



Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

Speaker

The Honourable Peter Fox



Vol. XXIII No. 48 2:30 p.m., Tuesday, March 23rd, 1976.

Third Session, 30th Legislature.

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 p.m., Tuesday, March 23, 1976

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to my gallery where we have with us as our guests Mr. Suketaro Enomoto, Minister at the Japanese Embassy in Ottawa; Mr. Tetsunosuke Chaki, Japanese Consul-General in Winnipeg; and Mr. Torao Sato, an Attache from the Japanese Embassy of Ottawa.

On behalf of all the honourable members I welcome you here this afternoon.

We also have 25 students, Grade 11 standing of the Technical Vocational School under the direction of Mr. Zaluski and Mr. Day. This school is located in the constituency of the Honourable Member for Wellington.

I also welcome them.

READING AND RECEIVING PETITIONS

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions. The Honourable Member for Logan.

MR. CLERK: The Petition of Fort Garry Trust, Praying for the passing of an Act to amend an Act to Incorporate Fort Garry Trust.

MR. SPEAKER: Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Questions. The Honourable House Leader.

ORAL QUESTIONS

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, yesterday when I was asked for the price of Saunders aircrafts that were sold other than to the Federal Government, I indicated that the figure was between \$700,000 and \$800,000. My recollection, Mr. Speaker, was based on the fact that the federal price was the same as other prices. I now find, Mr. Speaker, and I wish to indicate for clarification that the federal plane sold for \$610,000; there was a special interior of \$28,000; special avionics of \$97,000 for a total of \$736,000. Two planes made this \$1,472,000 and with spares it was brought up to \$1,565,000.

Then I understand there were negotiations with Skywest which brought the figure forward for engines or other materials. But the two planes were \$1,565,000 at a base price of \$610,000. The planes that were sold previously to Colombia ranged between \$455,000 and \$500,000. Those were the first sold. Otonabee, \$630,000; Bayview, \$636,000 - that was a sale where there had to be a repossession. The two planes to St. Andrews which were also earlier in date, \$540,000 and one plane to Onair of \$590,000. So, Mr. Speaker, the price of \$610,000 was equal to the price, in some cases lower, to the other prices sold.

I want to indicate, Mr. Speaker, that some of these sales haven't worked out. Some have not worked out well. There have been some repossessions, some of the payments have not been up to date. But none have worked out quite as badly as the sale to the Federal Government.

MR. SPEAKER: The Honourable Member for Thompson.

MR. KEN DILLEN (Thompson): Mr. Speaker, my question is to the Minister responsible for the Manitoba Development Corporation. In light of recent newspaper reports that a number of free enterprise companies such as Lockheed have followed the free enterprise principle of bribing those to whom they want to sell their products, does the Minister believe he might be able to sell more Saunders planes if he asked this Legislature to appropriate some money to bribe the Federal Government to buy some Saunders aircraft?

ORAL QUESTIONS

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

MR. GREEN: Mr. Speaker, I wonder if you'd call Bill No. 34.

MR. SPEAKER: The Honourable Member for Fort Rouge have a desire?

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I have many desires. I also have a question to ask if I may be allowed.

MR. SPEAKER: I asked for Questions and I asked for Orders of the Day and the honourable members was still sitting. The Honourable Member for Fort Rouge.

MR. AXWORTHY: It took a while to overcome those desires before I was able to get to my feet, Mr. Speaker. I'd like to direct a question to the Minister of Tourism and Recreation in reference to the closing of the Archaeological Resource Centre. Can the Minister indicate whether the Provincial Government has any policy for the discovery or preservation or analysis of archaeological sites in the province and whether this is a temporary aberration or whether there's a longer term commitment to preserving historical sites and historical artifacts?

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Mr. Speaker, there was a three-year program that represented an amount of \$150,000 per year by Manitoba Hydro payable for excavations at South Indian Lake; \$48,000 per year by the Department of Tourism, Recreation and Cultural Affairs for three years; there is some funds within the Estimates of the Department of Tourism, Recreation and Cultural Affairs that can be discussed during my Estimates.

MR. AXWORTHY: A supplementary, Mr. Speaker. Can the Minister indicate whether his department has done any assessment in terms of the requirements for preserving historical sites or archaeological sites along Lake Winnipeg before the flooding takes place due to Manitoba Hydro construction at the head of the lake.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, I would wonder if the honourable member would care to repeat that question just so he could hear for himself how stupid it is?

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Well, Mr. Speaker, I would be glad to repeat the question for the Premier so that he could see how stupid his actions are. I will repeat the question then. Does the Provincial Government have any intentions to assess the kinds of historical sites or artifacts along Lake Winnipeg in view of the intended higher level of the lake that is going to be caused by construction at the beginning of the lake.

MR. SCHREYER: Well, Mr. Speaker, since the honourable member has addressed the question to me, I will now answer him. Lake Winnipeg at natural extreme highs has been some four or five feet than will be the regulated high condition when the control works go into operation. There will be no flooding by any normal, common sense definition of the term "flooding".

MR. AXWORTHY: Yes, Mr. Speaker, I have a supplementary question then to the Premier. Has the Provincial Government bothered at all to assess whether the change in the lake levels along Lake Winnipeg, due to regulation, will in any way affect the preservation or the existence of the historical sites along that area. Have you done any assessment of what historical sites there are and how they will be affected?

MR. SCHREYER: Mr. Speaker, I repeat there will be no flooding on the periphery of Lake Winnipeg by any normal definition of the term flooding, certainly less so than under some of the extremes in the state of nature that have occurred, such as in 1966 and I believe the early autumn of 1974. I might also say to my honourable friend, the Member for Fort Rouge, that any ossified material that is in archaeological subterranean location we do not expect any kind of problem whatsoever. It will be there for future generations of archaeologists to find.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON (Wolseley): I direct this to the Minister of Corrections. I wondered if the Minister was going to ask for a full report into the suicide March 4th at Headingley Jail and the increase in inter-prisoner beatings?

ORAL QUESTIONS

MR. SPEAKER: The Honourable Minister for Corrections.

HON. J.R. (Bud) BOYCE (Minister responsible for Corrections and Rehabilitation) (Winnipeg Centre): Mr. Chairman, I will answer the first part of the member's question. He should be aware that all such incidents are referred to the coroner for an inquest.

MR. WILSON: A supplementary then. Would the Minister be getting a copy of that report?

The second part is: has the Minister increased the number of prison guards in the last six months or has he reduced the number?

MR. BOYCE: I will be glad to deal with that question in my Estimates, Mr. Speaker.

MR. SPEAKER: Orders of the Day. The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): Mr. Speaker, a question was asked of me yesterday in connection with Judge Baryluk and whether or not the authorization had been shown to him in connection with the wiretapping. The answer is: yes it was shown to him by staff officers in my department.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I wonder if we could start with Bill 34 standing in the name of the Leader of the Opposition.

GOVERNMENT BILLS - SECOND READINGS

MR. SPEAKER: On the proposed motion by the Honourable First Minister - the Honourable Leader of the Opposition.

MR. DONALD W. CRAIK (Leader of the Opposition) (Riel): I will deal with this bill tomorrow, it wasn't my intent to speak on it today.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, then could we start with the adjourned debates on second readings in the order in which they appear.

MR. SPEAKER: Thank you. On the proposed motion of the Honourable Minister of Labour. The Honourable Member for Assiniboia. Bill 16.

BILL NO. 16 - AN ACT TO AMEND THE WORKERS COMPENSATION ACT

MR. STEVE PATRICK (Assiniboia): Thank you, Mr. Speaker. I wish to make my contribution on Bill 16, an Act to amend The Workers Compensation Act. While I wish to compliment the Minister on bringing this legislation at this time, perhaps I will make some other recommendations to the Minister that I am not so sure that this bill completely satisfies me and will do everything that the Minister intends in this bill to do.

Mr. Speaker, I know that the most glaring injustice that we had under the workmens compensation legislation was the compensation that was paid to the wives and the beneficiaries as a result of an accident. I'm sure the Minister of Labour must remember and recall that if there was any piece of legislation that I was most critical of, it was the compensation and it's only three years ago, Mr. Speaker, that we had some changes made.

You know it was a strange thing that when the husband died the compensation was reduced almost to nothing to the widow who still had to look after the children and still had to look after the home, the expenses, the fire, the hydro and everything else. If the husband lived and was totally disabled he used to get the full compensation or 75 percent of the total amount which was based on the maximum ceiling at that time. I know this Minister was the Minister for at least five years before he brought in this legislation only three years ago. I think it was two years ago that we had some changes which I complimented the Minister at that time.

BILL 16

(MR. PATRICK cont'd)

I know that in this legislation he's making some changes and covering a wider area of people. Such things as the volunteer ambulance personnel and I have no argument with that, Mr. Speaker.

When dealing with pre-existing conditions I know that there is no increase at all for the people that are suffering ten percent disabilities or less. I think this is a factor, Mr. Speaker, because a ten percent disability two or three years ago may have a serious detriment on that person's ability to function properly. Even though he was assessed only ten percent disability he's maybe able to only function 75 percent or 60 percent of his ability. So I believe that the Minister should have looked in that area as well. There is no change in that area, Mr. Speaker.

I know that the Act will now provide for the appointment of assistance officers from the Department of Labour for anyone that's appearing before the hearing. I'm not so sure that an officer from the Labour Department is sufficient. I would have been much more satisfied if there would have been legal counsel provided for a person instead of just an officer.

I know that there are benefits to widowers which we've talked about last year and I've requested and I don't argue. I believe it's good legislation.

We have also some increases as a result of fatal cases, benefits to children and surviving spouses. The benefits are now increased to \$310 from \$250 and the children to \$90.00 from previously \$70.00 and I believe this is good legislation. The Minister is going in the right direction. He has not indicated to the House what will the cost be as a result of these increases because then we could have been able to be either more critical or not, of the Minister, because if the costs are too great then we would know how to adjust ourselves as far as the increases are concerned. In fatal cases where the benefits were increased to widows from \$250 to \$310, and for surviving children from \$70.00 to \$90.00, I wonder if the Minister would be able to give us the costs involved in those increases because if the cost is not too great maybe the increases should have been higher and that's the point I'm raising.

So, Mr. Speaker, there are some good points in the legislation but I would like to deal with the whole workmens compensation legislation. Perhaps it's time that the Board should undergo a dramatic change at the present time, a change in order to perhaps make it more effective to serve both labour and management. I believe the composition of the Board should be changed so that it would have some people on the Board from the Injured Workers Association. Some people could be on the Board because it's their health that's affected and surely maybe that could be extended to have some of those people on the Board. So I believe the makeup of the Board could be changed to accurately reflect more the people that it serves - I'm talking about the injured. We could have some of those people on the Board. I see the Minister shaking his head. Well he can disagree --(Interjection)-- The Board is serving those people and surely to have one of those people on the Board I can't see where it would be so wrong.

