Session in order to enable this government to have the flexibility necessary to deal with what appears to be a very difficult industry.

I met personally with representation from all of the major oil companies, and I was very candid with them in expressing the concern of Manitobans, generally, that we didn't believe there had been sufficient competitive interest shown in the Manitoba market to the same degree that was demonstrated elsewhere in Canada.

I said it was appalling that it was possible for Manitobans to be able to buy automotive fuels from neighbouring American states cheaper than we could here, fuel that had been piped down into the United States, and then was being brought back into Canada.

**MADAM SPEAKER:** May I remind honourable members to keep answers brief.

### Reproductive technology - study by Law Reform Commission

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

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker. My question is to the First Minister's Deputy.

Last evening, Madam Speaker, the Premier and I attended a dinner honouring 24 women of distinction in Brandon and the Westman area, where the guest speaker raised serious questions about reproductive genetic engineering in our society, and the implications for women and their role in our society.

Would the Deputy First Minister, through the Attorney-General, ask the Law Reform Commission to do a study on the long-term effects, both legal and societal, of surrogate motherhood, in vitro fertilization and artificial insemination?

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

**HON. L. DESJARDINS:** Yes, Madam Speaker.

I would like to thank the honourable member for the question, not that there is an easy answer. I think it points out what I mentioned on a number of occasions, that with this new technology, this advancement and what some would call progress, that there is need for an ethics committee also, because it is also a question of ethics to deal with these matters.

As at this time, the Cabinet has not made a decision. I suspect that for some, it'll be a question of conscience, and at this time we're trying to retain the services that we're providing; there is no thought of increasing the

coverage. Cabinet, as I say, will have to deal with this. So far, there is no government policy on that, but we're well aware of the importance of coming to grips with this.

**MRS. S. CARSTAIRS:** A question to the Attorney-General.

Will the Attorney-General direct the Law Reform Commission to do a study in this most important area?

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

**HON. R. PENNER:** No, I can't give an undertaking this morning to direct the Law Reform Commission to do that.

I think what we have to do is to ascertain what studies are presently taking place, either through Law Reform Commissions in the provinces or through Departments of Health, before we commit resources to something which may have already been done.

However, I will look into it and advise the House in due course whether it is a project that is necessarily commissioned to the Law Reform Commission, or is one that is redundant in the sense that that kind of research has already been done.

### **Reproductive technology - study by Advisory Council on Status of Women**

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

**MRS. S. CARSTAIRS:** A final supplementary question to the Minister responsible for the Status of Women.

Would the Minister please urge the council to undertake a study on the effects of new reproductive technology on the status of women and to propose legislation that will enhance the status of women and not denigrate it?

**MADAM SPEAKER:** The Honourable Minister responsible for the Status of Women.

**HON. J. WASYLICIA-LEIS:** Thank you, Madam Speaker.

Yes, I'd like to thank the Member for River Heights for that question. In fact, the Advisory Council on the Status of Women has already brought that issue to my attention, going back several months.

I met yesterday with the full council, and they again raised that issue with me. They have made it a priority for their agenda over the coming year, and have asked me to work with them on the issue and to raise it with my colleagues, and to begin to address the serious ramifications and complications arising out of reproductive technology.

### **Lotteries - casino experiment**

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

**MR. J. ERNST:** Thank you, Madam Speaker.

The government undertook some casino pilot projects during the months of February and March of this year.

My question is to the Minister responsible for the Manitoba Lotteries Foundation.

Will the government now be operating casinos on a regular weekly basis throughout the coming year?

**MADAM SPEAKER:** The Honourable Minister responsible for Lotteries.

**HON. J. WASYLICIA-LEIS:** Thank you, Madam Speaker.

I am pursuing the results of the pilot project and awaiting a full report on both the feasibility from a financial perspective of that private project as well as a full report of the reaction that we have received from the public throughout the pilot project.

We are receiving, obviously, many divergent views on this issue just as we are seeing from members opposite. It's certainly very difficult to read, from members opposite, their position on this issue. There are those who expressed strong opposition and there are those, like the Member for Charleswood, who have clearly stated, and he did so in a Free Press article on January 29, that he was not opposed to an increase in the number of casino days. So there is a clear divergence of views on this matter.

**MR. G. FILMON:** You have to know where we stand before you take action, is that it?

**HON. J. WASYLICIA-LEIS:** Our policy, Madam Speaker  
. . .

**MADAM SPEAKER:** Order please.

**HON. J. WASYLICIA-LEIS:** Madam Speaker, our position is to act responsibly and to get complete and full information on the extension of casino days and to be very understanding and sensitive to the various views that have been expressed in Manitoba.

### **Lotteries - public hearings re casino experiment**

**MR. J. ERNST:** Madam Speaker, is it the intention of the Minister to hold public meetings to consult with church groups and others over the coming months before any new action is implemented?

**HON. J. WASYLICIA-LEIS:** Madam Speaker, as I just said, my first responsibility is to receive a full report from staff at the Lotteries Foundation on all aspects of the pilot project and then to act on the basis of that report.

### **Gambling on Sunday - study of**

**MR. J. ERNST:** Madam Speaker, in light of the fact that the government has introduced legislation on Sunday store closing, will it be part of the study that the Minister is undertaking to consider prohibiting gambling on Sundays as well?

**HON. J. WASYLICIA-LEIS:** The Member for Charleswood may not know that during that pilot project

no casino was run on Sunday. On the basis of that trial run and on the basis of comments raised with me by many groups and organizations in our society, I believe that regardless of which way we go with respect to the casino, that we will not be holding casinos on Sundays.

### Hospitals - admitting privileges of doctors

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

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

In light of the Minister's answer about the receiving procedure at St. Boniface Hospital, restricting admission of pregnant women at time of delivery, it was on Thursday, April 16, the Minister said the admission policy with all hospitals is that they are trying to inform the public as soon as possible when the facilities are filled. This is something that you can't control; it might be a hospital down the road that is not busy.

My question to the Minister is: Can he inform the House if all doctors have admitting privileges at all hospitals?

**HON. L. DESJARDINS:** No, Madam Speaker.

**MRS. G. HAMMOND:** Then my further question to the Minister is: Will he reconsider this unacceptable policy so that a woman ready to give birth does not have the added worry of ending up at a hospital where she is admitted but her doctor is not?

**HON. L. DESJARDINS:** Madam Speaker, of course, that will have to be looked at, but not necessarily that all doctors have admitting privileges in all hospitals. I guess to cover incidents such as that, that'll be looked at, and also under certain circumstances. It might be that certain hospitals for certain areas, under certain conditions, that doctors will have admitting privileges, but it would be utter chaos if all doctors had admitting privileges in all hospitals, and I don't know of any jurisdiction where that is a fact.

### Hospitals - policy re admission to maternity wards

**MRS. G. HAMMOND:** Madam Speaker, my further question to the Minister is: Then will the Minister inform the hospitals immediately that this policy cannot be put in place for women who are going in to have babies?

This is too much stress to add to a woman who is ready to give birth.

**HON. L. DESJARDINS:** Madam Speaker, that is being discussed between the Commission and the hospitals at this time, and I'm sure that a policy should be announced by the hospitals fairly soon.

### Hockey - gov't policy re violence and injuries

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

**MR. G. MERCIER:** Thank you, Madam Speaker.

I have a question for the Minister of Sport with respect to a report that I had provided him with yesterday; a report done by a committee on prevention of spinal injuries due to hockey, and done by the Toronto Western Hospital Spinal Cord Injury Treatment Research and Prevention Centre.

The report indicates, Madam Speaker, that from 1975 to 1985, there were some 88 spinal injuries due to hockey in Canada. We're also all aware of the recent serious injury to Brad Hornung in Regina, and I've had a 17-year-old constituent suffer a broken neck during the past month as a result of a hockey game.

Madam Speaker, my question to the Minister responsible for Sport is: Is it government policy to condone the violence in hockey that has led to many of these spinal injuries?

**MADAM SPEAKER:** The Honourable Minister responsible for Sport.

**HON. L. DESJARDINS:** Madam Speaker, I'd like to thank the honourable member for his question, and also for a copy of this report that he mentioned, and say that I also received a similar kind of report from the western doctors, another group doing the same kind of study.

There is no doubt that this is certainly a timely subject, indeed, especially with this fever that the Jets success has brought about in this city.

It's obvious that many Canadians' dream is to make the NHL and they're watching on the box that kind of hockey, and unfortunately, everything seems to be allowed now. It is cross-checking from the back, it is hooking, it is holding, and then you have people such as Howie Meeker and Don Cherry who are saying that the battle will be won by whoever wins the battle on the boards or don't keep anybody standing in front of the net.

Now there has been some discussions with the people that are in charge of hockey here and I think they're doing their best, but, unfortunately, it doesn't seem that they can get anywhere against the tremendous odds that there are. There are so many games being played, there are many of the officials who can't control the games at all, and we will have discussions with them.

I think that as Minister of Amateur Sports here, if this is not changed and curtailed - we're not interested in just developing players for the NHL and having a bunch of injuries like Mondou who lost his eyesight, and so on - we would have to curtail the grants if something isn't done very soon. I think the time is short now, where we will have to do that to show that we do not condone, do not encourage that kind of action at all.

### Hockey - gov't funding, recreational hockey and training of referees

**MR. G. MERCIER:** A supplementary question to the Minister, Madam Speaker.

I would ask the Minister if he has examined the changes in lottery funding in the Province of Ontario over the past few years that have attempted to

encourage more recreational hockey leagues, to encourage more young people to stay in the game of hockey, when we're seeing them drop out in their midteens in Manitoba, and to encourage and give incentives to better hockey referees?

**HON. L. DESJARDINS:** Madam Speaker, we did have programs here and discussions with the Manitoba Amateur Hockey Association in discussing developing officials, and also in promoting those kinds of leagues where there would be clean hockey and not this kind of cross-checking and so on. We'll have to pursue this.

