

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 27 May, 1980

Time — 2:00 p.m.

**OPENING PRAYER** by Mr. Speaker.

**MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell):** Presenting Petitions . . . Reading and Receiving Petitions . . .

## PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

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

I move, seconded by the Honourable Member for Dauphin, report of Committee be received.

**MOTION presented and carried.**

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

**MR. WARREN STEEN:** Mr. Speaker, I beg to present the Fourth Report of the Committee on Economic Development.

**MR. CLERK:** Your Committee met on Tuesday, May 27, 1980, and examined the Annual Report of the Manitoba Development Corporation for the year ended March 31, 1979. Mr. H. J. Jones, Chairman and General Manager, presented general information respecting the affairs of the Corporation.

Your Committee also examined the Annual Report of the Manitoba Forestry Resources Ltd., for the year ended September 30, 1979. Mr. Leifur Hallgrimson, Chairman and Chief Executive Officer, provided information as was required by the members.

Having received all information desired by members of the Committee, the reports were adopted.

**MR. STEEN:** Mr. Speaker, I move, seconded by the Honourable Member for Virden, that the report of Committee be received.

**MOTION presented and carried.**

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

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

**HON. STERLING R. LYON (Charleswood):** Mr. Speaker, I expect to have momentarily a situation report on the fire emergency in Manitoba, which will be distributed when it's received.

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

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

**MR. WILSON PARASIUK:** Mr. Speaker, pursuant to Rule 27 . . .

**MR. SPEAKER:** Order, order please. I believe we've had consensus amongst members that matters of that nature be raised after the question period.

## INTRODUCTION OF GUESTS

**MR. SPEAKER:** At this particular time, I should like to draw the honourable members' attention to my loge on the left, where we have Mr. Ed Broadbent, Member of Parliament for Oshawa, Leader of the Federal New Democratic Party. On behalf of all honourable members, we welcome you here this afternoon.

I should like to draw the honourable members' attention to the gallery where we have 28 students of Grade 10 standing from Fisher Branch Collegiate, under the direction of Mr. Dan Bonna. This school is in the constituency of the Honourable Member for St. George.

We have 75 students from Meadows School under the direction of Mrs. Solomon. This school is in the constituency of the Honourable Minister without Portfolio, the Member for Brandon West.

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

## ORAL QUESTIONS

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

**MR. HOWARD PAWLEY (Selkirk):** Mr. Speaker, my question is to the First Minister. Can the First Minister confirm that he has received an invitation from the Prime Minister to attend a federal-provincial conference dealing with the Constitution, such conference scheduled for June the 9th?

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

**MR. LYON:** Mr. Speaker, I can't confirm that I have had any correspondence to that effect. I have had discussions, as most of the Premiers of Canada have, with the Minister of Justice concerning a possible date, as early as the 9th of June. As and when I get any confirmation by telex or letter I will let the House and my honourable friend know.

**MR. PAWLEY:** By way of further supplementary, can the First Minister indicate whether or not he has received advice from the Prime Minister whether such a conference would deal only with timetable matters or whether it will be dealing with substantial items?

**MR. LYON:** Mr. Speaker, the only indication we have had thus far, by way of preliminary discussion, as I have indicated with the Minister of Justice, is that it would be proposed to be a meeting of the 11

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First Ministers which could deal with certain of the basic principles in a general way before committees of Cabinet Ministers were then given specific and prescribed work to continue upon.

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

**MR. SIDNEY GREEN:** Mr. Speaker, I'd like to address a question to the Honourable Minister of Natural Resources. I would like the Minister to advise the House as to whether the Lake Winnipeg Management Board has been meeting or has been convened to deal with the question of whether Lake Winnipeg Regulation is being administered on a multidiscipline basis with due regard to the position of the communities at Cross Lake as well as Hydro needs.

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

**HON. A. BRIAN RANSOM (Souris-Killarney):** Mr. Speaker, I'll take the question as notice.

**MR. GREEN:** Mr. Speaker, in view of the fact that the Cross Lake community appears to be cut off from transportation and appears also to have very low water conditions, and I want to emphasize that I am not critical of this, it is one of the features of the regulation program, but in view of the fact that these features are present and appear to be governed solely by Hydro; and in view of the fact that one of the reasons for the Lake Winnipeg Management Board was to see to it that interests other than Hydro needs are taken into account when Lake Winnipeg is being regulated, does the Minister not feel that the board should be consulted on this particular point?

**MR. RANSOM:** Mr. Speaker, I said I would take the question as notice.

**MR. SPEAKER:** The Honourable Member for Inkster with a final supplementary.

**MR. GREEN:** Yes, Mr. Speaker, can we assume from the Minister that neither he nor the Minister responsible for hydro development have, up until this point, either convened, heard from or made any requisitions with regard to consultations from the Lake Winnipeg Management Board on this very serious question to the community?

**MR. SPEAKER:** Order please. Questions of assumption are hardly proper for this particular time in the Assembly.

Would the Honourable Member for Inkster care to rephrase?

**MR. GREEN:** Thank you for your guidance, Mr. Speaker. Will the Minister advise whether he or the Minister responsible for hydro has either requisitioned, consulted or otherwise had some contact with the Lake Winnipeg Management Board on this very important question to the community concerned?

**MR. RANSOM:** Mr. Speaker, I have not been in touch with that management board. I've agreed to take under advisement the question as to what sort of consideration has been given to the control and management of the water in Lake Winnipeg. I'm quite aware that my staff and the staff in Manitoba Hydro are familiar with the sorts of problems that might arise from the management of that water; I said I would take the question as notice, and I will report when I have an answer, Mr. Speaker.

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

**MRS. JUNE WESTBURY:** Thank you, Mr. Speaker. My question is to the Honourable Minister of Health. Would the Minister advise the House whether any medical records in any hospitals have been made available to non-medical personnel, specifically home economists or any other members of his department, on the basis of the fact that they are Department of Health employees?

**HON. L. R. (Bud) SHERMAN (Fort Garry):** Mr. Speaker, I'll have to take that question as notice.

**MRS. WESTBURY:** Mr. Speaker, would the Minister advise the House whether provincial venereal disease reports are in fact dependent upon the mails, thereby lengthening the time that action can be taken on the carriers to keep the contact list at the briefest possible point?

**MR. SHERMAN:** Mr. Speaker, it depends on how the honourable member spells the word 'mails'. The fact of the matter is though, Sir, that it's another question that I'll have to take as notice.

**MR. SPEAKER:** The Honourable Member for Fort Rouge with a final supplementary.

**MRS. WESTBURY:** I meant the post. Mr. Speaker, will the Minister advise whether it is correct that public health officials were never involved in the MacGregor spill during the entire investigation of that incident?

**MR. RANSOM:** No, I can't confirm that, Mr. Speaker. I think that's a misrepresentation of what actually took place with respect to the health input in the MacGregor area. Certainly the primary responsibility for environmental health rests with the section of the administration which comes under the Minister of the Environment, but we have community health input from physicians and medical personnel in regions and communities that was certainly available.

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

**MR. PARASIUK:** Mr. Speaker, my question is directed to the Minister of Health. In view of public statements by many expert health administrators in Manitoba that they cannot operate within the arbitrary 8 percent ceiling for hospital funding imposed by this government, does the Minister believe that the collective bargaining process can proceed in good faith if the government puts

hospitals, patients and workers in an untenable position with its arbitrary ceiling of 8 percent which is way below the increases in the cost of living?

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

**MR. SHERMAN:** I don't believe that there can be bargaining in good faith, Mr. Speaker, if indeed the health facilities are put in an untenable position. It has yet to be demonstrated to me, and I think to the Honourable Member for Transcona, that they have put in an untenable position. They are seeking to meet a budgetary guideline as they did last year. The process of dealing individually with their budgets and even appealing their budgets that the Health Services Commission has not yet begun, or if it has begun, it has only just barely begun, Sir.

**MR. PARASIUK:** Can the Minister confirm that his government has provided increases in hospital spending over the last three years, which is some 10 points below the cumulative increase in the cost of living over the last three years, and that many expert hospital administrators have said that the government restraint program of this Conservative government has indeed cut into the bone of hospital programs and is seriously affecting the quality of health care? Can he confirm that his government has indeed provided increases way below the increases in the cost of living to hospitals?

**MR. SHERMAN:** I can confirm, Mr. Speaker, that some media, notably the Winnipeg Tribune, have said that some hospital administrators have said that. Yes, I can confirm that. I reiterate, Mr. Speaker, that some 642 million, 643 million, 644 million is committed by the people of Manitoba to their health budget which represents 32 percent of the provincial budget, and a higher percentage than was the case in the last year of the previous administration, and a percentage that either exceeds or compares equally with that of any other jurisdiction in this country, Sir.

**MR. SPEAKER:** The Honourable Member for Transcona with a final supplementary.

**MR. PARASIUK:** Can the Minister indicate whether indeed his government didn't propose increases of 2.9 percent for hospitals in 1978-79, only 6 percent in 1979-80 and 8 percent in 1980-81, which adds up to some 16.9 percent, whereas the cumulative increase in the cost of living over these last three years has been 28 percent? If you take into account the factors of fuel costs, food costs and supply costs, the increase in costs to the hospitals has been far greater than 28 percent, something in the order of 40 percent. This government has in fact only increased allowances to hospitals to 16.9 percent, leaving hospitals and patients in an untenable position.

**MR. SHERMAN:** I can confirm, Mr. Speaker, that between 1977-78, which is the year we took office, and 1980-81, which is the year we're in right now, there has been a 2 percent reduction in overall nursing staff in Winnipeg hospitals and there has been a 3 percent reduction in patient days.

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

**MR. SCHROEDER:** Thank you, Mr. Speaker. I have a question for the Minister of Finance. I'd like to ask the Minister why, notwithstanding the fact that as late as yesterday afternoon, the Chief Mining Recorder of the province of Manitoba confirmed to me that Potash Lease No. 5, which is a lease between the Government of Manitoba and the Prairie Potash Corporation, that that lease was available to me for inspection; why, notwithstanding that fact, he has instructed his department not to release a copy of that lease?

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

**HON. DONALD W. CRAIK (Riel):** Mr. Speaker, the member did mention this to me earlier, so I'm aware of his concern. I think perhaps the end of his statement, though, is hardly correct. The Mining Recording office was not instructed to not release documentation. The Mining Recording office was instructed to release all documentation that they've ever released historically and their advice, Mr. Speaker, is that that lease, or whatever the correct technical term is for it, was not tabled with Orders-in-Council or publicly in the Mining Recorder's office in 1973 or '74, in that period, whenever it was issued.

Mr. Speaker, beyond that, I'll take the member's question as notice and attempt to provide more information to him after I have the full details.

**MR. SCHROEDER:** Thank you, Mr. Speaker. First of all, I would indicate to the Minister that I'm sure that if it hadn't been released previously, it's because it hasn't been asked for. Section 60 of the Quarry Mineral Regulations . . .

**MR. SPEAKER:** Order please. Order please. We're dealing with the question period at this particular time. The Honourable Member for Rossmere have a question?

**MR. SCHROEDER:** Yes, Mr. Speaker. In view of the fact that Section 60 of the Quarry Mineral Regulations states that all books, records and documents concerning a quarry mineral disposition filed, shall be open during office hours to public inspection upon payment of the fee prescribed therefore in Schedule B, and in view of the fact that Schedule B indicates that such a payment shall be 25 cents per page, photocopy of any document or record, 25 cents per page or examination of each recorded document, 1.00, why it is that the Minister is suggesting that that document should not be released?

**MR. SPEAKER:** Order please. The question is repetitive.

The Honourable Minister of Finance.

**MR. CRAIK:** Mr. Speaker, it's not a question of the Minister, as I said earlier, not being prepared to release it. It's a question of the practices of the Mining Recorder's office. —(Interjection)— I will check the matter out, Mr. Speaker. I'm advised by

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the Mining Recorder's office that when some changes were made in the legislation in the early 1970s, the different documentation was changed, and in cases, this one in particular, the document was not filed in the manner in which it had been done historically, prior to that period, and obviously was not included with any Order-in-Council at the time if, in fact, there was an Order-in-Council covering this document. I'll have a look at it and get back to the member.

**MR. SPEAKER:** The Honourable Member for Rossmere with a final supplementary.

**MR. SCHROEDER:** Mr. Speaker, that particular lease was a lease similar to any other Quarry Mineral lease, and I would suggest to the Minister that I have frequently in the past, in my capacity as a lawyer, been able to go in there and for two-bits a page get anything I wanted. I would ask the Minister to confirm that the government is proposing to lease to IMC, the approximate area which had previously been leased by the government of Manitoba, to Prairie Potash Corporation?

**MR. CRAIK:** Mr. Speaker, the area in question covers an area which is somewhat larger, and I expect covers perhaps nearly all, if not all of the area in question referred to by the Member for Rossmere, but does cover an area in the Letter of Intent with them, which extends beyond that.

**MR. SPEAKER:** The Honourable Member for Flin Flon.

**MR. THOMAS BARROW:** My question is to the Minister of Transport, Mr. Speaker. Due to the dangerous chemical 2,4,5-T, which has been lined to birth defects and miscarriages and has been banned in five provinces and the United States, does the Minister still persist in using this chemical on northern highways?

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

**HON. DON ORCHARD (Pembina):** Mr. Speaker, I don't want to get into the arguments pro or con of the legitimacy of use of 2,4,5-T. The Member for Flin Flon has said that it is a dangerous chemical and that has never been established to this date. There has been complete research done on 2,4,5-T by a group of prominent British scientists commissioned by the government of Great Britain, which have given clearance to use 2,4,5-T as prescribed by the manufacturer with no adverse affects to any one. A similar study of which I am awaiting a report was carried just last Thursday on CBC stereo in Manitoba. It was a report originating out of Toronto about the effects or the potential effects, a study on the potential effects of the use of 2,4,5-T on the ecology of the Great Lakes system. That study, as I am led to believe from listening to CBC stereo, has given also a clean bill of health to 2,4,5-T when used according to the manufacturers recommendations.

The Member for Flin Flon makes the allegations that it is linked to all kinds of problems. Those links are accusations made which have not been founded

in the medical records and, Mr. Speaker, yes, to answer him briefly, we have acquired, prior to the discussions on 2,4,5-T, sufficient quantity of 2,4,5-T to spray given sections of tall brush in certain segments of highways in northern Manitoba.