So what I am saying is what we must also recognize at the present time, the workmens compensation must address itself and recognize the types of injuries which is more than just physical injuries. You know what are the psychological effects of a physical injury? That hasn't been determined in many cases and is not determined. So this is an area that I believe it should be determined. I believe in many instances these are areas where it's most important, Mr. Speaker. The benefits should also take into account the scope of workmens compensation and it should not be extended to just beyond the compensation but should also be extended to rehabilitation including retraining, physical rehabilitation, counselling and total area of social and economic rehabilitation of a worker in the family. It's not done at the present time and this is the area that I feel --(Interjection)-- Well the Minister says "Oh". I hope that the Minister does answer. --(Interjection)-- Well if it is, it's not done to a very great extent because the way I'm told it's not. So we have to concern ourselves with total economic rehabilitation of the worker and his family, Mr. Speaker, retraining, counselling and so on.

The other point, the right of appeal on decisions. I compliment the Minister

BILL 16

(MR. PATRICK cont'd) for making a provision in the legislation that there'll be somebody from the Labour Department to counsel the worker in that respect. I just wonder would it be better if the Minister would have provided legal assistance to a worker, not to go to court, but to provide a better argument. Somebody that's really knowledgeable in the legislation? --(Interjection)-- Well I think that any injured worker who presents his case before the Workmens Compensation Board, anyone, should have the right to have his case presented by a legal counsel. Not in court but to the Board. I cannot see what problems it'll present. Perhaps the Minister does not agree with that but I think that it's time that we look at these changes.

Mr. Speaker, by bringing the changes in the legislation which we can accept and say they're good changes, that doesn't solve the whole problem until the Minister really gets quite serious about industrial safety. I think there is no one area that the government can name that could be more important, which could be of assistance to those and beneficial to all concerned, the whole community, as the safety program. It is not the family's fault when a worker gets killed in an industrial accident. Why should the family and the wife or the spouse be penalized in that situation?

So what I'm saying is that the people in industry are subjected to many conditions: to loud noise, to increasing frequency of fast motors that we have right now and strong light and so on. What is the effect on the human being after many years in service? Strong electro-magnetic field. What are the results? I see where the Deputy Minister of Health for New Brunswick has said that national leadership is required to make occupational health and safety better understood and practised. He makes a charge that the worker's safety is ignored, that it is ignored by management and government. There is an official of a government, a Deputy Minister, making that statement.

So, Mr. Speaker, there's an area, in my opinion, the whole community benefits through greater industrial safety, our labour force benefits and it costs us less money if we do it proper. We've made strides, I'm not saying to the Minister that we haven't made progress in this area, we have. But I know that the Minister will agree that there's increasingly more accidents and the cost in the long run will be less if we reduce the accident rate. I'm sure that even the industries and the corporations would find that the profit accrues from energetic safety programs. I think employee relations benefit from workers who know when they're working in a very safe place, that their interest is protected. I believe the cost of Workmens Compensation is ultimately borne by the consumer, Mr. Speaker, and everybody would benefit when we have good legislation concerning industrial safety.

Again, I'm quoting from an article. It says, "Management and government have been reluctant and often opposed to innovative and effective safety and health protections," which was stated from one of the eastern papers. I think that we have to find out where the industrial accidents are happening. So this is another area. To make this legislation effective I think that we need some emphasis brought on industrial safety as well as that we'd have less accidents, Mr. Speaker.

So these are the points that I wish to bring on this bill. I have no argument. When I first rose I said I support the bill. I think we're moving, it's good legislation but I don't know if just by improving the benefits will solve the problems that we have. I think we have to talk about safety; we have to talk of expanding, looking at the whole workmens compensation legislation and see if we can improve it and see if we can have people on the board who would accurately reflect the people that it serves, the injured people. Have some of those people on the board.

The other thing, I cannot see why the legislation did not apply to anyone with injuries of less than ten percent. Because we may say ten percent but the effectiveness of that worker may be much less than ten percent and there's been no, as far as I can see in the bill, there's been no raise in their compensation, the ones that are under ten percent.

So, Mr. Speaker, these are the points that I wish to bring to the Minister at the present time and I would hope he would be able to answer some of the questions.

BILL 16

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Thank you, Mr. Speaker. I'm just going to make a few remarks on the proposed bill before us. I don't suppose that there's any one item of legislative business that perhaps preoccupies members of the Legislature any more than Workers Compensation because we seem to get more complaints about Workers Compensation than we do about anything else. I think that over the period of years that we've been in office we have made some tremendous strides in the field of Workers Compensation and I'm very glad to see the increases in widows' benefits and also in total disability and permanent total disability and partial total disability benefits.

The thing that intrigues me very much, Mr. Speaker, is the section where the Minister will be appointing an Assistance Officer. I sort of look upon this person - maybe I'm reading something into it that the Minister may not - but I sort of look at this person as perhaps maybe going to be an ombudsman for the people in the field of injury.

I guess I should make my annual pitch, Mr. Speaker, for increased publicity in the field of safety. We used to have some very good excerpts on T.V. and unfortunately the last while I don't see them. I thought they were very good. We used to have little short fill-ins telling people about safety. I would have also liked, and I guess I'll also again make my annual pitch, that I think we should approach the radio and television stations for some of the time that they have free-time broadcasting, for bringing forth very forcibly I think to the workers, when they're injured, what they should do.

I think the points that were raised yesterday by the Member for Flin Flon, also the Member for Thompson, there are many cases that I know in industry where people are injured and because management don't want a ranking injury to appear on their record because if you get too many brownie points you're going to have to pay that much more workers in workers compensation benefits. I think that this point that was raised by the two members yesterday is quite true. I know of cases where people have been brought back to work who were not fit to go back to work. It's very subtle sometimes, the sort of pressure that is brought to bear upon workers to return back to work or not to go off on compensation, rather than management suffer the consequences because sometimes bad safety practices are in force in the place of work.

So I look forward when the new Assistance Officer, when his appointment is made, I hope that he will undertake to try to get a very good safety program also in conjunction with his duties as a person to assist an injured worker to be able to make a proper claim before the Workers Compensation Board. I think in many cases this is what is the problem. The people - I think one of the members said yesterday that they wait three or four weeks before they make a claim and by that time people's memories of what has happened regarding the accident become very dim and the person when he's trying to make the claim, he or she is trying to make that claim, it becomes nearly impossible for that claim to become validated. So I hope that when the Assistance Officer is appointed that this will become part of his duties, that he will make it very clear or try to make it as clear as possible and not just by pamphlet or document form because those things are very easily seen, forgotten and thrown into the garbage can at places of work. We were all issued it, we all have worked in placed of industrial employment and received booklets on what I should do if I'm injured. I can tell you that in most cases most of them wound up in the garbage cans. Lo and behold that worker would become injured three months later he would come running to me because I was a grievance officer in my union - what should I do? Well if I hadn't kept my booklet and known what we should have done, this person would have been in very dire straits indeed.

I have always told workers that they should not yield to any type of persuasion by their employer, that if their doctor told them that they should go off on a compensable injury, that they should stay away from work until they were cleared both by their own family doctor and by the Board to be able to go back to work. I think these are some of the things that have caused some of the problems that we've had in the past and I am sure I would say, Mr. Speaker, that as well as many other members in the House

(MR. JENKINS cont'd) I would like to see more changes in the Workmens Compensation. But I think the changes that we have been making have been progressive and we have come a long way from where we were. I would like to see us a lot further than we are. That's the argument that maybe the Minister and I will have but I support the legislation; I think it is good.

I will again make my annual pitch to the Minister and to the Board, for God's sake try and get a bit of free publicity time on radio and television, on the CBC and other programs. Sometimes they will finish a program early and they fill it in with some nice soft music and scenery. But at least show something in that time. I make this pitch to the public media, that you would be doing a service to the people of Manitoba if you would show how a person should go about filling a claim for Workmens Compensation, how the procedure works. Only by that repetition I think it would sink into the minds of the workers much better than we are doing now with pamphlets and whatnot. Again I would say to the Minister and the Workers Compensation Board I would like to see you pick up the program on safety, the little blurb that you used to have on T.V. and also on radio that in this last while seems to have disappeared. We seem to be concentrating more on balloons and the bubbly. Perhaps the Minister of Tourism and Recreation has got the Minister of Labour's appropriation for the money, of course developing his safety program. I don't think that we should forget that workers' safety on the job after all is the biggest way that we can help the working population of Manitoba. The Minister of Tourism and Recreation assures me that he hasn't got the Minister's appropriation for that type of publicity or P.R. Well I'm glad to hear that, Mr. Speaker. Perhaps the Minister of Labour wishes he had the Honourable Minister of Tourism and Recreation's appropriation. Perhaps we could do a better job. But I hope the Minister and the Workers Compensation Board would take this matter under serious consideration and I am prepared to vote for the legislation.

MR. SPEAKER: The Honourable Minister of Labour shall be closing debate. The Honourable Minister.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I want to thank those who have taken part in this debate. Most of the contributions have been very constructive in nature and I want to assure the participants that they haven't fallen on deaf ears.

I do want to say a word or two to my colleague, the Member for Logan, insofar as publicity is concerned. There is on staff in the Workers Compensation Board and has been for three or four years now, I guess, a member of staff whose responsibility is generally in the area of publicity. As a matter of fact as the result of his involvement, and I refer to a person by the name of Steve Melynk, who produced one or two shows - I believe more than one or two - but as a result of one of his productions he won national acclaim for the little chipmunk cartoons that appeared on local stations indicating the results of accidents. Also at the present time in that particular publicity department there is the production of a paper called "Across the Board" which goes internally and externally indicating the activities that are constantly going on in the workers compensation area of responsibility.

About three or four months ago, dealing with the involvement of accident prevention and also accident treatment, the Workers Compensation Board in co-operation with the St. John's Ambulance Association of Manitoba put on a display at the Winnipeg Convention Centre, a one-day seminar on safety, which exceeded all expectations with the objective in mind of concentrating on the need for accident prevention and also to try to have a program of treatment in industrial accidents. I believe there were about 1,200 T.V. cameras, maybe not 1,200. There were about 1,200 participants and there were about 500 or 600 T.V. cameras showing simultaneously a demonstration as to proper action to take in the event of an accident. I would like to compliment the St. John's Ambulance for its involvement in that program. I would also like to compliment the distributors of T.V. sets in Manitoba who assisted in this program with the provision of the cameras without cost as I understand. The program received the full co-operation of employers in the general area to such degree, Mr. Speaker, that many applicants had to be turned aside because there simply was not room in the

BILL 16

(MR. PAULLEY cont'd) Convention Centre to accommodate the total number of people who wished to be participants in the program.

I agree with my honourable friend from Logan that we have great problems insofar as Workers Compensation is concerned, particularly in the reporting of accidents. This is something that we have been hammering at and hammering at for a long period of time. I think the Member for Logan properly stated a case where he says that leaflets or the booklets come around, they're taken a look at and then cast aside behind a work bench and only at the time of an accident are they dug out or attempt to have the contents applied. This is too bad because there are certain rules and regulations pertaining to Workers Compensation but no case is turned aside if it can be established that an accident in effect did take place. Unfortunately too many delays for too long a period and the memories of the injured worker and also his workmates get a little fuzzy as to exactly what happened, when it happened, and this causes problems for the Board to try and properly adjudicate and assess as to the incident of accident. I think the point raised too of a greater amount of co-operation from the media would assist us in getting the message across.

