

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 4 July, 1985.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

PRESENTING PETITIONS

MR. SPEAKER, Hon. J. Walding: The Honourable Member for Ste. Rose.

MR. A. ADAM: Mr. Speaker, I beg to present the petition of Les Révérends Pères Oblats praying for the passing of An Act to amend An Act to incorporate Les Révérends Pères Oblats in the Province of Manitoba; Loi modifiant l'Acte pour incorporer Les Révérends Pères Oblats dans la Province de Manitoba.

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker.

I beg to present the petition of the Niakwa Country Club, praying for the passing of An Act to amend An Act to incorporate "Niakwa Country Club."

MR. SPEAKER: Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, under the routine proceeding for Reading and Receiving Petitions, I would ask for leave of the House to Return the Petitions just presented, so that they can be read and received by the honourable members today, by leave.

MR. SPEAKER: Is there leave to read the petitions presented today? (Agreed) Leave has been granted.

READING AND RECEIVING PETITIONS

MR. CLERK, W. Remnant: The petition of Les Révérends Pères Oblats praying for the passing of An Act to amend An Act to incorporate Les Révérends Pères Oblats in the Province of Manitoba; and the petition of the Niakwa Country Club, praying for the passing of An Act to amend An Act to incorporate "Niakwa Country Club."

MR. SPEAKER: Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: I have a Return under Section 66(3) 1 and 2 under The Legislative Assembly Act for the year ended March 31, 1985.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

I'd like to table the Annual Report of the Municipal Employees Benefits Fund for the calendar year 1984.

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

ORAL QUESTIONS

Deer Lodge Hospital - strike

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker.

My question is for the Minister of Health. In view of the increased picket activity by the strikers at the Deer Lodge Hospital in an effort to prevent staff who are providing services to the residents of Deer Lodge, can the Minister give to the House the assurance that he, as Minister of Health, and his colleagues are offering full support to the management of Deer Lodge Hospital in their efforts to provide services on as close to a routine basis as possible for the provision of an adequate standard of health care to the residents of Deer Lodge Hospital?

Mr. Speaker, it's unfortunate that the Minister didn't catch that. I'll try to repeat the whole question.

In view of the increased effort on the picket lines by the strikers to prevent and intimidate the entry of workers who are at Deer Lodge on a part-time and temporary basis, can the Minister offer the House the assurance that he, as Minister of Health, and his colleagues are fully supportive of the efforts of the management of Deer Lodge Hospital to provide the necessary standards of care and the people to carry out that care for the patients and residents of Deer Lodge Hospital?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, if my honourable friend is asking me if we are choosing sides in this debate, the answer is no. As I stated previously, as Minister of Health, my responsibility is to see to the welfare of the patients and the hospital as always will receive the co-operation - they are co-operating in that instance. For instance, we're sending people from the commission who are standards officers to make sure that standards are maintained - that is being done. My colleagues, the Ministers, are making sure that all the labour legislation is enforced. I hope and I'm very optimistic that a settlement should be arrived at fairly soon.

Deer Lodge Hospital - patient numbers during strike

HON. L. DESJARDINS: When I'm on my feet, Mr. Speaker, I'd like to answer a question that was asked of me yesterday. The patient count before the strike

started was 256 - and I was wrong - it is now 257. Let me explain why. Three of them returned from leave, an ordinary leave away from the hospital and two received a normal transfer. I say a normal transfer. That happens. People that are on the waiting list and that are transferred to personal care homes when their turn comes.

The nurses, the equivalent of nine nurses a day, that could vary a fraction. That's normally an average of nine nurses have been hired and the volunteers, there's approximately anywhere from 20-60. There are 68 students hired and they all started at the starting grade.

Deer Lodge Hospital - gov't support to management during strike

MR. D. ORCHARD: Mr. Speaker, I didn't ask the Minister to take sides in the dispute because we on the this side, as I'm sure the management at Deer Lodge are interested in the care of the patients. That's why I posed the question to the Minister. If he is offering the full moral support of his office as Minister of Health and of his colleagues in government to the management of Deer Lodge when they are bringing in the some 140 or 130 people to provide the services that are being withheld by the union. Mr. Speaker, that question is based because of the allegations coming from the — (Interjection) —

MR. SPEAKER: Order please, order please.

If the honourable member has a question seeking information, would he kindly pose it.

The Honourable Member for Pembina.

MR. D. ORCHARD: Yes, Mr. Speaker, I do have a question because the management of Deer Lodge Hospital have been accused of using scab labour and I want the assurance to the House and to the residents and patients of Deer Lodge Hospital that this Minister and his colleagues are supportive of the efforts by the management of Deer Lodge to provide the kind of services those patients require?

HON. L. DESJARDINS: It's a very good question that I'd like to answer. Mr. Speaker, I want to make it clear that we feel that the employees are also interested in the welfare of the . . . there is discussion going on between the employees re the essential services as we discussed yesterday. I think it's suffice to say here in this House that I'm committed to protect the welfare of the patients. I'm not going to enumerate all the options that we have to do that. We'll live up to that commitment and I think that's the important thing.

MR. D. ORCHARD: Mr. Speaker, in clarification of an answer the Minister gave about nine nurses - is it fair for me to assume that those nurses are provided through the services of MEDOX?

HON. L. DESJARDINS: Yes, Mr. Speaker, I believe that all of them come from MEDOX.

MR. D. ORCHARD: Mr. Speaker, last week I posed the question to the Minister as to whether the staffing in

the pharmacy department of Deer Lodge were part of the union that is currently picketing the Deer Lodge.

HON. L. DESJARDINS: Sorry, I have this answer. I was waiting to make sure my honourable friend would hear the answer I had - the list of all the different people are there and they were not included.

Deer Lodge Hospital - duration of strike

MR. D. ORCHARD: Mr. Speaker, the Minister made brief reference in one of his answers to the duration of the strike. Is the Minister indicating to the House today that we may see a very quick resolution of the strike, possibly even this week?

HON. L. DESJARDINS: I am very optimistic, Mr. Speaker.

Health care institutions - budgetary adjustment payments

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister of Health.

The Manitoba Health Services Commission has made budgetary adjustment payments to health care institutions which are higher for union facilities than they are for non-union facilities. I'm wondering if it's the Minister's intention to correct that imbalance.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, we do not negotiate with the hospitals; the corrections that were made were for a contract that had been made; in many cases it was the second year and so on and we certainly will be ready to make any adjustment. We certainly have no trouble in saying publicly we'd like to see all the employees treated the same and treated fairly.

MR. B. RANSOM: Mr. Speaker, can I take from that then, that institutions with non-unionized employees who are being paid the same amount as institutions with unionized employees, will receive the same level of payment for fiscal '84-85?

HON. L. DESJARDINS: Mr. Speaker, I would like to get more details to know exactly what my honourable friend is - which case they're talking about. I have no hesitation in saying as a general principle I would hope that this is the case. Yes, I'm not saying we haven't got that, I'd like to refresh my memory - say which case it is and I'll give him a more direct answer as soon as possible.

MR. B. RANSOM: Mr. Speaker, I'd just like to ask the Minister then if he would refer back to the correspondence which I gave to him some weeks ago concerning the Tri-Lake Health District at Killarney, and provide me with an answer at the earliest opportunity?

HON. L. DESJARDINS: Yes, Mr. Speaker, I apologize. That question wasn't answered previously and I'll check again to make sure that we get the answer.

Grants to municipalities - application date deadline

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister of Culture.

Yesterday, the Minister of Municipal Affairs tabled a glossy catalogue of Grants Available to Municipalities, 1985, with his picture in the front. — (Interjection) — Yes, it has a picture in the front. One of the main grants, Mr. Speaker, that's listed in this catalogue, the Capital Grants Program for '84-86, provides a deadline of September 28, 1984, for having to have applied for this grant.

My question to the Minister of Culture is whether or not it would be his department's intention to provide additional funding for that program so that municipalities receiving this catalogue of grants now would find that they could apply now and not having to have done it prior to September, 1984.

MR. SPEAKER: The Honourable Minister of Culture.

HON. E. KOSTYRA: Thank you, Mr. Speaker.

That program was given additional monies, in fact the amount of money that was allowed under that program from Lotteries was increased from \$900,000 to \$1.7 million in order to meet most of the requests that came from municipalities under that program. All municipalities in the Province of Manitoba received information on that grant program when it was first announced and most of them were able to take advantage of it to the extent possible.

In addition, the review of that program will take place as to whether or not it will be continued in the next year or two year period.

MR. B. RANSOM: This catalogue is now being made available to municipalities; it says grants available for 1985. What is the point of putting out this kind of notice if money is not going to be available for municipalities to make an application in 1985?

HON. E. KOSTYRA: That information is provided because it is an ongoing recurring program. If the member has some concerns about some municipalities that need assistance with respect to recreation facilities, I would be pleased to deal with that; I would be pleased to provide them with applications on behalf of my colleague, the Minister of Employment Services and Economic Security, because there is a new program that was recently announced by my colleague under the Manitoba Jobs Fund - the Community Assets Program - that provides significant opportunities for benefits on a cost-shared basis with municipalities for recreation facilities. In fact, it's a program, Mr. Speaker, that has had much success and much involvement by municipalities and is heralded by municipalities and community organizations as being of a great deal of benefit for them, and it's something that's gone far and beyond any program that was ever introduced by any of the previous governments with respect to community facilities.

MR. B. RANSOM: Can I take it from that answer that the Minister is prepared to accept applications, let's

say, from municipalities who had not previously made application under this program, that he will accept applications from them at the present time?

HON. E. KOSTYRA: What I indicated, Mr. Speaker, is that there is another program that has been announced by my colleague, the Minister of Employment Services and Economic Security, that does provide opportunity for community organizations to get significant assistance in the area of community facilities, recreation and sports. I would suggest that if the member has any examples of municipalities that are in need, he can forward them to me and I will certainly, or my colleague will ensure that they get the necessary information so that they can apply.

In terms of this program, it will be reviewed and looked at in terms of the next year as to whether or not it will be continued or expanded under the Lotteries expenditure.

Atikaki Park - designation as provincial park

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker.

My question is to the Minister of Natural Resources and relates to the Atikaki Park. Can the Minister indicate whether the Atikaki Park is now designated as a provincial park?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. S. USKIW: We gave a statement to the public some time ago with respect to parks designation. Atikaki was one of them. I'm not sure as to the date that is to be effective, however, I'd have to check the file for that.

MR. A. DRIEDGER: To the same Minister, Mr. Speaker, can he be more specific, is it now a provincial park?

HON. S. USKIW: Mr. Speaker, I just had indicated to the member that I wasn't sure of the effective date. I would think it is, but I would have to check the file to determine whether it is precisely a park at this point in time. I know it's one designated to be a park, one of several that were announced and designated for particular uses.

MR. A. DRIEDGER: Mr. Speaker, I'm sort of surprised that the Minister thinks it might be a provincial park. It's a pretty major step in that direction. I'm just wondering whether the Minister can indicate what kind of restrictions there would be on the Atikaki Park area, whether it's provincial or not, are there restrictions in terms of cabins, fishing lodges? I wonder if the Minister could inform the House and the people of Manitoba whether there are restrictions there.

HON. S. USKIW: Mr. Speaker, when we did issue an announcement with respect to parks designation throughout the province, we did indicate what the uses

would be in each of those parks. I don't recall precisely what they all are with respect to added taxes, but I will forward the information to the honourable member.

MR. A. DRIEDGER: A final supplementary to the same Minister. I wonder if the Minister could possibly acquaint himself and maybe inform his staff as to the exact status of the parks so that when people phone they can get that information without having to have a runaround.

HON. S. USKIW: Mr. Speaker, I'm not aware of any particular difficulty in that respect. There's always the transition period from present status to the new status, whenever that takes place, and an announcement ahead of an implementation date perhaps would create some difficulty for some people not being apprised of the particular date that the announcement comes into effect.

If there is a particular problem we're prepared to deal with it, but I'm not aware of any. If the member has something to suggest, we'll certainly follow up on it.

Highways Department - irregularities, Carman area

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker.

My question is directed to the Minister of Highways and Transportation. With regard to the alleged wrongdoing in the Highways Department in the Carman district, I wonder if the Minister could confirm to the House that charges have been laid in that particular instance?

MR. SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: Yes, Mr. Speaker, I can confirm that.

MR. D. BLAKE: I wonder if the Minister can inform the House if there are any other district offices now under investigation in the Highways Department?

HON. J. PLOHMAN: Mr. Speaker, I don't keep track of what the RCMP is investigating. I don't believe the RCMP are investigating any further. They've laid the charges and court appearances are pending.