**MR. BARROW:** Mr. Speaker, while there's a semblance of doubt concerning this chemical, I still say he's gambling with the health and well-being of northern citizens and I want to know, does he think it's worth the gamble, or is this a crude method of birth control?

**MR. ORCHARD:** Mr. Speaker, I don't think the last remark of that leads me to give a deserving answer to that question. That is obviously a very ill-considered remark by the Member for Flin Flon, a remark that he cannot document any medical evidence to back up that kind of a scare tactic statement. And, Mr. Speaker, that's the kind of irresponsible statements which cause a lot of people to have undue concern, and undue fright, over a situation which has not been medically proven. And, Mr. Speaker, should any member opposite, including the Member for Flin Flon, demonstrate to me where a panel of qualified physicians have linked any adverse human health effects to the use of 2,4,5-T, I will immediately stop using that chemical. But, Mr. Speaker, such evidence is not available and when the member refers to the potential danger that it hasn't been 100 percent clear, I would suggest that when he goes out and drives his car, if he smells too many gasoline fumes, he would get possibly some serious medical damage to himself. Do we lead from that, because gasoline is not 100 percent safe, that we should ban it as well?

Mr. Speaker, you can carry all kinds of scare tactics on chemicals to the ridiculous and I do not believe . . .

**MR. SPEAKER:** Order, order please. The Honourable Member for Flin Flon with a final supplementary.

**MR. BARROW:** Mr. Speaker, we saw how they passed the buck in the MacGregor spill. We saw how they passed it around. This Minister will pass it to the Minister of Environment and I still say, if it has any effect on births or miscarriages . . .

**MR. SPEAKER:** Order please, order please. If the honourable member has a question, let him put it before the House.

**MR. BARROW:** Does the Minister think? I would say, no, he doesn't think. If he wants to gamble with health, let him do it in his own constituency, Mr. Speaker, not in the north.

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

**MR. ORCHARD:** Mr. Speaker, obviously the Member for Flin Flon was not here the other day when I explained why 2,4,5-T is being used, where it is being used. In other areas of southern Manitoba, in other areas of Manitoba, we do not have the tall brush to control and to date only 2,4,5-T is effective

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in the control of tall brush. We are currently testing a chemical mixture of 2-4-D plus dry clear which is a Banvel mixture which is commonly used on the wheat that the Member for Flin Flon has eaten toast out of this summer. Now, should the mixture of 2-4-D and dry clear prove as effective in control of tall brush, we will institute the use of it rather than 2,4,5-T. But, Mr. Speaker, we won't do that because of any proven medical hazard but rather to allay the fears of the Member for Flin Flon in some of the scare tactics that he wants to promote in this House.

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

**MR. BILLIE URUSKI:** Thank you, Mr. Speaker. I pose this question to the Minister of Agriculture, and ask him whether he can indicate whether there is a problem in terms of adequate milk supply for the city of Winnipeg.

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

**HON. JIM DOWNEY (Arthur):** Mr. Speaker, I didn't hear the member, did he say adequate milk supply? Mr. Speaker, not to my knowledge.

**MR. URUSKI:** Thank you, Mr. Speaker. I hope the Minister is prepared to check that out and report back to the House.

I direct this question to the Attorney-General, Mr. Speaker, in light of the comments made by the Member for Roblin last night in committee, and ask him whether there have been allegations drawn to his attention about the abuse and fraudulent acts in terms of distribution of hay supplies during a wet-year program where hay supplies were made available to farmers in this province; whether there have been complaints drawn to his attention, and if there have been, what kind of investigations has the Attorney-General done?

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

**HON. GERALD W.J. MERCIER (Osborne):** Mr. Speaker, I was not in committee of supply last night; I was at a Cabinet meeting. I would undertake to review Hansard when it comes out and review the comments that were apparently made.

**MR. SPEAKER:** The Honourable Member for St. George with a final supplementary.

**MR. URUSKI:** Thank you, Mr. Speaker. I hope that the Attorney-General checks Hansard; also whether he has received a complaint from the Member for Roblin, because he has made certain allegations that there were fraudulent acts perpetrated in terms of the loss of hay supplies.

**MR. MERCIER:** Yes, Mr. Speaker, I'll do that.

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

**MR. LAURENT L. DESJARDINS:** Mr. Speaker, my question is to the Minister of Health. Does the Manitoba Health Services Commission still have a

representative at the negotiating table sitting as an observer between the employees of the hospital and MHO?

**MR. SHERMAN:** I believe so, Mr. Speaker. I'd have to check on that for my honourable friend, but I believe that's the case, only in an observer's capacity. That certainly has been the case during very recent years and months. Whether there is an observer sitting on the sidelines of the present negotiations, I can't confirm, but I'll get that information.

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

**MR. HARVEY BOSTROM:** Mr. Speaker, my question is to the Minister of Resources. In view of the fact that the Minister and the Premier assured us in the House last week that there would be sufficient forest firefighting equipment available for the hazardous fire situation we face in Manitoba, can the Minister indicate now if they have available to them more than a complement of three heavy water bombers, which is the normal amount used in a normal fire year?

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

**MR. RANSOM:** Yes, Mr. Speaker, I can. I believe the last word that I had was that we have three Canso water bombers, two of those which are the normal contracted machines. One has come on loan from the province of Nova Scotia. In addition, we have the addition CL-215 which the province has recently arranged with Canadair to have brought here. I believe it arrived last night and it's probably active right now. The CL-215 which the province presently has owned has experienced engine problems yesterday or the day before and I'm not certain at the moment when it will be back in service, but we expect that it will not be too long.

**MR. BOSTROM:** Mr. Speaker, in view of the value of this type of equipment to maintain a fire in relatively small size in order that it can be managed and effectively controlled, I ask the Minister why he has waited until this late date to arrange for more than the normal complement of forest firefighting heavy water bombers that they usually have in their fleet. I would ask him why he did not use the normal factors and information that's available to him to predict that we would have this hazardous fire situation and arrange for more heavy water bombers in order to protect our forests.

**MR. RANSOM:** Mr. Speaker, we, of course, have been using the normal sort of information that is available to us and generally have been pursuing the recommendations made to us by our very competent fire protection staff. The staff had not recommended to us that it was necessary to acquire any additional firefighting capacity until the present situation developed. As I have pointed out on more than one occasion, we are now experiencing a forest fire situation such has probably not been experienced previously in the history of the province. I count, Mr.

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Speaker, that we are very fortunate in being able to acquire one additional heavy water bomber from Nova Scotia, plus be able to make a lease purchase arrangement with Canadair for additional ones, because when we attempted in other jurisdictions to acquire additional firefighting capacity of heavy bombers they were, of course, being utilized in the other provinces, because their situations also are extreme. We also have been able, Mr. Speaker, to make arrangements with the Minnesota people, with the firefighting officials there, to cover off the southeastern portion of the province with their water bombing capability. Given the extreme circumstances, Mr. Speaker, I'm very happy to say that we have been able to make these additional arrangements. Our people have been doing a superlative job in fighting the fires and we are very happy to have the co-operation from other jurisdictions which we are receiving.

**MR. SPEAKER:** The Honourable Member for Rupertsland with a final supplementary.

**MR. BOSTROM:** Mr. Speaker, in view of the fact that 16 forest fires in a report today are still not under control, I wonder if the Minister would confirm that if in fact the Government of Manitoba had been more vigilant and had the heavy water bombers on staff, so to speak, available to them, that they would have been able to control many of these fires before they got out of hand, and in the process has destroyed many of the valuable forest areas in Manitoba . . .

**MR. SPEAKER:** Order, order please. The question is hypothetical and argumentative. I have to rule it out of order.

### **INTRODUCTION OF GUESTS**

**MR. SPEAKER:** Before I recognize the next member, I wonder if I could have leave from the House to announce that we have 37 visitors of Grade 6 standing from Boissevain School under the direction of Mr. Fuhr. This school is in the constituency of the Honourable Minister of Natural Resources.

On behalf of all the honourable members, we welcome you this afternoon.

### **ORAL QUESTIONS (cont'd)**

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

**MR. BRIAN CORRIN:** My question, Mr. Speaker, is for the Attorney-General. Mr. Speaker, we would ask whether the Minister has been asked to provide an opinion as to whether the addition of Penthouse Magazine currently being sold on city and provincial newsstands may be considered to contain obscene material.

**MR. SPEAKER:** Order please. Asking the Attorney-General for a legal opinion is contrary to the Rules of our House.

The Honourable Attorney-General.

**MR. MERCIER:** Mr. Speaker, I think the question is whether or not I'd received a request, not whether or not the department had an opinion. I'm not aware of any request, Mr. Speaker, but I'll take the question as notice and attempt to determine if the department has received a request.

**MR. CORRIN:** Mr. Speaker, will the Minister accept my request for him to so do and will he report his departmental findings to this House as soon as possible.

**MR. MERCIER:** Mr. Speaker, if the member has the practice of reading that magazine and has some concerns about it and wishes to submit a request, we'll consider it.

**MR. SPEAKER:** The Honourable Member for Wellington with a final supplementary.

**MR. CORRIN:** Well, I did submit a request, Mr. Speaker, and I would want to know whether the Minister's reply might indicate a change of departmental policy relative to the provision of opinions on materials which people may think could contravene the Criminal Code and invite prosecution. We would want to know whether or not there is a change in departmental policy or whether indeed the policy is the same and we can request such an opinion and obtain it from the Minister.

**MR. MERCIER:** Well, Mr. Speaker, the member could have started off by indicating he had submitted a request; it's probably somewhere in the mail that I haven't yet had an opportunity to see. Certainly on these issues the department does act on complaints and if a complaint has been sent to me or the department, it will be reviewed, as I've indicated has been reviewed in the past.

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

**MR. LEONARD S. EVANS:** Thank you, Mr. Speaker. I'd like to address a question to the Premier and ask the Premier that inasmuch as the latest survey by Statistics Canada, released today as a matter of fact, Mr. Speaker, on capital investment outlook for 1980, reveals that Manitoba will have the lowest increase in investment spending of any province outside of New Brunswick, is the Premier now ready to undertake significant policy measures that will stimulate the Manitoba economy?

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

**MR. LYON:** Mr. Speaker, having had the opportunity on previous occasions of observing my honourable friend's selectivity when he picks out statistics from Stats Canada, I would have to take his question as notice, take a look at the particular statistics, the allegations about which he makes in the question. I would merely say to him however, Sir, that to my recollection — I was looking to see if I had the figures in front of me, regrettably I do not — my recollection is that private capital investment in Manitoba, if he will observe the tables in the back of the budget, has gone up remarkably since the change of government in 1977, in fact one of the

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biggest increases in Canada. Mr. Speaker, what was said in the budget is still true, that the economy of Manitoba is now returning to normality, that is, it is not overweighted, Mr. Speaker, with pump priming, in many cases unnecessary public expenditure which was carried on by my honourable friends, such as was well documented in the Tritschler Commission. So I merely say, Mr. Speaker, that I will take a look at my honourable friend's statistics. In the meantime, while I'm doing that, perhaps he would like to take a look at the projection of the Conference Board, which is that we will have the third highest growth of any province in Canada.

**MR. EVANS:** Mr. Speaker, I refer the Honourable Premier to an article in today's paper and it's entitled Capital Spending Outlook Bright, which means that in Canada the increase is 12 percent; in Manitoba it's only 5 percent. So my question to the Honourable Minister is that his comments of the budget aside, because I suggest to him that his Minister of Finance has got a lot of confusing and misleading information in there about private investment, because it hasn't gone up.

Mr. Speaker, my question is, since the total investment spending level increase is expected to be only 5 percent, only 5 percent, which is considerably less than the rate of inflation, which means, Mr. Speaker, that we will have less real investment spending in 1980 than in 1979 . . .

**MR. SPEAKER:** Order, order please. I suggest the honourable member is carrying on a debate rather than seeking information. If the honourable member has a question seeking information, let him proceed.

**MR. EVANS:** Mr. Speaker, my question is, which required that preface, my question is inasmuch as the amount of real investment in 1980 — and this is a survey by Stats Canada, Mr. Speaker, which is far more, which is the most reliable source for outlook information, this is a regular Stats Canada capital outlook — inasmuch as the real investment level will be lower in 1980 than in 1979, is the Premier now telling us that his government is not prepared to do anything of substance . . .

**MR. SPEAKER:** Order, order please. The question is argumentative and I have to rule it out of order. The Honourable Leader of the Opposition.

**MR. PAWLEY:** Mr. Speaker, on a point of order. Mr. Speaker, I would suggest that with all due respect, if the question is argumentative, then certainly the same of sort of injunction should be applied toward the answers that are being provided. The answers are of such a nature that they have given rise to questions which are argumentative because the very answer has brought about the type of question which the response has been provided by the Member for Brandon East. So I would suggest, Mr. Speaker, the injunction ought to apply on both sides of the House.

**MR. SPEAKER:** Order, order please. On the point of order raised by the Honourable Leader of the Opposition, I think the point is well taken and I hope all members of the House consider it, because the

conduct of the business of this House is the responsibility of all members and I would hope that you will use the question period for the purpose of seeking information.

The Honourable Member for Brandon East.

**MR. EVANS:** Mr. Speaker, I would like to seek some information from the Premier of this province. How does the Premier of this province expect to achieve any significant economic growth if, according to the official information we have, the amount of investment spending in 1980 is going to be less than in 1979 in real terms?

**MR. LYON:** My honourable friend, I think again he is a Professor of Economics, my honourable friend fails to distinguish between public and private investment. And what I've said to him before and what is said in the budget and what is manifest to anyone who understands economics is that public investment in Manitoba is down largely because of the lack of construction at the Limestone site which was turned off by my honourable friends opposite when they were in government.