My honourable friend made reference to the Assistance Officer as being an ombudsman of a sort. Certainly that is the general approach and I will want to talk a little bit more about that position or suggestion in a moment or two in reference to the remarks of the Honourable Member for Assiniboia. I'm glad that the Honourable Member for Logan joins me in support for the bill due to increased benefits to the workers.

The second last speaker, the Honourable Member for Assiniboia, really astounded me, Mr. Speaker. I had thought at one stage in the game that my honourable friend the Member for Assiniboia was knowledgeable of The Workers Compensation Act and also knowledgeable of a number of suggestions that have been made since this House started a few months ago as to what is in store on behalf of the workers in industry generally in the province. I know of course my honourable friend is wont, and I guess I can't fault him for it, to say that it's so nice that at long last and as a result of his efforts in the past certain benefits have increased. He mentioned about the legislation being changed insofar as the spouse of a deceased worker, and that was three years ago and it's out of his endeavours and the likes of that. I always welcome constructive suggestions but that one was on tap long before my honourable friend mentioned it.

He mentions about the Injured Workers Association and so did the Honourable Member for Fort Garry, and suggested that the injured worker should be represented on the board. Well, Mr. Speaker, I say in all due respect that the injured worker is represented on the board at the present time. We changed the legislation so that the composition of the Board would be an equal number between representatives of management and representatives of the worker with a Chairman appointed by the Lieutenant-Governor-in-Council. Now he refers to an organization called the Injured Workers Association and I want to say that they have their purpose. But I suggest that the injured worker is or should be represented on the Board through the representative of the labour movement in the Province of Manitoba. If we had injured worker direct representatives and they represent comparatively few in total numbers of the workers in the Province of Manitoba, we would have to have accompanying representatives on the Board from some other group.

I ask my honourable friends: what is the status that the injured worker has to be represented other than what they are at the present time, by representatives of the labour movement who are the workers in the Province of Manitoba? --(Interjection)-- I didn't hear that. Maybe it's just as well. But this is the case.

My honourable friend the Member for Assiniboia talks about the psychological well-being of the injured worker. That is why I said when I started to refer to his remarks, Mr. Speaker, I was amazed as to the lack of knowledgeability of my honourable friend in the area of Workers Compensation, because that's accounted for now and can be assessed, if it's attributable to an accident. It's there and it has been used. --(Interjection)-- Pardon? About a year and a half ago. Then, Mr. Speaker, my honourable friend has admitted that it's been there a year and a half ago and today he stands up in this House and says it should be a provision. Now is he right? When is he right? Is he right in saying that it should be in there now, or is he right in saying that it was

BILL 16

(MR. PAULLEY cont'd) there a year and a half ago. I suggest that he's right when he says it's already there as a result of the changes we have made in Workers' Compensation. Now, let's be fair; let's be factual in this area and it is there.

My honourable friend stands and pleads for rehabilitation and re-employment guidance for the injured worker. It's been going on in Workers Compensation now for a number of years and yet my honourable friend has the - well I was going to say gall, I was going to say audacity, I guess maybe I won't say either - but he exhibits a lack of knowledgeability - just to be polite to my honourable friend - that that is provisions and an ongoing function with Workers Compensation today and he should know it. He should know it as the spokesman for the defunct Liberal Party. Because we brought in these changes in the Workers Compensation on behalf of the workers, and my friend complains today that we should do it. We have a whole staff - not we but the Workers Compensation Board has a staff who constantly are at work in this particular area.

My honourable friend mentions about the suggested adviser to the injured worker or the worker in compensation. He says that it should be a legal person. Nobody has said that it should not be. Nobody has indicated at all - I haven't - that the adviser should not be knowledgeable in law. So I just say that my honourable friend's attempting to preach for a call without too much knowledgeability about what's going on.

My honourable friend in his remarks this afternoon, Mr. Speaker, talked about the question of noises in industry, noise pollution. --(Interjection)-- I'm coming to that. We set up or there has been set up in Workers Compensation a section dealing with measurement of noise pollution, the training of competent people to make an assessment of noise pollution in industry and that's been ongoing now for a couple of years or so. Yet my honourable friend puts on the mantle of knowledgeability in Workers Compensation and says it should be done. Why doesn't he come out and ask either the Minister responsible or the Workers Compensation Board and administration what goes on before spouting off in this House?

My honourable friend talks about safety. He quoted some Deputy Minister of Health in some other province about the need for greater involvement. I wonder if my honourable friend took time out this year to read the Speech from the Throne wherein it was stated that legislation would be introduced at this session to provide for exactly what he's talking about and --(Interjection)-- Well my honourable friend, he says it's not here yet. Heavens to Betsy everything can't be done in a single day at the same time. I made a commitment to that. If my honourable friend is not prepared to accept my commitment that's okay but I do want to tell him that this is an ongoing investigation. I indicated two years ago that there was a Task Force set up. He complimented me I believe two or three years ago for doing it, now I'm condemned because it isn't here right this ruddy moment. I can't understand my honourable friend in his approach.

Then in the closing remarks he mentions well, your legislation isn't too bad. It doesn't go far enough. But anyway I'm going to support it. I just couldn't fathom my honourable friend's approach when he should know, but apparently didn't know, what we were going to do insofar as the injured worker. Complimentary, not completely satisfactory, not completely satisfied. Mr. Speaker, I doubt the day will ever come when anybody is completely satisfied with the provisions in The Workers Compensation or any other Act of government. Of course that's one of the reasons why we meet annually in session to consider legislation and in most cases it's simply amendments to legislation that has been on the books for years.

My colleagues from Thompson and Flin Flon both touched on very important aspects of the problems in Workers Compensation. That is the question of reporting of accidents. The delay in those reports going from the injured worker to the doctor and then, more particularly, the delay of the reports from the doctor going to the Compensation Board which of course results in no payment to the injured worker until reports are received and analyzed. We have tried our darndest in the Department of Labour in co-operation with the Workers Compensation Board to constantly try to improve this situation and will continue to do so. It is a problem.

My colleague, the Member for Flin Flon, mentioned the matter about inquests delaying the payment to survivors. Certainly we'll check into that.

BILL 16

(MR. PAULLEY cont'd)

The question of early return to work by employers' orders in order to save a blot on the accident record of the company I know happens and we have tried and will continue to try to overcome that difficulty because of the fact that the assessment against the employer or the industry is based on the incident of accident and it is a great problem.

The Honourable Member for Fort Garry, I want to thank him for his approach and attitude and his suggestions. Because at least in this particular area of human involvement the Honourable Member for Fort Garry did compliment the government on the introduction of this legislation. I appreciated fully his remarks dealing with the possible extension of the benefits to the agricultural industry. I join him in saying that this is an area that we have to be very very canny and approach in a broad way because it's a new venture. I believe the only other province that has some agricultural coverage to any extent is in the Province of Newfoundland. I'm told there that that was introduced by the Liberal Premier of Newfoundland at that particular time because he had two or three cows and a horse and about four acres of agricultural land to feed them so that's why it is that that was in Newfoundland, who haven't very much agricultural land. So maybe I should give credit to the Liberal Party for something insofar as the application of Workers Compensation to the agricultural industry.

The point raised by my honourable friend the Member for Fort Garry as to whether or not there should be an annual review for the upgrading of benefits and pensions instead of legislation, and that the pensions and benefits should be related to a cost of living index, or something like that, is certainly worthy of consideration. I want to assure him that I will consider it. Although I do want to say, Mr. Speaker, I got heck from a fair number of people because of the application of this principle in respect of the base upon which compensation payments are paid. My honourable friend will recall a year ago we changed the base to make it applicable to an indexing process rather than go from 5,000 to 10,000. As a result of that being done annually the base increased from \$10,000 to \$15,000 automatically rather than by legislation and I got heck because of that change in approach. Because if an accident occurred on the 31st of December, as it did happen in a couple of cases, it was based on the \$10,000; an accident on the 1st of January was \$15,000 and the fat was in the fire. Although I will say that after having received a few complaints along that line the explanation was given and seemed satisfactory although of course others would rather have had the greater benefit.

Here again my honourable friend the Member for Fort Garry refers to the Injured Workers Association attitude re compensation and their attitude in respect of appeal. I say, Mr. Speaker, in all seriousness, in all sincerity, there are occasions when no one will be satisfied with any of the benefits under Workers Compensation.

We have changed The Workers Compensation Act. We changed it three years ago in regards to some extension of pre-existing conditions which was a complaint by many workers previously. We are changing that in this particular bill once again to upgrade it. But I say in all due respect that we will never be able to satisfy everyone under Workers Compensation, and I reject completely, I reject completely and so does the trade union movement in Manitoba, the right of appeal in the courts insofar as benefits are concerned. There is the right of appeal in The Workers Compensation Act at the present time on stated cases of law. I think that is as far as we should go. I would suggest, Mr. Speaker, that if we were to adopt the same system they had in the United States, namely an adversary system, where court case after court case evolves because of the type of system they have down there in Workers Compensation, all of the benefits or the advantages of our Canadian system would be thrown out of the window. This is what the Injured Workers Association constantly requests of me and I want to say here and now as publicly as I can, while I am Minister of Labour they will be constantly rejected for the benefit of those who are members of the Injured Workers Association.

I think generally speaking, Mr. Speaker, these are the areas raised by my honourable friends in the House. I am particularly mindful, may I say once again, of the contribution of the Member for Fort Garry and I want to assure him and all concerned

BILL 16

(MR. PAULLEY cont'd) that insofar as the provisions for coverage in the agricultural industry are concerned that section of the Act will only be proclaimed after full consultation with the agricultural industry and their representatives.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill 18. Proposed by the Honourable Minister of Mines. No, I am sorry, Bill 17 first.

MR. BANMAN: Stand, Mr. Speaker. (Agreed)

MR. SPEAKER: Bill 18. Proposed by the Honourable Minister of Mines. The Honourable Member for Fort Garry.

MR. SHERMAN: Stand please, Mr. Speaker. (Agreed)

MR. SPEAKER: Bill 22. Proposed by the Honourable Minister of Corrections. The Honourable Member for Fort Rouge.

Bill 23. Proposed by the Honourable Minister of Agriculture. The Honourable Member for Rock Lake.

Bill 25. Proposed by the Honourable Minister of Highways. The Honourable Member for Birtle-Russell.

Bill 29. Proposed by the Honourable Attorney-General. The Honourable Member for Birtle-Russell.

BILL 34 we have already had.

The Honourable House Leader.

MR. GREEN: Mr. Speaker, just prior to moving into Supply. I understand that the Committee for Consumer Affairs' Supply has been voted by Committee for that department. The next department that would be meeting outside of the House would be the Minister of Corrections and he will start tomorrow so that for this afternoon and evening we will be only in one committee in this House.