Highways Department - Dauphin Office investigation

MR. D. BLAKE: I was referring to any other areas or any other district offices and I particularly refer to the Dauphin District Office. Is anyone under investigation in the Dauphin District Office at the present time?

HON. J. PLOHMAN: Mr. Speaker, I don't have any reason to believe there is anyone under investigation in any other districts. We had done an audit internally. Now the member is confused on this issue obviously.

He doesn't know the difference between an internal review that the department was doing and the one that the RCMP may be doing for our Attorney-General's Department.

The fact is, . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.

HON. J. PLOHMAN: . . . Mr. Speaker, there were allegations made, specific allegations in the Carman area. Those were investigated and charges were laid.

At the same time there was a review done with regard to the tendering procedures that were in place for jobs, the equipment rental arrangements. I've described those to the House, tabled in the House the various steps that we were taking to ensure that there was fairness in the system. That involved an internal review with the internal auditor of the department and the auditor for the Provincial Government. They did a review and made recommendations. We acted on those and we are not conducting any further specific reviews in the department at this time.

MR. D. BLAKE: I just wasn't clear on the answer - I asked the Minister if there was any internal RCMP investigation going on at the present time in connection with the Dauphin office. I wasn't quite clear on the answer there.

HON. J. PLOHMAN: Mr. Speaker, I said very clearly earlier on that I'm not aware of any other RCMP investigations in the department at this time.

MR. D. BLAKE: Mr. Speaker, I wonder if the Minister could also confirm that there's not an internal investigation going on in connection with the Dauphin office.

HON. J. PLOHMAN: Mr. Speaker, the member would have to be more specific in his question. There is no internal investigation going on with regard to the allegations made or any subjects that were raised with regard to the Carman situation. However, there's always — (Interjection) — Well, as a result of the Carman situation that the member is referring to.

It's obvious that from time to time concerns and complaints in various districts are raised by individual members of the public or contractors or whatever the case may be, and whenever I get any concerns or complaints, I deal with them, I hope, the same as any other responsible Minister would have done in the previous government. They would have had a report prepared by the department, if that's the case. From time to time, we do have those kinds of requests but there is no investigation going on, Mr. Speaker.

MR. D. BLAKE: Mr. Speaker, I'm just not clear on the answer. The Minister tells me there is no internal investigation going on at the present time with respect to wrongdoing in the Dauphin District Office of the Highways Department. Am I clear on that answer?

HON. J. PLOHMAN: Mr. Speaker, I don't know if the member knows about some wrongdoings that I don't

know about. I've raised the fact that we do have from time to time concerns that are raised on individual situations from members of the public or contractors and they are reported on by the department. It could happen anywhere in the province. I'm not aware of all the kinds of reports that are being done by the department at this time. I'm not specifically aware that there is any kind of investigation going on in the Dauphin Office, Mr. Speaker.

**Bill C-65 -
national stabilization program**

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker.

I have a question to the Minister of Agriculture. Last week, Bill C-25 was passed in the House of Commons enabling the Federal Government to introduce a national stabilization program. Is the Minister of Agriculture supportive of that legislation that was introduced?

MR. SPEAKER: Order please. I don't think that is a proper question to ask a Provincial Minister about a federal bill. Does the honourable member wish to rephrase his question to seek information?

MR. J. DOWNEY: Mr. Speaker, the Minister of Agriculture has signed a tentative agreement to join a federal program. The legislation enabling that was introduced in the House of Commons and passed last June 28th. Does the Minister of Agriculture support that and will he be continuing to join that program? Does that sit all right?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, first of all, I don't think the honourable member understands the legislation in the question that he puts because the legislation basically is enabling legislation. It does not guarantee any program.

Sir, before any tripartite stabilization program can be developed, there has to be agreement at least amongst the provinces who have the majority of production on the commodities that are listed in the legislation. Mr. Speaker, the legislation that was originally presented to the House was supported by the four provinces including Manitoba. There have been amendments presented to the House which raise serious concerns as to the intent of the Federal Minister vis-a-vis tripartite stabilization.

I've indicated publicly, Sir, that we'll be giving the Federal Minister of Agriculture an opportunity to explain those amendments at our national conference because they do, in fact, if the media reports are accurate, raise serious concerns as to the course of action that the Federal Government is embarking on into the area of tripartite stabilization.

MR. J. DOWNEY: In view of the fact, Mr. Speaker, that the Minister of Agriculture was invited to make representation during the introduction and the hearings on that bill, why did he not make representation and

make his thoughts known at that time when he was invited by the Federal Government?

HON. B. URUSKI: I guess the honourable member didn't understand what I said or didn't hear very well. I indicated to the honourable member that the original legislation as was presented to the House of Commons did have the support of the majority of the provinces in this country in terms of clearly putting the plan into motion.

Mr. Speaker, the legislation was clearly enabling legislation. It has no bearing as to the final outcome or any plan that will be finally agreed upon. That work has yet to begin. In fact, I indicated to the honourable member several weeks ago or even a month or more ago during my Estimates that Manitoba attempted to pressure the four provinces who signed the agreement on tripartite stabilization for the Federal Government to move ahead with the Hog Stabilization Program last July in '84, when the hog producers of this country were in unison to provide a national tripartite Hog Stabilization Program with no top loading.

This is where the concerns come in, by amendment, not by the original legislation, Mr. Speaker, so that amendment was not known until the dying days of the Legislature. We had no difficulty with the original legislation but, certainly, what is coming out now, we will be reviewing that. We will be making our views known once we see the full implications of those changes.

MR. J. DOWNEY: In view of the fact, Mr. Speaker, that Ontario, Alberta and Saskatchewan, the other three provinces which agreed with the national stabilization legislation were invited and did make representation to the committee and the Minister of Agriculture on behalf of the farmers of Manitoba was invited to go, why did he not make representation on behalf of the farmers of Manitoba? Why did he not make representation?

HON. B. URUSKI: Mr. Speaker, it appears that the honourable member still doesn't understand. The legislation that was in place, in fact, was the same legislation that was tabled in the House of Commons by the previous Liberal administration. That legislation we had no difficulty with. Notwithstanding those representations made by the provinces that the honourable member just named, the Federal Government didn't listen to the provinces who were opposed to top loading. What makes it even — (Interjection) — more difficult is that there are provinces who have . . .

MR. SPEAKER: Order please.

HON. B. URUSKI: What makes it even more difficult is that provinces who were opposed to top loading insofar as national tripartite stabilization are now moving ahead. There are rumours that other provinces are moving ahead with programs that would be normally called bottom loading in terms of providing direct support under the table to producers, Sir, which raises the whole concern as to their original intent and their whole integrity in terms of the question of national tripartite stabilization.

Community colleges - support to re sports

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: I direct a question to the Minister of Education. Can the Minister advise the House if funding is provided to community colleges for sporting teams to travel to other communities to compete and also for the purchase of equipment?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, I'll take the question as notice to provide an exact piece of information. I believe that the programs that he's talking about are funded both by some funds from the college and some funds from the Students' Association that raises a lot of the funds themselves. I think that there's a sharing there, but I'll check into that.

Drainage problems - study re in Arborg area

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. I have a question for the Minister of Agriculture.

Could the Minister of Agriculture indicate that in the Arborg area funding has recently been allocated, some \$200,000 for a study of drainage problems in the Arborg area?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, I'm not aware of any specific \$200,000 figure, but I can advise the honourable member that over the last two, two-and-a-half years there was a study conducted on the Washow Bay drainage system by the Department of Natural Resources in co-operation with the Department of Agriculture, but the member raises a specific amount which I would have to take as notice or my colleague, the Minister of Natural Resources, will have to take as notice to ascertain what the honourable member is speaking about.

MR. D. ORCHARD: Mr. Speaker, subject of course to the Minister's correction, through his department, I am given to understand the \$200,000 has been allocated to study drainage problems in the area, and my question would be to the Minister that in view of the fact that some 128 miles of drainage work has been surveyed and is ready to be constructed, would the Minister consider foregoing a \$200,000 study and, rather, devote the \$200,000 to the construction of at least a part of the 128 miles of drains that have already been surveyed by the Department of Natural Resources and could be constructed, in large part, with that \$200,000.00?

HON. B. URUSKI: First of all, he's made the assumption that I'm not sure is accurate about a \$200,000 study.

I would certainly indicate that I'm sure that the Department of Natural Resources does continuous surveys of drainage works and tries to develop them; but to indicate that 128 miles of drainage can be constructed for \$200,000, Mr. Speaker, is totally erroneous.

MR. D. ORCHARD: Mr. Speaker, the Minister of course represents the area and maybe should talk to the councillors up there and find out that in their budgets they are achieving drainage for the cost of much less than \$5,000 a mile, often \$2,000 a mile.

Mr. Speaker, would the Minister give consideration to devoting a portion of that \$200,000, should he discover that allocation within his department, to actual construction and forego the study and put a physical facility of drains in place with that money?

HON. B. URUSKI: Mr. Speaker, first of all I want to tell the honourable member that there is a very large difference in terms of the scope of drainage that municipal governments undertake and provincial governments.

Usually, Mr. Speaker, a first order drain could be a trickle across the honourable member's chair and it would qualify as a first order drain. A second order drain would be two trickles from the Honourable Member for Morris and the Honourable Member for Pembina, joining together would be a second order drain. Until those two drains joined together, that would be a third order drain which the province would be responsible, Sir, so the drainage system is completely different from the honourable member is alleging in this House.

Hutterite Colonies - White Paper re status of

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. I have a question to the Minister of Agriculture. Is the Minister of Agriculture producing or preparing a White Paper on the status of Hutterite Colonies in the province?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, I guess it's a fishing expedition today. I'm not aware that there has been in fact a study done on Hutterite Colonies. I am aware, Sir, that a professor from the University of Winnipeg did a study on Hutterite Colonies in Manitoba a number of years ago and that I'm aware of; but I'm not aware of any study that I've undertaken at the present time.

Bills, additional - introduction during Session

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct a question to the Government House Leader. Leaving aside bills that are waiting to reappear on the Order Paper in their

translated form, I wonder if the Government House Leader can indicate whether or not any additional bills will be coming forward during the course of this Session?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I believe the House has had notice of all the legislation that will be in the hopper.

MR. H. ENNS: I thank the Government House Leader for that response.

Mr. Speaker, I request leave to make a non-political statement.

MR. SPEAKER: Since we're almost at the end of question period, perhaps the honourable member would wish to wait until that time.

RCMP turnover and recruitment

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, just for the record, about two weeks ago, the Member for Turtle Mountain asked certain information concerning RCMP recruitment practices in relationship to RCMP strength in various parts of the country.

I've now supplied him in written form - and he has it - with data relating to 1983 and 1984, bringing it right up to date. I'm simply noting this for the record and he will have an opportunity to study the material and he may want to ask further questions early next week.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: I do have leave of the House to make a non-political statement?

MR. SPEAKER: Does the honourable member have leave? (Agreed)

NON-POLITICAL STATEMENT

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I know that all members of this House would want to join me in wishing our friends and neighbours, the people of the United States of America, a happy and peaceful July 4th Independence Day.

In doing so, we recognize the leadership and hope that this great nation has and continues to provide to all of us that hold dear and cherish individual freedom, liberty and a democratic system of government.

Mr. Speaker, allow me to single out a particular American in the person of Mrs. Lillian Mullin who has served her country with distinction as General Consulate in this city in the Province of Manitoba, who I understand is leaving Canada shortly for a posting in Europe. It's certainly been my privilege and I know that of many others who have had occasion to be in contact with

her, to appreciate the dedication and the capable manner in which she carried out those responsibilities.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Mr. Speaker, I would like to join the Member for Lakeside, the House Leader of the Official Opposition, in paying recognition at this time, both to the fact that today is Independence Day in the United States of America, and join him in congratulations and best wishes to Lillian Mullin, the Consulate-General from the United States, whom I've come to know. When I was Minister of Natural Resources in the . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. A. MACKLING: . . . in the opportunities I've had, Mr. Speaker, to share with her dialogue in respect to the Garrison issue, among other things, and I want to indicate that I know I, for one, and I know all of my colleagues reflect in our statements in this House our deepest and sincerest appreciation for our best neighbour.

Mr. Speaker, I know that I frequently quote, and I think if honourable members will look in Hansard, some of the leadership of the United States, the example that they have given to a free world. Mr. Speaker, I certainly, on behalf of our caucus, want to join in those warm congratulations to our neighbours in the United States.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: I'd like to also join with everybody else on behalf of the Independents in the Legislature, and wish Mrs. Mullin well in her posting in Bonn, West Germany.

MR. SPEAKER: If there are no further non-political statements, the Honourable Member for Concordia.

MR. P. FOX: Yes, Mr. Speaker, by leave, if we may revert to Presenting Petitions and Reading and Receiving Petitions.