Mr. Speaker, if this government were putting 250 million to 300 million per year into Limestone Construction, then the alleged statistics that my honourable friend refers to would be entirely different. But, Mr. Speaker, my honourable friend conveniently overlooks and would like to mislead the public by saying that because they overheated the economy and went into disastrous public expenditures from 1970 to 1977, that we should do the same. Well, Mr. Speaker, we are not going to waste the money of the people of Manitoba the way my honourable friends did and we are not concerned, Mr. Speaker, about the kinds of distinctions that my honourable friend tries to make on the basis of very shallow figures. We will give government to the people of the province of Manitoba based on common sense and not ideology, as my honourable friends did. We should be building today, we should be injecting as a province today, about 250 to 300 million a year in hydro projects in the north which were built too quickly by my honourable friends and on which the people of Manitoba are having to pay huge carrying charges with no return.

**MR. EVANS:** Mr. Speaker, I should be given equal time in making a statement. Mr. Speaker, inasmuch as the Premier referred to public spending and the necessity to avoid such in order not to overheat the Manitoba economy, is the Premier of this province really telling this Legislature, Mr. Speaker, that he's afraid of overheating the Manitoba economy, when last year 15,500 people left the province of Manitoba on a net basis?

**MR. LYON:** Mr. Speaker, I believe I said at the outset of my remarks that my honourable friend has a way of selectively using statistics and he just finished using some statistics which he knows are patently false, because he knows that the net overall change in population in Manitoba last year was something considerably less than the figure that he has used. He failed, Mr. Speaker, to tell the House that it's not that the migration out is so large, it's

that the number of people coming in is much smaller than it used to be in this province and in every other province in Canada, except B.C. and Alberta. So when my honourable friend will have the courtesy with this House, Mr. Speaker, to use the statistics in a factual way, then we'll be pleased to try to answer his questions.

**MR. SPEAKER:** Order please. The time for question period having expired . . .

**MATTER OF URGENT PUBLIC IMPORTANCE**

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

**MR. PARASIUK:** Mr. Speaker, pursuant to Rule 27(1) I move . . .

**MR. SPEAKER:** Order please. Order please. Thank you.

**MR. PARASIUK:** Mr. Speaker, pursuant to Rule 27(1) . . .

**MR. SPEAKER:** Order please. Thank you. The Honourable Member for Transcona.

**MR. PARASIUK:** Pursuant to Rule 27(1), I move, seconded by the Honourable Member for St. Boniface, to set aside the ordinary business of the House to discuss a Matter of Urgent Public Importance, to wit:

WHEREAS the provincial government has consistently cut back government allocations of funds to health care facilities to levels below increases in the cost of living as part of its restraint program; and

WHEREAS most health care administrators publicly state that they cannot continue to provide past levels of health care at these reduced levels of government funding; and

WHEREAS the contract talks between health facilities and support staff have broken down without agreement, resulting in a strike of support staff affecting some 11 health care facilities; and

WHEREAS the health care facilities have no financial room to manoeuvre because of government funding ceilings;

BE IT THEREFORE RESOLVED that this House advise the government to initiate procedures which would lead to resumption of the collective bargaining process in good faith, in order to pursue a resolution of this critical situation of health care in Manitoba.

I have copies for the government members and for other members of the Legislature.

**MR. SPEAKER:** Order please. According to our rules, each side of the House has five minutes to debate the urgency of the motion.

The Honourable Member for Transcona has five minutes.

**MR. PARASIUK:** Mr. Speaker, although I filed the Notice of Motion with you over an hour ago as prescribed by our rules, I had hoped that I would not

have to use this motion because I believed it was, and I still believe that it is the responsibility of the government and the Minister in particular to establish conditions whereby the collective bargaining process can proceed in good faith in order for a resolution of this health care crisis to be achieved. We had no statement from the Minister. We have no positive proposals forthcoming from the Minister and I have to resort to this emergency resolution because of the incompetence of the government who have caused the problem with their program of acute protracted restraint which continues in the area of health care. The matter is urgent.

**MR. SPEAKER:** Order. Order please. I suggest to the honourable member that he confine his remarks to the urgency for the debate.

The Honourable Member for Transcona.

**MR. PARASIUK:** Yes, Mr. Speaker, I'll take your advice and in good faith. The matter is urgent because there is a breakdown in the contract talks. There is also a strike. It affects eight hospitals, three nursing homes. It could affect some 30 other health care facilities. We must have the debate to get this ostrich-like government to get its head out of the sand and recognize the problem that they, in fact, have created with their three-year program of restraint.

Mr. Speaker, this crisis which is on us today is one that has been brewing for three years and it is because of consecutive reductions in health care spending by the government. And hospitals have been hurt by this, Mr. Speaker, nursing homes have been hurt, patients are hurt right now, Mr. Speaker, and hospital staff are hurt. And we believe that this hurt, accumulated hurts to our health care system which has manifest itself in a crisis which we find ourselves today and which can easily expand to encompass many other health care facilities, has indeed been caused by the government and has to be resolved, not by the parties negotiating in this dispute, but rather the government which funds the health organizations. That is why we must urgently bring this matter before the government. It is not the hospital organizations that are negotiating, they are negotiating within arbitrary ceilings imposed by the government and as a result we must bring this matter before the Minister.

I asked him in question period if there was any flexibility with respect to the arbitrary 8 percent ceiling. Had I received any type of positive answer at that stage, Mr. Speaker, I would not have had to bring forward this emergency resolution. But the Minister was adamant in his refusal, which leaves then the choice of nightmares between governments taking on deficits, which this government may not pick up — and that has happened in the case of Souris, 17,000 for one and other ones have bigger deficits — or the other solution will be for the hospitals to be forced by this government to cut back wages and in a sense, really, force a strike. That's why we must bring this matter up here in this Legislature; that's why we must debate it here. We must get the government to give the hospitals room to manoeuvre. We must ask the government to change its attitude with respect to this arbitrary

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ceiling which the hospital administrators say they cannot live with and allow the hospitals to go back to the bargaining table and to negotiate with a free open collective bargaining process, but to negotiate in good faith.

Right now we believe that they cannot negotiate in good faith because of the arbitrary limit put on by the government. We believe that the solution to this problem . . .

**MR. SPEAKER:** Order, order please. The honourable member's five minutes are up.  
The Honourable Attorney-General.

**MR. MERCIER:** Mr. Speaker, I point out to you for your consideration, Rule 27(5)(c), which provides the right to move to set aside the ordinary business of the House, etc., is subject to the following instructions: The motion shall not revive discussion on a matter that has been decided in the same session.

Mr. Speaker, this Chamber has just completed consideration of the estimates of the Department of Health and the Manitoba Health Services Commission, and in fact, Mr. Speaker, the combined Department of Health and Community Services last year took 64 hours and 50 minutes. This year, consideration just of the Department of Health, took 44 hours and 10 minutes, and I suggest is ample evidence of the opportunity for full discussion of the estimates of that department and the Manitoba Health Services Commission.

In addition, Mr. Speaker, we have just completed as of Friday last, the Budget Speech of the government, and that matter took into consideration obviously the Department of Health estimates, the Manitoba Health Services Commission estimates, Mr. Speaker, so I submit to you, Mr. Speaker, that under Rule 27(5)(c), this motion would revive a matter that has just very recently, and as late as Friday, and the second opportunity that members opposite have had to discuss this matter, has just been completed, Mr. Speaker.

The whole essence of the motion relates to funding of health care facilities, which was a subject of the Budget Speech and which was a subject for 44 hours and 10 minutes of the Department of Health, including the Manitoba Health Services Commission.

Thank you, Mr. Speaker.

### SPEAKER'S RULING

**MR. SPEAKER:** I've listened to the arguments for urgency as proposed by the Honourable Member for Transcona, and I thank the Honourable Government House Leader for pointing out to me some of the rules with regard to urgency. I have also consulted with Beauchesne and other avenues that are open to Speakers, and I would like to quote for the honourable members from Citation 119(1) of Beauchesne on page 39:

Speaker's Rulings, once given, belong to the House, which under Standing Order 12, must accept them without appeal or debate. They become precedence and form part of the Rules of Procedure, and it goes on further.

I have also consulted the rulings of former Speakers, and I would like to at this time refer to a ruling on June 2nd of 1970, when Speaker

Hanuschak dealt with a matter moved by Mr. Craik, when he moved for the adjournment of the House for the purpose of discussing a matter of urgent public importance. He stated the matter to be the impasse in negotiations between trustees and teachers in Winnipeg School Division No. 1, and the inaction of the Minister of Youth and Education to assure orderly progression of the negotiating stages as defined in The Public Schools Act.

Mr. Speaker Hanuschak ruled as follows: I wish to thank the Honourable Member for Riel for having complied with the rules in giving me the opportunity to peruse his motion. May I refer honourable members to Citation 101 of Beauchesne's Fourth Edition, which reads in part as follows: The definite matter of urgent public importance for the discussion of which a member may ask leave to move the adjournment of the House must involve the administrative responsibility of the government.

I interpret the aforementioned Citation to mean the involvement of the government at the time the motion is made. The Public Schools Act spells out the procedure for negotiation, conciliation, and arbitration. My information is that negotiations between the Winnipeg School Division No. 1 and the Winnipeg Teachers Association had reached the stage where a conciliation officer was appointed and he failed to bring about an agreement, and that he so reported to the Minister of Education. The Minister of Education is now faced with Section 379 of The Public Schools Act, which reads as follows:

'Where a conciliation officer fails to bring about an agreement and so reports to the Minister, and (a) the employer or the bargaining agent in writing requests the establishment of a Board of Arbitration, or (b) in the opinion of the Minister, a board of arbitration should be established; the Minister shall appoint a board of arbitration as herein at set out'.

The most recent information supplied to the House indicates that a request for the establishment of a Board of Arbitration has not been made, therefore, the matter does not become one of administrative responsibility of the Honourable Minister until application for arbitration is made. At this point, it is still in the hands of the negotiating parties. It is true that the Minister has discretionary power to appoint a board of arbitration. Surely honourable members would agree that this House could not interfere with the discretionary power granted the Minister by its own legislation, in any manner other than by amending the relevant legislation. Therefore I rule the motion of the Honourable Member for Riel out of order.

I would point out to the honourable members the remarkable similarity that exists in this particular case as compared with the case in which Speaker Hanuschak ruled in 1970. I don't think it is the intention, nor the desire, of any member of this Legislature to directly interfere in the negotiating process that is presently going on. Therefore, I would have to rule the honourable member's motion out of order.

The Honourable Member for Kildonan.

**MR. PETER FOX:** Mr. Speaker, in view of the fact that you have ruled the motion out of order, and in view of the fact, in my opinion, that there are no similarities; in this case we have a strike, in this case

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we have a representative of the government on the negotiating board as well; the similarities are totally different, so therefore I challenge your ruling.

**MR. SPEAKER:** Shall the Ruling of the Chair be sustained? All those in favour of the motion please say aye. All those opposed please say nay. In my opinion the ayes have it.

**MR. FOX:** Yeas and nays, Mr. Speaker.

**MR. SPEAKER:** Call in the members. The question before the House is shall the ruling of the Chair be sustained. All those in favour of the motion please rise.

**A STANDING VOTE** was taken, the result being as follows:

### **YEAS**

Anderson, Banman, Brown, Cosens, Domino,  
Downey, Driedger, Einarson, Enns, Ferguson,  
Filmon, Galbraith, Gourlay, Johnston, Jorgenson,  
Kovnats, Lyon, McGill, McGregor, McKenzie,  
Mercier, Minaker, Orchard, Price, Ransom,  
Sherman, Steen, Westbury.

### **NAYS**

Adam, Barrow, Bostrom, Boyce, Cherniack, Corrin,  
Desjardins, Doern, Evans, Fox, Green, Hanuschak,  
Jenkins, McBryde, Malinowski, Miller, Parasiuk,  
Pawley, Schroeder, Uruski, Uskiw.

**MR. CLERK:** Yeas 28, Nays 21.

**MR. SPEAKER:** I declare the motion carried.

### **ORDERS OF THE DAY**

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

**MR. MERCIER:** Mr. Speaker, I firstly might confirm that tonight only one Committee of Supply will sit, that being in the House to consider the Community Services Estimates. The Agriculture Estimates will not sit tonight.

I move, Mr. Speaker, seconded by the Minister of Government Services, 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.**

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

### **MATTER OF GRIEVANCE**

**MR. PARASIUK:** Mr. Speaker, I have to rise at this time to use my grievance in the Legislature because the health care crisis that has been brought about by this government's incompetence is serious enough to warrant it at this stage. I have to live with the rulings of the House, but with respect to the emergency of this debate I must point out for the record that the situation now and that of 1970 are entirely different.

We have a strike now; we have a very serious situation. We did not have a strike in 1970 and indeed under The Public Schools Act there could not have been a strike. Under The Public Schools Act there is compulsory binding arbitration so therefore, Mr. Speaker, I suggest that the situation now is very very much different than that which existed in 1970. We have a situation now where there is a strike on, where the collective bargaining process has broken down, where in a sense right now in this situation, we really have a situation where we are into a bit of a no man's land where no rules apply.

**MR. SPEAKER:** Order please. I should like to quote to the honourable member Rule 41(2) of our rules: No member shall reflect upon any vote of the House except for the purpose of moving that the vote be rescinded.

The Honourable Member for Transcona.

**MR. PARASIUK:** A point of order, Mr. Speaker, I did point out that I will live with the rules of the House and I am not criticizing it, I was just recounting that the situation today is a very serious . . .

**MR. SPEAKER:** Order please. Again I point out to the honourable member Rule 41(2): No member shall reflect upon any vote . . .

The honourable member may proceed.

**MR. PARASIUK:** Yes, I wouldn't want to even think about the vote that took place just a few minutes ago. I want to think about the situation that exists right now, namely a strike, which is very different from other situations that I've seen and heard about in the past. Especially one in 1970. What we have now is a very serious situation. It is the result, not of actions just recently, it is the result of a systematic effort by this government over the course of three years to do two things; to cut back spending in health by diverting . . .

**MR. SPEAKER:** Order please. The Honourable Government House Leader . . . The Honourable Member for Transcona.

**MR. PARASIUK:** Thank you. Systematic effort over three years by this government to cut back spending in health care and really divert its funds from health care spending, because of some federal increases in funding. And it's not as if this situation hasn't been predicted and wasn't predictable. It's been pointed out from Day One that the R. B. Bennett-Herbert Hoover politics of this government and policies of this government would lead to a tremendous reduction in the level of services and would certainly lead to a period of very definite economic decline, and we've experienced both. We have economic decline, and we have a very serious situation in health care and in education, two major areas of government activity especially critical at the provincial level.