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

MOTION presented and carried and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

SUPPLY - LABOUR

MR. CHAIRMAN: I would refer honourable members to Page 38. Resolution 75(a) the Minister's Compensation - Salary and Representation Allowance. The Honourable Minister of Labour.

MR. PAULLEY: Mr. Chairman, in introducing the Estimates for the Department of Labour, I think first of all it would be proper for me to very briefly indicate to the members of the House some of the problems that are existing at the present time in the field of labour-management and government relations. Normally I would only refer to labour-management relations but I think this year, due to a climate that is prevailing throughout the land, I must or should make reference to the position of government in the field of management labour relations. I think members will readily see that what I am getting at is: because as the result of our anti-inflation legislation passed by the Federal authority in Bill C-73, the involvement of government in normal labour-management relations, as the representative of the Government of Manitoba in the Department of Labour it is incumbent upon me to repeat or to place on the record the different situation that is prevailing this year than normally does in the field of management-labour relations.

I am sure all honourable members of the committee, Mr. Chairman, are aware of the situation with which the government has been confronted in relation to the acceptance or the rejection of the principles contained in the anti-inflation bill. We are all aware of the widespread disagreement with the major principles of the trade union movement. I suggest that a government of our political stripe and inclination has been placed in a more precarious position in many respects than any other.

I am particularly mindful, Mr. Chairman, of the position of our Leader, the Honourable Edward Schreyer, the Premier of Manitoba, because he, on behalf of

SUPPLY - LABOUR

(MR. PAULLEY cont'd) government, cabinet and caucus, had to lead us into a decision and he led us in my opinion admirably and properly into a position where we had to publicly declare support or rejection of the propositions contained in Bill C-73 in an endeavour to overcome rampant inflation that had been going on for some time and indeed is still going on to a degree today. While I am sure that my leader does not need my support to the degree of complimenting him on his stance, I want to assure members of the committee that he has my wholehearted support in the steps that he has taken and led us into taking in an endeavour, as distasteful as it may be to a large segment of the citizens and workers in Manitoba, led us into an endeavour to do what we can or at least give support to the objectives contained in the anti-inflation legislation.

We are not satisfied, of course we are not satisfied. I don't think anyone is satisfied that all of the provisions in the anti-inflation legislation are good. We are not sure, none of us are sure whether or not measures will bring about the desired levelling off of the effects of inflation. We are not sure whether or not at the present time the correct directives are being given to the basic principles contained in the legislation. We have stated, as government through Premier Schreyer, that we are prepared to give it a trial for about 18 months or about a year from now. We will make an assessment as to our position then.

In the meantime, in the meantime there is constant opposition in many quarters to the stance of the government, particularly in some segments of the labour movement. I think that it is only fitting and proper for me, Mr. Chairman, to say that I admire the stance of my leader. I think he is doing right and I also think that it is only fair for me as his Minister of Labour, so involved as I am with the everyday affairs of management and labour, to say what I have just said by way of an opening added statement on the introduction of the Estimates of the Department of Labour. It is not a comfortable position I can assure my honourable friends. But then after all is it not a fact that all of us experience from time to time being in areas that are less than comfortable.

Having said that, Mr. Chairman, may I refer to my formal statement on the introduction of the Estimates of the Department of Labour.

Once again it is my privilege to introduce the Estimates of the Department of Labour. These Estimates cover continuing departmental programs which have been considered by the Assembly in past years. Nevertheless there will undoubtedly be questions about the department's work in these long standing areas of responsibility which require our attention. I intend to comment on them. In addition to the normal Estimates of years gone by the Estimates for the coming year make provision for two programs not appearing in previous Estimates.

The first of these is the operation of a recently established Pensions Committee to administer The Pensions Benefit Act introduced last year. I trust my colleague and friend from Assiniboia will take note of the next sentence.

The second new provision concerns occupational safety, an area in which a number of departments and agencies have been active for many years but which requires in our view more effective co-ordination and strengthening and I will have more to say about these programs later.

Since the Estimates pertain to the year ahead it is natural that we should be primarily concerned with the department's future work and intention but in large measure these will be a continuation of services, policies and direction developed in past years. So I would like to review briefly what the major work of the department involves: policies which we have pursued, what has been accomplished and the problems which continue to face them.

One of the oldest responsibilities of the Labour Department has been to establish and enforce labour standards in our province. This remains a very important responsibility in the light of the fact that roughly two-thirds of the work force is unorganized, a situation that generally prevails across the country. In the past several years much has been done to improve labour standards and their effectiveness. First of all new standards have been established, existing ones up-graded and coverage extended to additional groups of employees.

SUPPLY - LABOUR

(MR. PAULLEY cont'd)

Specifically I would refer to the introduction of paid holiday legislation, reductions in standard hours of work, provision for three-week vacation periods after five years of employment, job protection during maternity leave. I might say, Mr. Chairman, that this was written prior to a recent decision of one of Her Majesty's Courts, and in saying that I mean no reflection on the judiciary. Advance notice requirements in cases of group dismissal, regular minimum wage increases and equal pay requirements. As a result of these changes, I suggest, Mr. Chairman, Manitoba's labour standards are generally among the best in Canada.

In addition through the introduction of Payment of Wages Act, strengthening the department's inspection staff, an increased effort to inform employees and employers of their rights and responsibilities under our laws, enforcement of labour standards in Manitoba have been much improved in recent years.

Generally speaking these past approaches suggest what will be pursued in the future. There will be a continuing need in front of us to assess the adequacy of existing labour standards and to act to improve upon them as new economic and social circumstances require. We should remind ourselves however that these labour standards are minimum requirements. Better wages and working conditions can be and often are established by the parties themselves particularly through collective bargaining. That is why I would say, as I have frequently said on past occasions, there is a most important challenge for unions to organize unorganized workers in the province. Since the end of the Second World War the department has been responsible for an Apprenticeship Training Program and during the last 15 years, approximately, certification of qualified chairmen, tradesmen who have not gone through apprenticeship. It is apparent from questions raised in the past in this Assembly and in other quarters that people believe this program has some inadequacies and can be improved. I believe too that there is room for improvement and in fact we are at the present time reviewing the program.

We should not lose sight however of the steps which have been taken in recent years to strengthen apprentice training. A revised Act covering both apprenticeship and trades qualifications was brought in a few years ago. A new Apprentice Advisory Board was appointed, which has since taken a very active role in expanding, modifying and strengthening this form of training. During the last several years new trades have been designated in areas and industries not previously covered to meet emerging labour market needs for skilled people. The term of apprenticeship in some trades have been shortened and in-school training expanded. Progress has been made in the granting of credit for related experience and training. The department has co-operated in special steps to increase the number of northern Manitobans in several apprentice trades. I might say incidently that we now have domiciles in northern Manitoba a member of the Apprenticeship staff. Arrangements have been made to facilitate employment of apprentices through industry committees or government agencies to supplement employment offered directly by employers. Further improvements remain to be made, building upon what has already been accomplished by these changes.

The department has also been responsible for certain areas of public safety, specifically fire prevention and building and equipment standards. These programs have also been extended and strengthened in the immediate past few years. In fact, the department has concentrated much of its work in this area, as reflected by new legislation providing for the adoption of building codes, allocation of staff, promotion of mutual aid programs among municipalities and towns in rural Manitoba: a special program to improve fire prevention and fire fighting facilities in isolated communities; appointment of a permanent fire service advisory committee, increased fire education and prevention activity. We believe that these have been proper directions to take and that progress is being made. Yet, for all of what is being done, very serious problems remain as all of us are aware. I refer particularly to the problems of fire in older buildings and to the incident of fires caused by sheer carelessness, neglect, and worst of all, deliberately set fires. As difficult as it may be to solve these

SUPPLY - LABOUR

(MR. PAULIEY cont'd) problems they will continue to command our earnest attention.

A relatively new function of the department is the work of the Women's Bureau. The staff of the Bureau is small in relation to the scope of its work and it has been careful to identify areas of need in which it can work effectively. This past year the Bureau took on additional work co-ordinating and participating in programs connected with International Women's Year. I believe that the work of the Women's Bureau is proving to be helpful to individual women and groups interested in the issues facing women. Ultimately, however, wide-scale progress in this field depends upon changing attitudes. I hope before too long that as the results of our efforts and the efforts of the Women's Bureau, I hope before too long that as the results of these efforts in equal employment, we can abolish the section of the Women's Bureau because they will have achieved their objectives in equal employment opportunities.

I do want to say in passing, Mr. Chairman, I have no intention of doing what the new government of British Columbia apparently has just done - abolished them before the end results have been obtained.

The last area of long-standing responsibility of the department I wish to mention in these introductory remarks, is the field of labour relations. And I'm sure, Mr. Chairman, that all members of the committee and of the public are fully aware of the turmoil that is existing today in the field of labour-management relations. I'm sure all will agree that it's a trying time for anyone involved, worker or management or government. And this is one of the responsibilities that we have in the Department of Labour. The turmoil in labour-management relations continues to increase here and across the country, and I suggest across the globe. Public concern continues to mount, particularly over disputes in the public service, and this was very very evident in the recent disputes in some of our hospitals, the transit, and it appears as I view the scene as of this moment, Mr. Chairman, we're in for more areas of concern in the public service.

There is no doubt that this increasing turmoil has been caused probably largely by inflation. Ironically, though not surprisingly, some of the current conflicts seem due to difficulties created by the Anti-Inflation Program, and I referred to that in my opening remarks.

I suggest, Mr. Chairman, there is no need for me to review in detail the policies the government has adopted regarding collective bargaining. Briefly we believe in the right of employees to join unions. We believe that that right should not be thwarted. We believe that collective bargaining is the best means available to employers and employees to resolve their mutual problems. We believe that collective bargaining operates most effectively without intervention by the state. The Labour Relations Act approved or adopted in 1972 by the Legislature founded on these beliefs. Mr. Chairman, as you are aware possible amendments to the Act are now under review by the Industrial Relations Committee of the Legislature through hearings, and is now being reviewed by the department internally. Whatever may be the precise nature of amendments subsequently brought before the Assembly, I can assure you that they will depart very little, if at all, from the principles that I have just mentioned as to our attitude in collective bargaining.

There is no question that there is a serious problem in labour-management relations today but despite the views held by some members of this Assembly, I do not agree that the problem can be solved by legislation. Restrictive legislation compelling ways for the parties to behave does not work in our society, Mr. Chairman, and they haven't worked in our society, and I don't think they will. It might work in specific instances where the circumstances demand extraordinary action, and that that action has wide-spread public support, but general legislative restrictions have proven not to work, and I would refer to some suggestions in some quarters that there should be a total abolition of the right to strike for a period of time, which I would reject. The best course, I believe, is voluntary action by the parties themselves. This too have I spoken about in the past and I am very well aware that it is difficult to achieve or to

SUPPLY - LABOUR

(MR. PAULLEY cont'd)have parties to a collective agreement agree to, but that does not diminish the importance of the idea.