MR. SPEAKER: Is there leave to revert to Presenting Petitions? (Agreed)

PRESENTING PETITIONS

MR. SPEAKER: The Honourable Member for Concordia.

MR. P. FOX: I beg to present the petition of the Winnipeg Real Estate Board, praying for the passing of An Act to amend An Act to incorporate the "Winnipeg Real Estate Board"; and also I beg to present the petition of the First Presbyterian Church Foundation praying for the passing of An Act to amend An Act to incorporate the "First Presbyterian Church Foundation."

MR. SPEAKER: Order please. I realize that we're proceeding by leave, and it's said that the House can do anything when it proceeds by leave; however, the honourable member has presented and read two petitions which represents four distinct procedures under our normal method of proceedings.

In order that it not become any sort of precedent, I would prefer it if the honourable member would do those four things one at a time, in the proper order. The page will take the petition back to the member. Would the honourable member present each petition separately?

The Honourable Member for Concordia, under Presenting Petitions.

MR. P. FOX: I beg to present the petition of the Winnipeg Real Estate Board praying for the passing of An Act to amend An Act to incorporate the "Winnipeg Real Estate Board."

MR. SPEAKER: The second presentation of a petition, the Honourable Member for Concordia.

MR. P. FOX: The second presentation, Mr. Speaker, is I beg to present the petition of the First Presbyterian Church Foundation praying for the passing of An Act to amend An Act to incorporate the "First Presbyterian Church Foundation." Now may I present the petitions?

MR. SPEAKER: And under Reading and Receiving Petitions.

READING AND RECEIVING PETITIONS

MR. CLERK: The petition of the Winnipeg Real Estate Board, praying for the passing of An Act to amend An Act to incorporate "The Winnipeg Real Estate Board;" and

The petition of First Presbyterian Church Foundation, praying for the passing of An Act to amend An Act to incorporate "First Presbyterian Church Foundation.

COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Yes, Mr. Speaker, I have some changes on the Committee of Privileges and Elections: Birt for Nordman, and Hammond for Kovnats.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

Before we proceed with the Orders of the Day, I would ask honourable members if we could have leave to proceed with the First Reading on the four private bills on which the petitions were read and received earlier today?

MR. SPEAKER: Is there leave? (Agreed) Leave having been granted, the Honourable Member for Ste. Rose.

INTRODUCTION OF BILLS

MR. A. ADAM introduced, by leave, Bill No. 96, An Act to amend an Act to incorporate Les Révérends Pères Oblats in the Province of Manitoba.

MR. A. KOVNATS introduced, by leave, Bill No. 66, An Act to amend an Act to incorporate Niakwa Country Club; Loi modifiant la loi constituant en corporation le "Niakwa Country Club".

MR. P. FOX introduced, by leave, Bill No. 87, An Act to amend an Act to incorporate the First Presbyterian Church foundation; and Bill No. 95, An Act to amend an Act to incorporate the Winnipeg Real Estate Board.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker, would you please call the two bills for second reading standing in the name of the Attorney-General, Bills No. 55 and 63.

Following that, Sir, adjourned debate on second reading on Bills 8, 19, 72 and 77.

SECOND READING

BILL 55 - AN ACT TO AMEND THE LIQUOR CONTROL ACT; LOI MODIFIANT LA LOI SUR LA REGLEMENTATION DES ALCOOLS

HON. R. PENNER presented, by leave, Bill No. 55, An Act to amend The Liquor Control Act, for Second Reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, amendments being proposed to the Liquor Control Act are substantially technical in nature. One set of amendments is needed and is being proposed to clear up a longstanding anomaly in the act between the position of the chief executive officer and the chief inspector. Under the proposed changes, the chief executive officer is to be appointed by the Lieutenant-Governor-in-Council while the chief inspector is to be appointed by the commission in the same manner as other senior officers.

Additional amendments are as follows: One amendment allows so-called remote warehousing that is subject to the approval of the commission. A brewer, distiller or manufacturer of wine will be able to store his product in a bonded warehouse not necessarily forming an integral part of the manufacturing facility.

Another amendment, purely technical in nature, changes the method pursuant to which gallonage fees on beer are collected. It is proposed that the 12.5 cents gallonage fee will be included as part of the markup on beer rather than assessed separately. This change will not lead to any change in the price of beer. It will simply be a much easier administrative way of dealing with this particular fee.

A further change permits mixed drinks to be served in beverage rooms. It is presently the case that beverage

rooms can serve spirits and simple mix. The proposed amendment allows beverage rooms to serve cocktails.

Another change, Sir, brings Manitoba into line with most other provinces by allowing liquor service in airport hospitality lounges on Sunday.

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

MR. G. MERCIER: Mr. Speaker, two questions for clarification if I can to the Attorney-General with respect to Section 7 of this bill repealing subsection 122(4) which deals with the special provisions for dining room licences and cocktail room licences in athletic or sports recreation centres and the food-alcohol ratio. Is the reason that is being repealed because of the amendments last year that dealt with the food-alcohol ratio?

HON. R. PENNER: No, that particular amendment, and I'll check it out, is the one that, in effect, permits the service of liquor in an airport lounge on Sunday.

MR. G. MERCIER: Mr. Speaker, we've had an opportunity to examine the balance of this bill and we'll pursue this one matter further with the Attorney-General in Committee. We're prepared to pass it on to Committee.

QUESTION put, MOTION carried.

BILL 63 - THE JUDGMENT INTEREST AND DISCOUNT ACT; LOI SUR LES TAUX D'INTERET ET D'ACTUALISATION DES SOMMES ALLOUEES PAR JUGEMENT

HON. R. PENNER presented, by leave, Bill No. 63, The Judgment Interest and Discount Act, for Second Reading

MOTION presented.

MR. SPEAKER: The Honourable Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, in introducing The Judgment Interest and Discount Bill, Bill 63, for second reading, I wish to announce at the outset that the government proposes to treat the bill as an exposure draft and not move it beyond the second reading stage.

The bill which is based on recommendations made by the Manitoba Law Reform Commission in an 1982 report, Report 47, is one which contains a principle which I believe most in this House and elsewhere would accept. The principle is that where a court finds that a plaintiff is entitled to a money award, whether it is damages for injuries suffered in an accident, or money that is owing either as a debt or in contract, the person entitled to judgment should receive a certain amount of interest on that judgment from the date on which the court finds that the money was due.

This principle also takes into account the fact that because civil litigation usually takes a long time, there

is often a span of two or more years between the date upon which the money was due and the date of judgment. The bill also contains provisions for discounting awards for future damages.

While the principles are clear enough, and in my view eminently supportable, drafting them into legislation which takes into account fairness to all interests, is complex. While I believe that the bill, which is being introduced for second reading and has been circulated is a good one and is well drafted, there has been, in my view, insufficient time to consult with all parties, particularly the private insurance industry and the private bar, both of whom have considerable interest in the matter.

Accordingly, it is the intention of the government to postpone passage of the bill as this time and to consult widely with interested parties between this and the next Session of the Legislature, when the bill will be re-introduced.

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

MR. G. MERCIER: Mr. Speaker, I'm amazed and surprised to hear what I have just heard from the Attorney-General. First of all, the government had in its possession, on January 4, 1982, a report from the Law Reform Commission on pre-judgment interest, a matter which I think is extremely important to litigants and to individuals in this province.

Virtually all other provinces in this country have legislation dealing with pre-judgment interest which adds some incentives and some just compensation to plaintiffs and to litigants to ensure that their cases are settled and that insurers, whether it be Autopac or whether it be the private insurance industry, do not finance a settlement by delaying an action, by keeping the money and investing it and thereby financing the costs of any subsequent litigation.

I may say for the record - as the Attorney-General is aware - I wrote to Legislative Counsel a month prior to the beginning of this Session to draft a private member's bill to deal with this important topic, but on March 7th, the government made an explicit statement in the Throne Speech that a pre-judgment interest act would be introduced at this Session of the Legislature and dealt with. A number of weeks ago, in the absence of the Attorney-General, having heard nothing from the government and seen nothing on the Order Paper with respect to a pre-judgment interest act, I asked the Government House Leader whether the government would be proceeding with one, because if they weren't proceeding with one, I wanted to introduce a private member's bill.

After some delay, the Attorney-General indicated that a decision would be made shortly and it was put on the notice bill and we received a bill distributed in the House. Mr. Speaker, I submit that the Attorney-General and the government have been tardy, have been negligent in dealing with this subject matter. After telling us on March 7th, in the Throne Speech, that there would be a bill, he's now telling us that it's not going to be proceeded with any further. And in the dying days of the Session, Mr. Speaker, they have not given me the opportunity to deal, in Private Members' Hour, with

a private member's bill on this subject, which I was prepared to do. We are now hearing, in the last few days of the Session, having put it in the Throne Speech, having had a report from the Law Reform Commission, in January of 1982, that they haven't had enough time for consultation.

Mr. Speaker, I reject that position. There has been ample time since January of 1982 to consult with Autopac, to consult with the private insurance industry, to consult with the practising bar, and to proceed with a bill - not at this Session, it should have been dealt with in 1984, 1983. Now we're being told in July of 1985 that it's not going to be dealt with, that they haven't attended to this matter.

Mr. Speaker, to put it in perspective, we're one of a few provinces which does not have pre-judgment interest legislation, legislation that works in other provinces that helps plaintiffs get true and just settlements, that encourages insurers, whether they be government monopolies or private insurance industries to settle actions and not to be able to finance their settlements through delay.

I must, Mr. Speaker, express my deep regret that the Attorney-General and the government are not proceeding with this bill. I don't believe this bill is perfect; I think there are problems with this bill; but I'm not saying that they are problems that would be insurmountable in dealing with it at committee after hearing representations from the insurance industry and from the private bar. The private bar have some real concerns with some of the concepts that are in this bill, and there would have to be some significant amendments to make it the best legislation.

One thing is for sure, Mr. Speaker, it would be better than nothing, because there's nothing now; there's nothing that helps individual litigants in settling their claims against insurers and avoiding the delay that is caused in a number of actions by insurers.

Mr. Speaker, I regret the action that the government has taken today. They have had plenty of time since January of 1980 to consult with the parties affected and to have proceeded with this type of legislation by now.

MR. SPEAKER: Are you ready for the question?
The Honourable Member for La Verendrye.

MR. R. BANMAN: Mr. Speaker, if it's possible, I'd like to speak to the bill.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Mr. Speaker, I want to underline and reinforce what the Member for St. Norbert has just said. He, early on, proposed that this type of legislation was important and I think that many of us who have, over the last couple of years, seen what has happened, would say to the government that I think they are really doing something at this point in time which is not in the best interests of the consumers of Manitoba.

One of the big problems we have, Mr. Speaker, and one of the things that many of us, as members of the Legislature, find out, is that in dealing with Autopac,

people who are having their claims being dragged on, do not receive any interest on the claim. In many instances, these people are being asked to continue their payments on their automobiles, and unlike the system maybe in some other provinces where you have then the option to go somewhere else, you are a captive in the Province of Manitoba of who you deal with.

So I think it's important, and I think it would have been important, for the government to move on this particular piece of legislation. It means that people who are dealing with Autopac, if there is a dispute, can have that claim drag on three, four months, being forced to pay \$250 - \$300 a month payment on their car before they even receive any money. In the meantime, they're without a vehicle. I believe, since it is a monopoly situation in Manitoba, this legislation is even more important than it might be under some other circumstances because there is no option for the car owner to go anywhere else.

I would say to the members opposite that as the Member for St. Norbert pointed out, since the Law Reform Commission did make certain recommendations on that, I find it very interesting that the government hasn't proceeded, because it seems to make eminent good sense under the circumstances and under the way we're operating in Manitoba right now.

Mr. Speaker, I guess I could go on. We've all had cases where - a farmer, for instance, in my area had a barn burn down. A small dispute developed on the cause. It ended up that the company paid the amount of the claim, but what happened was that it took six months to resolve. This farmer had the barn burn down; his cattle destroyed; he had payments on the farm; he had no visible means of income because the problem that he had was that the income had disappeared up in smoke - to put it literally. Therefore, he was now faced with a fairly substantial payment, in this case I believe it was to FCC, but he couldn't make the payment because he could not provide any production out of the facility that had been destroyed or the animals that had been destroyed.

He ended up getting the money, but I say to members opposite, I think there should be some onus on the insurance company, on Autopac, that if they do not settle in reasonable time, interest should be paid at the current rates to the person who is eventually going to receive the claim. It only makes sense. It's a fair piece of legislation.