They've done some grants to businesses and a few other things like that, but really when it comes to health care funding and educational funding, they have really reduced the input over a period of time; they have reduced it, and their only defence is to

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turn around now and say, well, health is a pretty big percentage, and it's only because of some federal funding; and secondly, it's only because they've cut back in other areas.

We have here a very very serious situation much different than the one before. In 1970 we had a government that was flexible. In 1970 we had a government that indeed was competent and compassionate. In 1980, the people of Manitoba have a government that is neither.

Mr. Speaker, the issue is whether in fact health care is being squeezed to death by this government, and there is a lot of evidence to say that indeed is the case. And if it is the case, Mr. Speaker, that health care is being squeezed to death, can the collective bargaining process operate effectively? Of course it can't; that is the big problem. And health care administrators have been predicting this over the last year. They have said that this year is the year of the crunch. My colleagues, former health Ministers, the Member for St. Boniface, the Member for Seven Oaks, have said you can not do this; you are cutting into the muscle of the department, you are cutting into the bone, you are taking out the vital organs of a health care system, and that indeed is the case today.

We really are stuck in a situation where the accumulation of three years has put us in a situation where really the hospitals and the nursing homes have a gun at their head, held by the government. They are faced with cutting back services. They are faced with incurring massive deficits, or they are faced with trying to squeeze back levels of wages for hospital workers. And I'll point out some statistics later on which shows the extent to which hospital workers have been squeezed by this government to a point where they are far behind other provinces. And if the Minister wants us to become the sort of Prince Edward Island of Canada in terms of pay scales and in terms of health care quality, we on this side of the House reject that emphatically. And we can show him what has happened and what is happening. We do not blame hospitals; we do not blame nursing homes generally. We say that the collective bargaining process can't work if the government imposes ridiculous ceilings and does not allow a proper collective bargaining process to take place.

I pointed it out before, but I want to point this out again. We've had three Tory increases over the last three years for hospital funding; this is for operating expenses. The increase was I think 2.6 percent or 2.9 percent in 1978-79, a ridiculously low figure, unworkable, changed to 4.6 percent I think later on, or 4.2 percent, but still way below the increase in the cost of living at that time. In 1979-80 there was an increase of some 6 percent, and this year there is an increase of 88 percent. That comes out to 16.9 percent increase in hospital funding over the last three years, and yet if you look at the cost of living, the increase over the last three years has been 28 percent. Hospitals really are at least 10 full points between increases in the cost of living.

That's just sort of one level of analysis. If you really do it in a bit more detailed manner, you will find that the situation is far more serious. Hospital costs have not gone up by 28 percent. Hospital costs, if you take into account three major items,

food, energy, and supplies, have gone up much more. The average increase in the cost of food over the last three years has been in the order of 12 to 13 percent. The increase in energy costs over the last three years has been far greater than inflation has been in some years, in the order of 25 percent. The increase in supplies, and we're talking about many high technology supplies, has been way beyond 28 percent over three years, so the hospitals have been put in an incredible squeeze by this government.

I wonder what this is going to lead to. I do not want hospitals to be forced to start bringing in user charges. I do not want the hospitals under the Conservative government of Manitoba to follow the lead of the Conservative government of New Brunswick and institute a 10-dollar per visit outpatient charge, as is the case in Conservative New Brunswick. Hatfield must have been getting some lessons in Lyonomics when he brought in that ridiculous proposal. And, Mr. Speaker, that is exactly where we are pushing hospital administrators with this policy of arbitrary ceilings, with some suggestion that there may be some adjustments at the end of the year. How can you negotiate in good faith? How can you provide a decent level of health care services like that?

Mr. Speaker, in this situation, the workers have indeed borne a very big portion or brunt of the Conservative restraint program. If you look at their pay compared to others, they indeed receive . . . they are the third lowest paid group on average in Manitoba, behind Newfoundland, New Brunswick, Alberta, Saskatchewan, Quebec, Ontario, British Columbia. And that's adjusted to take into account increases that would fall to our workers here as well as increases that are falling to those workers in other provinces. So restraint is being borne on the backs of the workers. They are suffering under the Conservative program, and yet surely they are very very vital people in the delivery of health care. In fact, often they are the ones who have continuous contact with patients, and they are the ones who in many respects aren't as powerful as other groups in the health field and they are the ones who end up being forced to take the lowest pay increases.

The Minister a few months ago got up and said, well, it's important for doctors to feel well paid. It's important not only for them to be well paid but to feel well paid, they are so critical in our health care program. So they came up with a settlement of 22 percent over two years, roughly speaking, which is quite good. We didn't object to that. It's quite good, because they start off from a much higher base; they start off from a much higher base, 10 percent of 50,000, is a 5,000 increase; 10 percent of 7,000 is a 700 increase. Doesn't inflation impact both the doctor and the maintenance staff at a hospital staff in the same way? So shouldn't there be some type of fairness in these settlements so that people at the lower end of the pay scale can cope with drastic increases in the cost of living, which we have experienced in Manitoba over the last three years? But the Minister takes a very solicitous attitude towards the doctors, and the only thing we said at that time, is that we note, given the basis of the doctors' salary, this is a fairly generous settlement, and we hope that same attitude prevails if we're trying to revitalize the health care field, because we

know that morale in all sections of health care is incredibly low in Manitoba. We said that we want that same attitude to prevail to the other important workers in the health care field and it has not, Mr. Speaker, it has not at all.

It doesn't prevail with respect to support staff; morale there is bad, and taking a strike move is the action of last resort that these people have to take. It is not an act that they take lightly. It's a very serious act, and they feel that they must do so. I commend them at the same time for saying that they will seek to ensure, and they've tried to negotiate something which they've done with the Health Sciences Centre. They've negotiated an agreement whereby there would be essential services provided, emergency services provided, and despite the fact that no agreements exist with other health facilities because of the objections of the MHO to what I think is an enlightened policy, and is an enlightened approach. I know that the workers are prepared to provide emergency services and essential services in those other facilities as well.

But the drastic action of strike had to be taken and I say, Mr. Speaker, has been forced upon the health care system by this government's restraint program and because of its diversion program of funds out of health care. It has forced this situation. It was predicted by us that you will lead to chaos if you indeed continue this action year after year, of really wringing out blood out of the health care system. Mr. Speaker, I'm not alone in pointing these things out. The Member for St. Boniface isn't the only one pointing them out, or the Member for Seven Oaks, or the Member for Winnipeg Centre, there have been a number of reports. And it's just not the Winnipeg Tribune, look at the Winnipeg Free Press. Day after day there are stories of people not being able to get good quality health care in this system in Manitoba nowadays. People being turned away — we have a story in both papers just the other day, of a woman being turned away. We have situations at Concordia Hospital, at Victoria Hospital, at Misericordia Hospital, at the Health Sciences Centre, each one has created a problem.

We've had tremendous morale problems with nurses, again as a direct result of this government's cutback program. The Minister wouldn't admit that we were going to have difficulty with the nurses, if you look back over Hansard and look at the questions and answers that were provided, no problem with nurses. That maybe there might be a problem because of Seven Oaks; the morale is great; the leaders of the nursing associations have told us that everything is great; made those statements repeatedly in this Legislature, and we said we heard to the contrary. He says, you're being partisan, you're being political.

Now when the Tribune does carry some actual quotations from the leaders of the nursing profession, the Minister's attitude is not to say, oops, well, maybe I misled the House inadvertently. His attitude is to go out and shoot the messenger, he wants to shoot the Winnipeg Tribune now; or failing that, undoubtedly he will try and have lunch with them. —(Interjection)— That's right. I wonder whether in fact if the Minister is on the warpath and wants to shoot a number of messengers, whether he's going to shoot all the city hospital

administrators who say that they are weary of restraint and who, one after the other, point out that restraint has cut back the quality of services in their hospitals; have pointed out that restraint has meant that they have had to cut back programs; has meant that the nursing morale is low; has meant that we have 230 vacancies; has meant that we have not been able to fill the vacancies that exist in the Health Sciences Centre; and the Minister has been very mum about that particular problem.

So we've got an incredible crisis that's brewing, and one horrible symptom of it right now is the situation that has led to a strike. And that's why we asked the Minister to take a look at that 8 percent ceiling, because it is an arbitrary ceiling. It is one that is geared to, indeed, squeeze something more out of the health care system, and there is just no more room. Everyone, Dieter Kuntz, Quaglia, Enns, Swerhone, Captain Irene Stickland, Ted Bartman, Misericordia, each one of them has said that there is no more room. There hasn't been room for over a couple of years. The Conservatives are caught up with their whole myth that somehow there was all this fat in the New Democratic Party programming, and they found little if any fat, and they are caught with the situation that where somehow now they have to continue on with their farce of trying to tell people that there is fat in the health care system and that we can squeeze it out with a 2.9 percent increase one year, with a 6 percent increase another year and with an 8 percent increase the third year, when indeed the cost of living, the hospitals' costs, are way way beyond that, way way beyond that.

When you look at some of these things, I'm amazed. I've never seen headline writers who are, in a sense, favourably disposed to say the New Democratic Party — and these don't relate to the New Democratic Party at all — but look at them. Hospitals are facing a rocky year. This happened a few days ago. All of them pointing out, 8 percent is just not enough, said John Lysack, administrator for the Dauphin and Winnipegosis General Hospitals. We're running at between 12 and 16 percent over last year and we've tightened our belts so much that there are no holes left. Dale Adams, administrator of the Carman Memorial Hospital agreed with Mr. Lysack's views, as did most of the 40-plus administrators interviewed. —(Interjection)— And the Minister is trying to get up here and say, well, you know, we've had this crazy type of reporting from the Winnipeg Tribune. There have been a whole set of reports over the last three years on this matter. We've had hospitals with their small crises, but they've been real crises over the course of the last year especially, which would, to me, indicate that the problems are accumulating and the chaos is spreading out and getting deeper and deeper and deeper.

We have the other serious situation with respect to nurses. Angels of Mercy Cry Uncle, reads the headline in the Saturday, May 24th edition of the Tribune; Nurses say they are dangerously understaffed, is the other subheading. Isn't that an amazing thing to read in 1980, with the Minister getting up over and over again and telling us that everything is okay with respect to health care? Getting up and telling us that he has been told personally, he's been told personally that the morale

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of nurses is great. And we sit here, Mr. Speaker, and we'd like to believe the Minister of Health, we don't get up here and call him a liar or anything like that. We want to believe him. But, Mr. Speaker, imagine our shock, and frankly, my outrage, when I have nurses blaming cost-cutting for frustration and morale, publicly stating it — and I commend some of these health care administrators for finally realizing that they should not be intimidated by this government, and for having the courage to speak out and tell the public what many of them have been telling many people, ourselves, many people in the media and many other people, what they have been telling them in private, that the health care system of Manitoba has been seriously undermined and sabotaged by this government.

We have taken a health care system which in 1977 was arguably the best in Canada. It was a system that did not have premiums; it was a system that had Pharmacare; it was a system that had nursing home care; it was a system that had home care. It was leading the way for the rest of Canada. It had a tremendous start, and what has happened since that time? It's gone downhill. It's gone downhill because of the bad management, because of the cutbacks, because of diversions, and really you'd have to sum it up, because of the incompetence and the lack of commitment of the Conservative government with respect to health care.

They try and tell us that one of the reasons why federal Conservative representation in the House of Commons within the space of one year fell from 11 to 5, was because of some fabrications on the part of New Democrats and on the part of Liberals. Well, Mr. Speaker, these types of stories which are, polled together, really are summaries which are the result of many interviews, really confirm what we find every day virtually in the newspapers as isolated cases, that the health care system in Manitoba has been horribly undermined by this government.

It extends into nursing homes, and this strike extends into nursing homes as well. I visited one last night; I spoke at it. It was a very interesting, enlightening experience — I'm sorry now that I did not take the Minister of Health with me — in that each program director, maintenance, food services, laundry, volunteers, all of these program directors presented to the board about a 10 to 15-minute presentation stating what had happened in it last year, what their problems are and what challenges they faced. These people aren't particularly political, and they aren't that knowledgeable of the legislative process, and they saw me there as a member of the Legislature and they assumed that I was a member of the government, many of them did. They would be somewhat shy, somewhat hesitant, but every one of them pointed out that restraint had hurt their particular area within the provision of care in the nursing home; and each one of them pointed out that the restraint is arbitrary and it doesn't work. I have never come across a group of more committed, sincere, dedicated people working in a non-profit institution, whose big goal in life was providing humane, compassionate care for the elderly people in this nursing home. And yet each one of them said that restraint was not working, it was bad and it was leading to cutbacks in programs, leading to difficulties, leading to situations where they had to

furtively sneak two people over budget in order to provide the absolute barest minimum of nursing care in that nursing home, two over what MHSC would allow. And they were going to carry a deficit and they had to explain that to the board, but the board said, Need before dollars. That is the complete opposite of what this government is saying; it says, Cost before Need. And my colleague, the Member for St. Boniface has pointed out that is the wrong policy. He's pointed that out many times to this Minister and the Minister gets up again, wringing his hands, being the bleeding heart Conservative, and he says, well no, you know, we do put needs before costs, we do care.

And yet if we list area after area, ambulance services, nursing homes, operating costs for hospitals, and in each area the bottom line of this Minister is still Conservative. It's still cutback. It's still cost before need. And the people are incredibly fed up with that attitude and you get it when you do surveys and many of us have instances where we end up in hospitals. I've had that. I go for physiotherapy three times a week. I didn't tell any one who I was. I was very interested in hearing their idle chatter. It wasn't that idle; very serious, very concerned, talking about the difficulties. The morale is low. It's different. And that's really quite sad because when you work in a hospital, when you're working with sick people, be they young people, middle-aged people, and especially older people, it is a very difficult demanding exacting job, and your spirits have to be high, your morale has to be high, because if your morale is not good, how do you expect the morale of the patients to be good.