More than ever I am convinced that it is essential that the problems between management and labour should be mutually worked out on a voluntary basis between themselves. Ways are open to labour and management to create ways of resolving disputes or minimizing damage to the public interest, but I say regretfully too often the parties are not prepared to explore them - and when I say that, Mr. Chairman, I'm referring to both management and to labour. So I appeal to them to do so, not only in the interests of the public, but in their own interests as well. Our legislation not only enables but encourages parties to take voluntary steps to resolve disputes without resorting to work stoppages.

The services and legislation of the department are important but they represent only a support and a framework for the much greater progress which can only be achieved by action on the part of employees, employers, and the general public. Our labour standards guaranteed minimum rates of pay and working conditions. These can and should be improved and bettered by employers and employees.

Our safety programs establish certain standards, and these can and will be enforced. Greater safety can be achieved if the public improves its safety practices. The future of labour relations, the practice of collective bargaining, depends greatly upon the initiative, responsibility and action by labour and management in virtually all areas of its work. No matter how beneficial the department's services may be, the efforts of employees, employers, and the public at large are fundamentally important if not of prime importance.

Mr. Chairman, with these remarks I commend to the members of the Committee, the Estimates of the Department of Labour for the next fiscal year. In recommending these Estimates to the Committee, I realize here again all that we desire will not be achieved within a year, but we in the department feel that keeping in mind the financial situation with what we are confronted with, that we have to use our dollar to its greatest advantage; the only pledge I can make as Minister of Labour is to continue the involvement of the Department of Labour in attempting to achieve the best that we can in the areas of our responsibility.

I do want to pay a great tribute to all of the members of the staff of the Department of Labour, from clerical involvement, without being derogatory of the clerical staff, to my Deputy Minister.

I particularly want, Mr. Chairman, to thank the members of the Conciliation Services of the Department of Labour. These gentlemen have gone beyond what is normally considered a normal work day. I know that in some of the involvements that we have had in recent months in strike situations that the members of the Conciliation staff have been on the job as much as 18 hours a day trying to resolve the difficulties with which we are confronted, and particularly I want to thank them.

The previous Director of Conciliation Services, Mr. Lou Plantje is now a Special Assistant and the Deputy Minister, he achieved much during his tenure of office. He was not removed because of any deficiencies on his part but because of the fact that he at least appeared to the Minister to be overworked. The new Director of Conciliation is Mr. Norman Pound, who is carrying on in the same manner of Mr. Plantje. I only mention these two by name, Mr. Chairman, because at the time of the change in the position of Mr. Plantje, a number of people threw their hands up and said, well damn it all, the Conciliation Services of the Department have gone awry. I want to say that because of the calibre, the intellect and the approach of all of the members of the Conciliation Services of the Department, they are readily interchangeable and each and every one of them performs a good job. Finally I think that it was only proper for me to refer to a political appointee of the Department of Labour and my executive assistant Mr. Arthur Wright who, too, goes beyond the normal call of duty. I'm sure that he has been of service to most, if not all, members of the committee and what I like about the young fellow, who's just a year or two older than I, what I like about him, it doesn't matter whether the subject matter involves the administration of justice, the Attorney-General's Department, the Department of Corrections or Health and Social Development,

SUPPLY - LABOUR

(MR. PAULLEY cont'd)he's ready on the job to help out people who require help and need help. So I want to pay a tribute to Arthur Wright.

Mr. Chairman, again I welcome comments, criticisms of all types and descriptions as to the operation of the Department of Labour. I am proud to continue to be the Cabinet representative in the department and present this report and the Estimates for the consideration of the committee.

MR. CHAIRMAN: Resolution 75(b) Salaries \$304,400--pass; Resolution 75(c) Other Expenditures \$111,200--pass; Resolution 76 Mechanical and Engineering, Salaries (a) \$706,400. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, the first item that I would like to confront the Minister with in consideration of his Estimates is the item which covers the mobile home situation in the provinces, which of course comes under the appropriation to which we are now addressing ourselves.

There is a serious difficulty and a serious crisis that has been created for owners and renters of recreational vehicles, mobile homes and trailers, Mr. Chairman, as a consequence of the new mobile homes regulations that come into effect on the 1st of April, and I think it's extremely important that the Minister do what he can to clarify certain areas of misunderstanding and to relieve the anxiety of many many scores of recreational vehicle dealers and mobile home dealers in the Province of Manitoba.

The situation is not one that can be delayed and in fact, Sir, had we not been moving into the Estimates of the Minister of Labour, of the Department of Labour at this time, my colleagues and I would have raised this question in another manner in the House within the very next few hours. We would have wished to do so either through question period or through the grievance procedure had it not been that we were moving precisely at this time into consideration of these Estimates. Because, as I've suggested, the situation for mobile home dealers, operators, owners and renters cannot wait until April 1st in my view and I think the anxiety that's assailing them at the moment commends itself to the Minister for his urgent attention, purely from a humanitarian standpoint if nothing else. A good many people who own and rent and use vehicles of this type are in a state of extreme concern and worry right now because of the new regulations and because of the wording of some of the advertising material that has accompanied the new regulations, and because of the workload which the Department of Labour faces if it is to carry out the letter of its own regulations.

Sir, the mobile homes dealers and associations of that kind have been in touch with the opposition, and I would think in touch with the government too, in recent days and weeks, to point out that it is almost a physical impossibility for this government to attempt to discharge the responsibilities that it has laid down in this industry in its own regulations. It is not going to be physically possible, looking at the date on which these regulations go into effect with the manpower and the form of inspectors that the department possesses, to come anywhere close even to scratching the surface of the thousands of trailers, mobile homes, and recreational vehicles of that kind which are required under the legislation, and under the regulations, to receive these new seals and stickers of safety.

Now I know that the Minister is likely to respond that it has been very clearly spelled out that as long as application is made for inspection prior to April 1st, then for a relatively minimal fee - and it's not all that minimal, but relatively minimal - the owners of such vehicles can escape the heavier penalties and that the inspections of their vehicles will be carried out at a later date, but the applications must be made before April 1st.

But the fact of the matter is this, Sir, that even allowing for that kind of an arrangement the Department of Labour to my knowledge has a total of seven inspectors available to carry out these inspections of travel trailers and mobile homes, and apparently two of them have to staff the office at all times, so only five are available for actual work and for actual assignments. They don't work on Saturdays and Sundays, Mr. Chairman, so you're looking at five available for actual working assignments during actual working hours between Monday and Friday. Now it is going to be absolutely physically impossible in the view of mobile home dealers and travel trailer dealers and

SUPPLY - LABOUR

(MR. SHERMAN cont'd) owners and renters of those types of vehicles for this government with that kind of limited manpower establishment to come anywhere close to trying to carry out the legislation and the regulations that they have laid down in months, in months, let alone within the next few weeks, but in months. The difficulty with that, Sir, is that these dealers are not going to be able to carry on the normal conduct of their business, the normal conduct of their affairs, unless they have either a Labour Department or CSA approved stickers and labels on their equipment, and as a consequence their marketing business, their merchandising business is being paralyzed.

I think that the situation is one that in its scope and its magnitude, and in the enormity of the problems of carrying out the program has descended upon the industry and descended upon Manitobans to a degree never contemplated by the Minister and by the department when they first proposed this kind of legislation. There's nobody on this side of the House that argues against roadworthiness or necessary safety standards in the area of the type of vehicle that is being considered here. But, Sir, the best intentions oftentimes lead to very difficult situations and anomalies and inequities that were never contemplated by those who drafted them. And what has happened here in my view is that the government in rushing to try to impose this new kind of atmosphere of safety in the area of mobile homes and travel trailers, has completely overlooked the facts and the mathematics of the situation; has failed to take into account the normal day-to-day, week-to-week business requirements of dealers in this industry; has failed to take into account the normal requirements and needs of persons occupying vehicles of this kind, whether they are living in them permanently or renting them for temporary purposes.

If the government had taken this kind of situation into account and had acquainted itself with the facts of the industry and the facts of the situation, I suggest to you, Sir, that they would not have imposed the deadline that they did. They would not have imposed some of the regulations that they have drafted, and more importantly they would not have suggested for one moment that the program could be carried out with the kind of establishment, the kind of staff in the inspection area that they possess.

Sir, there have been many hardships and difficulties that have ensued for operators in this industry as a result of the regulations and as a result of some of the advertising that has been placed by the department in order to publicize the deadline. What has happened in the view of many dealers is that the advertising message has scared off the normal customer trade in traffic that they rely on so heavily beginning in the month of March, in order to establish for themselves and enjoy a successful selling season. The key months of sale, the key months of market traffic in this industry are March, April, May and June. These are the months in which people who are going to be travelling, camping, using mobile homes, using vehicles of that type make their decisions to go out and rent and buy. Certainly in the other eight months of the year there is a certain sales volume in mobile homes and travel trailers, but the facts of the industry are, Sir, that the key months are March, April, May and June.

We now have virtually completed the first of those four months, which is one-quarter, 25 percent, of the key merchandising season for operators in this industry; and I submit to you, Mr. Chairman, and to the Minister through you, that many many dealers are in deep financial difficulty at the present time because of the fact that they have not had the traffic on their lots; they have not had the crowds of potential buyers coming out to view their mobile homes and similar vehicles; and they have not had even a respectable fraction of the sales volume that they normally have in the month of March, and that they count on in order to ensure them a viable business year.

One of the reasons why they have not had that traffic I submit to you, Sir, is that because of the manner in which the message of the Department of Labour has been worded and disseminated, the average buyer in the marketplace looking at this kind of vehicle has been scared off the purchase before the beginning of April. The average prospective buyer reading the advertising material has said to himself or herself, - well what the government is really saying to me here is that I should not purchase any of these vehicles until they are properly certified and labelled and the regulations come into effect on the 1st of April, and so the proper certification and labelling will take place as

SUPPLY - LABOUR

(MR. SHERMAN cont'd)of and following the 1st of April, therefore I will not move in this area and attempt to make a purchase prior to that date. Now you may suggest that that is unreasonable, but what I am saying to you, Mr. Chairman, and through you to the Minister, is that that is what has been happening.

The message has not been conveyed in the manner and form in which I believe the Minister would wish it had been conveyed. There has been this misunderstanding and as a consequence many business people, many businesses engaged in this particular industry are suffering very very gravely. And I may say, Sir, that when a business of this kind suffers, the Minister would be the first to agree that the treasury of the province suffers accordingly. The loss in sales tax, and the loss in all the other peripheral revenues that can and do accrue to a government from an industry of this kind, and from vehicles and the use of vehicles of this kind, are substantial, and I'm sure the Minister recognizes that. All this potential revenue, beginning with the most easily recognizable form the sales tax itself, is lost to the Minister when this kind of sales volume is lost, is lost to the treasury, is lost to the province when this kind of sales volume is lost. So that it's not merely the industry itself that has been losing, the people of Manitoba, and the treasury of the province have been losing.