I have to reiterate what the Member for St. Norbert said. He was ready, I think we were ready, to support that type of legislation. He would have brought it in but he was pre-empted by the Throne Speech and some other things that happened in this Legislature. I want to put it on the record that had it not been for that intervention, that bill would have been before us and the people of Manitoba would have had the option, thanks to my colleague, the Member for St. Norbert, would have the assurance that if they do have a dispute going and they feel they are not being treated fairly by Autopac or by a private insurance individual, they would have then had the right to receive interest on that money.

I raised that point during the Autopac Estimates: they said they really had no feeling one way or another for that one but they hadn't implemented any policy with

regard to that. I would suggest to the members opposite that there is a problem here that should have been resolved; it would have been resolved had the opposition been able to proceed with their bill. Obviously, right now we've got a problem because the people of Manitoba will not have that protection and assurance.

MR. SPEAKER: Are you ready for the question?

The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I beg to move, seconded by the Minister of Agriculture, that debate be adjourned.

MOTION presented and carried.

**ADJOURNED DEBATE
ON SECOND READING**

**BILL 8 - THE AMBULANCE SERVICES
ACT;
LOI SUR LES SERVICE D'AMBULANCE**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Health, Bill 8, the Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker.

Mr. Speaker, the Minister of Health is bringing in The Ambulance Services Act, presumably to bring under a separate piece of legislation what is by and large now administered by regulation under The Health Services Act. By and large, many of the requirements that are part of Bill No. 8, The Ambulance Services Act, are now presently requirements that are in the majority being met by the various ambulance services across the province. There are, however, a couple of questions I want to pose and areas I want to further flesh out with the Minister that we can discuss during the clause-by-clause when this bill reaches committee stage.

For instance, Mr. Speaker, under Bill 8 a licensing standard is required for ambulance drivers and ambulance attendants. Now, currently, the requirement by regulation, as I understand it, is that drivers of ambulances have to have a minimum Class 4.0 driver's licence; the minimum requirement for an ambulance attendant is the St. John Ambulance Course.

It's my understanding that recently many of the ambulance services certainly throughout rural Manitoba, where perchance they have not had the formalized service that the City of Winnipeg has had - the service in rural Manitoba has been growing over the past number of years - a number of the ambulance attendants are taking the First Responder Ambulance Training Course. It's a course of some 80 hours. They are doing this on a voluntary basis with arrangements made - (Interjection) - I'm told 80 hours but the hours don't really matter. It's a significant course which takes a fair time commitment by ambulance attendants.

Several of the hospital organizations who administer the ambulance program that I've spoken to, have had an ongoing arrangement with their staffs whereby they will take the First Responder Course and not receive

compensation for taking that course, but receive, say, some time off for the hours they've put in upgrading their abilities as ambulance attendants by taking the course.

My concern would be, in the passage of this legislation and of course the passage of the operative regulation, which is going to make the minimum requirements for drivers and attendants, that if the regulation would require something like the First Responder Course to be the minimum requirement, if that were the case, then there may well be a number of ambulance attendants throughout the province who haven't completed that course who would then be in violation of the act. This act does have penalty sections, as the Minister is well aware, for anyone who is found in violation of the provisions of the act or the regulations.

Now, I'm also aware that in the act, the Minister has given himself - or the Health Services Commission, more properly - the ability to make specific exemptions to the licensing requirements of an ambulance service or the attendants and the drivers, which may be his way of compensating in the act that not all the current attendants and, indeed, maybe even some of the drivers don't currently meet the regulatory requirements. As long as that was the general intent of this legislation, so that we didn't pass it and automatically put some operating ambulance services - some of them on a volunteer basis - in contravention of this act, as long as we don't see that happen, I can't see a major problem with the requirements as envisioned in this act, because they are not significantly different from my understanding of the current regulatory requirement.

Mr. Speaker, along that same line, I think we'd want assurances from the Minister that any groups, any attendants or individuals providing volunteer ambulance service would be given sufficient time to comply with the legislation. I don't think that's an unfair request and I think it's one that the Minister would readily agree to.

Mr. Speaker, there is one area in the bill that does provide some concern. The Health Services Commission sets up the regulatory environment of the ambulance services and indeed sets the standards for both attendants and drivers as I've indicated.

There is also part and parcel within the legislation, the ability for the Health Services Commission to demand records and proof of use of grants which may be provided to provide the ambulance service to various organizations.

The interesting part in it is that the commission will set up the regulations for standards of employees, attendants, drivers, etc. They will also be the licensing body for those attendants, for those drivers, for those ambulance services and, in effect, according to the legislation the way I read it, they will be the court in terms of any violation of those regulations that they've set up. It seems to me that - and with the ability to impose fines, that that is a substantive amount of power to place with the Health Services Commission. I don't know whether it's unusual, whether the commission has that authority in other areas through other legislation because I'm not completely read in the act; but it does represent a potential concern. You might even call it a potential conflict of interest where they set the regulations, do the licensing and then sit in judgment on those they deem to be in violation of even

equipment regulations. That's a concern that I hope the Minister will address when we get to closing debate at second reading or during the committee hearings on it.

Mr. Speaker, another area that is of interest in this bill, and it may be there to be used in an emergency situation; but there appears to be the ability under The Ambulance Services Act to bypass the granting of spending authority for ambulance service and provision of ambulance service throughout the Province of Manitoba. There appears to be authority in this bill which would allow the Minister of Health to bypass the Legislature in obtaining funding by Order-in-Council for ambulance services.

I think that would be of concern to all members of the Assembly because naturally this is the place where we have, and wish to continue to have the opportunity to debate funds allocated to various public service functions. It may be there as an emergency basis, I don't know, but it is a concern that I have and I would like the Minister to address.

Mr. Speaker, there is another specific area which has arisen since my colleague, the Member for Roblin-Russell, spoke to this bill. Under the new Air Ambulance Service, and I'm not talking Northern Patient Transportation, but I'm talking the Air Ambulance Service, my colleague, the Member for Roblin-Russell, has run into a unique situation where an individual has been evacuated to St. Boniface Hospital, I believe from Dauphin Hospital.

It was deemed that the air ambulance should be used for very obvious health reasons and patient safety. The family was contacted apparently to see if they would be willing to pay the costs of the air ambulance. It's my understanding that the family indicated that they didn't feel they had the resources to do that, but the air ambulance was apparently ordered in by the attending physician and was used to transport the patient to Winnipeg and now there is a dispute over who pays.

This legislation does provide funding capabilities by the Minister, by the Health Services Commission, and this already appears to be an area of potential conflict. I guess the point that we would like to make on this side of the House, as I'm sure the Minister would like to make, is that we have instituted for the past number of years - and it's a program that has been carried on over two different administrations - a Northern Patient Transportation Program where patients from Northern and remote communities are brought to Winnipeg by air at no cost to the individual. That service is being expanded to southerly regions of the province but there appears to be a charge associated and I question the equity and provision of that service. That is an issue that we would discuss further at committee stage as well.

Mr. Speaker, a final comment to the Minister and, in fact, a rhetorical question. The Ambulance Services Act and the accompanying regulations when developed and passed, confer substantial regulatory abilities and some of them are new regulatory abilities to provision of ambulance service throughout Manitoba. Certainly the training aspect of it now, it's required by regulation, but now will be virtually mandated by legislation.

The question would be to the Minister, would he envision the necessity now of providing training funds

to those individuals who currently would not meet his licensing standard as an attendant; would not have the training qualifications to meet that standard if they had to take that training course and come to Winnipeg and take it as a as a crash course, the First Responder Course, instead of on a weekend basis or other methods that they've used in rural Manitoba, would there be a provision of providing some financial assistance to those ambulance attendants who now may be unqualified to act in the capacity they're currently acting in as ambulance attendants with the passage of this act?

That brings the broader question of whether the Minister envisions any difficulty in finding sufficient funds within the department to provide assistance to the ambulance services throughout the province, as they may have to be improved with the regulations and standards that will be passed with passage of Bill 8, that being a financial question that will face Ministers of Health in future administrations with the passage of this act.

So, Mr. Speaker, in closing, we have some concerns, I have to say, on this legislation. They are not major concerns, not like we have with some other pieces of legislation before the House, but I've basically outlined some of the major concerns and if the Minister has the answers to those, I'm sure that we can have this bill pass to committee for further discussion and presentation.

MR. DEPUTY SPEAKER, P. EYLER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, I'd like to cover the points brought in by the honourable member.

First of all, the training course - I take note of the concern. My understanding was that there's no way we're going to impose standards that are not realistic, but we certainly will keep an open mind during the committee stage of this and I'll make sure that is covered, that we are not forced to impose, if we pass this bill, some standards that are not enforceable. We certainly will look at that and I am confident that we can answer my honourable friend's satisfaction.

The grants that bypass the Legislature - I should say that the grants we've been making in the past, actually, we found out that's the reason for that, were doing illegally. Nobody had the authority to do that. It is no way intended that this is to keep it away from the Legislative Assembly because it'll be still debated during the Estimates. The commission had certain rights, certain things need not be identified on different lines. When I first started in the House here, when they brought in hospitalization, it was one line. It wasn't debatable.

Of course, in those days they raised their premiums. I don't think they were ever called in like you're calling Hydro or the Manitoba Telephones and so on, at the time; and it was the information that we provided and I think we should. I think that every government should provide - especially now that the cost is so high, it's practically one-third of the total Budget of the province, that the Commission is spending. The Act will provide that they can do certain things, but I can assure you that no government or no Minister of Health would ever dare try to keep this aware from the Legislature. It will

be debated during the Estimates of the Commission and all the questions will be answered as per the grants, and so on; so it's not an attempt to try to take this away and not give an opportunity to the members of this House to discuss it.

The appeal, I don't agree with my honourable friend on that. I don't think there's anything unusual. It's certainly not a conflict of interest; it is the people that will be the experts and the people that will be licensing the different licences that will be needed in the course, and so on. It will be at the Commission.

There is a certain division of ambulance and I think that that's where it belongs. Of course, like anything else, if there is something unjust, there is always an appeal to the Minister who then can make sure that nothing unfair is being suggested. But I think that's where it should be. They have no ulterior motive and they have no way of profiting by that at all. It is that they are charged with making sure, first of all, that there are proper standards and that the people are licensed properly; and then fine, to make sure that this is done properly. So I don't really understand the real concern of my honourable friend on this. — (Interjection) — Okay fine.

Assistance for training, I could say this. I could go as far as to say that we'll have all co-operation that we can to help these people get the course, whatever that can be done. But I have to stop short of that this time. We're not going through the Estimates; this is legislation now, to say fine, the government has a policy that they will grant - I accept the question of something that we could look at and I'm sure, come next year, my honourable friend will remind me of that during the Estimates and I certainly have no policy to announce this year, no change in that this year. My honourable friend knows, we've gone through the Estimates. When that is done that will be announced in due course, but I'll take that as a suggestion to see that we could look at, to see that people can conform with the regulation that we have.

Now there was a question also on air ambulance and Northern patient transportation. I want to remind the honourable members of this House that the air ambulance is not there to replace the program that we had before. That is an emergency program, and if there is no emergency, the air ambulance will not be used. It would be so costly, but then the other program will keep on. It was the same thing before that in an emergency they would use a plane, another time they had to come by bus.

There's been some criticism of that because the people felt that all the services were supposed to be provided free and that was never the intent; it was to help. I know there was a lot of criticism when I was visiting up North and actually I don't think they understood the program. There has to be a limit on that or it would be very costly. Now at times they would go ahead and they would help them, but if there was no emergency, then it wasn't what the people would prefer of course; but if it was a real emergency they would get a plane. If it could be done by commercial transport well then that would be done, and at times they would come by other means. That will still exist.

We'll have plenty of time before that air ambulance is here, we'll have all the regulations and so on. We've been working on that. That will be finalized and released

to everyone, and also I'm sure that we should also, at the same time probably give the information re the Northern patient transport. But it should not be now.

I'd like to get the particulars of the particular case that was mentioned, because I have doubt there if it was ordered by a doctor, and so on. Now they can't automatically order an ambulance but I'd still like to check if this was done and the patient had no control over that at all. I think we should at least look at it. I'll be pleased to, if I'm given the details, I will look at it.

QUESTION put, MOTION carried.

**BILL NO. 19 - AN ACT TO AMEND
THE HIGHWAY TRAFFIC ACT (2);
LOI MODIFIANT LE CODE DE LA ROUTE
(2)**

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Highways, Bill No. 19, standing in the name of the Member for Pembina.

MR. D. ORCHARD: Mr. Speaker, this bill was introduced by the Minister last week, Friday, and is given to us in the Minister's introductory remarks as primarily the act which brings further compliance to the review of the trucking industry that's been ongoing for some two-and-a-half years in the Province of Manitoba.