This government just does not take that into account. It's being penny-wise, dollar-foolish, and those chickens are coming home to roost now, and it's just not the eight hospitals and three nursing homes. It goes beyond that. We have many more that are being negotiated right now, possibly 30 more. We don't see any progress here. We don't see any way in which the bargaining process can begin again in good faith. How you can have effective bargaining is the government says, we do not budge on 8 percent even though we know that is below the increase in the cost of living to date, even though we know that's below what's projected as increases in the cost of living, even though we know that's below what the hospital costs will be, even though we know from the testimony of expert hospital administrators and other people who aren't directly administrators but might be hospital administration professors, that 8 percent isn't enough. It just isn't enough and I don't know what will convince the Minister to sit down with the hospitals. And I think he's going to have to intervene directly because the Manitoba Health Services Commission, as he's told us in the Legislature, is really nearly a buffer and that ultimately people go to him directly and because of that he's considering moving the Health Services Commission into the Department of Health and make it a part of the line aspect of the department.

So given that situation, given the fact that the Minister has a staff member who is an ex-official member of the negotiating team for the hospitals, who indeed undoubtedly passes on comments to the other negotiators, he is involved, and he has to sit down with the hospitals and say, if you indeed find

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that you can't live with 8 percent, what seems to be a reasonable number, how do you then let the hospitals go back and negotiate? I'm not saying that you can give a final solution to the impasse that we have right now. That I leave to the collective bargaining process provided that there is some room for manoeuvre. But before the process even took place, the hospitals were telling us they had no room to manoeuvre. They say they have no room to manoeuvre now and we have the drastic action of strike, and I say the way to resolve this situation is to try and get that collective bargaining process working again in good faith and we may have some prospect of resolving the situation then.

That is the approach that we on this side of the House recommend. That is the approach that we ask the Minister to undertake. It is not happening now. What I do not want to see, and what really disturbed me the other day, yesterday, was the comments of the First Minister, who seemed to be playing macho politics from his seat as usual. But I couldn't help but infer from him that what he wanted to do was legislate workers back to work, health care workers back to work, and despite all these protestations that they believe in the collective bargaining process, they are not giving the collective bargaining process any room at all for negotiations to take place in good faith, and I believe that what they hope in a sense is to manufacture and build a crisis that shouldn't exist if it wasn't for this government's policy with respect to health care funding. And I think they want to play macho politics, use the lower levels of health care workers, the lower-paid groups of health care workers, as scapegoats and they ultimately want to legislate them back to work. Big tough guys. Big tough guys.

They took a very meek attitude with respect to doctors. They are taking an inflexible position with respect to health care workers. They are somewhere in the middle with respect to nurses, so you have some idea of the strategy and tactics of this Conservative government when it comes to health care. You know, I regret that we've had to in fact have a strike. No one likes a strike. No one wants a strike. We'd like to see the strike ended as quickly as possible because the strike has occurred at a difficult time. We already were having a crisis in the health care field. We already had 680 block beds in hospitals. We already have a waiting list of 2,000 people waiting to get into nursing homes. We already had situations where people were being put on five or six-week waiting lists for heart bypass operations. It's as if you have a five or six-week elective period if you're told that you've suffered a heart attack and that you need a heart bypass as quickly as possible, or if you have a brain tumor, that you then have to go on a waiting list for neurosurgery at the Health Sciences Centre.

That is the situation that we found ourselves two months ago and now we have this situation. It's a situation that could have been I believe avoided, and it is a situation which I feel can be resolved through the collective bargaining process. I believe that both parties directly involved with the government involved, but I say the parties of the, say the Health Sciences Centre, and CUPE, have to me shown an enlightened approach with respect to their essential services agreement. There is compassion there.

There is a sense of obligation to the patients. They are, in my estimation, using the strike, the instrument of last resort, in a way which is enlightened with their essential services agreement.

I believe that they can undertake to in fact practice that in other health facilities. I hope they do. So I see in a sense some goodwill there, but I know that the hospitals hands are tied and I know that the workers are in a very difficult situation. They have fallen way back behind other health care workers in other provinces. They have fallen way behind the cost of living increases in the cost of living. I do not want Tory restraint borne on their shoulders. I do not want morale decimated even more in the health care facilities so that they don't provide a good level of health care. I want health care in Manitoba to be the best possible health care in Canada. I want us to build back our health care system to a point where it was in 1977 and we will not attack this Minister for coming forward with positive programs and health care. We will not attack this Minister for coming up with positive programs and ones that take into account and recognize increases in the cost of living. We will be supportive of that type of initiative.

We do not support ill-advised tax cuts that have taken place over the past years. We do not advise a situation which says that we are far more concerned with estates of the dead than we are with the living conditions and the health care of the living if it comes to tradeoffs. We don't think that those tradeoffs were that necessary but the government has pushed it in that direction to the point where indeed health care is threatened. We know that. We want the government to reinforce the collective bargaining process. We are suspicious of the approach they are taking with respect to legislating workers back to work. I would hope that is not their approach. I would hope their approach would be to ensure that the collective bargaining process can work and to set up those situations whereby the collective bargaining process can work. It's worked to a degree to date.

There has been some compromise on both sides. I believe we can reach a solution and I believe that the biggest stumbling block to that solution is not the union, is not the hospitals, is not the nursing homes, but it is the Government of Manitoba and I believe it is a responsibility of the Government of Manitoba not to be the stumbling block to the resolution of this impasse, but in fact to be a facilitator. And to date it has not been, Mr. Speaker.

## INTRODUCTION OF GUESTS

**MR. SPEAKER:** Order, order please. At this time I should like to direct the honourable members' attention to the gallery, where we have 12 students of Grade 11 standing from Frontier School. This school is in the constituency of the Honourable Member for Flin Flon.

On behalf of all the honourable members, we welcome you here today.

At the same time, the Speaker of the House has a rather onerous job and that is it is his responsibility to enforce the rules of the Chamber. It is also his responsibility to know the rules of the Chamber and for that I beg the forgiveness of the House for not being fully aware of all the rules. We have had a

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custom and a tradition in this Chamber to allow a grievance. Each member of the Chamber once during the course of the sitting has the right to raise a matter of grievance in this Chamber. We have, I think, perhaps failed to refer to the authority that has allowed that and that is contained in the Fourth Edition of Beauchesne, and it's in Citation 234, and I would like to read it to all members.

The ancient doctrine that the redress of grievance should be considered before the grant of supplies is maintained in the House of Commons in Canada and it's also maintained here in this Chamber:

1) Whenever an order of the day has been read to the House to resolve itself into a Committee of Supply or the Committee of Ways and Means, the motion that the Speaker do now leave the Chair must be proposed except on Wednesdays, Thursdays, and Fridays, as under Standing Order 56. When such motion is proposed it shall be permissible to discuss any public matter within the powers of the federal government — and I would assume that applies to within the powers of the provincial government — or to ask for the redress for any grievance, provided that the discussions shall not relate to any decision of the House during the current session, nor to any item of the estimates, nor to any resolution to be provided to the Committee of Ways and Means, nor to any matter placed on or whereof notice has been given in the Order Paper. The debate in such a case is limited by the rules respecting past decisions, anticipation, sedition, reflections on the Senate or persons in high offices, and any order passed by the House for the purpose of regulating its discussions.

We had just had a decision taken in this House with respect to a matter or urgent public importance. It had been resolved by the House. The House, in its collective wisdom, made a decision not to accept a matter of urgent public importance. So, we now have had a case where a member rose and addressed himself to that very subject matter which had been refused by a vote of the House. I did not rule the member out of order when it was brought to my attention because I was not aware of the ruling, and so I ask the House for forgiveness in not maintaining the rules that have been set down in the past and precedence for which has been established. So I thank the honourable members and hope that the members do forgive me if I have erred in that particular case.

The Honourable Member for St. Boniface.

**MR. DESJARDINS:** Mr. Speaker, on a point of order, I certainly, for one, refuse to forgive you because I've got nothing to forgive. I've been in this House 22 years and I've never heard that you cannot discuss anything that you can't discuss things that are not related to the estimates, for instance. The statement that this was refused, the subject matter wasn't dealt with at all. What was refused is that it was an emergency and, Mr. Speaker, I can't recall for sure if that was a quote of yours but certainly many speakers have said in the past when they refused to adjourn the House, they said, well, you'll have a chance and they even mentioned grievance repeatedly. So, Mr. Speaker, if nothing else, the tradition of this House, and I can assure you that this

is something brand new that we heard today. Maybe the fact that it was written for the federal government has something to do with it but, Mr. Speaker, I think that we're on dangerous ground now if we're going to do that because we're going to curtail this altogether. This is something that it is an emergency — I say an emergency in our mind — you rule quite correctly as far as you're concerned, I'm sure. We're not debating that; I'm not debating that but it is still an emergency. It is something that the first chance that we have we've tried. The member asked questions; he tried to set aside the work of the House to deal with this and now, Mr. Speaker, he's had his point. So I don't think that you should apologize at all and I certainly refuse to forgive you because I've got nothing to forgive.

**MR. SPEAKER:** Order, order please. I have brought it to the attention of the House. I would hope that the Rules Committee would probably clarify our own rules, but at the present time, failing any lack of clarity in that, we have to refer to the rules that have been accepted in the past. There does seem to be some problem with this and I would hope the Rules Committee would look at it very closely.

The Honourable Member for Kildonan.

**MR. FOX:** Mr. Speaker, I concur with the Honourable Member for St. Boniface and further let me say that in respect to a grievance and in respect to procedure, grievance is strictly a personal matter that is one form of procedure of this House. It is not a motion and therefore it is not a resolution, and therefore, the rule that you read to us in respect to anticipation, in respect to other forms of procedure of this House that have taken place, does not apply to a matter of grievance since it is only a personal view of one member and the only time that member has to do that is once during a Session and when the motion to go into supply has been made. I would suggest that the interpretation that is being suggested is really not current in respect to a grievance. It is current in respect to any motions, any other procedures of this House, but not to a grievance.

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

**MR. GREEN:** Yes, Mr. Speaker, to the point of order. May I say that since we are not discussing anything which is now current, since we are discussing the moot question, since you are not making a ruling which affects anybody who wishes to speak before the House, you have brought something to our attention. I prefer, Mr. Speaker, to reserve my remarks until they become meaningful, but I wish to indicate that I believe that you are wrong in interpreting that the member who has spoken spoke out of order. But nevertheless, that is finished, it is behind us. It is like discussing something we did a week ago and trying to determine whether it was right or wrong. It is a useless exercise, and therefore I think that we should proceed with the business of the House. If it is ever raised again, you will have to deal with it on a question of ruling.

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

**MRS. WESTBURY:** Mr. Speaker, speaking to the point of order. I would like to say that when I voted earlier today I was not voting on the matter of the content of the grievance. I was voting on whether, according to the rules of this House as interpreted by you, Sir, that emergency debate could take place. If we had had a vote on whether this was an emergency I would have supported it because I believe it's an emergency. But you, Sir, stated that according to the rules of this House it could not be debated here today and so I was supporting you.

So, what I am trying to suggest here is that it was only according to the rules of this House that this was not an emergency and that in so ruling you were supported by the House. The content of the emergency and the grievance was another matter altogether. Mr. Speaker, may I ask, I wonder if it could be construed that because something has become accepted usage in this House, a procedure has become accepted usage, that that in itself would become a rule of this House. Is this ever a precedent established because of common usage?

**MR. SPEAKER:** Proceed with Orders of the Day. Are you ready for the question?

The Honourable Minister of Health.

**MR. SHERMAN:** Thank you, Mr. Speaker. First of all, Sir, I would like to thank the Honourable Member for Transcona for his comments in this critically important subject area, and for his advice. I also want to acknowledge his reasoned approach to the situation. I would hope to reciprocate in kind and that together we can produce a co-operative . . .

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

**MR. SAUL CHERNIACK:** On a point of order, Mr. Speaker, it's just on a point of order. I want to make sure that the Honourable Minister is in order, as I believe he is. I would assume that you, Mr. Speaker, in full knowledge of what you told us previously, have now accepted the fact that the Minister has a right to speak on a grievance, as he can, not having spoken before I assume on this debate. I want to make sure that he is proceeding in a way which I believe is correct and that he has the right to speak and is in order.

**MR. SPEAKER:** Order please. I had suggested that I had some concern about this. I hope the Rules Committee will look at it and I hope that what has occurred today does not establish a precedent.

The Honourable Minister of Health.

**MR. SHERMAN:** Mr. Speaker, I am proceeding on the assumption that you have raised a question that you feel is important, Sir, and that should be addressed by the House through the Rules Committee at some early stage in the future, but that you are not obviously changing a practice and procedure in midstream or in mid-grievance. So, it was on those grounds that I rose to respond and, of course, I acknowledge that I am using up my

opportunity to participate at the grievance level of debate for the current Session of the Legislature by speaking at this time. I also assume, Sir, although I'm not sure that I will be utilizing all the time available, although on past record I suppose my history would indicate that I tend to use more time rather than less. I assume that I have 40 minutes and that my comments will be broken at 4:30 for Private Members' Hour, but then I'll have the floor again at 8:00 p.m.

Mr. Speaker, I was saying that I appreciate the comments and the reasoned approach of the Honourable Member for Transcona. I would hope that we can work together on both sides, all sides of this House, to resolve reasonably, responsibly, co-operatively and quickly a very important situation in the province at the present time as it relates to the health care field. There is no question of its importance; there is no question of its urgency. I do not dispute the motives and the reasoning of the Honourable Member for Transcona in making the decision to utilize his grievance opportunity at this time to speak on this subject. I regret that the situation is so serious that he feels he has to raise it in grievance form, but I understand his feeling that way and further to that, Sir, I might say that I approach the whole question of a grievance debate on this subject with mixed emotions. I'm not entirely unhappy that the Honourable Member for Transcona has raised it as a grievance because it gives me and gives the government an opportunity, Mr. Speaker, to set the record straight in a number of areas in which I think it is of vital importance that it be set straight in the interests of public peace of mind and general knowledge and general reassurance, and peace of mind of members on both sides of this Legislature.

We have a strike now, Mr. Speaker, and there is no arguing that point and it has been noted for the record by the Honourable Member for Transcona in the outset of his remarks. But that is not a comprehensive report on the situation as it exists with respect to wage contracts and wage contract negotiations between the Health Sciences Centre and members of CUPE, or between employees of a considerable number of other health facilities in this province and management or facilities as represented by the Manitoba health organizations. There is a strike, indeed, but it is not correct to suggest that negotiations and talks are no longer going on. Negotiations, conciliation efforts, accommodation efforts are continuing and according to the latest official information made available to me by the Health Services Commission and my officials and the Health Sciences Centre, those efforts will be pressed and maintained at every opportunity.