I can say that I attended the Canada Games just a couple of months ago before we started the Session, and that was the sport that concerned me the most because at games that our team - Manitoba team - played, for instance, where the referee had lost complete control, it was obvious that the teams were going out to injure each other. I certainly wasn't too proud of that and I think we'll have to do something.

Hockey is a wonderful game if it's played well. It doesn't add anything if you're cross-checking from the back, there's nothing in the sport that allows that, and if the NHL doesn't do anything about it, I think the public, and provinces, at least in amateur sports and those supporting amateur sports as a sport for fitness and amusement and teamwork and sportsmanship, I think we'll have to look at it and take action.

### **Hockey - Prov. and Fed. Ministers of Sport to discuss**

**MR. G. MERCIER:** Madam Speaker, a final supplementary question to the Minister.

I would ask the Minister if he would be prepared to raise this whole subject matter at the next meeting of the Provincial Sports Ministers and with the Federal Sports Minister, because it's obviously a problem that is not unique to Manitoba, it's a Canadian-wide problem.

**HON. L. DESJARDINS:** Yes, I will. But that certainly doesn't mean that we'll have to wait until everybody agrees; we can start taking action in Manitoba. And I'm a little concerned, to be honest with you, at these meetings that the Federal Minister might be - and without condemning him or criticizing him - a bit too interested in the league sports. I think that we have to look at sports, especially in amateur sports, and when we're spending provincial funds as a means of mass participation and, as I said, sports for fitness and better health also.

### **The Water Rights Act - licence for water usage**

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

**MR. A. DRIEDGER:** Madam Speaker, my question is to the Minister of Natural Resources and stems from the regulations that have been brought forward under The Water Rights Act.

Can the Minister indicate whether every farmer who drills or digs a well, whether every cottage owner who uses water from a lake, or other users of water, will all be required to pay a \$50 licence for water usage?

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

**HON. L. HARAPIAK:** Madam Speaker, just in speaking to that particular issue, what we want to point out clearly is that we are facing water shortages in the southern part of the Province of Manitoba. The water supplies from the Assiniboine River, as an example, are projected not to be able to meet demands by the year 2000. The Boyne River and the La Salle River are already utilized to capacity. Our ground water supplies are, as well, being depleted.

What we are saying, by way of the regulations, is that anyone who wants to draw water will be required to pay a fee, to register that site, so that we in turn can monitor what is happening with our ground water and our surface water supplies to ensure its availability for future generations.

### **The Water Rights Act - metering of water usage**

**MR. A. DRIEDGER:** To the same Minister, Madam Speaker.

Could the Minister indicate that users of the water will be required, you know, past a certain point, to meter their water usage, or will the individual have to buy his own meter to meter the usage of water?

**HON. L. HARAPIAK:** Madam Speaker, the regulations provide that anyone who draws more than 25,000 litres per day, which is approximately 5,000 gallons per day, from a single source, would then have to pay a charge for the water which is drawn.

Clearly, I think the average family in the City of Winnipeg, a family of four, uses about 100 gallons per day; so we are making provision for people to draw a large quantity of water, 5,000 gallons per day, but in excess of that, if there was some dispute as to whether or not that amount was being drawn, clearly, some process for monitoring would have to be put in.

### **Water shortage, Southern Manitoba - studies made available**

**MR. A. DRIEDGER:** A final supplementary to the same Minister, Madam Speaker.

Could the Minister give an indication what information he's used to base the prediction of water shortage by the year 2000 in the southern part of Manitoba? Has a study been done? If so, could it be made available to the House?

**HON. L. HARAPIAK:** Clearly, Madam Speaker, this is not just a concern of the Provincial Government; it's a concern shared by the Provincial and Federal Governments because the province and the Federal Government were parties to a drought-proofing agreement for the southern part of the province.

I do have information that I shared publicly at the time of announcing the regulations, and I'm quite prepared to share with the House, to indicate that indeed there are serious concerns about the availability of water. As only one example, let me point out again that two years ago we spent \$875,000 pumping water from the Assiniboine River into the La Salle to meet the needs of those people in that area.

### **The Water Rights Act - licence required for drilling at each sand-point**

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

**MRS. C. OLESON:** Thank you, Madam Speaker. My question is to the Minister of Natural Resources and follows on the question asked just now by my colleague.

In my constituency, in at least two centres, and I'm sure there are other parts of the province also, water is obtained by the use of sand-points, because of the aquifer in those areas. That is a sand-point on each individual property, and sometimes, of course, people use more than one sand-point.

Is the Minister telling us that we'll have to have a licence for each sand-point driven at each household?

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

**HON. L. HARAPIAK:** Madam Speaker, I think in bringing forward these regulations, there are going to be some circumstances of the sort that the Member for Gladstone points out that may require some fine tuning of the regulations. If, in fact, there are some circumstances wherein it is not practical, then we will deal with them, and I will certainly be prepared to take a look at that.

But I think the point that we have to consider in this, Madam Speaker, is whether we speak of the fee for licensing or, wherein someone draws a large volume of water, the fee that would be charged. For the community of Swan River, for example, it is estimated that it will be 10 cents per person per year.

I think it is important to weigh those charges against the more serious matter of the lack of, or the shortage of, water. Clearly, I think this is not an unreasonable approach to take to ensure the availability of water for future years. The lack of a water supply is a greater limitation on development than a fee of this sort.

### **The Water Rights Act - homeowners to file reports of sand-points**

**MRS. C. OLESON:** I would certainly ask that the Minister take a look at the problem of sand-points and also, while he's doing that, would he investigate to see if the intention is to let every homeowner file a report on each sand-point on their property?

**HON. L. HARAPIAK:** I will take that into account when I'm reviewing the matter that was previously raised by the Member for Gladstone.

### **Bill No. 6 - review of powers to municipalities**

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

**MR. J. DOWNEY:** Thank you, Madam Speaker. I have a question to the Attorney-General.

Has the Attorney-General reviewed the powers given to local authorities, reeves and mayors, in Bill 6, The Emergency Measures Act?

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

**HON. R. PENNER:** Not personally, but we now have a system pursuant to which, when legislation has been agreed on and is being drafted, it is reviewed, at least three points, where any powers which are granted or penalties imposed are reviewed for compliance with constitutional requirements - with the requirements for the Charter.

To that extent, the reviews will be taking place both in the Department of Legislative Counsel and in the department itself; but personally, no, I haven't reviewed them.

**MR. J. DOWNEY:** Madam Speaker, I would ask the Attorney-General if he would review it, and other members of his Cabinet, to see if they are satisfied with the transfer of such powers as the right to enter and use people's property, take it upon themselves, the mayor or the reeve of a jurisdiction, without recourse.

Madam Speaker, I believe that there are some excessive powers that at least should be reviewed by the government and looked very carefully at; and I would ask, as well, if he would discuss it with the Union of Municipalities and those people who would be given those powers.

### **Judicial federal appointments - limitation of**

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

**MR. G. MERCIER:** Madam Speaker, I, too, have a question for the Attorney-General.

I wonder, arising out of some private discussions we've had, could he inform the House whether he still plans to introduce legislation with respect to the appointment of federally-appointed judges so that he would limit the number of judges and, as he had said previously, force consultation by the Federal Attorney-General with himself and his department?

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

**HON. R. PENNER:** It's interesting that the Member for St. Norbert prefaces his question by referring to a private discussion that we had and then utilizes what he believes to be the contents of a private discussion for a public question.

Madam Speaker, all legislation which will be introduced in this legislation is going through the normal course of consideration, Cabinet and caucus, and if there is to be legislation with respect to judicial appointments, it will emerge at the proper time.

### **Human rights bill - introduction of**

**MR. G. MERCIER:** Madam Speaker, I apologize to the Attorney-General if he felt that was a private conversation. I simply wanted to place on the record the government's intentions to a public pronouncement he had made previously.

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Madam Speaker, I'll ask him another question.  
Will he be introducing a new human rights bill at this Session of the Legislature?

**HON. R. PENNER:** That was announced in the Throne Speech, Madam Speaker.

**MR. G. MERCIER:** Can the Attorney-General indicate when the bill will be introduced in the Legislature?

**HON. R. PENNER:** Yes, Madam Speaker, in due course.

**MR. G. MERCIER:** Madam Speaker, in view of the fact that we'll be into the month of May next month, and the Legislature looks like it may very well extend into the month of July when many members of the public are away on summer vacations or enjoying the summer, that is not the most appropriate time to deal with controversial legislation, I would ask the Attorney-General if he would endeavour to introduce his bill and distribute it in the House as early as possible?

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

**HON. J. COWAN:** Yes, Madam Speaker, I'd like to address that question, given that what we're really talking about is the expediting of House Business so that all members have an opportunity to fully participate in the debates on legislation before the House and address bills that are brought to the House.

During the past Session, I thought we were able to work out a very accommodating agreement with the Opposition in respect to how we finalize the Session and what sort of major bills we brought forward in the latter part of the Session.

I think that it worked very well for all members, as well as the general public, in respect to the timing and the opportunity to fully debate bills. I'd certainly be pleased to sit down with the Opposition House Leader and carry on with that sort of a discussion to attempt to make those arrangements for the present Session.

But I can assure him that we will make every effort to introduce legislation - and we're right on schedule now in comparison with the previous years in respect to the introduction of legislation - we would make every effort to introduce legislation so that there is a full opportunity to debate it in this House, and so that there is a full opportunity for the public to be aware of that legislation because, quite frankly, we're very proud of our legislative package and we want the public to know what is happening with this government.

## ORDERS OF THE DAY

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

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

Would you please call Second Readings for Bills No. 18 and 19 as they appear on page 3 of the Order Paper, and then please work through Debate on Second Readings, starting with Bill No. 3, as they appear on pages 2 and 3 of the Order Paper. Then it would be the intention to call the motion of the Premier in respect to the Patent Drug Act.