Mr. Speaker, some of the changes that the Minister is making in this legislation, Bill 19, is of value and will allow for certainly an easier mode of operation for the trucking industry before the Transport Board. But, Mr. Speaker, it's quite interesting to note from the legislation that this bill denotes a direction that the government is wishing to take, and I can only say, particularly to the farm community, that thank heaven there is a strong opposition in this Legislature or else this Minister and this government - who do not understand the problems in rural Manitoba - would have brought in much more draconian legislation as it impacts upon the farm community.

Mr. Speaker, the farm community has been well served, in this case, by Her Majesty's Loyal Opposition. I say that, Mr. Speaker, because this act is the result of a review of the trucking industry in Manitoba undertaken by a former Minister of Highways, now the Minister of Natural Resources, using the - some would say - good counsel of one Bill Janssen.

MR. J. DOWNEY: That's a famous name to the farmers.

MR. D. ORCHARD: Mr. Janssen has a peculiar concept of what farming and farmers should be and, Mr. Speaker, if this government had followed some of his recommendations which he, by and large, achieved to put in place - whilst he was in the temporary employ of the Saskatchewan Government after the change of government in 1977 in the province - we would have seen the farm community unable to own a semitrailer truck in the Province of Manitoba - if recommendations from that individual were carried through. And this government would not be in disagreement with that if it weren't for the fact that members on this side of the House, Her Majesty's Loyal Opposition, would not

tolerate those kinds of restrictive legislative impositions on the farm community.

Mr. Speaker, the Minister has placed some restrictions already on the farm community and their ability to do certain things with a farm-licensed truck but, as I say, the restrictions are not nearly as severe as were originally proposed and the farm community is generally quite pleased about that. I say once again that democracy has proven that it works quite nicely in Manitoba because opposition to that delayed and prevented this government from going as far as some of their advisors would have liked them to proceed.

Mr. Speaker, it's interesting to note that in answer to the questions posed to the Minister about the specific industry of vegetable production - included in that, of course, is the sugar beet industry - his response in terms of the licensing of semi-trailers with specially equipped trailers and vans for the hauling of perishable vegetable crops. Under the legislation, ownership by a farmer is allowed and he can license it as a farm semi. He can use it to haul his own produce to market. But, Mr. Speaker, the moment the farmer uses that specialized potato van or sugar beet trailer to haul for his neighbour, it's my understanding that he will be in contravention of the act. — (Interjection) — Yes, the Minister has interjected when he does that for compensation. We'll flesh that out at committee stage, Mr. Speaker.

There have been from time to time "good and valuable consideration" which is deemed as compensation. I'll give you an example, Mr. Deputy Speaker. Let's say that two farmers are both harvesting potatoes, for instance, and they are using one potato harvester and one neighbour is using his truck and his neighbour has moved in. The good and valuable consideration is on the second day they move to farmer B's field and farmer A uses his semi to haul farmer B's potatoes. There is no compensation involved but there is good and valuable consideration, obviously, which has, from time to time, been considered compensation. We want to make sure that such neighbourly sharing which is the strength of the farm community is allowed to continue.

Mr. Speaker, there are specific requirements of this act that, in for-hire transportation, it is not allowed for any farmer to undertake that on behalf of a neighbour with anything larger than a three-axle vehicle. If my neighbour perchance hauls some of my canola to market and I pay him to do that, he must use a PSV licence. Mr. Speaker, I don't see a great deal of problem with that. The one thing that is going to happen with that arrangement is that this government will receive substantially higher revenues as a result of it. The farm plate will no longer be applicable and it will be replaced with a PSV plate.

The licensing fees for PSV, unless this Minister changes the whole schedule - which I very much doubt - will cost the farmer substantially more. He will be unable to burn the tax-free fuel that he can if he hauls his own crop, so there will be fuel tax collected as well.

Mr. Speaker, I believe that the farm community would accept that measure. I think the farm community would be willing to pay that additional licence fee and the fuel tax in that haul to market of another neighbour's products for compensation. What the farm community won't tolerate, Mr. Deputy Speaker, is the total lack of

spending that this government has now initiated in terms of maintenance and reconstruction of roads in rural Manitoba. Here we've got this government going one step further. They are going to glean more money from the farm community to pay for, theoretically, road maintenance and construction and I say, Mr. Deputy Speaker, with no hesitation whatsoever that this Minister of Highways does not have the clout around the Cabinet table to put that money back in the farm community where it's earned.

That, Sir, is where the farm community will not tolerate these new regulations. The farm community is already paying more repairs to their vehicles because they're hitting the pot holes and the poor bridges that this government has let fall into disrepair in rural Manitoba in four short years. They have robbed the money, the capital construction funds, the maintenance funds from the Highways Department budget and put it into advertising Limestone and other projects that they can tell the people how good they are and they have let the roads in this province, and particularly the roads in rural Manitoba, go to ruin.

These are, as I've said before, Mr. Speaker, a government of highway robbers because they have taken monies which should be dedicated to maintenance and reconstruction of roads in rural Manitoba and put it elsewhere in government spending. They're going to do this to a greater extent with this legislation, Mr. Speaker, because now the farm community will be licensing their semis as PSV vehicles and will be paying fuel tax on any hauls that they undertake for hire.

Mr. Speaker, another aspect of the legislation that is of interest and I believe will solve a problem that I know was before the Ministers of Highways and Transportation in 1980 and '81, that being the tariff bureau operations where there was some combines action federally which was going against the operation of tariff bureaus. It would appear as if legislation contained in Bill 19 and provisions provided in Bill 19 will allow, Mr. Speaker, a deviation from the motor transport board fixed schedule for truck load hauling rates.

Mr. Speaker, that practice has probably existed because there's always been bargaining, I presume, in the trucking industry between the customer and the carrier. This allows it to happen with full legislative authority. I think that will be good for both the industry and for the customer because it allows good, free competition. It's an introduction, if you will, of private enterprise, something we don't see this government do all that often. They do have in there, Mr. Speaker, the ability of the Motor Transport Board to set a minimum rate which, in the words of the Minister in introducing Bill No. 19, will prevent predator pricing by presumably a major trucking firm who wishes to monopolize the transportation services into a given area. That will be interesting to see how the board is able to wrestle with determining what rate of compensation for truck load hauling is, indeed, predatory and detrimental to the industry.

I would think, Mr. Deputy Speaker, that that will be a major challenge for the Motor Transport Board and one that may cause this Minister some substantial problems in terms of achieving what is deemed to be an equitable minimum rate which will prevent this predator pricing.

Mr. Speaker, there are a couple of other areas that I wanted to talk on. With the passing of this act, it appears as if the commercial truck category is gone; and I will stand corrected if that's not the end result of this legislation. It's not the end result? The Minister is nodding his head. But I believe that some of the definitions - and, Mr. Speaker, I can't refer to particular clauses - but it would appear to me as if there is a wider net established by this legislation so that more vehicles will be required now to move from a CT or commercial licensing into the public PSV licensing, once again, Mr. Deputy Speaker, at a higher licence fee, which means more revenue to the government and presumably more revenue that this government of New Democrats will glean off and not spend on highway maintenance and highway reconstruction.

Mr. Speaker, there is a change in here that I think will generally be applauded by the lessee owners, in that now arrangements whereby an individual owner of a truck and trailer can legally, if you will, lease his truck tractor and his trailer or just the truck tractor, depending on circumstances, to a carrier who has the franchise to undertake extra-provincial hauling or even hauls down into the United States. That should certainly bring out into the open and in a much fairer and more equitable manner, currently existing practices. It seems to clarify that area which has in the past been something of a grey area.

Mr. Deputy Speaker, there is one rather unique provision in this act and I have to tell the Clerk of the House that when I took the House Statutes - and if I can be pardoned - to check out the provision of an amendment to Sections 316 and 317, they didn't exist in the act in the House and I had to refer to the recently passed act of The Highway Traffic Act to find out what those provisions are. Those statutes in the House books are not up to date, Mr. Deputy Speaker.

So, Mr. Speaker, I would think that the one section which allows something that I don't think has ever happened and indeed hasn't happened before because the Minister made specific reference to it, in that he said the Transport Board previously did not have the authority to set fines - they now have that ability to impose fines. That's rather an interesting power to give to the Motor Transport Board. The Minister did not spend much time in his introductory remarks of this bill to justify why the Motor Transport Board should be vested with the power to assess fines.

Mr. Speaker, let's bear in mind that the Motor Transport Board is a quasi-judicial board certainly, but is a board that is appointed by Order-in-Council, and as is often the case and I believe is certainly the case in this instance, the board is entirely changed, with the exception of one member, from — (Interjection) — No, the vice-chairman, your chairman is changed. But, Mr. Speaker, the board has changed entirely, with the exception I believe of only the vice-chairman. I'm not even certain of that because I didn't have the opportunity since Friday to find out the current membership of the board.

Mr. Speaker, that is a politically appointed board, if you will, and we are vesting in them by this legislation the ability to levy fines; and those fines, Sir, by this legislation, are up to \$5,000 on the individual contravening provisions under his certificate of authority. That's substantive power to grant to a Motor

Transport Board appointed by Order-in-Council. The Minister in his remarks did not indicate why they needed that authority and that power and before the Minister sees passage in committee of that particular amendment, he's going to have to justify very substantially why he is requesting that kind of authority and I might say, as near as I can read, authority without further appeal to an Order-in-Council, politically appointed board.

That is an area, Mr. Speaker, that we find somewhat frightening that this government is granting that kind of power in non-elected people to politically appointed people who can be very much influenced if you will by the Minister who seeks their appointment.

Mr. Speaker, the trucking industry is a very competitive industry. It doesn't need powers granted to the Motor Transport Board which could lead to politically motivated cases being laid and fines being imposed by a politically motivated board. Develop a scenario for you, Mr. Speaker, if you will. This would not happen under a Conservative administration, but I have no such confidence under this current New Democratic administration; but they could use this newly granted power to impose fines to a politically appointed board to coerce anybody who dares oppose the government in terms of legislative direction, in terms of non-support of government activity, whether that non-support be refusal to support - financially even - this government. That's an incredible power to grant to a non-elected politically appointed board, Sir. It isn't justified in any of the Minister's remarks in speaking to this bill on second reading.

He hasn't justified why he needs to grant that power to the Transport Board and he hasn't justified in any way, shape or form why indeed they need that power at all.

A MEMBER: Why, John?

MR. D. ORCHARD: Mr. Speaker, I lay notice on the Minister that he had better come to committee prepared to justify the passage of that section which allows the imposition of fines by the Motor Transport Board.

We find that lack of explanation to be reprehensible, Mr. Speaker, and we find the power thereby granted to non-elected people to be a potential infringement on democracy and until the Minister can provide the rationale, the reasoning, and the assurance to all members, not only of this House but to the Manitoba public, that that power cannot be abused by the members of the Motor Transport Board, he will not find support on this side of the House for that amendment.

Mr. Speaker, with those comments, I want to close my remarks and unless other members of the House wish to add comments to Bill No. 19, we would be prepared to see it go to committee, Mr. Speaker.

MR. SPEAKER The Honourable Minister of Highways will be closing debate.

HON. J. PLOHMAN: Thank you, Mr. Speaker.

There's just a couple of comments I wanted to make. I believe, to begin with, the last comments made by the Member for Pembina; first he was referring to

Sections 316, 317 which we're not supposed to do but which he did, Mr. Speaker. He did mention though . . .

A MEMBER: Out of order.

HON. J. PLOHMAN: So if it was out of order, it was out of order a few moments ago and I think that . . .

HON. G. LECUYER: That's what he's saying, out of order.

HON. J. PLOHMAN: Yes, it was out of order. What I want to mention that they deal with summary conviction and I think that the member was referring - he shouldn't have been referring to sections - but if he was, he was referring to the wrong sections.

The power to fine was suggested and we brought it forward in this bill for certain areas, some of the areas provide for summary conviction and the fines are outlined clearly in there; others give the authority to the board. The problem right now is that the board has no alternative - if it finds that an individual carrier is in violation of the authority - they have no alternative but to cancel the carrier's authority which is tantamount to the death penalty, as they called it in the industry. It was believed that it would be more prudent to have an interim or midway step that would lead to greater enforcement of the provisions, but at the same time, would not result in the death penalty for that particular carrier and also for the inconvenience for the shippers in the particular community that might be affected.

So that was the reason it was felt that a midway point or a significant fine that would be put in place by the Motor Transport Board would be a better way of doing it and one that was, I might say, relatively well received by the industry as a midway kind of step. So I think that that's an important step and that's the reason it is being done so the board would not have to go that far to have a major decision that would result in the death penalty for a particular carrier. So I think we will have further discussion on that in the committee stage undoubtedly, but I feel it's very important that that provision be there.