The Honourable Member for Transcona has suggested that what we are facing today is the result of a systematic effort over three years by this government to cut back health care and to divert health care dollars elsewhere. Mr. Speaker, I have again, as I have in the past, risen in part because of my conviction that I must reject that suggestion and must reassure, insofar as I'm able to do so, members of this House and the public generally that this government and particularly this present Ministry of Health is making every reasonable and responsible effort that we can to meet the challenges

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that face us in the health field, and they are many, to accommodate the need for improvements and refinements and expansions of our health care system as we can; and to do all that at a level which will ensure that we can continue to do it, into the future, and not at a level that jeopardises the future, not only for those things yet to come but for those components of the system now in place.

I think a review of the provincial budget in total terms, and the health care budget in Manitoba, over the past 2-1/2 years does statistically and demonstrably testify to that position, Mr. Speaker. I don't dispute that health care facilities and health care professionals are having a difficult time in the current fiscal and financial circumstances in which all of us as Manitobans, as western Canadians, as Canadians and as North Americans find themselves. I've never disputed that these are not difficult, challenging fiscal or financial times. I don't think health care workers are the only workers in society who today are necessarily overworked and underpaid, although they well may be in substantial number, overworked and underpaid. I think there are other Manitobans today who are similarly overworked and underpaid. That is not an ideal situation, of course, Mr. Speaker, it simply happens to be a real situation, and it doesn't apply exclusively to Manitoba and Manitobans. I think that it doesn't apply necessarily unnaturally, I don't think that it's necessarily cataclysmic or revolutionary or of the nature of some kind of enormous social upheaval that we find ourselves today, whether we are health care workers or whether we are other contributors to our society, perhaps in our view at least and perhaps correctly, overworked and underpaid.

I think that there were probably 20 to 30 years in this country when a great many of us Canadians and Manitobans were underworked and overpaid. That is no excuse for reversing the spectrum as a government policy. What it is though, Mr. Speaker, I suggest to the Honourable Member for Transcona and others and all colleagues in this House, is the natural result of economic and social influences which have overtaken us in the past 2 to 10 years, in Manitoba, in western Canada and in Canada generally. And I rather fear, Sir, that we perhaps had better get ourselves used to it for a little while. I think that a lot of us for some time to come, if this country and this province are to be what all of us wish them to be, if our society is to be what all of us wish it to be, a good many of us for some time to come are likely to be overworked and underpaid.

But the key measurement, the key element in the equation in my view is, overworked and underpaid compared to what? We are probably overworked compared to the way that we worked in the 1950s and the 1960s in this country, but we're certainly not overworked compared to the way we worked in the 1940s or earlier, and I doubt that we're overworked compared to the way we're going to have to work for the rest of this decade of the '80s and possibly into the '90s.

So it is a relative judgement that one makes, Mr. Speaker. In terms of being underpaid, I suggest that substantially the same kind of comparative arguments can be applied, but I don't suggest that is sufficient argument for seeing members of our society and contributors to our society and economy,

exploited or discriminated against, or refused their legitimate economic reward. I can see that we have many workers in Manitoba and many of them in the health care delivery system, in the health service area, who deserve higher wages, higher salaries than they are getting at the present time. Among them were our doctors. When we inherited responsibility for the administration of this province, I believe we faced a serious threat to the maintenance of our doctor supply because of the unhappiness, the restiveness, that had developed in the medical profession in Manitoba for a variety of reasons, not the least of which are attributable to the whole change in perception that has come about for many in the medical profession as a result of Medicare, but some of which were directly related to the fee schedule and the perception that doctors had in individual cases, of his or her income earning opportunities. I believe it was absolutely necessary and vital to the future of health care in Manitoba that be corrected. The measures that were taken in the last few months with respect to achieving a new two-year agreement with the Medical Association, on a fee schedule, while protecting the principles of Medicare, I think were significant achievements, significant steps forward in reinforcing health care in Manitoba, and I think that they were justified for the reasons that I've already specified.

The reasons are, supply and the maintenance of that supply of doctors was threatened, and the situation was serious. I believe there are other health care workers who, like the doctors, a few months and a few years ago, are equally deserving of improvement in their professional fee schedules or wage scales. And I don't think that I have ducked that issue or that question, nor my colleagues, nor do I think that my colleagues in government have ducked that issue or that question in the 2-1/2 years that we've been in government. I have said, and I'm prepared to say again, that upward revision to a substantial degree of fees and salaries and wages for personnel in our health care field, from the level of professional nurses down, or if you like, from the level of lowest category service and support workers up to the R.N. level, is necessary and desirable and will be achieved and accomplished by this government.

We are not in negotiations with the nurses at the present time. There seem to be many commentators, and I don't confine them to the media, but there seem to be many public commentators who seem to be under the impression that we're negotiating with the nurses — we are not. The nurses are working under a contract that they signed with us some many months ago and which does not expire until December 31st of this year. Now I understand there is some restiveness on the part of some nurses because their colleagues in Alberta and B.C. have recently achieved really impressive, if not staggering settlements, Mr. Speaker, and that of course, would lead to some sense of frustration here. I believe that it's fair to say, in the normal democratic way of human exchange, that the first shots are being fired now, in the first skirmishes that are abuilding now, that will lead, ultimately, to official contract negotiations on nursing wages between the facilities and the Manitoba Health Organizations and the Nursing Associations, and that will be concluded,

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hopefully, with a reasonable and responsible new contract by December 31st of this year. But I think some of the comments that are harvested and utilized and exploited by some of the commentators, where nurses are concerned, should be interpreted in that light, should be seen in that perspective.

**MR. ACTING SPEAKER, Arnold Brown (Rhineland):** The Member for St. Johns.

**MR. CHERNIACK:** I'm wondering if the Minister is acceding to my request to ask him a question? Thank you, Mr. Speaker. Since the Minister used the expression, we are not negotiating with the nurses at the present time, does he accept responsibility for the negotiations that are taking place now with the members of CUPE, as he seems to have been assuming will be the obligation in negotiating with the nurses?

**MR. SHERMAN:** Mr. Speaker, I don't accept direct responsibility, because I would hope there would not have to be direct involvement, but I would certainly reassure the Honourable Member for St. Johns that I think that in this day and age all governments are certainly indirectly responsible, and the situation can easily develop wherein the government must become directly responsible. But at this point in time, with respect to a new nursing contract, that would be negotiated independently of my office or my direct involvement. I can see my direct involvement in certain circumstances becoming necessary; I hope it won't be, but when I say we are not negotiating with the nurses right now, I really use it in the generic provincial sense, as Manitobans, there are no actual negotiations going on with our nurses at the present time. —(Interjection)—

Well, the society of which are nurses are full and equal members, in it's position as represented by the management of health care facilities in the province, that component of the community is not in negotiation with the nurses at the present time, but a number of comments and commentators seem to be under the impression that it is, and I simply suggest to my colleagues in this House that some of the comments that are made with respect to nursing wages should be examined and accepted in that perspective. I think that we as Manitobans, face with our fellow Manitobans, the nurses, some interesting discussions over the next few months, as we move towards new contracts in the nursing field, and obviously some of the initial posturing is now being done.

What we're concerned with, are the service and support workers who are on strike at the Health Sciences Centre, and some eight or nine other health facilities in the province at the moment and who, unless conditions change and improve sharply within the next 24-hours, will be on strike at a significant number of other such facilities before the end of this week, and the Honourable Member for Transcona has proposed that the real issue, Sir, is whether health care is being squeezed to death by this government, and if so, whether the collective bargaining process at these various facilities can work in situations such as the present one. He has said that the hospitals, and I presume he includes the Health Sciences Centre, and perhaps even

emphasizes, primarily, the Health Sciences Centre, had no room to manoeuvre. Well I don't think that is accurate, Mr. Speaker. I've said that I think that all Manitobans in the health care field and all Manitobans generally, deserve a fair level of compensation for their work, for their contributions to our economy and our society, and I will do, and my colleagues will do, all we can to move them onto those planes as quickly as possible. But to argue that the budgetary policies of the government in the health field have prevented that kind of approach from being taken in the present collective bargaining process, I think is inaccurate, Sir. The latest offer rejected by CUPE before the strike deadline at the Health Sciences Centre would have provided the CUPE employees in the Local at that facility with more than 20 percent over two years. It would have worked out to 9.4 percent in the first year, 10.2 percent in the second year, compounded to September 1, 1981, that was 20.6 percent, and some categories would have received over 22 percent. That, Sir, compares very favourably, in fact virtually precisely, with the increase in the fee schedule that was achieved with the medical profession a few months ago. So to say that we have put the hospitals and the health facilities in a position where they can't manoeuvre and they can't make a fair offer and collective bargaining is no longer meaningful, is I suggest, Sir, simply not true. That may not be a sufficient offer for the workers represented by CUPE at the Health Sciences Centre, but no one can argue that it is an offer that represents a lack of manoeuvrability on the part of the health facility.

**MR. SPEAKER:** Order, order please. The hour being 4:30, I am interrupting proceedings to proceed with Private Members' Hour.

#### PRIVATE MEMBERS' HOUR

**MR. SPEAKER:** On Tuesdays in Private Members' Hour, the first item of business is Private Bills. We have one bill on Adjourned Debate on Second Reading, Bill 29, An Act to amend An Act respecting Victoria General Hospital standing in the name of the Honourable Member for Logan.

#### ADJOURNED DEBATE ON SECOND READING — PRIVATE BILL

#### BILL NO. 29 — AN ACT TO AMEND AN ACT RESPECTING VICTORIA GENERAL HOSPITAL

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

**MR. WILLIAM JENKINS:** Thank you, Mr. Speaker, I just have a few comments to make on this bill.

Mr. Speaker, since this is a new bill or an Act bringing up to date the Victoria General Hospital, I would have thought that the people involved would have accepted the fact that major funding of hospitals today are by the public through their instrument, the Government of Manitoba. And unfortunately, that is not reflected in the bill, especially when we look at members of the Corporation and members of the boards of trustees.

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We only find that there are two people in this whole board of trustees and the members of the Corporation who are appointed through any instrument of the public, and that is from the city of Winnipeg. And I find it singularly lacking that the board of the Victoria General Hospital — and I know they're not alone in this, the other boards of other hospitals are much the same — but there are no places here where the Government of Manitoba, which is the instrument of the people, could make any appointments to that board. And so I point that out to the member and I see the Member for St. Matthews is here this afternoon and I wish that he would convey that message to the people who wish this bill passed.

I also want to make another comment, Mr. Speaker, on the repealing of a section and I know that we have now in place in Manitoba, Human Rights legislation, but the repeal of Section 5(4) from the present Act — I think this section should be left in, Mr. Speaker, even though we have Human Rights legislation. And I would like to hear the Honourable Member for St. Matthews when he closes debate or hear from the solicitor representing the board when the bill goes to Private Members' Bills, why they ask for the repeal of this section, Section 5(4):

The Corporation shall not restrict for reasons of only race, creed, or colour, admission of patients, appointments to the board, and appointment or employment of medical staff, personnel in training, or other employees of the Corporation.

I think this is a good section, Mr. Speaker, and I think it should remain in the bill, notwithstanding that we have Human Rights legislation in this province at the present time. I think this is a good section, that it should remain in this bill. With those few comments, I am prepared to see the bill proceed to Private Members' Committee, but I do feel that it is incumbent upon the people who wish this legislation to be passed by this Legislature to have some explanation for the two points that I have raised here this afternoon.

Thank you, Mr. Speaker.

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

**MR. CORRIN:** Mr. Speaker, I too have but a few remarks to make with respect to this bill. Mr. Speaker, in saying that I would turn your attention specifically to Section 7(1) — the principle embodied and represented in Section 7(1).

Mr. Speaker, Section 7(1) deals with the appointment of a board of trustees and relates the manner of their election and service and indicates that terms may be prescribed by bylaw. Mr. Speaker, I am concerned, in view of the fact that so much funding for health care costs today is borne by the provincial government and of course indirectly by the taxpayer, I am concerned, not that there is public participation provided by way of legislation in order to provide citizen access to the boards responsible for the administration of hospitals, but I am concerned that too much authority may well be delegated to these boards in order to provide their conduct or the conduct of their affairs.

Last year, Mr. Speaker, there was considerable discussion in this Chamber relative to the question of

pregnancy termination, abortion policies from hospital to hospital throughout the province. It was determined that whereas some hospitals were supportive of the provisions of the federal law relative to abortion — and I'm talking, Mr. Speaker, of course of therapeutic abortion legislation — other hospitals were not. And they, Mr. Speaker, simply by way of board fiat, could restrict access to citizens wishing to have this sort of operative procedure take place at certain hospitals. This, Mr. Speaker, was of considerable concern to me. I believe it was of considerable concern to many members in the House. It doesn't, Mr. Speaker, seem quite right that citizens participating in the administration of the affairs of a hospital should have the right to have that hospital deviate from the provisions of the law of this country. It seems to me that common sense dictates that the hospitals belong to all the people, not just to the people who happen to be elected to a particular board. It seems to me that access to hospitals should be generally available to everyone.

I'm using, Mr. Speaker, perhaps a dramatic example in order to underscore the problem which I perceive in this regard. I don't mean to do so in order to be unfair or to unduly bias the discussion or debate or consideration of this matter but rather, Mr. Speaker, simply to illustrate the essential risk which this sort of format engenders. I recognize that we must court the risk because that is of course virtually implicit in the democratic format that's embodied in this legislation, and so whilst I commend the democratic format, I simply say that I am concerned about the abuse of authority in power.

It seems to me, Mr. Speaker, that it is time that government take a more activist approach with respect to the provision of health care. I've said that in other context during the course of this Session and others. I addressed myself earlier this Session to the need for more intervention in the field of ambulance services. Today, Mr. Speaker, we've had a lengthy and I think useful debate on the subject of health care funding and its adequacy in this province. But, Mr. Speaker, in this context, I move to suggest that it's very important that government take a dominant role in the establishment of certain essential service levels throughout the province, and saying that in the context of this legislation I suggest that it's somehow wrong that the board can have the sort of control that it does pursuant to this particular section that I've cited. I'm concerned that the board can not only prescribe the manner of election and the term of officers, but also all the procedures which will govern the affairs of the hospital. I'm concerned because there is an absence of process. There is an absence of opportunity afforded the citizen who is aggrieved at the decisions made by the so-called representative board.