## SECOND READING

### BILL NO. 18 - THE SECURITIES ACT

**HON. A. MACKLING** presented Bill No. 18, An Act to amend The Securities Act; Loi modifiant la Loi sur les valeurs mobilières, for Second Reading.

**MOTION presented.**

**MADAM SPEAKER:** The Honourable Minister of Consumer and Corporate Affairs.

**HON. A. MACKLING:** Madam Speaker, I know that all honourable members are very interested in the purport of this bill, which has been distributed. I'm sure they've read it with extreme interest. I'm very delighted to elaborate on the principles of the bill. I assure you that I won't refer to a single section or refer to a single comma in my introduction of remarks on the principles of this bill.

While I'm introducing it, Madam Speaker, I have copies of spreadsheets; I even have another copy of the remarks I'm going to follow fairly closely. If I appear to be reading, I'll be just following the notes very closely. The documentation I've handed the Clerk is for my critic so that he can make sure I don't stray from the notes.

Madam Speaker, the principle of this bill can be adequately outlined in a very few words. The central object of these new provisions is to broaden the coverage of our sanctions against improper insider trading in securities to provide substantially heavier fines for violations of this area of statute and to expand the civil liability arising from violations.

Honourable members may remember that at the present time our existing act makes no provision for fines, but relies essentially upon a statutory civil liability. In some other jurisdictions, improper insider training has been all too common.

I'm sure we're all aware, and because the consequences to our securities capital markets could be so far reaching if investor confidence were destroyed by these criminal acts, ordinary prudence requires that we strengthen the deterrents in place and further enhance the effectiveness of the provisions themselves. This will provide better safeguards for our markets and our investors, amongst whom, of course, we number many pension funds and other surrogates who represent a very wide cross-section of our population.

The Ontario Government has already taken steps in this direction. On February 12, it enacted a clutch of amendments directed towards these same objects. Successive Manitoba governments have normally maintained substantial uniformity with Ontario legislation as have a number of other provincial governments, and our proposal would be to proceed with this bill which duplicates the principles of Ontario's.

The central focus of new provisions is to make it an offence for insiders to disclose non-public information to another person or to trade in securities on the strength of undisclosed insider information. The prohibition extends to what are called tippers; that is non-insiders who improperly acquire and trade on the

basis of confidential information which, if generally known, would be calculated to affect materially the value of the securities.

I reiterate that the civil liability to the other party to a trade is preserved and expanded. Any technical issues requiring further elaboration can, of course, be fully discussed in committee.

Madam Speaker, I believe that in a very encapsulated way, I have taken members through the intricacies of that bill, the bill that is before us, which, as I indicate, is designed to protect the broad interests in the securities market from practices that have received wide publicity in the United States and in Eastern Canada where there has been unscrupulous use made of so-called insider information to the detriment not only of particular shareholders but to the whole industry itself.

Whether or not members appreciate the importance of this, I can assure them that our society is still one where there is very substantial influence on our whole economy by the stock market operations both in the United States and in Canada, and we, in Manitoba, are not an unimportant segment of the whole stock market industry.

So, therefore, it is necessary that we take these initiatives to ensure that our legislation is protective of individual and the broader public interest. Therefore, I heartily commend to members the provisions of this bill and expect it should receive unanimous and easy passage.

Thank you, Madam Speaker.

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

**MR. G. DUCHARME:** Thank you, Madam Speaker.

I move, seconded by the Member for Charleswood, to adjourn debate.

**MOTION presented and carried.**

### **BILL NO. 19 - THE LIMITATION OF ACTIONS ACT AND THE HIGHWAY TRAFFIC ACT AND TO REPEAL THE UNSATISFIED JUDGMENT FUND ACT**

**HON. R. PENNER** presented Bill No. 19, An Act to amend The Limitation of Actions Act and The Highway Traffic Act and to Repeal The Unsatisfied Judgment Fund Act; Loi modifiant la Loi sur la prescription et le Code de la route et abrogeant la Loi intitulée "The Unsatisfied Judgment Fund Act," for Second Reading.

**MOTION presented.**

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

**HON. R. PENNER:** Madam Speaker, I will be brief.

This short bill is the result of the ongoing review of the statutes and the continuing consolidation of the Statutes of Manitoba to determine whether these statutes meet a current need or should be repealed rather than simply translated and carried forward.

The Unsatisfied Judgment Fund, was created in 1945 by amendments to The Highway Traffic Act. It sought to provide a means, Madam Speaker, for compensating

persons injured in motor vehicle accidents who were unable to recover from the motorist at fault, either because the motorist was under insured, or not insured at all, or had fled the scene of the accident.

In 1965, some 20 years later, the fund was removed from The Highway Traffic Act and continued by the act which this bill proposes to repeal, that is, to its own act. The legislation then required that each person having a driver's licence in the province contribute an amount set by the Lieutenant-Governor-in-Council each year to a maximum of about \$1 at the time it was introduced and subsequently raised to \$2.00. The act, as it was, provided cumbersome rules which had to be followed by a claimant in order to obtain satisfaction of the judgment. This led to lengthy delays and high court costs. Dissatisfaction with this system was one of the reasons for the province introducing a universal compulsory automobile insurance in 1971. With the introduction of Autopac, at that time, contributions to the fund were suspended and the monies in the fund were kept available in trust for satisfying judgments which had gone into the pipe prior to the Autopac introduction.

In 1972, amendments to the act were made which effectively provided a one-year limit for bringing applications against the fund unless a judge extended time.

As a result of all of this, and not to put too fine a point on it, in 1975, the fund was closed and all payments were thereafter from the consolidated fund and all judgments recovered were to be credited to the consolidated fund. The last payment out of the consolidated fund with respect to a judgment was in April of 1983. While there's no need for the act, there are two provisions of that act which should be continued. First, the act itself provided that The Limitations of Actions Act did not apply to a suit by the Minister of Finance to recover from a judgment debtor, monies paid out by the fund to the accident victim. And, Madam Speaker, I should say, from time to time, maybe once or twice a year, situations do occur where money was paid out from the fund sometime in the past, and that remains as a debt to be satisfied against the person, in effect, on whose behalf we paid out the money in the event that they come back to the province or come into assets where they can satisfy the debt which is due. So that has to be carried forward.

Second, so long as a person owed money to The Unsatisfied Judgment Fund, that person was not entitled to get a driver's licence or any privilege under The Highway Traffic Act. It is still possible, you see, that a person who, while owing money to the fund, left the province, might seek to return and would apply for a Manitoba driver's licence or the registration of a car. In these circumstances, that person should still be required to repay the fund, if at all possible.

Let me say that when these applications come forward, where investigation is done as to the total assets of the person, and we don't seek to exact pound of flesh as it were, interest is accruing on these monies paid out and sometimes it's quite a large sum which is still owing by that particular judgment debtor and we often compromise the debt in order to restore that person's driver's licence. So those provisions will be carried forward.

The bill provides for amendments to The Limitations of Actions Act and to The Highway Traffic Act to

preserve the existing rights of the Minister of Finance. Members, I hope, will appreciate that this bill is essentially technical in nature and involves no change in the principles of the law. Accordingly, I commend the bill to the House.

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

**MR. G. MERCIER:** Madam Speaker, I move, seconded by the Member for Fort Garry, that debate be adjourned.

**MOTION presented and carried.**

### ADJOURNED DEBATE ON SECOND READING

#### BILL NO. 3 - THE MANITOBA ADVISORY COUNCIL ON THE STATUS OF WOMEN

**MADAM SPEAKER:** Debate on Second Reading on the proposed motion of the Honourable Minister responsible for the Status of Women, Bill No. 3, standing in the name of the Honourable Minister of Labour.

The Honourable Minister of Labour.

**HON. A. MACKLING:** Thank you, Madam Speaker.

It's with some degree of mixed feeling that I rise to speak in support of this legislation. Members may wonder why I would have any mixed feeling about speaking in support of this legislation. I certainly am in favour of this legislation. The reason that I have some mixed feelings is that I reflect on the fact that we, a so-called enlightened society, having been a democratic society for so many years, have not as yet accomplished what any reasonable, logical society should have done by this time; that is, to have developed a society where women and men were recognized as equals.

That's why, Madam Speaker, I reflect when I stand to speak on this bill, with some regret, that there still is a very significant measure of public opinion in society, and from time to time it's reflected in this Chamber, that is negatively disposed towards a complete enshrinement not only in law but in the practices in this province and in this country that reflect that equality.

Madam Speaker, I recall when last year - pardon me - earlier, or reflect on the exact date, I introduced The Pay Equity Act, reflecting on the course of history in Manitoba and in Canada. It was not without great strife and struggle that women were finally recognized as being entitled to be recognized as individual persons, entitled to own property, and finally, entitled to be able to vote and elect governments.

(Mr. Assistant Deputy Speaker, C. Baker, in the Chair.)

We should not be very proud of the history of our nation in respect to recognizing fundamental rights. We see - and it goes on - in various parts of this world, where people are treated as if they were slaves. I know we can say that slavery is largely abolished, those wars were fought many years ago, there was great bloodshed. Finally, human beings are recognized as human beings regardless of colour, race, but we still haven't gone in

many areas of our society to the extent that is necessary to establish the kind of equality which we all should strive for.

I regret, therefore, that it is necessary that we must continue to have advisory councils on the status of women because we still haven't accomplished what any reasonable logical society should have accomplished many, many decades ago. So this legislation will enable government to, in part, continue to educate the electorate as to the need for affirmative action, aggressive affirmative action, to finally bring women on an equal plane with men.

So, Mr. Deputy Speaker, I believe that this legislation is not only necessary but is fundamental to the approach of modern government today that still has a lot of educating to do, not only outside of this Chamber but within this Chamber, as to the extent of the rights that are necessary to be encouraged and advanced to produce the equality of the sexes that should be our common goal.