Mr. Speaker, I can also say clearly, in closing debate today, that I don't think there will be a significant increase in the cost to the agricultural community as a result of this bill. There will be . . .

A MEMBER: Yes there will John, yes there will.

MR. SPEAKER: Order please.

HON. J. PLOHMAN: There will be, in certain instances, Mr. Speaker, times when farmers with large semitrailer trucks will be required because they desire to compete for compensation for the hauling of agricultural products, would have to get a PSV licence for a period of time. It may be for a month or two months at the most, I would think in most cases; many times less, so it would not be a significant amount of money because it wouldn't involve a PSV for the whole year.

So there would be a few dollars there, I can say that, but it wouldn't be a dramatic increase in costs to that particular producer; and of course if that producer was hauling his own goods, as he does now, and using the

road system the same as any other carrier, he would still only have to pay the F-plate costs and of course that is much less and one that is viewed, perhaps by many sectors, as being inequitable but not a view that is shared by myself.

I think that it is interesting to note that the Member for Pembina states that democracy works and that the strong opposition kept the government from proposing changes more dramatic with regard to farm trucks. I think that he should point out here and give legitimate credit that we looked very carefully at that, Mr. Speaker, and that I gave very careful consideration to all the views that were coming forward from the task force and accepted what I believe is a reasonable position on this matter and one that has not been recognized in this House by the Member for Pembina. He instead is taking credit on the basis of some kind of political pressures, instead of giving the credit where credit is due, Mr. Speaker.

As I pointed out in the House the other day, the fact is that maintenance Budgets in this government have not decreased and the amount of maintenance going into the Budget for the maintenance of our rural road system, of our provincial road and PTH system, are as large as they have ever been in real dollar terms; and certainly we've maintained all of the standards that were there and we have a detailed standard system in place for maintenance throughout this province and those standards have been adhered to year after year in this province. I think, Mr. Speaker — (Interjection) — there's been no change in the standards.

Mr. Speaker, I think that those are the only remarks I would make at this time. I thank the Member for Pembina for his comments and I look forward to further discussion in the Law Amendments Committee.

QUESTION put, MOTION carried.

BILL NO. 72 - THE TEACHERS' PENSIONS ACT; LA LOI SUR LA PENSION DE RETRAITE DES ENSEIGNANTS

MR. SPEAKER: On the proposed motion of the Honourable Minister of Education, Bill No. 72, the Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I just wanted to make some quite brief remarks on this bill. As I understand it, the arguments for this bill which will give full formula pension to teachers at age 55 - providing they have been teaching for 30 years - the main arguments would be that there will be no cost to the government over the next five years; and that this will open up opportunities for newly graduated teachers at the bottom of the scale as these 55-year-old teachers take advantage of the opportunity for early retirement.

I would like to point out that in my view I feel absolutely certain that there is going to be a very substantial cost to the government and to the taxpayers some years down the road. It simply doesn't make sense to me to think that you can lower the age of retirement from age 60 to age 55 on a full formula basis and not have some cost accrue to the taxpayers, when the taxpayers are in the position of matching the

contributions made by the teachers. So, while there may, in the short run, be no additional cost to the taxpayers, there certainly will be in the long run and it could be a very substantial cost.

Secondly, there will be further cost accrue to the taxpayers because this is something of a landmark achievement on behalf of the teachers that will no doubt serve as a target for other groups to bargain towards, and the government will find itself in a position of making contributions to pension funds whether we're talking about the Civil Service or indirectly to pensions for people serving in institutions that are basically funded by the government. I believe that there will be a very substantial although, as yet, unknown cost.

I believe that to incur that cost is a misplaced priority on the part of the government. It's not one that I would want to make. I believe that there are people in our society who are in much greater need of improved pensions or improved levels of income than are our teachers. I would specifically want to single out those women basically between the ages of 55 and 65 who may be widowed or separated or never have been married, who find particular difficulty getting into the work force and to get jobs that pay them a reasonable level of income to allow them to maintain a satisfactory standard of living. That is something of a holdover from situations in the past where women have not been as frequent entrants into the job market and the workplace as they are today. I think that there is a group of people that, if there is to be any improvement, any money spent by the government on improving pensions and income levels of people in retirement, then they should be looking at that group of people.

Mr. Speaker, the third argument that is put forward is that this is going to open up opportunities for new graduates. I can accept that that certainly will be the case, but I would also point out that that is a very expensive and unproductive strategy for the creation of jobs in society. If that is the way new jobs are to be created by lowering the level of retirement so that you have fewer people working, then that sort of strategy will eventually come back to be very expensive upon society and upon those who are working. In the short term, we may not recognize it as such, but in the long term, I believe that it will be very expensive and counterproductive.

I also would point out that that would be my belief that these teachers who retire at 55 and are skilled people will, for the most part, not be content to sit in retirement and do nothing after age 55. I would be reasonably sure, Mr. Speaker, that we will find a very high percentage of these teachers who retire at 55, back in the job market within a year and what they will be doing is taking jobs that do not require the same level of training, the same standard of education that they have, and they will be taking jobs that could be filled by people with lesser qualifications. I think that on point as well this will be a counterproductive measure taken by the government.

For those reasons which I want to place very clearly on the record, Mr. Speaker, I cannot support this bill.

One additional point that I should have mentioned earlier and that I failed to make was that I have a great many people in my constituency who are in the range of 55 years old who are not faced with a question of whether or not they can retire with a full formula pension,

they're faced with the question of whether or not they're going to go broke. I'm talking about a lot of farm people and a lot of small businesspeople; primarily people in the farming industry who have put almost a lifetime into farming and find now that they may be faced with losing everything they have, far from being able to retire with a reasonable level of income.

I cannot go back to my constituents, Mr. Speaker, and say that I voted for a measure which is going to make retirement easier for a group of people, for one profession of people in our society that most people in my constituency would already see as being relatively well off with a relatively secure future as far as retirement goes. I cannot support improving the situation for that group of people while a great many of my constituents are actually faced with the question of whether or not they're going to be able to remain in business.

So, Mr. Speaker, I believe that there will be a very substantial cost here to the taxpayers down the road. I think it's going to establish a standard for other professional groups to bargain for. I think it's a misplaced priority of the government to be concentrating here and to be ignoring the plight of women basically between the ages of 55 and 65 who do not have adequate levels of income. I think it's a misplaced priority to be committing money - I shouldn't use the term putting money in but to committing money - for the expenditures down the road, when a great many people in society are faced with whether or not they will continue in business. I also think that we're going to find that retired teachers will be taking jobs that other people with a lesser standard of training and a lesser level of education could occupy.

Mr. Speaker, I will not be supporting this bill.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker.

Mr. Speaker, I believe that one of the great difficulties we have in politics is to be able to have some vision of what is going to happen, not in the short run but in the long run. We have a tendency of trying to fix problems and deal with problems on a short-term basis without having maybe even the capability of seeing what is happening downstream. I guess that's one of the concerns I have with this particular bill.

We are talking about the bill not having any major effect on the taxpayer of Manitoba in the next five years, but, Mr. Speaker, we are passing legislation here today which we all know, if passed in its present form, will be virtually impossible for any governments in the future or any people that are involved in dealing with pensions to reverse in years to come.

So I say to members opposite, I know this is a very popular political move among many of the people in the teaching profession, but it is, to a large extent, if you talk about five years in the lifetime of an individual, it's maybe not that long, but in legislative years it represents more than one term that we sit here; so I have a tendency of feeling that it is sort of a quick fix, trying to solve a problem that maybe the school boards have now in wishing to hire new teachers at a lower salary rate because they don't have the increments and they don't have the type of education that many of the

older teachers do. I want to reiterate some of the questions that I have and some of the suggestions that the Member for Turtle Mountain put forward.

I've spoken to many teachers in my area. There are a fair number that are in favour of this bill, and I would imagine, if I was part of that vested interest group and dealing with this, I would maybe take the same view because we do have that mentality, whether we be in the teaching profession or politicians, when it comes to dealing with our own pay, there is that certain amount of self-interest that we all display from time to time. So I do not fault the teaching profession for pushing fairly hard for this amendment, because for them and for the directors within the Teachers' Society, as well as people involved in it, it becomes a pretty important bargaining tool and indicates to everybody that they've been doing a pretty good job representing their profession within the legislative process, so I do not fault them for that.

But I would point out that some of the things that we have passed here, last year, was it last year or the year before we passed the bill dealing with tenure and many of the things at that time which we drew to the government's attention have happened. There is now, I believe, less chance for mobility within regions. We see where people from outside of the province are hired fairly often because of the concern that the school board has with regard to the tenure thing, and all you have to do is talk to some of the people who, because they either for a number of years stepped out of the teaching field and wanted to get back in, are finding now it's very difficult to get in, because the school board, when they hire them, know that they have tenure automatically. What seemed at that time to be a good bill, I think has really proven out to be not that positive among the teaching profession.

Mr. Speaker, I too believe that someone retiring at 55 at this day and age when 55 years old is not very old any more, I believe that a lot of the people will be entering the labour force in other professions and other vocations, so it's not a matter that we're taking them out of the labour force. All we have to do is see what's happened with occupations such as the RCMP and other people who are retiring after 25 years of service. Most of them always pick up another job somewhere and are in the field doing that additional work, so they are not being taken out of the workforce. I would imagine that most teachers will be faced with that same type of prospects when they do retire at 55.

I know the Minister, the school division, see an immediate saving, a short-run saving, but I am not totally satisfied with the projections and really the lack of projections when we're talking about after the five-year period. After the five-year period we're looking at costs which the Member for Morris has identified and thrown some figures out. The Minister has not come back with any figures, either refuting them or indicating that they'll be higher; but we are passing legislation here today, which would see some substantial increases in the years to come and not in the short term.

It's so easy for politicians to do this sort of a quick fix and then let somebody else, in five or ten years, worry about what we've done. Really what you're doing is you're establishing a trend here, which is going to invariably be used by Hydro, by Manitoba Telephone System, by Autopac, this thing will raise its head during

the MGEA negotiations. Mr. Speaker, let's face it that the President of the MGEA and his Board of Directors, seeing that now one segment of the public service is being treated one way, they're going to be pushing pretty hard, because they also want to do the best for their membership and don't want to be perceived that they're falling behind any other group.

We've got a hospital strike on right now and we're trying to settle that one, but how long will it be before the hospital workers come in with this request? So I say to the Minister that really what we're doing, to use an old cliché, we are, to a large extent, opening the floodgates and this is only the tip of the iceberg as far as what we're going to be facing in the years to come. I say to members opposite that I know that many teachers will be pleased with this and will take advantage of this. As I have told the people in my area, that I have no hang-up about them providing or going ahead with the 55-year retirement clause if it is funded totally by their contributions; I've no hang-up.

Mr. Speaker, the Member for Turtle Mountain touched on it very nicely. There are so many people out there - we have a pension bill before us - but there are so many people out there that have no pension at all, none at all, and are facing all kinds of hardship, whether in the small business communities, with increased property taxes and small farmers who are looking at maintaining their operations, taxes represent a fairly large portion of it; so I think that what we really should be doing is, rather than looking at a short-term solution to a problem, we should be, as legislators, having a little more vision and a little more insight into what repercussions this will have, not only in a matter of a couple of years, but will happen 10, 15 years down the road and I think that I'm pretty safe in predicting that the next round of negotiations with the MGEA and with other groups we're going to see this type of package being offered and becoming a very strong negotiating bargaining tactic for the unions, because if I was the President of the MGEA and I saw the government giving this concession to one segment within the funding of the public service, I'll tell you, I would push awfully hard, because my members would be after to me and I'd want to prove to my membership that I was just as good a negotiator and just as tough as the negotiators for the Teachers' Society.

I say to members opposite that this will cause us problems. If the teachers had funded it totally, entirely themselves, I would not have had a hang-up about it; but for us to now talk about 10 years down the road, costing us millions of dollars, knowing what property taxes are right now, it becomes very difficult to support.

Mr. Speaker, having made those few comments on this piece of legislation, I have to indicate to the Minister that it is unfortunate, I think, that at this point in time she did bring this bill in and I believe that the majority of Manitobans will understand in the future, maybe not in the immediate short run because it won't have any effect, but in future we will see that this has set a trend and will really cost the taxpayers of Manitoba a lot of money, not because of just this one thing but because of all the things that will flow from it in other Crown corporations and within the Civil Service itself.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker.

I rise to make a few brief comments, to place on the record my feelings toward the bill which is being presented by the government and I want to make it very clear to start with that I am not opposed to anyone in society retiring at age 55.

However, as has been indicated prior to me, Mr. Speaker, the cost of that retirement should not be borne by the taxpayers, but by those individuals who are involved in the profession, through their own contributions. That is my position; I want it to be made very clear.