We have a situation here where the board can fix its own term. The board, as I read it, could fix a term of several years for themselves. In other words, they wouldn't have to present for re-election for perhaps an unconscionably long period of time. In the meantime, Mr. Speaker, it is possible, I would submit it's possible that a board could be abusive of its democratic privileges. I give the example of the hospitals in this province who would not allow patients to be panelled for therapeutic abortion and I suggest, Mr. Speaker, in the context of those sorts

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of situations, apprehended as they are in the context of that sort of potential for mayhem and abuse, that this legislation should somehow be more directive, more imperative in its delegation of powers conferred upon the board.

It seems to me that we as legislators should control the question of appointment. I think that we as legislators should decide the manner of election. I think that we as legislators should determine the length of the elected officials' term of office. I think in that context, Mr. Speaker, that there is precedent. I'm relying on my memory, but it seems to me that in the last session of this House we dealt with a bill respecting the Act which governs the Manitoba Museum of Man and Nature and we made certain revisions which in effect implemented the policy and direction that I am now propounding. It seems to me that we stated rather explicitly that the board was to be constituted of certain individuals and we set out fairly clear guidelines as to how the members of the board should be elected and what procedures should affect that process.

I'm not suggesting that we should cavalierly out of hand presume that that sort of direction is required. I'm not suggesting that there is a reason to be that overbearing in the conduct of our affairs, Mr. Speaker, but I am suggesting that in the past there have been circumstances which would seem to militate in favour of that sort of governance, which would seem to militate in favour of that sort of policy direction.

In saying that, Mr. Speaker, I would say that I am generally not satisfied with that particular provision. I think in the future it's going to cause problems; it already has. I think that we should reconsider this particular provision. I would ask the government prior to coming before the committee to review the effect of this particular provision, the impact it may well have on the delivery of health care services in our province.

I've addressed myself to one particular problem, the question of therapeutic abortion and access. I am sure that if sufficient analysis study were done that other such problems might well come to the fore. I am sure if there was a thorough investigation as there was in the case of the Manitoba Museum of Man and Nature prior to the implementation or enactment of that legislation, I'm sure if there was that sort of review that we would also determine that there have been disputatious and contested circumstances related to the election of officers in our many provincial hospitals. So I would ask the government to look into this matter and perhaps at committee stage report as to whether or not they feel that this approach is adequate and suits contemporary problems and situations.

Thank you, Mr. Speaker.

**MR. SPEAKER:** Are you ready for the question? The Honourable Member for St. Matthews will be closing debate.

The Honourable Member for St. Matthews.

**MR. LEN DOMINO:** Thank you, Mr. Speaker. I'd like to thank the members opposite for their comments and their contributions. I'm not sure whether the members opposite have caucused this bill or which members spoke on behalf of the caucus

if they have, because I think their concerns that were expressed were it expressed different concerns.

Mr. Speaker, I don't intend to speak at length on this bill. I would hope that when the counsel for the board and it might even be arranged for the members of the board, if it's thought advisable, to appear before the committee when the bill goes before committee. We could discuss the matters that were brought up in detail and I would hope that all the members of this House would be satisfied with the explanations we produce because I brought this bill forward on the basis, it's my opinion, it was basically a house-cleaning bill, basically a matter of updating the legislation and changing some wording. I didn't expect it to be contentious, however, if it does prove to be, hopefully the board together with myself will be able to answer the questions that were brought up.

Mr. Speaker, I do want to say just a couple of things. Oh, I want to reinforce or reiterate the fact that I have confidence in the Board of Victoria General Hospital or I wouldn't have brought forward this legislation. I think that they are acting in the best interests of the citizens that they serve and the community they serve, and I have no doubts about their competency or about the values they have been applying in making their decisions. I certainly don't want to in any way condone, I don't want to agree with anyone who suggested that the provincial government should play a greater role in running of hospitals. I think the hospital boards across this province do a good job. In my opinion, there is no need for additional government involvement in the actual running of the boards. I certainly can't envision and I can't see any circumstance under which the provincial government of any party would order doctors, nurses, hospitals and hospital administrators to perform therapeutic abortions should those people consider it to be wrong in their own conscience. I'm not quite clear whether the Member for Wellington was suggesting that maybe the provincial government needed more control over hospitals so that they could insist that hospitals perform therapeutic abortions. I hope he wasn't suggesting that because if he is, I certainly can't agree.

As for the specific matters, the other matters that were mentioned by the Member for Logan, I hope that we can discuss these at committee. I will endeavour to make sure that at least one member of the board is available and that the counsel for the board is there, too, so that they might assist me with supplying some of the answers and details to some of the more specific questions that were asked and I certainly don't have the answers to today.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** Bill No. 11, An Act to incorporate The Brandon General Hospital Foundation. The Honourable Member for Brandon East. (Stands)

## **SECOND READING — PRIVATE BILLS**

### **BILL NO. 45 — THE INVESTORS SYNDICATE LIMITED ACT, 1980**

**MR. STEEN** presented Bill No. 45, The Investors Syndicate Limited Act, 1980, for second reading.

**MOTION presented.**

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

**MR. STEEN:** I wasn't sure, Mr. Speaker, whether you were going to get the question passed that easily or that quickly, but I do think it's expected of me to explain the bill to some degree. Some members of the House, and particularly I imagine the Member for Inkster and for St. Johns, will recall that last year I sponsored a bill on behalf of the Investors' group, which is the holding company of the Investors Syndicate and the other two firms that are being discussed in the bill that's before us today. At that time it was to allow the Investors' group to comply with The Companies Act and that was the content of that particular bill.

I wanted to be very clear to all members of the House and to the public at large that I, in no way, shape or form, work for the Investors Syndicate people, whether it be the Investors' group, the holding company or any one of their subsidiaries. In fact, they are competitors to me in my private life and I do not hold any shares, nor do I have any investments within that company. The seconder of the motion is likewise, he doesn't have any money invested in the Investors, but the Member for Inkster says that he is a shareholder, or he has a certificate with the Investors' people, therefore he should be most interested in the contents of this bill, Sir.

The Member for St. Johns may recall that about five years ago that he had the privilege of sponsoring a bill in this House on behalf of the same Investors' people, and at that time it was giving the shareholders the right to defer taxes on dividends. So a number of us in this House, Mr. Speaker, have performed duties for private corporations in helping them get their matters clarified before this House.

The purpose of this bill, Mr. Speaker, is to amalgamate three of their companies. It's the amalgamation of the Investors Syndicate Limited and two other companies, the Western Savings and Loan Association and the Provident Investment Company Incorporated. The Western Savings and Loan and the Provident Investment Company, Sir, have not been marketing saving certificates for the past 10 years or thereabouts. They have sort of been dormant companies and the Investors Syndicate Limited has been the company that has been out marketing saving certificates, etc. So the purpose of the bill is to amalgamate the three companies under one company, which would be known as the Investors Syndicate Limited, 1980.

But there are some principles in the provision of this bill, Mr. Speaker, and that is that the new company, the Investors Syndicate Limited, will obligate itself to be responsible for all investment contracts that have been previously issued by the three companies. The Investors Syndicate Limited will maintain investment contract reserves, substantial reserves and suitable reserves to cover the investment contracts that have been previously issued by the three companies that I have mentioned previously. The Investors Syndicate Limited will be

liable for all the debts and obligations that go along with the saving certificates that have been sold by the three companies mentioned in the past. The investment restrictions and reserve requirements to which the three companies are now subject to, Mr. Speaker, will be continued under this new Act.

So therefore, Mr. Speaker, any persons having dealings with the three companies that are now being amalgamated into one in my opinion are protected by this new Act and under this new company. This Act, Sir, provides for an increase in the maximum consideration for which the shares of Investors Syndicate Limited may be issued for from a sum of now of 11 million to 21 million, so the company is going to put themselves in a financial position to gain strength. And the Act will permit the Investors Syndicate Limited, Sir, with the consent of the Manitoba Securities Commission, to create or own subsidiaries which have previously been affiliated with the Investors' investment contract business of all three companies. The Act, Sir, will permit the Investors Syndicate to increase or change its capital structure by articles of amendment under The Manitoba Corporations Act, however, no change in the restrictions on the business of Investors Syndicate may carry on. On its investment powers or reserve, requirements may be affected without amendment to its special Act.

So, Sir, I think in a nutshell, to sum up the purpose of the bill, it's to amalgamate three companies under one name and this is the only one of the three companies that is carrying on currently in the sale of securities and saving certificates. As I said, the other two companies have not been out marketing certificates for the past 10 years or thereabouts, and I might say to members of the House that when the bill goes before committee, that officers of the Investors Syndicate Limited or/and legal counsel for that company will make themselves available at committee to answer any questions that any members of the Legislature at that time may wish to pose to them.

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

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

**MOTION presented.**

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

**MR. CORRIN:** I was wondering if the honourable member would allow one question.

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

**MR. STEEN:** Yes, Mr. Speaker, I don't guarantee the honourable member I can answer it though.

**MR. CORRIN:** I don't mean to be suggestive, Mr. Speaker, but I would ask and I would ask respectfully whether or not it is true that the Power Corporation of Canada — I think it's called that, it

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may not be its proper title — controls the shares of both the Great-West Life Assurance Company and Investors Syndicate. I would ask whether the same board . . .

**MR. SPEAKER:** Order, order please. Order please. I would have to rule the question out of order as being irrelevant to the bill.

The Honourable Member for Wellington.

**MR. CORRIN:** Earlier, the Honourable Member for Crescentwood, whilst addressing himself to his remarks, I think responded to some questions that had been raised by another member on this side, and he indicated that there was no legal affiliation between the two corporations in question. What I am trying to do by way of asking this question is determine whether or not that is objectively and factually correct. I'm not suggesting, Mr. Speaker, at this point that there's anything wrong or that there's any conflict of interest in this situation, but we're just trying to assess the validity of the honourable member's statement.

**MR. SPEAKER:** It has been traditional and customary in this House, when asking questions after a member has spoken on second reading, that those remarks be confined to clarification of the issues that have been raised by the member in the debate that has gone on. To ask a question bringing extraneous material in at this time I suggest is a proper matter for debate and not for clarification. I would have to rule the question out of order.

**QUESTION put, MOTION carried.**

**BILL NO. 46 — AN ACT  
TO AMEND AN ACT INCORPORATING  
THE REGENT TRUST COMPANY**

**MR. STEEN** presented Bill No. 46, An Act to amend An Act Incorporating The Regent Trust Company, for second reading.

**MOTION presented.**

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

**MR. STEEN:** Thank you, Mr. Speaker. Bill 46, which is An Act to Amend An Act Incorporating The Regent Trust Company. This was a trust company which was incorporated in 1954 as a private company. It was a company established by a family here in the city of Winnipeg, at that time for their own private purposes. Since that time the company has been sold, and at that time in 1954 there were 5,000 shares issued and carried a value of half a million dollars. Now that the company is a private public company and not held by members of one family, to meet the Canada Depositors Insurance Act, the company has got to change its share value, and what they have to do is change the share value to a sum greater than 1 million. So what is being proposed in this bill, Mr. Speaker, is that the shares will consist of 30,000 shares for a maximum consideration of 3 million, so that they will now

comply with the Canada Depositors Insurance qualifications.

Also, this company will meet the Trust and Loans Corporation Act by changing their share value. Mr. Speaker, it's a very simple bill; it's one side of a page. The capital of the company is the purpose of asking to have the Act amended so that this company can, as I have said on one or two occasions before, meet the Depositors Insurance qualification, and at the time that this matter goes before committee, legal counsel for The Regent Trust Company would be more than pleased to be present to answer any questions that at that time might be posed to them by any member of the Legislature.

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

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

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** Bill No. 54 — the Honourable Member for Crescentwood.

**BILL NO. 54 — AN ACT TO GRANT  
ADDITIONAL  
POWERS TO CHARLESWOOD CURLING  
CLUB LTD.**

**MR. STEEN** presented Bill 54, An Act to Grant Additional Powers to Charleswood Curling Club Ltd., for second reading.

**MOTION presented.**

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

**MR. STEEN:** Mr. Speaker, some members of the Legislature may recall that last year I had a similar bill for the Rossmere Golf and Country Club, and I'm sure that the Member for St. Johns will recall that bill. This bill is very similar to that one — the purpose of the bill is to authorize an annual assessment for the Curling Club Ltd., and to place them in a better position to get control of their shares. The authority for annual assessment is what they would like to have, where the Board of Directors may, at an annual meeting, authorize that an assessment be placed against each shareholder of the Club for capital improvements; if the Club should show a deficit in one or two years and wish to pay off the deficit, that an assessment would be charged against the shareholders of the Curling Club Ltd.

Currently at the Curling Club there are some 450 shares issued, of which 50 or more shareholders cannot be located; the Curling Club Board of Directors are not sure whether these persons are deceased or their whereabouts are. They cannot track them down. Of the 450 shares, only about 200 of them, Mr. Speaker, are shareholder active curling members. The Curling Club itself does consist of a number of members, more than that figure of 200, but what they have been doing in recent years is permitting persons to join the Club without buying a

share. They come in and they pay their annual dues and they are accepted, and therefore the Club has added enough members so that they can have a curling strength in order to run their leagues on a profitable and a break-even, at least, point, and to supply good competitive curling for its members.

What they would like to do, is have each member of the Club be a shareholder, if possible, so that that person would have a greater interest in the Club. By being a shareholder, the member feels he's got an investment in the Club and is more likely to continue as a member of that particular club rather than moving on to a different club from year to year.

The share assessment, Sir, and I might even point out how it works at the Granite Curling Club, where I own a share. The last two years, the share at the Granite Curling Club, Sir, is worth 50, it has a par value of 50. The share assessment on that share is 20 per year. If the member pays his membership dues, plus the 20 each year, therefore there is no assessment charged against the share. In my particular case, Mr. Speaker, I have not paid my membership at the Granite Curling Club for the last two years, because I haven't been curling. So what has happened with my share at the Granite Club, is that two years ago 20 was charged against the 50 share, and this past winter another 20 was charged against that share, so that share today has a value of 10. If next year I choose not to pay back the 40 and rejoin the Club, or try to protect the share, the share becomes the ownership of the Granite Curling Club and it's no longer in my name.