It's been a serious economic fact of the month of March, and I would appeal to the Minister if it is possible for him to do so during the course of the consideration of these Estimates to issue some sort of clarification, or some sort of reassurance to the industry that this type of response, this type of reaction, this type of misunderstanding if you like, was certainly not intended, and that the right and the reason for buyers to purchase mobile homes and travel trailers is not affected in any way, and has not been curtailed in any way by the government's program, and that it is perfectly sensible that those wishing to purchase mobile homes for the year 1976 should go out and make their purchases in the month of March as they have always done. It's not necessary that they should wait for the 1st of April, and I hope that that point can be clarified, cleared up by the Minister for the sake of the industry in the few days remaining during March in order to relieve dealers in the industry of this severe economic pressure.

This is one of the problems related to the new regulations. There are others and I know that I have colleagues in our caucus who will be bringing some of the other problems to the attention of the Minister while we're considering this resolution, Sir. It's not my intention to go into detail on them at this juncture; but it's not my intention to move off this resolution until they have been detailed to the Minister and examined. And I will leave the few minutes remaining at this juncture, either to the Minister to respond to the point I've already raised, or to one or the other of my colleagues to present him with some of the anomalies and some of the problems that exist in other areas on this same matter.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: Well I think, Mr. Chairman, in deference to the colleagues of my honourable friend, that in the four or five minutes that I have left that I should say a word or two to sort of have a different approach and to relieve the anxiety of my honourable friend, the Member for Fort Garry. This isn't something new and no one has to wait until April 1st to have a Certificate of Roadworthiness insofar as a mobile trailer is concerned. The effect of the permit for sale comes into being on April 1st, but anyone can have or could have had an inspection as to the "roadability" - to use that term - of the trailer long before. In all due respect to the distributors they knew that this was coming not a week ago or two weeks ago but a year ago or more when legislation was passed - I believe it was in 1974 when the legislation was first passed - saying that this province on behalf of the citizens of the province and the travelling public . . .

In 1974 we brought in this legislation to upgrade the standards of mobile homes. It was passed if I recall correctly, Mr. Chairman, with the unanimous approval and endorsement of every member of the Assembly including the Member for Fort Garry. The regulations that pertained to that Act did take a little while and it wasn't until late last year after--(Interjection)--Pardon?--(Interjection)--I submitted a paper to Cabinet December 24th proposing the regulations; the date of the order-in-council I don't have precisely before me. But anyway--(Interjection)--Pardon?

SUPPLY - LABOUR

MR. SHERMAN: Filed January 16th, 1976.

MR. PAULLEY: January, yes. Well a couple of weeks after I took it to Cabinet.

The regulations were the regulations compiled with the full co-operation of the industry and the Department of Labour. They knew what were in the regulations and when the order-in-council was passed, albeit early in January, it immediately becomes public knowledge through the use of the Gazette. The department started to advertise; there was a delay I confess in getting certain parts of the advertisement ready for the paper. But don't you think, Mr. Chairman, that there's some onus on industry itself? At the time that the legislation was approved by this Assembly I received numerous comments and letters that at long last the travelling public, the purchasers of mobile homes, were going to be protected and that fly-by-night operators - and I'm not suggesting that the Member for Fort Garry is preaching a call for them - but that the fly-by-night operator could no longer sell a mobile trailer with ineffective gas equipment, ineffective electrical accoutrements and the likes of that in it. They knew it. They knew it and I know, I know that they were asleep at the job because they didn't pay any attention. Mr. Chairman, I'll discuss that - I note the Speaker is ready to come in - I'll discuss what they've got on their lots now. I disclaim and I reject completely the contention of the Honourable the Member for Fort Garry that the department is incompetent to inspect the units and I have documentation to that effect.

MR. CHAIRMAN: Order please. The hour being 4:30 I'm interrupting the proceedings of the Committee for Private Members' Hour and shall return to the Chair at 8 p.m. this evening.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: Order please. As I enter Private Members' Hour, the first item is bills. Bill No. 32, the Honourable Member for Radisson.

PRIVATE BILLS - SECOND READINGSBILL NO. 32 - AN ACT TO AMEND AN ACT TO INCORPORATE
TRI-STATE MORTGAGE CORPORATION

MR. HARRY SHAFRANSKY (Radisson) presented Bill No. 32, an Act to amend an Act to Incorporate Tri-State Mortgage Corporation, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Mr. Speaker, this bill deals primarily with only two points. One is a change of name from the present Tri-State Mortgage Corporation to Heller-Natofin (Western) Ltd. Secondly, to allow for the meetings of the shareholders of the company to be held within or outside of Manitoba. The solicitor for the company will be available when the bill goes to committee, Private Bills Committee.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. CRAIK: One question, Mr. Speaker, with regards to the member's last comment. By holding their meetings outside the Province of Manitoba, does this mean we lose another head office from Manitoba?

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: No, it's simply that the company was purchased by one I believe in Alberta and the old bill allowed it to have meetings here in Manitoba only. So this is an allowance for them to hold it outside or in Manitoba.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I move, seconded by the Honourable Member for Sturgeon Creek, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 21, proposed by the Honourable Member for Fort Rouge. The Honourable Member for St. Matthews.

MR. WALLY JOHANNSON (St. Matthews): Stand, Mr. Speaker. (Agreed)

PUBLIC BILLS - SECOND READINGSBILL NO. 31 - AN ACT TO AMEND THE OAKWOOD
WAR MEMORIAL SCHOLARSHIP ACT

MR. SPEAKER: Bill No. 31, proposed by the Honourable Member for Arthur. The Honourable Member for St. Vital.

MR. D. JAMES WALDING (St. Vital): I've had the opportunity to look over the Act and see no reason to prevent it from going to Committee.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I know that the Honourable Member for Ste. Rose is not here and he had only been recognized. I wonder, with the indulgence of honourable members, whether we could take his name off in case the debate does not finish. If it finishes, of course he will not have an opportunity to speak. But if it's not voted on today then I would see no objection to the honourable member having an opportunity to speak if the debate comes up and he is in the House. (Agreed)

PRIVATE MEMBERS' RESOLUTIONS - RESOLUTION NO. 1

MR. SPEAKER: The motion is open. The Honourable Member for Morris.

MR. WARNER H. JORGENSON (Morris): Well, Mr. Speaker, the motion that is before the House is designed to encourage the Provincial Government to acquire whatever right-of-way is abandoned by the railways. I think if I recall the debate that occurred the last time this resolution was before the House, there seemed to be an impression in the minds of honourable gentlemen opposite that what was being suggested was that the

RESOLUTION 1

(MR. JORGENSEN cont'd) Provincial Government procure that land. I don't think that was the intention of the Member for Lakeside and it certainly isn't my intention because I think that land, if it's going to be abandoned by the railway, should simply be turned over to the Provincial Government - and that is really what my honourable friend, the Member for Lakeside, was suggesting - to be used as corridors to assist in rapid transit systems that could be used.

In the light of energy problems that we seem to be facing and undoubtedly will be facing in the future, the increase in the cost of gasoline, I think one can safely assume that more and more people are going to be turning from the traditional means of transportation, which is the automobile today, into greater use of public transit systems in order to communicate. I think that's a fair observation. I think it's something that we can anticipate in the future and I think it is something that we should be preparing for in the future.

During the last few years one has detected a decided tendency on the part of a good many people for various reasons, not only the question of transportation but for various reasons, people are now locating in communities, in towns within a 50-mile radius of the City of Winnipeg. I think that that particular trend will accelerate and when it does then it's going to become necessary to provide the means of transportation that these people will require in communicating back and forth between these communities and the City of Winnipeg. I say the City of Winnipeg or whatever centre that they will be communicating to. It could be Brandon and who knows there may be other centres that will be developing as a result of the economic situations that are being forced upon many people as a result of the price of fuel.

So in acquiring right-of-ways the Provincial Government is at least giving recognition to the trend that will be developing and giving some indication that they're prepared to meet the challenge that faces them in providing the kind of communications, the kind of transportation that is going to be necessary. In many cases the railways that are to be abandoned, well I would say that perhaps in every case, it's a case of abandoning railway lines that are not of the higher gauge railways. It's the smaller gauge tracks that are being abandoned for several reasons, largely because of the change in the method of transportation of grain. It's now shifted to the hopper cars with greater increased capacity and therefore the requirement of heavier gauge railways. It places a burden on the municipalities and an additional burden on the province in attempting to provide the road transportation that is necessary in order to accommodate the longer distance hauls that will be required from the farm gate to elevator locations.

The construction of the elevator at Elm Creek is an example of what we can anticipate to find in future elevator construction. Where it will be possible, meeting the requirements of the changed regulations in grading standards, where it will be possible for that type of elevator to receive grain, to clean and to load all at the same time. This facilitates the movement of grain to the Lakehead and to the ports so that fewer of these elevators will be necessary in order to accommodate the volume of grain that is moved from the prairies to the ports of loading. Well, if there are to be fewer such elevators then it follows that they will be spaced at longer intervals and that being the case, it will mean that farmers will be hauling their grain longer distances and with the advent of the larger means of transportation in hauling grain, it places a greater burden on the present highway facilities.

If the government is to endeavour to maintain highways in such a way that it will accommodate these increased loads then improved methods of construction have to be found in order to ensure that provincial roads will meet the standards that are required to accommodate that increased volume of traffic and increased weight of traffic. One alternative to that, Sir, is the possibility that some of these lines can be used by local organizations to transport grain to the larger centres. It isn't inconceivable that additional connecting links might be built in order to enable grain to be transported to the larger centres by the use of some of the abandoned lines that are contemplated in the body of this resolution.

So, Sir, one can see the need for the government to do some forward thinking in

RESOLUTION 1

(MR. JORGENSEN cont'd) planning for what I believe to be the inevitable abandonment of some of our railway lines. I don't think that it's necessary that the abandonment take place to the extent that has been proposed by either of the two railways. I think also that some of the suggestions that are currently coming out of the hearings that are being held with respect to railway line abandonment in the Hall Commission, bear the seed of ideas that can be incorporated into a railway system that can be developed without the necessity of abandoning lines on the wholesale scale as has been contemplated.

One of the interesting suggestions that came out of the Hall Commission hearings up to this point is the - and I think it has been mentioned before in this debate - the possibility of governments owning the roadbed. It would not be a departure from what is currently taking place in our airlines, where the governments own the terminal buildings and the facilities, or in the case of highways which are maintained by the government and licenses and fees are extracted from the users - perhaps not in proportion to what it costs to maintain these roads but nonetheless users do pay to a large extent for the highways that are provided for them. The ports that accommodate our shipping are also to a large extent owned by governments who provide the accommodation for them. It is not inconceivable, nor is it beyond the stretch of the imagination that this could happen with railways as well.

The two major railway lines or whatever other lines may want to compete then would simply pay a rental on the railways and use whatever lines are available to them rather than the adhering strictly to the lines that bear their particular name at the present time. It seems to me that if we are to, and I hate to use the word "rationalize" in terms of railway usage because almost invariably rationalization of railway means the reduction in the number of lines or the abandonment of railway lines. But for lack of a better word I would suggest that the rationalization of the railway system in this country is long overdue.