There have been some excellent points made supporting our position by my caucus colleagues. However I want to add one more piece of information to the record because it is my responsibility to represent a broad base and to try and be fair in speaking to and supporting or opposing of legislation in this Assembly.

On June 18th I received a letter from the Rural Municipality of Edward, which is a municipality in my constituency. It's a copy of a letter to the Minister of Education and I want to put some of it on the record, Mr. Speaker, because I think it's extremely important and points out the concerns of those people who are paying the costs of education today and what has happened in the last five years. As my colleague from Turtle Mountain has pointed out, it is in the light of the tough economic conditions in the agriculture community; it is those people who have got additional taxes on their farms who are having to face daily the high costs of production and the low returns.

I want to place on the record, Mr. Speaker, that the only change that I can see taking place this year from last year and other years is that we will in fact probably see more production, but the cost of getting that product to the yard and to the consumers is going to be increased, not only on education taxes but, as well, the returns that we're getting for that product will be substantially lower. You don't have to have many radio stations on our farm reports to hear what the Canadian Wheat Board is saying about the incomes for farmers this coming year, that the red meat industry is under extreme pressure from European imports and we're seeing a tremendous amount of pressure; we're cut off from exporting our product to the United States, a market which has been very helpful to us.

There is a tremendous amount of pressure out there on the incomes of farmers and so I go back to the letter which was put to me or to the Minister, a copy to me, Mr. Speaker, and I will quote from it.

It says, "Dear Madam: I draw to your attention the following resolution which was passed at the last regular meeting of the R.M. of Edward Council and reflects council's concern in the matter of education costs on property tax, moved by Fred Rayner, seconded by W.K. Murray.

"WHEREAS the following mill rates on agricultural land in R.M. of Edward in the past five years reflect a substantial increase in education costs, while at the same time a gradual decrease in municipal mill rate. In 1981, the municipal mill rate was 92.1, the school rate was 57.2. Go to 1985, the municipal rate was 85.7, a reduction from 82.1 to 85.7 and the school rate had increased from 57.2 in 1981 to 78.3 in 1985; and

"WHEREAS current economic conditions in the agricultural community have dictated that expenditures be curtailed as far as possible,

"THEREFORE BE IT RESOLVED that this council signify their concern in this matter to the Minister of Education and urge her to join in this restraint program by eliminating future education increases on property taxes.

"Thank you for your attention to this matter."

That, Mr. Speaker, is coming not only from one municipality but it's a general concern of the farm community at large. We had a meeting with the Manitoba Pool Elevators, representation, the board of directors, some two weeks ago now, many of my colleagues, and the No. 1 item on their agenda was the high cost of education on farm property and the continuing increases and they were desperately crying out for someone to do something about it.

We have to carry our responsibilities, Mr. Speaker, on our shoulders. I'm prepared to justify to the teachers in my constituency and those who I speak to that, yes, I support them on an age 55 retirement, but I don't support or can't support the provincial taxpayers paying any part of that.

So therefore, Mr. Speaker, I want it very clear that I am not going to be supporting this legislation with provincial taxpayers' support.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker. I just want to register one or two comments also. There's not much I might add to the remarks of my colleagues who have already spoken on this except to say that I too can fully support the . . .

MR. SPEAKER: Order please. The time being 4:30 and Private Members' Hour, when this matter is next before the House, the honourable member will have 40 minutes remaining.

The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I believe there may be a predisposition to dispense with Private Members' Hour so that we can continue debate on second reading.

R. SPEAKER: Is there leave to dispense with Private Members' Hour today? (Agreed) Leave having been given, the Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker. If you could just run that back for me a minute to let me know where I left off there, I kind of got stopped in full flight.

Mr. Speaker, as my colleagues before me have said, I have no objections to anyone retiring at 55. I fully support the retirement for those that want to retire early and I myself belong to a pension fund that I suppose is one of the best funded pension funds in this great country of ours. There's an early retirement option in that fund at age 55; there's also a 5 percent per year penalty for going at age 55, which I think is rather high. I myself took a 17 percent penalty by retiring early but the fund is fully funded by members' contributions and by employees' contributions. As I say, it is now a very, very healthy fund.

There have been some variations in it, I understand, since I left the organization. Now those that have reached age 55 and have managed to screw up in

some way or have reached the level of their own incompetence, they're allowing them the window at no penalty but that wasn't available when I went. But that's at the option of the directors of that fund and at no cost to the taxpayers I must say, Mr. Speaker, which is the main thrust of the arguments of my colleagues on this side of the House, that there is no objection to those wanting to go early, but the fund should be fully funded by members' contributions and it should be able to provide for that and carry on for those that do want to retire early.

It's been mentioned by other speakers that it opens the door for all of the other types of public service, Hydro, Telephones, the MGEA organization and all those that negotiate terms of raises in pay or superannuation funds which are always added nowadays into labour negotiations.

I would strongly urge, Mr. Speaker, to those members on the opposite side of the House, especially some of the backbenchers, that they don't really have to go along with this because it's being promoted very heavily from one particular segment of our society; they could certainly oppose the bill.

But I would strongly urge the Minister to either amend the bill, bring in an amendment so that it's fully funded by members, or find some other way where it will be more saleable to the general public and to the constituencies as we represent.

As the Member for Turtle Mountain mentioned, we have a great number of constituents that don't have pension funds. There are those that are in business or farming that are desperately struggling along and hanging on to what they have now, hoping that they can retire at maybe 60 and some of them maybe a lot longer. It's very very difficult to sell, Mr. Speaker, to sell a retirement at 55 that is going to be funded down the road maybe in five years by taxpayers' money.

The one huge objection we get from municipal people and others is the escalating costs of education and the fact that the municipal levy is just laid on them by the school divisions and they have no option but to try and raise that amount of money. This window, for those that are retiring at 55 with full penalty, Mr. Speaker, is going to be an added cost. Our Member for Morris has put some figures forward. They may be very very conservative figures, but we're not just too sure what the story is going to be down the road.

There has to be some other option open to the Minister that this can be altered when the bill gets into committee, by amendments to allow for a full retirement at 55, but at least - if it's not going to be fully funded - at least bring in some sort of a penalty, three-quarters of 1 percent or 1 percent a year, to bring it in line with the MGEA negotiated position so that there's not going to be a widespread run on all of the public service sector to try and jump on the bandwagon and take retirement at 55.

I say, Mr. Speaker, that no one has any objections to those that want to retire at age 55, but it's not going to solve any problem in the labour force. The arguments put forward by hiring newer teachers at a lesser salary and there's a saving there - I won't go into those because they're all very very familiar to us - but there's not too many people retire now at age 55 and I speak of the colleagues that belong to my pension fund - there's a lot of them now retire at age 55, but they're

out in the work force doing some other job for two, three, four, five years, because they're still healthy and active and have something to contribute. So it's not going to solve any of the problems in the teaching profession by opening any great job opportunity.

So, Mr. Speaker, I feel in the interests of my constituents that I have to face and tell them whether I support it or did not support this bill, I felt that I had to put a few remarks on the record, and unless there's some amendments brought in to see the bill either fully funded or a penalty restored, that I won't be able to support the bill.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I'd like to ask the Member for Minnedosa if he will permit a question? — (Interjection) — Mr. Speaker, I'd like to ask the member if he believes, as was indicated in the Member for Arthur's remarks, that the passage of this bill will somehow reflect additional costs in the special levy on the mill rate of local school divisions as applied to local ratepayers. Does he believe that this bill will, in some way, affect that special levy and the local mill rate?

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Mr. Speaker, the funds have to come from somewhere. We know the only source of government revenue is taxation and some other smaller amounts that they have, so it doesn't really matter whether it comes out of the special levy or out of a general taxation formula; that fund has to be actuarially funded in such a way to provide the full pension at 55 for all of those that take advantage of it.

HON. A. ANSTETT: Will the school boards pay a penny of it?

MR. D. BLAKE: Well who are the school boards? They are you and I, those that are paying taxes, Mr. Speaker. It's the taxpayer that's going to carry the can and I'm saying to the backbenchers on that side of the House, they don't have to go along with this bill. They're going to have to face the electorate too, and this is not going to be very very popular with those that aren't in a position to take advantage of it.

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker.

You know this debate has been very very informative this afternoon because we now realize that the Government House Leader doesn't understand the implications of the legislation that he's asking passage of; that he and his government are asking passage of. Mr. Speaker, I want to indicate to all members of the House that it is my objective, my personal objective, not to retire at 55, but I hope to retire probably at 50 - I'd love to be able to retire as early as possible and take on, more or less, a little bit of a hobby job and not really have the pressures of having to work day in and day out. I'd love to have that and I don't think

there is any person in Manitoba that wouldn't like to have that opportunity and have the pressure taken off him.

Mr. Speaker, we've got a bill before us now to allow for an early retirement of a group of individuals, a group of people in Manitoba society. Now the reasons that are given to us by various people, including the Teachers' Society themselves, they cite burnout and a number of the pressures of the teaching profession; but, Sir, you in your capacity of Speaker of this House know what pressure is; you know what burnout is, all of us do. People working on assembly lines are faced with the same thing; people working for our Crown corporations face the same thing; and especially people working in the private sector face the same kind of job pressures, and more so, because they have the responsibility of making sure the bottom line exists favourably, Mr. Speaker, because in the private sector if your bottom line isn't black, part of the time at least, then you do not exist.

Mr. Speaker, we've got a piece of legislation that says, for a period of I believe five years, there will not be any cost implication to the taxpayers of Manitoba, and that is one of the reasons why this legislation is justified at the present time, that there is no - now I see the Minister of Education shaking her head. That's not correct? — (Interjection) — Thank you. That is correct that it will be of no cost implication to the taxpayers of Manitoba for five years; that is a temporary benefit, Mr. Speaker. It is a temporary benefit that all teachers who have contributed to date to the pension fund are going to now see go to the benefit of a few teachers who are in the position to retire at 55, so the minority in the teaching profession are receiving the benefit of a well-funded pension plan that all teachers have contributed to. I've had some concerns expressed to me by teachers at home that they consider that to be one unfair portion of the provision, but that's an internal problem, nothing to do with us.

Now, Mr. Speaker, the argument is made that it will be of no cost for five years, therefore we shouldn't worry about it, but my colleagues that have spoken already have pointed out that hopefully the Government of Manitoba and the province exists for more than five years; and it's those costs after five years that the taxpayers will bear that are of concern.

The argument is further made by the Minister of Education and others that the government picks up a very small percentage portion of the increased cost. But, Mr. Speaker, we forget the one important consideration in this, in that the taxpayers of Manitoba pay the salaries of our teachers in their entirety, and that is the property taxpayers that my colleague, the Member for Arthur just referred to, in seeing their school mill rate rise dramatically in the last four to five years; and that is the people who pay sales tax in the Province of Manitoba - and I remind you that this government raised the sales tax by one point. This government has imposed a health and education levy known as the payroll tax - five years from now, will that have to be increased to cover the costs of funding the government obligation on this early retirement pension benefit? We don't know. The government doesn't have those answers or will not share those answers with us, Sir, but it's clear that the argument that is made by proponents of this legislation in the New Democratic

Party that it will be a relatively low cost initiative are simply not a reasonable case to make, Mr. Speaker, because as taxpayers whether it comes from sales tax, payroll tax, property tax, we, the people of Manitoba contribute 100 percent of the salaries that our teaching profession receives.

I will simply say to the Minister of Education that as the contributions five years from now come directly - 80 percent I believe is the figure - from additional contributions by the teachers themselves to finance the additional cost, it follows by natural progression that their take-home pay will go down unless their bargaining organization can use the take-home-pay argument - which I am positive they will - that their take-home pay must not drop, forgetting that the reason it dropped was some five years prior where they received a generous pension benefit. That will be long forgotten and every effort, Mr. Speaker, I predict five years from now, six years from now, seven years from now, every effort will be made by the bargaining groups to maintain the take-home pay.

What does that mean, Mr. Speaker? That means that the Government of the Day will have to fund those demands and the property owner will have to fund those salary demands. Those are the areas in which the government collects the taxes to pay school costs, 80 percent of which are currently salary. Anything you do that is going to increase those salary costs or put pressure on the bargaining for higher salary costs and take-home pay will impact directly on the taxpayers that are so affected and that we all represent.

What you are doing, ladies and gentlemen of the government, is following precisely your Cabinet document of nothing controversial in the last two years of your term and things which appeal to specific interest groups, and you are achieving a legislative amendment to give a special interest group in Manitoba a benefit that no one else has, that is paid by the taxpayers. That is a precedent, Mr. Speaker, and it will be a precedent I assure honourable members, that two years from now the next government of this Province of Manitoba and the members of the opposition will be facing in dealing with the MGEA negotiations.