Far too often, Mr. Deputy Speaker, women were expected to meet emergency situations and then, after that emergency had passed, to go back to doing so-called "women's work." I question how many men would have the capacity, the intelligence and the kind of nurturing love that is required to do a lot of that so-called women's work. Any of us who have met the challenge from time to time in our lives, our spouse, particularly when we had young children, was incapacitated or ill, then we realized the kind of demand that was made on our partner, this so-called women's work.

Mr. Deputy Speaker, women have established themselves in our society as being capable of doing virtually any job that a man can do.

I remember back in this House in the early Seventies, in introducing The Human Rights legislation, the snickers and the jeers within this House about the suggestion that women should be given the same kind of status as men.

I remember the onslaught of the editorials and the criticisms from the media saying, oh, it would be incredible that society could be so changed, that instead of having female help wanted and male help wanted, because, after all, women couldn't do jobs that men could do, that it was preposterous to change things like this in our society - the editorials and the criticisms by people who didn't want to see any change. You know, those changes have occurred, Mr. Deputy Speaker, and more and more Manitobans are accepting the fact that there is inequality; there is a right to equality, and that equality must come.

Now, Mr. Deputy Speaker, we have maintained advisory councils; we've had, and we continue to have, affirmative action; we have numerous programs where we are committed to that equality.

But I ask that members opposite, particularly, when this legislation comes to a vote, to stand not man to man but together as men and women, and say at long last we are going to stand together for the rapid advancement of the equality of women in Manitoba.-(Interjection)-

Well, the Honourable Member for Gladstone apparently says that this legislation isn't going to change very much. When the Honourable Member for Gladstone, in her caucus, says to her caucus members,

who say, from time to time, things that indicate the kind of attitude they have to the equality of men and women, that it is time they changed their thinking, then we will have a change in the thinking of the members opposite.

When the women in the Conservative Caucus - and I encourage them - the Member for Kirkfield Park, particularly, from time to time has indicated the kind of fire and the kind of dynamic that is necessary to put in the Conservative Party to ensure that that party has some fundamental change in respect to their thinking about women's rights in this province.-(Interjection)-

Well, Mr. Deputy Speaker, I hear from the Member for Emerson that what I'm talking about is garbage. Now, Mr. Deputy Speaker, I would like the Member for Kirkfield Park and the Member for Gladstone to reflect on that kind of verbal emission from the Member for Emerson.

(Madam Speaker in the Chair.)

Madam Speaker, we will have an opportunity during the course of the Estimates process to see just exactly where honourable members opposite stand in respect to a commitment for the greater equality and the fundamental equality of the sexes in this province. They will have an opportunity to put on the record their position, their personal and their party position in respect to the enhancement of women's rights in this province, including the long overdue equality and respect to the payment of wages for work of equal value.

Madam Speaker, I hear some echoes from the Member for Springfield. I hope that when he speaks either on this bill or on a bill where he has an opportunity to put on his record, his commitment to the equality of sexes, then I will be able to read that and respect him the more.

Madam Speaker, this bill confirms this government's commitment to the encouragement and the enhancement of the rights of women. Madam Speaker, I say it is with regret that I reflect on the fact that we still have to have advisory councils on the status of women, that we have to have affirmative action programs to enhance the rights of groups within our society who have long been denied equality of rights.

So, Madam Speaker, I encourage all members in this House to accept the principles that are involved in this bill and to stand men and women together in support of this advisory council enshrinement at least for a time, and perhaps in a decade or less, we will have fulfilled the kind of demand that society expects of us to ensure that greater equality.

Thank you, Madam Speaker.

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

**HON. M. SMITH:** Madam Speaker, I move, seconded by the Member for Elmwood, that the debate be adjourned.

**MOTION presented and carried.**

## HOUSE BUSINESS

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

**HON. J. COWAN:** Yes, Madam Speaker, if I could just have leave to address a matter of House Business so we can make some committee changes to announce the standing committee meeting on Tuesday next.

**MADAM SPEAKER:** Does the honourable member have leave to make the announcement? (Agreed)

**HON. J. COWAN:** Madam Speaker, I'd like then to announce that the Standing Committee on Economic Development will be meeting on Tuesday, April 28, at 10:00 a.m., to review the annual reports of the Community Economics Development Fund, the Moose Lake Loggers Ltd. and the Channel Area Loggers Ltd.

## INTRODUCTION OF GUESTS

**MADAM SPEAKER:** Before calling the next bill for debate, may I direct the attention of honourable members to the loge to my left where we have visiting with us a former member of the Legislative Assembly and Minister, Mr. Sidney Green.

## ADJOURNED DEBATE ON SECOND READING (Cont'd)

**MADAM SPEAKER:** On the proposed motion of the Honourable Attorney-General, Bill No. 4, standing in the name of the Honourable Member for St. Norbert.

**MR. C. BIRT:** Stand.

**MADAM SPEAKER:** Stand in the honourable member's name.

On the proposed motion of the Honourable Attorney-General, Bill No. 5, standing in the name of the Honourable Member for Fort Garry.

**MR. C. BIRT:** Stand.

**MADAM SPEAKER:** Stand.

On the proposed motion of the Honourable Minister of Government Services, Bill No. 6, standing in the name of the Honourable Member for La Verendrye.

**MR. C. BIRT:** Stand.

**MADAM SPEAKER:** Stand.

On the proposed motion of the Honourable Minister of Community Services, standing in the name of the Honourable Member for Rhineland.

**MR. C. BIRT:** Stand.

**MADAM SPEAKER:** Stand.

## ADJOURNED DEBATE ON MOTION THE PATENT ACT

**MADAM SPEAKER:** On the adjourned debate of the Honourable First Minister, the Honourable Member for Springfield has 31 minutes remaining.

**MR. G. ROCH:** Thank you, Madam Speaker.

As I was saying when we adjourned debate last Wednesday, I reviewed some of the history of the proposed amendments to Canada's Patent Act by the Federal Government, some of the future application, and I was going through some of the statistics. At that point, when we adjourned debate, I was discussing the pros and cons if the proposed changes are made to the Canada Patent Act.

The first point on the pro side was that the transformation of Canada's pharmaceutical sector, it would make Canada's pharmaceutical sector into a world-class innovative industry led by an unprecedented increase in jobs, investment, research and development.

The second point in favour of these amendments, Madam Speaker, well, actually it's not a second point. It directly relates to the first point, because by 1995, the investment ratio of research and development to sales would double from 5 percent to 10 percent and create an estimated 3,000 scientific and research-related jobs and an increase of \$1.4 billion of investment.

Some 30 percent of universities, hospitals and private industries have been suggested to increase in investment and research activities in Western and Atlantic Canada.

The second point in favour of these proposed changes is that there will be the creation of an independent review board, which would ensure fair prices for all drugs, Madam Speaker, unlike the present current system. It would have fair prices for all drugs, the new drugs, the old drugs, generic or original, something that we do not have now.

The third point in favour of these changes would be the encouragement of direct manufacturing of fine chemicals in Canada, which right now are only imported and then assembled here.

The fourth point in favour of these changes is that it will bring Canada's patent protection laws into conformity with international practices. At present, Canada is one of the few remaining countries which does not have these current protections.

Fifthly, Madam Speaker, it would also facilitate early transfer of technological information to Canadian industry.

And sixthly, if public interest, as defined in the longer and broader terms, there is justification for temporarily sacrificing of short-term price reduction or benefits to foster research and development of new products which provide long-term benefits to the consumers, and there are many reasons for that.

But as I said, or as I was saying on Wednesday, I would be looking at both the pros and the cons and then weigh that as to whether or not as to how a person arrives at a decision on this matter. Some of the arguments against these changes - and I don't mind stating them, some of the main ones anyway - one of the main ones, that the change in requirements to the firms operating under compulsory licensing in the areas of increased royalties and required use of domestically-produced fine chemicals will likely translate into increased generic drug prices in Canada. Increased prices could transfer into increased user fees, higher deductibles or increased provincial taxes. We all know that's a possibility because everything has to be paid for somehow, at some point or another.

Secondly, the estimate of the total cost to the Provincial Treasuries resulting from the delay in the

introduction of generic drugs will likely, it has been estimated, cost about \$100 million by 1990. However, I must point out to ensure those most in need bear no cost, the Federal Government will provide transitional funds. This will be in the form of per-capita payments to the provinces totalling \$25 million annually for four years. Administration of funds is to be discussed with the provinces. That, Madam Speaker, is not only protection but also demonstrates consultation.

One of the third arguments against these proposed changes is that the average Canadian household will have paid about only \$3 more annually per household by 1990, when the government review takes place.

As I said earlier, there are pros and cons, if changes are made, I've pointed out some of them, but there are also pros and cons if changes are not made. Those arguing against the changes, those speaking or stating that there should be no changes to the existing act, where are the pros?

Again, if the narrow definition of the public interest is used, that is, the present low drug prices are not tinkered with, it could be argued that the consumer, the government, and the medical program insurers can enjoy the savings of the 70 generic products available out of the total arsenal of pharmaceutical products available. That has been the main argument to date against making any changes.

The people arguing in favour of changes, what have been the main arguments? Well, those arguing the other side state many points which I'd like to bring out here. The first one of those, if there no changes made, there would be more disinvestments, as in the closure of Ayerst Laboratory Research Facilities, and the Hoffman-Le Roche decision to seize domestic production in favour of importing. That's an argument which is a very valid one.

The second point, Madam Speaker, is that if no changes are made to the Canada Patent Act, there would be increase in investment in various phases of pharmaceutical research, fine chemical and finished product manufacturing.

The third point, Madam Speaker, is that Canada would be less self-sufficient with further reduction of domestic pharmaceutical manufacturing and would be more vulnerable to shortages in volatile, international situations.

A fourth point is that there would be an increased perception by the pharmaceutical communities, both nationally and internationally, that Canada has an inhospitable economic environment, thus not encouraging these firms to locate here and manufacture these drugs here which they have developed.