I hate to suggest that the corridors that have been used in the past by the railways should simply be abandoned and not be contemplated for use as transportation corridors which I believe will be required as the movement from urban populations to some of the smaller communities takes place. It does seem to me that if the trend of the past few years is any indication of what we can anticipate in the future then that trend will be accelerated and we can expect that more and more people are going to be living in the communities surrounding the larger centres and will be more likely to want to commute to those larger centres by means of public transportation rather than by the use of the automobile as it is at the present time.

So it was for these reasons, Sir, that the Member for Lakeside suggested that as a topic for discussion in this House that the resolution be put forward and we hope that the members on the government side will see fit to adopt it in that spirit and to debate it in terms of what our anticipated future requirements may be in the way of public transportation systems. We believe that they will be necessary; we believe that before the lines are abandoned and returned to their original use that it would be prudent and wise to maintain them for future generations and for future transportation needs.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, I wanted to add a few words in the debate on this resolution. I think it is one that is very timely because the hearings that are proceeding at this point with regards to rail line abandonment and I note with some interest that there have been other organizations advocating the same sort of thing as is being presented in this resolution. That is the retention of the abandoned lines where abandonment does take place, retention of them for future use as public transportation corridors.

Mr. Speaker, it isn't as if these lines or ribbons are running helter skelter across the country as they would appear when you are looking at it from a map point of view without looking at what it services along the way. The railways traditionally were built on the basis of taking the shortest route between two points, A and B, and taking a straight line to do it with, without regard to following the orthogonal pattern of east and west, north and south. As a result they have been a hazard in many areas where they cut across vast farming areas at angles that don't adapt themselves well to the normal

RESOLUTION 1

(MR. CRAIK cont'd) pattern of the section of land or the quarter section and so on that is built on the grid system. This has been a hazard historically but doesn't necessarily mean that it has to be in the future because as is being proposed in the resolution, there is an opportunity here to have these lands revert back to agricultural purposes for a period of time that very likely is in the decades and very likely may be 30, 40, 50 years in the future when the option is still open to have them used for purposes of public transportation. In the meantime of course they can go back to normal agricultural use because there is no point in leaving the steel and the ties and the other facilities that are there at the present time.

As a matter of fact it's at the point where the steel itself that would be taken up from these lines would have a fair sized economic value and it's not very difficult in most cases for the landscaping to work itself back into agricultural lands nevertheless still retaining the basic embankments and so on that have been created, if in time there is another use. So, Mr. Speaker, if you look at the pattern of development from a physical point of view they do radiate out from the urban areas much like the spokes on a wheel and in fact in many cases are much more direct transportation corridors than the highway system that has followed. In many cases the highways have followed the rail lines but generally the rail lines go directly from the major centres out into other centres that are sprinkled along the rail line because they established themselves after the rail line was put through and have naturally remained as growth centres throughout the province.

Now who owns the land from here on in is really secondary as to whether it is the province or whether it is the Federal Government. It would appear that it naturally should be the province because other Crown lands within the borders of the province belong to the Crown, the right of the province or whatever the correct terminology is. So this ostensibly should be the same way.

There seems to be some apprehension on the part of the government here in their wording of their amendment to the motion that it is more important to put onus of responsibility on the Crown to make sure that they are tied down to development of all future transportation links. Again, Mr. Speaker, I think it is really irrelevant to have added that because what we are looking at is something that is going to take place decades from now and not in the lifetime of most members of this Chamber. What we have by way of a constitutional structure at that time of course is open to great speculation.

We may have in fact on these transportation corridors developments such as monorails and so on that are now being used in other areas. Unfortunately we don't have one of these rail lines that presently travels all the way to Southern Indian Lake so we presumably aren't going to have a monorail to Southern Indian Lake to accommodate the recommendations of the former leader of the Liberal Party. But I am sure that we could get part way there, Sir. We could probably get the first hundred miles or so in that direction if we could retain these until the point in time when the monorails become effective. If, as a matter of fact that ever did happen, if the monorails for instance were used which are an elevated structure high above the drifting snows in Manitoba winters then probably most of the land would still remain for agricultural use and of course there will be a rental value that would come back to the province by virtue of renting back the lands to the people who want to use them in the interim period and possibly even after they are developed in the future.

Undoubtedly there will be a problem during the construction period but it would be much less of a problem if the Crown retains title to the lands than if it were to go in and attempt to purchase the lands much in the same use and pattern as that that is required by either a pipeline or a hydro line. In referring to them, I think it is common usage and practice for hydro lines and for pipelines to acquire property over which their lines travel and in the interim period of course they revert right back to agricultural use after the construction is finished. Well this is basically the same proposition, Mr. Speaker.

We are just saying that the transportation links that now exist in the province, the original transportation links set up by the rail lines have established basically the growth centres that are likely to grow in the future as major centres and therefore should

RESOLUTION 1

(MR. CRAIK cont'd) be retained in the event that some new transportation mode is required through changes imposed by re-uses of energy, new energy conservation measures and so on. So our purpose here, Mr. Speaker, is to bring to a head at an early stage of the game a move that might be made soon enough, before these lands are sold off or allowed to revert back to other ownership, that may cut off the option that would be of value to society in general in the future.

I want to mention here while speaking, that the Branch Lines Association of Manitoba have just recently presented a brief to the Commission that is sitting, the Hall Commission, which we are all well aware of since we get mail on it every week as members of the Legislature. Their recommendation or one of the recommendations of the Branch Lines Association of Manitoba to the Hall Commission is that in lieu of subsidies on roadbeds that there be a move to acquire the existing roadbeds without having to start at scratch at a later date and to retain them as public ownership for the purposes which we have been trying to propose in this debate. There have been other suggestions of course along the way by consultants who have also recommended this type of a move. In the Province of Alberta moves have been made of this nature to have the old roadbeds revert back to Crown land and held for future use again for the very practical reason that these strips and ribbons of Crown land tie in the major centres in any province that developed in the railroad era and of course all of them did with the exception of Ontario and Quebec which are more closely tied to some other modes of transportation preceding the railways. But in the western provinces, and I would assume even in the east, again the railroad tie-ins are extremely important.

I am not aware fully of what the amendment - I don't think it entirely changes the resolution. I think it is an unfortunate amendment that the Minister of Industry and Commerce felt compelled to bring in. It seems that when we present a resolution the "knee-jerk" reaction of the government is to immediately bring in an amendment to it regardless of whether they like the resolution or not. The first motion is general enough that it would have given the government plenty of latitude to consider the advisability of studying further the feasibility of acquiring these roadbeds by one means or another and retain them as provincial Crown land for future purposes. So, Mr. Speaker, with those comments we trust that this main motion will recommend itself to the House.

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

MR. GEORGE MINAKER (St. James): Thank you very much, Mr. Speaker. I would like to as well add a few comments on this particular resolution that our honourable colleague from Lakeside presented to the House for consideration. I can see from the amendment before us that some of the comments that were forthcoming from our side have at least convinced some of the members' side that it might be a useful approach to use of these particular railway lines that have been abandoned. I know when the Honourable Minister of Labour first stood up with regards to this resolution one thought that the resolution was one put forward to bail out the railways. But I now believe, from the amendment before us, that at least the government or the majority of the government members now realize that possibly what is being put forward might make good sense and be worthwhile to review and possibly make government policy.

Much of the debate has been related to the use of the corridors as transportation corridors but I believe another use that could be made by these abandoned railway corridors would be such things as transportation of energy in terms of use as hydro lines possibly and also as communication lines that are already cleared through our terrains not only in the more southern parts of the province but possibly when we get into the more northern regions that they could be used for communication and power as well as possible pipeline corridors. The use is really unknown at this time but the fact remains that there is trails cut through our prairies and through our northwest corners and north-east corners where they might be abandoned.

So then the question comes up: what will be the cost to either acquire these lands or to maintain them as openings through bush and through prairies and so forth. I think that there is an onus on the Federal Government as well as the railway lines to assist in some way to looking after part of the maintenance costs. Because if these

RESOLUTION 1

(MR. MINAKER cont'd) lines are abandoned they will have an effect on the environment. Obviously we can't just leave them there in big mounds or uncut for weeds to grow and so forth so that there will have to be some restoration done when they are abandoned. I think that if it was looked at economically with the people involved, both the Federal Government and in the railway lines that the cost that they might reclaim from dismantling and selling the steel I don't think would cover the cost of tearing it down and cleaning it up. I'm sure there could be some arrangements made with these bodies that the land might not even have to be purchased, and I would hope that it wouldn't, that it would be turned over to the Crown with the idea in mind that some arrangements could be made with regard to maintenance, ongoing maintenance costs, that we the taxpayers of Manitoba wouldn't be burdened with this cost.

Also it was mentioned by one of the honourable members that the lines could possibly be used by local people to transport some of their products - their talk was grain, but I can see also such products as sugar beets, and so forth - that if there are private people, farmers or private use of the lines, that they in turn could pay for part of the maintenance costs to maintain the roadbed or the right-of-way clear of weeds, and so forth.

Mr. Speaker, one of the things when I was on City Council, on the Unicity Council, that came to light was in some of the more populated centres like in Toronto and that, that they were reviewing different methods of disposing of garbage or waste and one of the plans that was looked at even by our own council was a plan where possibly, because of the high costs of labour and transportation costs in collecting the garbage at scattered points, that they looked at the feasibility of centralizing collection points and then taking it by rail outside the city. So that even this type of use of abandoned corridors could come to light, not in all of them but obviously and possibly the odd one here and there. So that you don't know what or how we will make use of these corridors in the future. It's not just transportation, it's a fact that there is a corridor that has been opened up and has been kept open, and I think it would be wrong in our overall planning to just assume that you know, we're only going to use them for transportation, because obviously they have other uses, and again, they might even be able to be used as roadbeds.

The whole idea that I see behind this resolution is the fact that there is a public corridor here. When I say public it's a corridor that could be turned into a public corridor, and it only makes common sense that it be turned over to the Crown for its operation and say in what happens to it. And I would hope that it would be turned over to the provinces rather than say to a federal agency, I don't particularly favour a federal agency having the control and say of right-of-ways running north and south. I can see their justification possibly for having some control in, say, of east-west corridors where there is sort of a general tie-in between provinces. But I would hate to see that a federal agency would get control and considerable say in transportation or other public corridors that run north and south within our provinces. So that I think it makes sense that the province would have the ownership of this particular land to make use of it within its own boundaries.

So, Mr. Speaker, I know that this has been fairly well debated, but I wanted to add a few comments at this time with regard to this particular resolution. I think also that, as I had indicated earlier, that part of the maintenance cost could be paid for in the charges for the use of this right-of-way, and also I think too that in the areas where it goes through our prairie regions that probably haying rights could be allotted to various farmers, so that part of this maintenance I think would be volunteered or paid for right from the use of the land itself. There is nothing, as I think the Honourable Leader of the Opposition indicated, stopping the part of the right-of-way being used as farm land and turned into grain fields. But I think it's important that this right-of-way be maintained for public use so that we can at some future time if we are faced with a rapid transit problem, or we're looking for a line to put a right-of-way for a pipeline, or for transporting energy of some sort whether it be hydro lines, or something, it's there, it's available, and we can use them for their common use.