This is what the bill last year with the Rossmere Golf and Country Club was, and the reasoning behind this bill is to have a portion of the annual dues classified as share assessment. Usually that portion of the dues runs 10 percent of the annual dues or less. It's just so that there is some value placed on the share. It also encourages all members to be shareholders. It also gives the Club a right to, if the Club was to run into financial difficulty or was to want to expand their facilities, say for example, the ice place broke down and it was going to cost them 60,000 or 70,000 to install a completely new ice plant, they have to have a means of paying for that. Therefore, if they have shareholders in which they can spread that charge across, over a number of years, they have some members that have a valid interest in the club because they are shareholders, as opposed to a member who will say, well I'm not a shareholder but I got in last year to that particular club because they were short of members, so I was permitted to pay my annual dues, but since the club has run into ice problem difficulties or financial difficulties, I'm going to leave that club and move on to another club.

This is the drawback to permitting members to play out of either a golf club or curling club without being a shareholder, as they don't have a vested interest and a financial responsibility towards that club. And, Sir, that is the purpose of this bill. The bill says that due notice will be sent out to all members at any time, that an assessment would be changed, and that the cancellation of a share — and I can cite my own example, if the Granite Curling Club next year wants to cancel my share, they have to do it in writing and send me a letter, saying that for the past three years you haven't paid your share assessment,

so the share is no longer in your name and we're taking it back from you. So they have to give a person such as myself due notice.

So, Mr. Speaker, again I can say, at the time that this bill goes to committee, members of Charleswood Curling Club Ltd. will be present, and I understand their legal counsel, Mr. Hucal from Monk, Goodwin & Co. would be present at that time.

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

**MR. CHERNIACK:** Mr. Speaker, I wonder if the honourable member would permit some questions in order to clarify. Firstly, could he undertake to let us have, privately, if necessary, a statement showing the net value of the assets of Charleswood Curling Club Ltd. so we have some idea of the value of the individual shares; secondly, could he inform us as to whether or not there is a market value on these shares so that they may be traded, and if so, at what price? I wonder if he could provide that information in due course.

**MR. STEEN:** Yes, Mr. Speaker, I would get that information for the honourable member. But I might tell him that in most cases with clubs, the shares carry a fixed price, it's not a floating price, and what usually happens that when a person wishes to no longer be a member, that they have the right to sell the share back to the club. This is the case in most cases, as opposed to selling it to a neighbour or someone else, and that is a predetermined price that's fixed right on the share. But that is in most cases. I cannot say that is the case for Charleswood because I am not a member of this club; I was a member across the street at the Granite Club, but I will, for the Member for St. Johns, certainly get the answers to those two questions for him.

**MR. CHERNIACK:** Mr. Speaker, if I may add two more questions. Firstly, is it the practice of this club, Charleswood Curling Club, that any existing member who wishes to cash in his share, if they have that fixed price system, could do so without having a customer to replace him; could indeed cash it in rather than lose whatever interest he has in it. That's the first question, or the third question really, and then the fourth question I would like to ask him is whether the members whose whereabouts are known, have all agreed to the presentation of this bill before the House.

**MR. STEEN:** The answer to the third question is that yes, the Club would like to buy these shares back. One of the problems that they have had is that there are only 450 shares that have been issued, of which 50, as I said earlier, they cannot locate the people, approximately another 200 are not carrying on as members; they may be in the hands of an estate or a widow, and the person who the share was originally issued to is no longer interested in curling or available to curl, and what they don't want to do is to have to issue new shares or additional shares, because therefore the value of the current shares would decrease. So what they would like to do is attract existing shares of non-users back into the hands of the Curling Club Ltd. so that they can

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encourage all people that would use the facility to become shareholder members.

Now could the member repeat his fourth question? —(Interjection)— Well, before such a bill would come before the House, Charleswood Curling Club Ltd. would have to get an agreement from the shareholders that they could proceed. It is a company limited. Now if they can't locate a lot of the people, therefore, they obviously didn't get the agreement of those people, but the members were all notified, those that they could locate, and it was approved by the members that took enough interest to show up. As far as being any opposition to proceeding with this, I can't answer that question, but I will do my best to obtain that answer along with the other answers that are expected.

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

**MR. JENKINS:** Mr. Speaker, I beg to move, seconded by the Honourable Member for Flin Flon, that debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** We'll proceed with Public Bills now.

### **SECOND READING — PUBLIC BILLS**

**MR. SPEAKER:** Adjourned Debate on Bill No 44, An Act to Amend The Medical Act. The Honourable Member for Logan.

**MR. JENKINS:** Let this matter stand please, Mr. Speaker.

**MR. SPEAKER:** There has been a request to have this stand. Is that agreed? (Agreed)

Proceed to Second Reading of Public Bills, Bill No. 15 — the Honourable Member for Brandon East.

**MR. EVANS:** Stand, Mr. Speaker. (Agreed)

### **BILL NO. 40 — AN ACT TO AMEND THE LABOUR RELATIONS ACT**

**MR. ALBERT DRIEDGER (Emerson)** presented Bill No. 40, An Act to amend The Labour Relations Act for second reading.

**MOTION presented.**

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

**MR. DRIEDGER:** Thank you, Mr. Speaker. In explaining the purpose of this bill, I'd just like to indicate that it is a relatively simple bill, contrary to the concerns that have been expressed already by some people, that this is the tip of a mountain and other concerns that have been indicated by Dick Martin, the President of the Manitoba Federation of Labour, who was quoted as saying, So they want to open the floodgates for everyone who wants the benefits of unions but not to pay for them. He further indicated that, saying that the Manitoba Federation of Labour was concerned that the provision would be

abused by workers who did not want to pay dues to union. In explaining the bill, Mr. Speaker, I would like to make reference to actually what has happened since 1972.

This bill is actually reinstating legislation which was passed in 1972 by the former government when they created under The Labour Relations Act, where they created the exemption and gave the Manitoba Labour Board the right and power to grant exemptions from paying union dues by reason of religious belief. This came about around November 1st, 1972, when The Labour Relations Act was changed and there was provision made for a compulsory check-up of union dues. During the subsequent Law Amendments hearings that were taking place at that time, representation was made by various people and specifically by the Plymouth Brethren at that time, who made strong representation opposing the compulsory check-up and the committee stated at that time, the regulation was changed making provision for somebody who objected on behalf of conscientious reasons for religious purposes, that the deductions, instead of paying the dues to the union, it would be deducted from his wages and they would be sent to a charity of choice, that was supposed to be agreed on between the union and the employee. Failing that, they could come to some kind of agreement and the Labour Board could indicate where it would be going to.

Since 1972, at that time there had been 24 applications made to the Labour Board, of which in that time two were approved, one was withdrawn and 21 were rejected. At the beginning of the applications the board rejected every application without any helpful written reasons at that time. Later the board started to give reasons. These reasons showed that the board was taking the position that the exemption only applied if an application of a religious group prohibited that individual from paying dues to becoming a member of the union. Basically, if the church insisted on it, then they used that interpretation. An unsuccessful applicant, Henry Funk at that time, in 1974, took his case before the Labour Board. It was refused. He took his case first to the Court of Queen's Bench, where he lost, and then subsequently he took it to the Court of Appeal, which then held that it should be interpreted on the basis of an individual's belief and that the board was, at that time, interpreting the legislation too closely.

Subsequent to that, application was made by a Gertrude Frieseh, a nurse from the Brandon area who, in her sincerity, convinced the board at that time that she be allowed to be exempted from paying the dues to the union. Shortly after this a second application by Gordon Henry Dyck, who was a young fellow who made the same type of application, again his sincerity and his beliefs were such that the board could not really refuse him and they allowed that application.

Between the dates that these two exemptions were granted on June 11, 1976, Royal Assent was given to an Act to amend The Labour Relations Act. Section 30-2 of the Act had the effect of cancelling all orders of the board that granted exemptions. At that time it also made provision that took the authority away from the Labour Board and gave the authority to the

unions. This Act was not proclaimed, of course, until December of 1976, when it was proclaimed it had the effect of cancelling the two exemption orders. The granting of the Gordon Henry Dyck exemption was an empty gesture because when granted, legislation cancelling the order had already been given Royal Assent and would cancel it in the proclamation, and at that time the authority or the power was given to the unions to make that decision. I have no knowledge, Mr. Speaker, as to whether applications have been made to the unions for exemptions or not. It would be helpful if we could have though I suspect that based on the activities that have taken place since 1972, that many of them were discouraged from making that kind of application.

Mr. Speaker, in our society individual rights need to be respected and recognized by our laws. The government made it a matter of policy at that time to pay union dues to unions wherever there is a collective agreement. We must recognize to some degree that this offends strongly and sincerely against religious convictions of certain individuals in Manitoba. Although these numbers might be small, it is the principle of the individual rights which affect everybody which is the issue. It is submitted that to grant the exemption is not to seriously threaten unions, their strength or survival or their role in ultimately protecting individual rights. I submit that the exemption will simply be a means of ensuring that individual religious beliefs are not necessarily forced to be compromised by law and unreasonable unions, that the opportunity for a job in a place where a union is in place, should not be denied to persons who have religious beliefs.

Mr. Speaker, it's also a known fact that the people who have these kind of religious beliefs certainly are very productive in their places of employment. It is not that they are trouble-makers of any nature and I think we have to respect those rights. Mr. Speaker, there's no doubt that if such a regulation can't potentially be abused by persons seeking to weaken certain unions, but the Labour Board is appropriately constituted to consider these applications when made. I think it is much more appropriate that the Labour Board would consider these kind of applications than unions doing it. By having the unions rule on this thing when an application is made, it's like an individual offender sitting in as his own judge.

The kind of exemption that was introduced in 1972 has worked very satisfactorily in Ontario for many years. There has been no problem with it, not with the unions nor with the government, and it gives the individuals that kind of a right. Also, there was no opening of floodgates in Manitoba in 1973 to 1976. As I indicated before, a total of 24 applications were made, and I think we should give these people the opportunity to have consideration along those lines. I would expect that if we can possibly change the Act again and make provisions here, that possibly applications will again start forthcoming. As I indicated before, prior to 1976 when this was changed, applications were made but at that time the interpretation was very narrow, and by expanding it I think we could possibly expect some applications along these lines.

Again, Mr. Speaker, the concerns that have been already raised through the media and some correspondence that I have, that this is the tip of the iceberg, that it is intended to weaken unions, is totally erroneous. I think the bill is very simple. One person indicated that there were all kinds of hidden meanings behind this bill. Well, it's very simple that it basically is here to serve the purpose of those who, for religious reasons, conscientiously object to paying or belonging to a union. They're prepared to pay their dues, but to a charity of their choice. A choice, not of their choice, but say a choice that they can agree on between the union and the employer or the employee. Failing this, the Labour Board could then indicate where the money should be going to.

I would hope that the members opposite could also, as they did in '72 when they made the initial provision, could consider seeing fit to support this bill.

Thank you.

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

**MR. GREEN:** Yes, Mr. Speaker. I certainly want to speak with respect to this particular bill, Mr. Speaker, because I think it's a classic example as to how legislation interferes with the liberties of the individual in our society. This particular bill brought, Mr. Speaker, on the basis of conferring liberty, is a bill which interferes substantially with the liberties of the individual. Mr. Speaker, I'm in a fortunate position in terms of what my friend says about '72, because if the member will go back to the '72 debate he will see that in '72 I said that the Manitoba Federation of Labour, Mr. Speaker, said was acceptable. I said it was not acceptable but I would go along with it as part of a major bill, but that it's not a provision which confers freedom on the individual; it's a provision which takes freedom away from the individual. I said that in '72, so when my friend says that I hope you will go along as you did in '72, I'm not going along, Mr. Speaker, as I didn't in '72, and fortunately I am now speaking with respect to the particular section, not to the entire bill. Within a very short period of time, Mr. Speaker, it became apparent to the Manitoba Federation of Labour and to the Minister of Labour that the bill that was passed in '72 indeed did not confer freedom on the individual. As a matter of fact, it was a discriminatory bill which went against the liberty of the individual.

Mr. Speaker, it's a mistake on the part of many to think — and that is the crucial mistake — that legislation conferred collective bargaining rights; that the individual's right to bargain was given to him by a group of politicians. Nothing could be further from the truth. The fact is that for the most part, all of the labour legislation that has been acted in the province of Manitoba restricted the freedom of the individual, did not confer it. I tell my honourable friend that there was collective bargaining before The Labour Relations Act; that there were collective agreements before The Labour Relations Act; that there were agreements providing for a deduction of union dues before The Labour Relations Act; and that if anything the Act has been a problem with regard to these

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things, and not something which has conferred them on trade unions.

In the guise of conferring rights on trade unions, all of these Labour Relations Acts have put unions into a very difficult position, and one of the things, Mr. Speaker, is this type of thing. Let's leave it to the individuals. Let's leave it to freedom to decide as to whether there's going to be a collective agreement. Let's leave it to freedom to decide as to whether that collective agreement is going to be agreed to by the employer and whether the employer is going to deduct union dues in accordance with the collective agreement. Let's not have a law that says that you shall not permit dues to be deducted on the basis of a certain position.

Now, Mr. Speaker, let's deal with it first of all on the basis of freedom. How is this freedom? It says, Mr. Speaker, that a person for religious reasons can refuse to have moneys deducted — not to be a member of the union — refuse to have money deducted for payment of union dues. Why, Mr. Speaker, does a religious belief have a higher scale than a non-religious belief? Let us assume that we have a person who doesn't believe in unions. He doesn't also believe in the Plymouth Brethren, but he has conscientiously, Mr. Speaker, as any of the Plymouth Brethren or any other church that you want to name, said that I believe that unions are bad, I don't believe in them and I don't believe that my money should go to unions. I believe it should go to a charity of my choice.

**MR. SPEAKER:** Order please. The hour being 5:30, when this subject next comes up the honourable member will have 16 minutes. The hour is 5:30, I am leaving the Chair to return at 8:00 o'clock.