A fifth point is that the other industrialized nations could join Canada in reducing patent protection and become a free rider; therefore, that would encourage almost a worldwide or international disincentive to develop new drugs.

A sixth point, Madam Speaker, is that any price benefits which have been achieved in the past by generic competition are likely to be eroded in the future due to countervailing strategies by the industry.

So therefore, Madam Speaker, I've discussed some of the major points both for and against those who want changes to the act, also for and against those who do not want changes to the act.

In conclusion, the benefits to the Canadian people, to the consumer, to the sick, is that the benefits far

outweigh the non-benefits in this act. Therefore, I find it kind of regretful that the First Minister of this province introduced such a resolution, no doubt, because he perceived that there was popular support out there for it. But I think if a person looks around carefully and once people start knowing the facts, start understanding what is going on, he'll find that the popular support is not there any more. What I find very surprising is that this resolution was introduced in his name, yet the Minister of Labour was the one who was the first speaker on it.

The First Minister has yet to participate in a debate. I find it very sad that he is seldom around to even listen to the deliberations going on in this debate.-(Interjection)- Oh, I'm sorry, Madam Speaker, I'm not supposed to reflect on the absence of any member. I apologize for that.

But it would be nice, when members introduce a certain bill, that they at least state on the record their reasons why, at least lead off debate on it. I believe that recent polls, and I could be wrong, show that the tide is slowly turning, the tide of public opinion on this matter. But the point here is not whether we should go by the polls anyway, we should decide the matter on its points, on the facts. We should go by the fact that, what are the benefits, what are the consequences, if this bill is passed or it's not passed. For a provincial legislature to attempt or a provincial government to attempt to send for this kind of resolution is pretty well saying that, well, we really don't care what happens in the future, we're just concerned about saving a few cents right now. That, to me, is a terrible argument, because there are many families - I think most people in Manitoba know or are affected by someone who has a serious disease. I'm sure that these people who are dying of a serious, presently incurable disease would be very much in favour, as some have publicly stated, of such a bill. Because rather than save \$3 or \$5 in one year, I'm sure they would rather that somebody somewhere, a scientist, discover a cure for their particular disease, discover a cure for their particular ailment, that would allow them to have continued time on this earth.

In conclusion, therefore, Madam Speaker, it was asked by some members who are in favour of this bill, who are the people in favour? They pointed to multinational drug companies, and they say the generic drug companies, who are large corporations themselves, are opposed to it. They try to make the generic drug companies look as the good guys and the innovative drug companies look as the bad guys. But it's not a question of good guys versus bad guys, they're all major companies out there trying to market their products in competition with each other. It's a question of fairness to a certain extent that the people who developed the new drug should be rewarded, but it's also a question of who is going to help.

The people who are dying from presently incurable diseases, they're the ones, more than anyone else, who would favour such legislation. It's not a question of cost anymore, Madam Speaker, it's a question of what will be available for them.

I feel that overall the pros of these arguments, when you leave aside the dollars and cents which the savings are, although we talk of millions of dollars when it comes to per person or minimal, I think that overall the pros

far outweigh the cons. I've pointed out both and I've discussed both during this debate and, to me, it's obvious, very obvious, that the benefits of these amendments are to the dying, the chronically ill and the elderly, the benefits of them can and will be enormous.

Madam Speaker, rather than trying to score political points with certain groups, who are not at this point fully informed of that particular federal bill, I think they are doing a disservice to the people of Manitoba, to the sick across this country, and to the citizens of this country everywhere by introducing such a resolution. We've taken up a lot of House time, this Assembly's time, in debating this resolution just so that the New Democratic Party can try to score points. That has been kind of very unfair for them to do so. There are many other areas in which they can try to score points. But on this, a matter which can gravely affect the health care of many people, which can in fact jeopardize the health of some people, especially the sick, the dying and the elderly, I think it's incredible that it's even brought forward.

I would therefore urge all members of this House to rethink their position if they are in favour of this resolution, but I would urge all members of this House to defeat this ill-conceived and detrimental resolution. I think we should urge the Federal Government to continue through and pass these amendments. I think that they will do so and in the long term the people will be happy that they have.

I would suggest that if a poll were held currently that it would show the majority of the people out there aren't in favour. I think we have to progress in the field of pharmaceutical research and development, not regress. In presenting forth such a resolution, we are in fact saying out there that the Government of Manitoba wishes us to continue on the present course, does not want the makers, the inventors of new drugs, to come out with cures to help the sick and the elderly. I think we are seeing that in Manitoba we are looking for short-term gain rather than long-term gain and that I think would be very detrimental.

Madam Speaker, again, I urge members to defeat this resolution and I would urge the Federal Government to continue with its proposed changes and to pass the bill.

Thank you.

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

**MR. M. DOLIN:** Thank you, Madam Speaker.

It gives me a great deal of pleasure to rise on this resolution brought in by the government. If honourable members recall, I put in a similar resolution, which was debated last year, because of the concerns I had and we on this side have about the possible negative effects of this legislation.

I was very interested, Madam Speaker, to listen to the comments of the Member for Springfield and the Member for Riel who presented what I considered some reasoned arguments. I was somewhat more than a little disappointed with the Member for Lakeside, the Member for Pembina, and the Member for Arthur, and in the closing remarks of the Member for Springfield

who accused members on this side and the government of trying to score political points on this major issue.

This issue, which I think is brought forth in a resolution, none of the members in Opposition have dealt with the WHEREASES and have dealt with the claims made in the resolution because, Madam Speaker, I do not feel they have an argument to deal with this. I will quote, in case they have forgotten what is actually in the resolution, "WHEREAS these generic substitutions resulted in a saving in hospital, pharmacare and prescription costs for Manitobans amounting to over 14 million dollars in 1986; and WHEREAS the drug reimbursement paid out by the Provincial Government through its universal pharmacare program has risen from 4.3 million dollars in 1975 to 28 million dollars in 1986; and

"WHEREAS the proposed changes to The Patent Act, which delay the introduction of new generic substitutions will result in even higher hospital, pharmacare and prescription costs, while providing few alternative benefits to Canadians; and

"WHEREAS the cost to Manitobans of the delayed entry of new generic substitutions will be over 2 million dollars in the first year after the changes, and could total 44 million dollars by 1995;" etc., none of these claims have been either refuted or even discussed by members of the Opposition, which I find, Madam Speaker, a matter of great disappointment to me.

I would also point out one of the arguments that I heard from the Member for Riel, from the Member for Springfield and others is the matter that an inventor, a person who uses his intelligence and skill to develop a product, should be able to obtain the benefits of that product.

I think there is a certain legitimacy to that. I think there is a certain matter covered under our present Patent Act which allows that for a certain period of time.

I do not, however, believe that this act changing the time when somebody reaps the rewards of their innovation and inventiveness under the Patent Act to 10 years, that extending it to 17 years benefits anybody. I think sufficient benefit given to the inventor of a product, for example, in the example used, I would suggest, by the Member for Riel, and I quote from Hansard on page 796, ". . . if we are to have the type of progress that is needed in this country, then we have to provide the inventor, we have to provide the developer, we have to provide the creator with the right to own exclusively that which he has created."

Madam Speaker, I go and point out another thing in the same speech just a few moments before he made that statement. The Member for Riel said, "It might be helpful here to recall that in six years after the Salk vaccines were made available, 154,000 cases of polio with 12,500 deaths were prevented. One billion dollars a year in lost income was averted and two billion dollars a year in hospital costs were saved."

Well, I would like to point out to the Member for Riel and other members opposite that had that been a patent drug, it would have cost the people of the world billions of dollars. As a matter of fact, Madam Speaker, Jonas Salk, the person who discovered that vaccine which saved all those lives and saved all that money, did not patent it but left that vaccine in the public domain. He did not have the exclusive right and by his

own decision, because he felt this was a benefit to mankind, that this was not a matter of profit.

The fact that this Patent Act would do is where we are allowing profit for 10 years to a Jonas Salk who, instead of saving lives, it would save lives for those who could afford it, for the provinces like ours which has Pharmacare where many of the Conservative provinces in this country do not, those lives might be saved if the Patent Act were in effect. It might be saved for 7 to 10 years if we were willing to pay for it - we, the consumer, Madam Speaker, and we, the governments, that have some compassion - the New Democratic Governments, I might add.

The fact that what the Member for Riel has clearly pointed out is the public domain is where these universal drugs belong.

I would like to also point out and review some of the facts brought out for the Member for Springfield who has pointed out some of the pros and cons. I would like to remind him of a few facts which have been brought out before, but just to point out again the need for stopping this legislation.- (Interjection)- If the member will pay attention, he will be reminded because I'm not the first one to bring these facts to light.

Madam Speaker, according to a Royal Commission Inquiry, generic prescription drugs saved Canadians \$211 million in 1983 alone. The use of generic drugs has allowed Manitobans to save \$8 million a year according to statistics prepared by the Manitoba Department of Health, Madam Speaker. The average Canadian pays \$230 a year for prescription drugs.

A study by Gordon and Fowler in 1981, comparing prices in Canada and the United States, showed that in 1976 Canadian prices were 21 percent lower than in the United States. In 1968, Canadians were paying 9 percent more than Americans for the same prescription drugs the year before the Patent Act was introduced.

The Kennett Study in 1982, which compared generic and brand name drugs, saw the generic drugs increased in price from 1979 to 1982 by 5.44 percent, while brand name drugs increased in price from 42.52 percent to 64.4 percent in the same period of time."

It goes on and on, Madam Speaker, facts which have been brought to life by Royal Commissions, independent studies which have been totally ignored by the Opposition in their debate.