I know that the highway right-of-ways at the present time are utilized in this

RESOLUTION 1

(MR. MINAKER cont'd) manner in many cases. But quite often some of these abandoned railway lines will not parallel highways, so that we have other corridors that are now open tying possibly other public corridors.

So I think it's important that we look at this, and also with the regard to conservation of energy, that I can visualize where by the use, by private use, by farmers, or other producers, agricultural producers that these railway lines could be used to centralize collection of the product and carry it to a more central location for handling, and thus saving in the cost and use of energy, rather than have individual trucks going the distance you would now have maybe eight or nine cars being pulled by one vehicle. So that again this is another way that these public corridors could be utilized to conserve energy, also to make a more efficient use of manpower and presumably lower the cost of production of the goods.

So I think it's important that the government support the resolution put forward by the Honourable Member from Lakeside. I think, as indicated earlier, when one acquires land it doesn't mean that they necessarily purchase it, and it was not the intention, my understanding in talking with the honourable member, that the government would go out and purchase lands, that the objective is to get the land turned over to the Crown, and hopefully at no cost to the Crown, and hopefully that the maintenance cost that might evolve would be shared by other government agencies or railway lines, and some arrangements worked out.

With those few remarks, Mr. Speaker, I thank the House for their attention.

MR. SPEAKER: The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Thanks, Mr. Speaker. In rising to speak on this resolution I know you're talking about the roadbed, but I wouldn't want my remarks to be confused so as you would have the impression that I was thinking that these rail lines should be abandoned. Because with the energy crisis that we're facing, the price of gasoline going up, and we don't know how high it's going up before it quits, we certainly don't want to, at least I certainly don't want to create the impression that I mind accepting the fact that the railways can abandon these lines now and that the farmers have to truck grain much longer distances.

I'm not foolish enough to think that times haven't changed and that farmers can truck their grain further, but I'm also sensible enough to know that it costs money to do this. And you can have large trucks out on the road trucking this grain greater distances and they'll get it done, but the farmer's going to find out that he has to pay the truck about \$100 or else he has to own a great big truck that's going to cost \$5,000 or \$6,000.00. If he has tire that goes flat he won't even be able to change it himself because these tires can't be changed by an ordinary man. If he has any trouble with any of the transmissions or the rear end he'll be spending \$1,000 before he knows it.

So even though we can truck the grain further, that doesn't say that it's a . . . but what it's a great expense to the farmer to do it. I know it's a great convenience to the people when they can take whatever truck they have, or whatever trailer they might have right at their own farm, hook it behind their tractor and slip their grain into town.

I realize that the railways have not been getting too good a freight rate because they're tied to the Crow's Nest Pass rate, which probably isn't very realistic today, but at the same time it doesn't say but what it is still the cheapest way of moving grain. Maybe it should be paid to the railways in a different or some other way. But I am not in favour of the railways being abandoned at this time and people thinking they can move their grain with large trucks and that.

I also know that it's going to create an awful lot more traffic on the road and more accidents and more expense. So in speaking about the bed of the railway, or the right-of-way I should call it, I certainly wouldn't want anybody to be confused to think that I was giving up the idea of fighting for the railways to remain in place as they are. I would say that if these railways were being built now that we'd say, well we'll have less railways and elevators will be further apart. But where you have reasonably good lines that are in place and you have reasonably good elevators that'll give service for years and years, there's no doubt in my mind but what they should stay.

RESOLUTION 1

(MR. HENDERSON cont'd)

Now in talking about the roadbed, I think it probably would be a good thing for the province to try to get the right or to get back the roadbed because as time goes on we don't know but what in many cases there might be another highway there travelling - like in my area I know there's a railway running parallel to the highway for a long piece - and it could be in future years that they might say, well we'll put in two roads here and this will be a lot better, because there's no doubt in the world that there's going to be more and more travelling done in the next few years unless we run out of gas altogether, and I can't hardly see this happening. I think by that time probably there'll be some other - --(Interjection)-- we'll find something else that will keep our cars and trucks on the road, at least we hope we do.

But in talking about the roadbed, it could be handled in several different ways and it would depend on where it was and the type of condition it's in. In some cases the province might be wise to try leaving the tracks in there, so that if there was people at the other end that might want to use it on their own, that they could do it maybe with a different type of a tractor or an engine pulling a great number of cars. Because I'm thinking of a point today where they're having a hearing at Snowflake and it's only about 12 miles from the other town but it takes in a valley, there's a valley as you come into La Riviere and it's quite steep there, so you have to have trucks that are in pretty good condition to handle that and it makes it harder.

The railway runs further, it runs over to the Town of Pilot Mound but it runs on flat land and you don't have that problem; and it could be that that rail line which goes through the Purves area, too, before it gets to Pilot Mound, that that would be by far the cheapest way to move that grain from the Town of Snowflake to where it may be moved to the coast, or wherever it's sold.

There's also other spots where we realize there's what you call a spur out from the railway, where they back in and just take the cars out. In some cases like this it may be wise to do different things, and in those cases I wouldn't like to see the roadbed kept necessarily because I think in those kind of cases where it looks like as if there'd be nothing done, that that land should be given - the farmers in that area should be given the opportunity to be able to purchase that land or to at least lease it from whoever gets it, so that they can farm it through. In that case where a farmer has, shall we say, a railway track angling across his farm from one corner to the other, he could level out the roadbed and farm straight through and it would make his farm much better. In those cases that would be a mighty good thing.

So I think it would depend in all cases as to what the roadbed was like and to what service it could be put. However, I think that this land will probably be very cheap if the railways do quit running and that it would be a wonderful time for the province to get a hold of it, so if they are going to do anything different in the way of transportation with more highways or that, they won't have to expropriate for roads.

Also, many of these roadbeds are, as was said earlier, they are running more direct than what the mile roads are, because the mile roads more or less take the square all the time and they're longer. In the case of the railway they cut right from one point to the other and it would furnish you with a shorter road maybe in time to come.

So, I'd just like to make the point that I'm certainly not in favour of advocating rail line abandonment at this time. There might be the odd exceptional case where we can have it. I don't believe that if we were building a track now and these elevators, I know we'd be wise to space them out further. But the railway tracks are there and the elevator is there and all we have to do is maintain them. So I just hope that we don't lose the railway tracks in the next while.

Probably it's a good thing to talk about this resolution, this thing before it does come up, because something will be done and if the people know how we feel about it, it might make a difference to the way the Provincial Government, no matter who it is, might act at that time. I think that it would be a good bit of insurance if they could talk about it this way so that if there's any other use that the roadbed could be put to we'll at least own them.

RESOLUTION 1

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR (Virden): Mr. Speaker, I would just like a few words. Probably I could say 50-50 in some thoughts I'm with the resolution, in many other areas I'm not. But I think I represent an area in western Manitoba that is rather unique. I have four branch lines with dead ends right within my constituency, and I'm like the Honourable Member from Pembina, I certainly am not going to concede in any way, shape or form that at least three of those four should be abandoned. And I think I know those lines well. I drive down the highways beside them and many many miles of that is within eyesight of a hardtop or a good provincial road. So in that respect I do not see the weight in this resolution, because surely we don't want to see the one line south of Virden - there's been not a train over it for several years, the steel is there, the ties are there, and that's an eyesore, that's in no way contributing to a better government or an economy. I would think it would be much better if that land was levelled off, get it into production, get it paying its way, getting it on the municipal tax roll in the proper form, it would save everybody money by those chunks of land. But if there are places where there is a need, because I don't really see once they're abandoned ever being used from a rail point of view, and if they look at those in most of our areas, there's ravines that are now wooded trestles that allows the train to go over, but no way would that accommodate a truck, if we are talking of the rather large trucks.

So I would just like to certainly in no way leave the feeling that we are expecting rail abandonment. We are fighting it out there in western Manitoba in that particular area, which is served reasonably well by hardtopped highways over both this government and the last one, and so the only thought I have is the odd one maybe will be abandoned, but the right-of-ways in western Manitoba I can't see, and in talking to many farmers and rural people they feel the same, that if indeed there is a rail abandonment, they can't really see, and they see it the same as I do, there are highways along the side, close to it, that will accommodate any amount of trucks. They will need to be upgraded no doubt and it will cost the treasury, the people, a lot more money. So hopefully there is no railroad abandonment, but if it is I believe in getting it into the farm because there are farms that are chopped up, beautifully chopped up with railroads, and if that's levelled out it just makes that field more economical to work, more bucks for that farmer and he can pay a little more taxes. Thank you.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. There's been a few words said about rail abandonment on this theme, so I would like to take a little different tack and talk about the amendment that was introduced by the Honourable Member for Brandon East, where he has changed the import of the resolution somewhat significantly, because he has brought into it an aspect that causes me some concern, and that is the aspect where he has brought in only such lines as are deemed necessary. This creates a little concern in my mind because I want to know who it is that's going to make the decision on which ones are deemed necessary. We have been carrying on a fight in western Canada for the last 15 years with the Federal Government on which lines are deemed necessary and which ones aren't. And now we find the Minister of Industry is going to agree with this resolution to some degree but only to take over for provincial use such lines as are deemed necessary. And I would imagine here that he is talking on behalf of the government of the province, the lines that the government of this province deem necessary. And when he talks this way I begin to wonder why he would only want some of them, and in fact if there's some that he doesn't want, why he would tell us right now that, no he doesn't want these, or why would he want some of them.

I suggest to you, Sir, that the Minister is having a little problem with the Federal Government at the present time, and in fact I understand he's even possibly threatening the Federal Government with a lawsuit. Now if he's just going to take some of these lines which are presently under federal jurisdiction, I think he may be compounding the problems that he already has with the Federal Government. Unless he wants to take just some of them and use them as a tool to play around in his little game of chess that he carries on periodically with the federal boys. So that I don't think that

RESOLUTION 1

(MR. GRAHAM cont'd) that attitude would be conducive to good conduct in the Province of Manitoba.

I think this resolution should be treated seriously. There is a concern, other provinces have expressed their views on it and I think that we in Manitoba should look well to the future and probably a little move at this time would augur well for the future, and I'm talking here in 10, 20, 30 and even 40 years from now. But when the Minister of Industry and Commerce and Transportation only wants to take part of it, then I want to know what he would intend to do with those that he didn't want. He never told us in debate what he planned to do with that. Maybe it would just be forgotten, and then again he may have some other ideas.

So when some other members on the other side of the House stand up I would hope that before they speak on this, and I understand it will be coming up in approximately two weeks again, I hope that we will get answers to those questions, that the lines that the Minister does not want, I would hope he would tell us what he plans to do with them at that time.

Now, Mr. Speaker, I realize that it's almost 5:30 so that I would hope that when this comes up again we will get the answers to some of those questions.

MR. SPEAKER: Is it the pleasure of the House? In that case if the honourable member is finished speaking and it's 5:30. Very well, I'll call it 5:30. I am now going to leave the Chair and the House will resume in Committee of Supply with the Deputy Speaker in the Chair.