I would also like to point out, Madam Speaker, that they claim there will be no cause for fear, that the patent drugs will somehow get out of hand because there will be a review body. The review body, Madam Speaker, has absolutely no powers, can review but cannot order any rollback in prices, cannot take any action. I'd like to quote from Joan Cohen in the Winnipeg Free Press who points out some of the problems with this bill, which I think honourable members I am sure read the Free Press. The Honourable Leader of the Opposition, the Member for Tuxedo, obviously reads it carefully every morning so as to be prepared for question period, Madam Speaker.

"For a period of 17 years, a manufacturer would have a monopoly on a new drug, up against this extensively, to protect the public, the government has put a prices review board, with no power to order a rollback, no power to look at costs, when a product

is brought in from abroad or to make price comparisons, and with a part-time chairman." This is the tough body that members of the Opposition would have us and the senior citizens and the sick and the people who need drugs in this country, they would have us believe that this body will protect them. Balderdash, I say, Madam Speaker.

I would also like to now go to the less reasoned arguments given by the Member for Lakeside and the Member for Pembina. I congratulate the Members for Riel and Springfield for having done some homework and made - what they considered - legitimate arguments on their side in support of their Tory counterparts in Ottawa, Madam Speaker, in pushing this bill through.

I unfortunately think, Madam Speaker, they will live to regret their decision to blindly support the federal Conservatives. When the voters of this province look at who stood where on this bill, I think they will live to regret that, but they have made their bed and they can lie in it. Madam Speaker, I think the public will make its judgment at the ballot box.

The less responsible members from the Opposition, and the Member for Lakeside, unfortunately, stated, "I take exception to the resolution being introduced by the First Minister. It is a callous, political bit of distortion which our socialist friends are regrettably adept and famous for. They like to go to the senior citizens' homes and frighten the be-jesus out of the people," so said the Honourable Member for Lakeside.

The Honourable Member for Pembina stated, "Fearmongering campaign amongst the people of Manitoba," Madam Speaker, "raw opportunistic politics that you are putting to the people of Canada through a fearmongering campaign of immense proportion and incredible distortions and incredible untruths." Well, that's nice hyperbole, Madam Speaker.

I'd like to now read into the record some of the people we have apparently fooled. The National Anti-Poverty Organization - by the way, Madam Speaker, these are the groups which have publicly come out against this bill because they have concerns for their own well-being, the members of their organizations. These are the people - we are being politically opportunistic. As a matter of fact, I would suggest to you that we on this side of the House are not acting, we are reacting to a hue and cry from the public which is saying, stop this iniquitous piece of legislation from giving away to the multinational corporations what is now ours as citizens of Canada.

I would like to read you the names of these organizations so they are in the record: the National Anti-Poverty Organization, the Canadian Health Coalition, the National Pensioners and Senior Citizens Organization, the United Senior Citizens of Ontario, the Ontario Senior Citizens Coalition, the Manitoba Society of Seniors, the Winnipeg Age and Opportunity Centre, the Canadian Council of Retirees, the Saskatchewan Action Now Senior Citizens Organization, Canadian Auto Workers Local 200 Retirees, the Manitoba Federation of Labour, the Manitoba League for the Physically Handicapped, the Winnipeg Women's Health Centre, the National Council of Women, the National Action Committee on the Status of Women, the Canadian Federation of University Women, Canadian Labour Congress, Canadian Auto Workers, Saskatchewan Union of Nurses, the National Federation

of Nurses' Unions, the Saskatchewan Health Coalition, Ontario Health Coalition, Manitoba Coalition for Health and Higher Education, Saskatchewan Health Cooperative Federation, Canadian Teachers Federation, Canadian Council on Social Development, United Church of Canada, Canadian Union of Public Employees, International Association of Machinists, National Farmers Union, Anglican Church of Canada, Cooperative Housing Foundation of Canada, Cooperative Union of Canada, Medical Reform Group, the Canadian Cancer Society.

Now, I suggest to you, Madam Speaker, that we on this side, in spite of the suggestions of members opposite, that we are Machiavellian and devious and brilliant enough to con the people by our fearmongering, I suggest, in spite of the flattery from members opposite that we are not that good. We cannot con the teachers, the nurses, the Canadian Cancer Society, Madam Speaker, into saying this is a bad bill and convince them by the weight of our rhetoric, by the fallacious arguments, by the sophistry that members opposite suggest we are presenting to them.

Senior citizens, nurses, union members, teachers are not that dumb, Madam Speaker. I also think that members opposite should give them credit for a certain amount of intelligence and also give all these organizations a certain amount of credit for having done their homework before they came out in opposition of this iniquitous piece of legislation which, Madam Speaker, is a sellout to the multinational corporations and the whippers of Ronald Reagan who leads his little lap dog around in the singing of Irish songs. This is another instance of that, Madam Speaker.

I would like to point out for the edification of members opposite, and particularly for the edification of the Members for Lakeside and Pembina, how we have fooled the senior citizens of this province into opposing this bill and I will table this, Madam Speaker. This is from the Manitoba Seniors Organization Journal, December 1986, and it has in boldface headlines, "No to Patent Drug, Patent Law Changes."

Now, these gullible senior citizens who have not done their homework, who are being led astray by this side of the House, Madam Speaker, say the following: "Canadian taxpayers and consumers of prescription drugs should not be duped by the Federal Government into subsidizing the huge profit-making foreign-based multinational pharmaceutical industry. The propose amendments to the Drug Patent Act, Bill C-22, would give the multinationals a 10-year period of exclusivity on the patents of new drugs.

"Currently generic drug companies are allowed to produce a generic copy on payment of a 4 percent royalty fee to the developers who may take four to seven years to come out with a lower-priced generic copy. Canadians enjoy among the lowest prices for drugs in the Western World, have saved millions of dollars in health costs since 1969, when generic drugs were allowed. The multinational companies continue to make profits in spite of competition from the generic companies, so why should the Federal Government change a system that serves Canadians so well?"

A question, Madam Speaker, which I think is legitimately asked on the part of the senior citizens of Manitoba, which has not been answered to anyone's satisfaction by members opposite, which is why I

suggest they will rue the day they took the position they did on this bill and slavey subservience to their federal counterparts.

The proposed amendments to senior citizens go on, Madam Speaker, "... will impose a real hardship on seniors with fixed incomes, the disadvantaged, the disabled and the sick. But it is not only the sick and elderly who will be called upon to pay for increased drug costs, every Canadian taxpayer family will bear the burden." They then go on to urge all senior citizens in Manitoba to write the Prime Minister and protest this. I would like to table this, Madam Speaker, so perhaps my honourable friends opposite might be able to take a look at this and think twice about whether or not we are scaring the senior citizens of this province, or whether the senior citizens are frightening us with their concerns and perhaps they should be frightening members opposite.

I would like to give a few particulars. The Member for Arthur, in his speech the other day, said he has yet to see an example, and he would like some examples of how patent drugs have specifically increased costs. Well, Madam Speaker, I would like to give you those specific examples. I will relate these by disease and the people who use these drugs for the lifesaving qualities of those drugs in a particular disease. For diabetics, Madam Speaker, there is a drug called chlorthalidone (phonetic) - pardon my pronunciation, I'm not too good at pronouncing these scientific terms. That the generic drug, the generic Canadian price for that drug for diabetics who are using is \$37.29 per thousand. The U.S. price is \$613.01 per thousand.

Let's look at another drug that diabetics take.-(Interjection)- Excuse me, I hear some hollering from the Opposition. Would they like to hear the Canadian prices on those drugs? That same drug in Canada, the Canadian price for the brand name is \$147.26 compared to the generic of \$37.29. I would like to point out, Madam Speaker, what that does is - U.S., remember, for that one particular drug is \$613 - is what the allowing of generic drugs and what the bill will now get rid of which was passed in section 41 of the bill in 1969 has even the patent drug prices in Canada at a lower rate than the U.S. because of the generic competition which wouldn't be gotten rid of if we'd listened to members opposite.

Another, the most widely used drug in the entire world, I'm sure everyone has heard of it, the name of this drug is valium. That is the patent drug name. This drug in Canada costs \$65.30 as a patent drug under the brand name valium. Under its generic name of diazepam, it costs \$2.31. Honourable members I am sure would be interested in what the U.S. price would be for this drug; it is \$343.62. This is the most widely used prescription drug in the entire world. It is used for anxiety patients, I could go on.

But let's talk about patients with infections. Amoxicillin, which the patent drug name, Madam Speaker, is amoxil. The Canadian generic price for this drug is \$78.54; the brand name price is \$260.93. This is for treating people with infections. Honourable members opposite, Madam Speaker, have pointed out that their concern about a few bucks extra possibly for research is a concern for the sick, and the people who need drugs, is absolute nonsense when one considers what will actually happen to people who need

drugs, what will happen to the Pharmacare plan in this province, what will happen to people who have infectious diseases where they require treatment, Madam Speaker. I could go on and on. If any members opposite are really interested in the facts, as the Member for Arthur expressed, Madam Speaker, that he is interested, I will be certainly willing to share this information with him.

I would also like to point out some of the reasons members opposite are so slavishly continuing to support and where did this come from, this brilliant idea to allow the major multinational pharmaceutical companies which the senior citizens of this province, Madam Speaker, have correctly identified as the villains in this matter looking out for their own profits.

I would like to point out there was the head of the congressional subcommittee in the United States, Henry Waxman, Chairman of the Congressional Subcommittee on Health and Environment, has accused the multinational drug companies "of greed on a massive scale." I think that correctly expresses what is happening here, but also what is happening here is, and I quote from the Montreal Gazette, June 27, 1986, "U.S. President Ronald Reagan's administration has lobbied heavily for the bill. U.S. Trade Representative Clayton Yuetter said at one point, 'even our patience ultimately begins to wear thin.' 'I don't want to shoot until I see the whites in their eyes,' said Dr. John Zabriskie, president of Montreal-based Merck Frosst Canada and a board member to the Pharmaceutical Manufacturers Association," etc.

The fact is what is happening is as a precondition for free trade or whatever kind of pressure and whatever rationale - I suspect, Madam Speaker, this is a precondition for free trade discussions - the United States has told their Irish singing buddy from Ottawa, get on board and be consistent with how we are allowing all multinationals to shaft the people of the United States, either get on board or we're going to crack the whip to you. Madam Speaker, I suggest what the Honourable Prime Minister of this country did in response to that was say, yes, Sir; yes, Sir; how fast, Sir?

Well, I suggest to you, Madam Speaker, this is an intolerable situation for the people of Canada, to have a Prime Minister who was basically acting as a flunky for the president of another country and also acting on a second-hand basis for the multinational drug companies.

Let me point out something else about these wonderful drug companies that are going to save all the lives with all the research they've done. I quote a headline from the Toronto paper on June 25, 1985, "Drug companies face suit for taxes on millions." This isn't been brought out by other members on this side of the House which is conveniently ignored by members of the Opposition, Madam Speaker. In the Toronto Star it notes, "Revenue Canada is suing Merck Frosst," the same company where the president of the Pharmaceutical Manufacturers Association seems to be employed, a multinational drug company that paid taxes of up to \$12.4 million worth of income that went under reported in '73 to '78. Similarly, Squibb Canada, also of Montreal, has been targeted for taxes of up to \$6.4 million from '75 to '78.

Madam Speaker, if members in Opposition and the Federal Government supported this bill really believe

a review board will control these multinational corporations when that review board has no more powers and say, not nice, fellows, you know, think again. I would suggest they are either extremely gullible or trying to fool the people of this province and this country. I would suspect members opposite of the latter, because I don't think members opposite are that gullible. I don't think they believe these multinationals have no more in their mind, Madam Speaker, than the desire to do good, to create all those wonderful medicines a la the Salk vaccine, a la insulin bulk drugs, by the way, Madam Speaker, which were created in the public domain. I have yet to see drugs created by patent to cure, as honourable members suggest, cancer, to cure AIDS, etc.; that has not happened yet.

I would tell you, Madam Speaker, from history, I would suspect that it will be university research, it will be public-funded research, it will be Cancer Society research that will come up with the cures. It will not be the patent drug companies who will benefit in this legislation, Madam Speaker, as honourable members suggest.

I would point out an editorial, further to re-enforce the argument from the Winnipeg Free Press, which says: "Time for new Minister," talking about Harvie Andre, Madam Speaker, the Minister responsible for putting in this iniquitous piece of nonsense. It says, "The core of Mr. Andre's defence of the bill has been that it will expand research in Canada by drug companies, and not add a penny to the cost of drugs. It is possible that drug companies will do more work in Canada, but the benefits under the proposal will not depend on continued growing research effort.

The competition - "Whether or not the inventor does research in Canada is irrelevant basically," Madam Speaker, the editorial points out. "The absence of competition will free the inventor from pressure to match a competitor's price." There is absolutely no basis, and especially historically, for saying that this will ever happen. There will be no basis for reviewing whether a drug brought on the market by the patent drug people will basically improve on existing drugs and get patents on them rather than doing anything new, because that's where the known quantities of the big bucks are, Madam Speaker.

There is absolutely nothing in the editorial, and I agree absolutely with it, much as I hate to. The review commission will look on a year-to-year basis and change in price and try to decide whether the increases are excessive.

What we are doing here, interestingly enough, is eliminating competition. We are doing it by legislation. I also find it very interesting and very inconsistent of the federal Conservatives and the provincial Conservatives, who stand sturdy and forthright in support of free trade to stand up and want to restrict competition and restrict the access of the public, and the access of other people to the reduction of materials by legislation with no comeback for people who really require it.

The Vancouver Sun points out, "The prescription is resist the drug lobby." The Ottawa Citizen says, "Drug law, bitter pill to swallow."

I would like to quote from the Ottawa Citizen and, in closing, remind members that this is not a bill that we are playing politics with. This is a bill where the

facts have been presented over and over and over again by members on this side of the House, members in Opposition in the House of Parliament, presenting the facts on what this would do to restrict, not expand people's ability to get lifesaving drugs, contrary to what has been said, with absolutely no verification by members opposite.

It would cause extreme cost for the provinces and for individuals and for those provinces like Manitoba, which have taken it upon themselves to take their responsibilities to provide drugs under a Pharmacare plan for the people of this province, which has not been done by the Conservative provinces. Certainly, if this bill passes Parliament and in 40 years from now, when a Conservative Government may again take power in this province, that they will certainly not act at that point either.

The Ottawa Citizen says: "This bill is irreparably bad. It would raise drug prices; that, after all, is the whole point. Canada has enjoyed some of the lowest drug prices in the world, prices far lower than in the United States. Now the Conservatives plan to buckle to a powerful lobby, and it's Reagan administration friends. They would do better to summon up their nerve once more and give this bill a summer burial."

Madam Speaker, I suggest a summer burial with reinterment, as a matter of fact, this bill was brought up by the Liberals in 1983, and died a death then, and somehow has been resurrected by the Conservatives. At that time, when the federal Conservatives were in Opposition, they opposed this bill. Mr. Geoff Scott, the honourable member at that time from Hamilton-Wentworth, opposed this bill and said he was worried about a real danger facing Canadian consumers, they may be paying tens of millions of dollars more than they do now for the price of good health.

The multinationals, he goes on, amounting an incredibly heavy lobby to get rid of section 41 of the Patent Act. Madam Speaker, I suggested this quick about-face within four years by the Conservatives, once they obtained power, is not atypical of what they have done before. Madam Speaker, they have done this on patronage; they have done this on free trade; they are doing it again on the Patent Drug Act. I also find it interesting that the Liberal position having also been an extreme about-face.

The honourable members from the Liberal Party, who were threatening at one time to hold this bill up in Parliament, who were planning to pass this legislation, who were opposed at that time and managed to withdraw it, who did propose it in Parliament, are now doing a complete flip-flop a la Conservative.

I would point out to you, Madam Speaker, in spite of the Machiavellian intimations from members opposite that we, on this side, are somehow manipulating the truth, we have been the only political in this country that has been consistent on this issue. We believe the people of this country who are ill, who require pharmaceutical aid, have a right to get that at a fair and reasonable cost, and also the governments, both federally and provincially, have an obligation to see that takes place.

Madam Speaker, the proposed legislation now before Parliament will insure that does not happen. This legislation, at various times, has been supported by both the Liberals and the Conservatives, and been consistently opposed by the New Democratic Party.

Madam Speaker, I urge the passage of this resolution because it is important that this Legislature, this Parliament Assembly elected by the people of Manitoba, with a responsibility to the people of Manitoba, all the people of Manitoba, all of whom at some time in their lives will require some drugs, that we have an obligation and a responsibility, to protect their interest. We, on this side of the House, will look carefully at our responsibilities and in passing this resolution will take our responsibilities. I find it shocking that members opposite are so glib and so irreverent in not taking their responsibilities.

Madam Speaker, I have tabled some information for members opposite; I will table further information if they require, or if any information on the cost of drugs and what the actual affects will be, because perhaps I believe that standing up for the people of Manitoba is not something that is just done on this side of the House, Madam Speaker. I believe in their sincerity; I encourage it; I encourage them to reconsider their misguided and slavish support of their federal counterparts.

I also, in closing, Madam Speaker, would say that members opposite should consider the fact that this - my understanding is - will be reported out of committee in Parliament next Wednesday, or earlier. The fact is, that we in this Legislature, must go on the record for the people of this province who require drugs, which is all us, Madam Speaker. We must go on the record and say where we stand. This must come to a vote in this House before next Wednesday so we, the assembled elected representatives of the people of Manitoba, can stand up and tell the Parliament of Canada what we think of this legislation, in defense of our people, Madam Speaker.

I encourage members opposite to stand on the right side but, if they do not stand on the correct side in supporting this resolution, then for God's sake they should have the courage to stand up and vote and be on the record and explain to the people of this province why they stood where they stood.

Thank you, Madam Speaker.

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

**MRS. G. HAMMOND:** Thank you, Madam Speaker.

The first thing I'd like to put on the record about this resolution is the Letter to the Editor that was in the Vancouver Sun on December 17, 1986:

"Dear Sir: I feel compelled to inform your readers of the truth concerning the Federal Government's much needed patent drug legislation. Why am I so concerned? My life is at stake. I am 53 years old. Four years ago I was head nurse at Hunter Memorial Hospital in Teulon, a position I held for several years. I was an avid cross-country skier and a contributing member in society. In August of 1983, I was diagnosed with amyotrophic lateral sclerosis, Lou Gehrig's disease. The prognosis - no known cause of cure, death in two to four years. ALS is a debilitating neuromuscular disease affecting the motor neurons? how about neurons of the spinal cord. Bit by bit, muscle control is lost, eventually resulting in total paralysis. While this disease ravages ones motor control, it cruelly leaves the intellect clear and intact.

"My present condition today? I am a quadriplegic; I cannot breathe on my own, a respiratory performs that function for me; I cannot eat or swallow, all foods I ingest must be liquified and given to me by a gastrostomy tube; I can no longer speak, I must communicate by either an alphabet board or a computer with Morse Code pickup. Although this is long and arduous, I can still communicate.

"Further to the patent legislation, two years ago the ALS Society of Manitoba undertook a letter-writing campaign to a pharmaceutical company in the U.S. Clinical trials are currently being conducted on ALS in both the U.S. and Sweden; research that could benefit many Canadians. The response? The company refused to bring any type of research and development into Canada until our antiquated drug patent laws are changed. The issue is not whether a new drug will cost you a few dollars more; the issue is developing cures through research and development to save the lives of Canadians.

"As a patient and a consumer who spends \$300-\$400 per month on prescription drugs to buy time, the issue is whether we have new drugs, drugs that either save or give better quality to the lives of many Canadians. Generic drug companies do not manufacture new drugs; they just copy existing ones.

"On behalf of myself and thousands of other Canadians who are afflicted by deadly diseases, we do not need your prayers as much as we need your support for this bill. New drugs may eventually find their way to Canada under the present legislation, but at the expense of many lives. We need research and development now, something which the generic drug companies will not offer.

"Sincerely, Doris M. Campbell."

Madam Speaker, in this letter it mentions that the company refused to bring any type of research and development into Canada. No one on this side of the House is claiming that pharmaceutical companies are doing this for any motive other than possibly to do good but also for profit. We recognize that. In fact, I'd just like to briefly quote a couple of paragraphs from the Chronicle Herald which says, "It's a myth that packagers of generic drugs in Canada are poor little home-grown outfits being swamped by ugly multinationals out to gouge the consumer. It is equally mythical that their services bound up in altruism.

"The truth is that generic companies are major players in the prescription drug trade, who are growing entities, and have been the steadying influence on retail drug prices. For one thing, they undoubtedly have induced innovative developers, manufacturers and sellers to be more energetic and more cost conscious."

When I heard the Member for Kildonan speaking on this bill, I could understand part of the area that he was coming from, the fact that they feared that their safeguards would not be enough, and that may well be true, and we, on this side of the House, Madam Speaker, want to make sure that the safeguards, that the Drug Prices Review Board, are to bring and to watch over are very strong and that they are a watchdog. We support the legislation only because we feel the safeguards will be there.

Unlike the members on the opposite side of the House, we do not blindly support our federal counterparts as has been shown in many pieces, either

of legislation that this government has brought in, or on issues such as the CF-18 and many others, and the French language issue, which we strongly opposed our federal counterparts.

But when they bring in legislation that we see can do some good for the people of Manitoba and the people of Canada there is no reason to blindly oppose it. I feel that is the case that has happened with the members opposite. If anyone is blindly supporting their federal counterparts, it is the NDP in this House, because in Ottawa the NDP have led the opposition to this bill and have not seen fit to find anything good about it.

I think that the letter I read out shows that there are people out there who are begging for research, and as long as we have governments who cannot afford to spend the money on research, then someone has to do it. If it's the pharmaceutical companies, the multinationals, the dreaded multinationals, then so be it.

The need is there, and I think that is one of the things that I wish the Member for Kildonan and the members on the opposite side would consider that, sure, no one is in favour of blindly supporting multinationals, but if that's where the cure is, if that's where the drugs are being developed, then surely there has to be some leeway that will allow them to make a profit, but at the same time do some good.

I'm not saying their motives are the best; that doesn't matter. It's the end result of what they do that is going to count. I find that for the members of the government to suggest that we want our seniors, that we want the sick and the handicapped, anyone that needs drugs, that we would be in support of something that is going to give higher prices to multinational pharmaceuticals just because we want to give them support is, I think, very small minded.

I believe that our position on this resolution is that, why would we oppose something that is going to, in the end, do so much good but, at the same time, the Drug Prices Review Board must have teeth. I agree with any person that says they must. That's up to everyone on this side of the House, on the government side of the House and all across Canada, the seniors, the anti-poverty organizations, they should be right on top of that review board when that legislation comes in.

If they see gouging, by cracky, they get right on it. It should be up to the government to make sure that board has teeth, because no one wants to see gouging, but what we want to see is legislation brought in so that drugs that are needed by people like Doris M. Campbell, who has such a dread disease, that we can help people like this. Surely to save a few dollars, the government would not want to stop that type of progress. I cannot believe that and I think that there has to be a better answer than just to merely oppose anything that is brought up that they see as a political gain, because I think in this instance when they first looked at this legislation, it was sort of, aha, we've got them now. I think in the long term that is not going to happen, because I believe the people, the seniors, the people in the anti-poverty organization who oppose it and with all the research that they have done, yes, they have believed that this is going to happen.

Madam Speaker, on this particular bill, Professor Phillip Siemens, who is the chairman of the University

of Toronto Pharmacology Department, wrote an article saying patent changes right pill for Canada. I would like to quote from this article. He said, "Canadians need better medicines, but their drug designers have been packing their bags and leaving the country. In recent years, 19 drug companies have either stopped conducting research or frozen investment in Canada. However, this brain drain should be reversed now that the Federal Government has introduced amendments to the Patent Act."

Madam Speaker, surely one of the things that we want to do is when we educate our youth, when we have people going into pharmacy, that we want them to stay in Canada. We want people to do research in Canada, people in medicine. We don't want them to head down to the States. I'll continue on to quote, "There has been little incentive to invent or develop new medicines in Canada since 1968. That is when John Turner, then Minister of Consumer and Corporate Affairs, introduced revisions to the Patent Act that allowed anyone to produce and sell copies of brand name drugs by paying the patent holder a fee equal to 4 percent of sales, this reduced Canadians' annual drug bill by \$2 billion, by 6 percent, but the country lost thousands of jobs, more than 3 billion in research and development, and many Canadian-trained scientists took their inventions to the United States. How can the new Vancouver-based company, Pacific Isotopes and Pharmaceuticals, created by the Terry Fox Medical Research Foundation, flourish and fight cancer without patent protection for the new anti-cancer medicines it invents? New drugs save money as well as lives."

I'll continue on: "With no new drugs being invented here, Canadians have been poaching discoveries made in Britain, Switzerland, the United States, Sweden, Belgium and West Germany, countries that consider Canada a drug pirate, unwilling to pay its way. In 1977, Britain eliminated compulsory licensing of generic drugs, having concluded it was wrong in principle. Until Canada adopts the proposed legislation, it will be the only industrial country in the world to permit the practice."

Madam Speaker, if that quote is correct, the only industrial country in the world to permit the practice, surely it can't be said that we're in step and everyone else is out. That doesn't make any sense, so I think the bill has merit, and as long as we keep watching the Drug Prices Review Board, and making sure that the people on it are vigilant because that is the key. We do not want multinationals, anybody to gouge the public.

In another article, back to the Chronicle Herald, they suggest that the Drug Prices Review Board would be charged with ensuring that the prices of existing drugs don't rise unreasonably and with monitoring and promise to increase research and development. Why should we not demand that anyway, as part of the package Ottawa finally introduced and extend it to generic packagers as well? We may well be gouged by generic manufacturers; no one seems to be worried about that. They assume that the price of a generic drug, just because it's lower than the other, is as low as it should be, so I think that in itself is a good suggestion.

I want to continue on with the article by Professor Siemens, "The new legislation proposes that drug patents be protected from 7 to 10 years. This is

reasonable, considering that a brand-name company invests, on average, 10 years and \$100 million to develop a new drug and requires about 12 years of marketing to break even. In most countries the protection is for 17 years, so the Federal Government has achieved a sensible balance between the consumer and the producers.

"Misunderstandings persist; for example, a newspaper report earlier this year said the 10-year monopoly would eliminate generic drugs within 10 years. The opposite is true. Generics will continue to enter the market in Canada faster than in any other industrial country. Compulsory licences have been granted at about the rate of 24 per year, since 1969. After the Liberal Government announced in 1983 that the Patent Act would be changed, the annual figures zoomed to more than 100. All existing generic drugs will still be available and at least 40 new ones will appear every year for the next five years as the grace period expires for drugs introduced in recent years.

"When a new drug appears on the market, a generic version follows in about six years, although copies of particularly successful compounds show up more quickly. Provincial governments fear that the lead time extended the costs of their drug plans for welfare recipients and people over 65 will increase substantially. Ottawa says this may not happen, but to help put into flow it will give the provinces \$25 million a year for four years." Madam Speaker, that in itself shows a commitment by the Federal Government to help the provinces, should the drug prices go up, which they fear.

And I go back to the same refrain about the Drug Prices Review Board and the regulations, the safeguards must be in place, they must be there so that people can see that they've been enforced and that they live up to the letter of the law and what is intended. If this happens, or if it doesn't happen, we will be as strongly vocal to our federal counterparts as I expect that the government house members will be. There is no doubt in my mind that we will be watching this legislation as well, and watching what happens. And believe me, you have our word on it, that we will be as strongly after our federal counterparts as anyone if that doesn't happen.

So it's very important, Madam Speaker, that they understand where we are coming from. We believe that this legislation can help, and with teeth in the review board, there's nothing to fear. I would hope that the

members opposite would pass that type of information to the seniors that they are in contact with, to the anti-poverty group. Because we will do that also. We have probably been remiss in not getting our viewpoint across in this particular legislation.

I just would like to say that the case for drug research I think is stronger than the fears that the members of the government have, and I do believe sincerely that the members opposite will be pleasantly surprised by what happens through this legislation and that the Drug Prices Review Board will be strong and will have teeth.

So, Madam Speaker, I cannot, in all conscience, support the resolution that the First Minister has brought in because I believe that in the long run, the legislation is going to do far more good for Canada than it will do harm. So, Madam Speaker, I just say that I would like to hear more speakers on this issue and that I hope everyone who has a chance puts their views on the record because it's very important to the people of Manitoba that we make a proper decision and a well thought-out decision on this resolution; not just to support their federal counterparts, which is exactly what they're trying to do, but possibly look at the legislation in a manner that allows all Canadians and all Manitobans to benefit from drug research that is so badly needed as was stated by that woman who has Lou Gehrig's disease.

I think I want to end by just saying that she said, we don't need your prayers as much as we need your support for the bill.

Thank you.

**MADAM SPEAKER:** Are the honourable members ready for the question?

The Honourable Member for Emerson.

**MR. A. DRIEDGER:** Madam Speaker, if you decide to call it 12:30 p.m., it is 12:30 p.m.?

**MADAM SPEAKER:** It's been moved by the Honourable Member for Emerson that the debate be adjourned.

**HON. L. DESJARDINS:** It is understood that the member is finished with her speech though.

**MADAM SPEAKER:** The hour being 12:30 p.m., the House is now adjourned and stands adjourned until 1:30 p.m. on Monday next.