Sir, why would they not want that kind of a benefit? Then how are you going to use the argument that the taxpayers won't pay it when you have to have that negotiation with the MGEA? Will anyone believe your argument then? Mr. Speaker, those who are the taxpayers who are paying the costs of running government in Manitoba, they understand where the money is going to come from, because they understand that taxpayers pay the entire salary costs in our school system. They understand that. Maybe this government doesn't - but the people, the real people of Manitoba understand that.

Mr. Speaker, this is a measure which is supported and I make no effort to hide the fact, my school board at home is supportive of this measure. I've had several letters from my school board saying that they support this measure. They see it as a method of reducing their budget temporarily by possibly eliminating some of the higher salaried teachers, aged 55, with the experience and the education qualifications and bringing in lower paid ones, but they fully admit that that will only last a few years until those new teachers then become equally qualified and equally paid. Mr. Speaker, they

support it and I have told them that I cannot support it. I have given them my reasons and we have an understanding of why I'll be voting against this legislation.

The same thing in conversation with some teachers that have phoned me to urge me to support this legislation, I have shared the same concerns with them. I, quite frankly, Mr. Speaker, don't blame the members of the teachers' associations in my constituency for urging me to support this legislation. If I was a teacher, I probably would myself. My job, Mr. Speaker, is to represent the entire voter population and constituent people in this legislation, not hive off special interest groups as their Cabinet document says they will do.

Mr. Speaker, they are doing it. I cannot bring myself to support it at the expense of the other 98 percent of my constituents who will be asked five years from now, if this passes, to fund the costs of this program. It's an imposition which is, as the classic saying goes, the thin edge of the wedge which will become a bargaining tool not only of the teaching profession themselves but of the MGEA, our Crown corporations and other groups in society, and the cost of this to the taxpayer is one that we can ill afford at a time of \$500 million deficits per year, payroll taxes at 1.5 percent and sales taxes that are rising to cover the costs of education and health. Mr. Speaker, I find myself in the position where I cannot support this legislation.

Thank you.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Thank you, Mr. Speaker.

I want to indicate to the Minister that your intention to move this bill forward to committee this afternoon, and in summarizing a few comments from the opposition before we do so, Mr. Speaker, allow me to indicate to the Minister that it should be obvious to her and perhaps it should be more obvious and, more importantly, obvious to the teachers of Manitoba, that the Conservative caucus has given this bill a great deal of consideration. I want to make it very clear that those of our group who have spoken against the bill do so with very legitimate reasons.

Mr. Speaker, it shouldn't really surprise the Minister nor, indeed, should it surprise the members of the Teachers' Society that that feeling is expressed in the Conservative caucus, because we do have a predominant representation of rural Manitoba. Nowhere else is the impact of education taxes felt more immediately and unfairly, I would say, as education tax applies to farm tax that perhaps we are more sensitive or we have members that are more sensitive to that situation.

Mr. Speaker, having said that, I also want to say - and I say this with some very legitimate regret because while those of our caucus that have spoken against the bill, there is absolutely no reason to surmise that for any reasons that the Minister or the members of the present government wish to make out of it as any expression of opposition towards education, the quality of education and the priority and the importance of education in this province. Indeed, Mr. Speaker, I maintain that any objective observer would have to acknowledge that the Conservative Party of Manitoba,

historically, traditionally - certainly since the Sixties - has contributed more to the advancement of education in this province, advancement of the teachers' welfare in this province than any other political group in this province, Mr. Speaker. I can say that without contradiction.

Mr. Speaker, I can only recall it wasn't that long ago that the President of the Teachers' Society met with our caucus - in a very good meeting I might add - but we did solicit or ask the question about how the Teachers' Society felt about, I believe it was a 2 percent increase in overall education funding this year. The response that we got was, well, you have to remember that at that time the Minister of Finance of this NDP Government was talking about zero increases, so 2 percent sounded pretty good to the teachers at this time.

Mr. Speaker, there are those in this Chamber that remember when 12 and 13 percent increases were given and we had 35 coffins parading in front of this Legislature because that wasn't enough. I leave that on the conscience of those who are charged with the responsibility of educating our young to see whether or not their treatment of the political process is all that fair.

Mr. Speaker, having said that, now I want to indicate, and I want to indicate on behalf of my Leader, that I am supporting the bill and my Leader is supporting the bill. He wanted to speak to the bill this afternoon; he is unavoidably detained and will likely take the opportunity of speaking on the bill perhaps at third reading, when the bill comes before us, or at committee stage.

There are other reasons for believing that. I do not dispute good legitimate cases of cost concerns that have been raised by my colleagues: the Member for Turtle Mountain, the Member for La Verendrye, and the other members here who have just spoken. They have raised the question of costs and they are legitimate questions of cost.

Mr. Speaker, I am prepared - and that is my reason for supporting the bill - to acknowledge that the representations made to us on the other side of the argument also bear some validity, and that our projections of cost that have been put forward by those spokespersons who are speaking against the bill may indeed not come to fruition.

The representations have been made forcefully by the Minister, by different school boards, by representatives of the Teachers' Society, that indeed, there is something unique with respect to the occupation and I'm prepared to acknowledge it. That the provision for early retirement at age 55 need not have the cost implications that some of us and some members of the opposition have indicated may well be.

Mr. Speaker, we would like to pursue this at committee. Certainly there is a way to guarantee that this, in fact, is the case, if indeed an amendment could be put forward that would ensure that the early retirement age could be borne entirely by the persons, by the community, in this case, teachers involved. I'm told that that may not be possible to do, but, Mr. Speaker, with those few words, I want to indicate that I will be supporting the bill; my Leader will be supporting the bill, as well as other members of our caucus who will be supporting the bill and we will look forward to examining the individual clauses at committee stage.

MR. SPEAKER: Are you ready for the question?

The Honourable Minister of Education will be closing debate.

HON. M. HEMPHILL: Thank you, Mr. Speaker.

I am not only pleased, I am delighted to be closing debate on second reading on a bill that we continue to be very proud of, that we continue to feel is providing leadership in pension reform; pension reform that we started as a government in the last year.

What I was going to say, summing up my reaction to the debate, was that I was a little surprised and disappointed at the very negative reaction from the members opposite until, of course, the Member for Lakeside got up and indicated clearly that they have a split caucus on this issue and that they have a number of people and most of them spoke against it and said we cannot vote for this, yet the Leader of the House and the Leader of the Party are going to support it.

I can only suggest that that is hopefully so those that are very, very upset with the position they are taking - and I can say they will be legion because there are large numbers in and out of the education system who think that this is a very good move - will hope that the Leader will carry the day and that his position, stated as being in support, will be able to offset all of the large numbers of the members opposite who are in opposition. So that they're really looking to get the best of both worlds and to get those who are very supportive and think it's an excellent thing to do, not just for teachers but for others, will be very upset with their position. They want to get those that are opposed, knowing that they're opposed and taking a strong stand, and those that are in favour, believing that the Leader will carry the day and his position in favour will carry the day and that they will not continue with their negative opposition. But it's not going to work; it's not going to work.

I think one of the areas where we have to show leadership is in pension reform and one of the things that surprises me is that in the debate a number of them mentioned about what we're doing for this special interest group and for this one group — (Interjection) — I'd appreciate it if you'd let me get my important points across first - what we're doing for this very special group, this very unique group, and they indicated a lot of concern about pension reform in general - what are we doing for women? - what are we doing for people who don't have pensions? - and said, why are you removing this penalty when there are so many other important things that you should be doing?

Well, Mr. Speaker, let's not forget that this bill is an important bill that does not just deal with removal of the penalty for early retirement. It has a number of clauses and sections in it which all deal with major progressive pension reform that they are now saying they are in support of, the basic reforms for women and the discrimination that is in there. They now say, why aren't you doing that, Madam Minister; why isn't the government doing that instead of removing the penalty?

I want to say that the members opposite at least are consistent, Mr. Speaker. They have at least been consistent in opposing pension reform in the Province of Manitoba and they did it last year; and why I say

I'm so surprised about the position they're taking in debate, is that they talked about the principle of fairness and wondering why we were singling out this group and suggested they would be more sympathetic and supportive if it was done to help the general population instead of a specific target population.

Where were they last year when we brought in the pension reform that dealt with all of those issues? Do you know where they were, Mr. Speaker? They were ringing bells for 24 hours. They were ringing bells for 24 hours, Mr. Speaker, and they voted against those pension reforms that addressed the inequities for women, for people who didn't have pensions. They voted against them to a man, and I think to a woman. They rang the bells on them for 24 hours, that's how opposed they were, and do you know what was in there, Mr. Speaker? One of the things that they didn't mention is the compliance section. We've got a lot of other parts to this bill other than the penalty for early retirement.

Let's look to see what the compliance issues are. When they voted against that bill last year, they were voting against discrimination based on sex, Mr. Speaker. They voted against discrimination based on sex. They voted against protection for the people by having the employer pay 50 percent, the requirement that made employers that weren't presently required to pay 50 percent.

Mr. Speaker, I listened to them and we listened to every word they had to say. I don't think that there was any interruption or any interference. I am now closing debate on the bill and I would like to be able to do it with the same courtesy.

I am now describing what is in the compliance section of the teachers bill that was contained in the pension reforms that is being brought in now because they are compliance issues related to the pension reforms brought in last year that the members opposite voted against and I'm describing them.

"Discrimination based on sex, protection for the employer to pay 50 percent, against recognizing common law relationships and against sharing of pensions between husband and wife on marriage breakup.

A MEMBER: We didn't say one thing against any one of those points.

HON. M. HEMPHILL: You didn't address them at all.

A MEMBER: Did so.

HON. M. HEMPHILL: You didn't address them at all. — (Interjection) — They're in this bill. The point I'm making, Mr. Speaker, is not that they spoke against them year this year in this bill, but they voted against the pension reforms in the pension bill last year. That's the point. They totally voted against all of those reforms last year, so how can they now say they're for them this year and, in fact, even ask us to go farther and say why aren't you doing these when we did them last year and had to fight them on that issue as we're fighting on these pension reforms too. — (Interjection) — I think if they really cared about helping the people who have worked all their lives and received either inadequate pensions or no pensions at all, they should

have been standing with us on the basic principles of pension reform in this Chamber last year, and they did not.

It's hard for us to believe, and it will be hard for the people of Manitoba to believe that they're opposed not only to improvements for this group, the teachers, but that they're opposed to improvements for all people in society because that's what their record shows.

I want to deal with the question of this special group getting special attention and special reforms and pension. They like to think that they're good bargainers and good negotiators and good management. They don't recognize a good deal when they see it. This has been one of the best deals and I can tell you and I will go on record as saying that the only reason that the teachers have this removal . . .

MR. SPEAKER: Order please.

HON. M. HEMPHILL: . . . The only reason that the teachers have the removal of the penalty for early retirement is because we bargained hard and because the deal that we struck with them was a good deal for the teachers, a good deal for the province and a good deal for the education system and a good deal for the taxpayers of Manitoba.

The first thing that happened, and I want to talk about one of the points that was made by the Member for Turtle Mountain. He said that this is going to set a precedent and that others are going to want it. I addressed that when I introduced the bill. I said that this is progressive legislation that is going to lead the way and that we hope that other employers would be following. That doesn't mean give away the farm, so to speak; it doesn't mean to give away benefits that are going to be costly to the taxpayers. It means that they should bargain and negotiate a deal like we did so you can remove the penalty because of the offsets and because of the ability and the willingness of the groups themselves to carry the costs.

What I said is that any time an employer can make that kind of a deal and it can be two ways - they can either agree to carry the costs themselves or they can agree to some sort of offsetting cost that is within their pension plan that will make up the difference. In the case of the Teachers' Society and the teachers of the Province of Manitoba, they were willing to do both. They were willing to pick up the entire costs for the first five years - their share and our share, no costs to the taxpayers of Manitoba. In addition, — (Interjection) — I'm not finished. I said five years. In addition, they agreed to remove the revenue guarantee clause that was in there that said that if the revenue that they gained from the pension plan even if they had a surplus, was let's say 1 percent less than that was predicted, the government would have to pick up that cost. They would have to pay out the money immediately even if the pension plan had a surplus and all the best information that we have.

I can tell you that I would rather take the information and the statistics from the people that both run the plans and from the government actuary who is the only one that can really give the figures and is the only one whose figures I think that we can depend on. The government actuary, the people that run the pension

plan say this is a good deal for the Province of Manitoba and the removal of the revenue guarantee which was described to us as a ticking time bomb that was going to go off, for sure - we just weren't exactly sure which year; whether it would be next year or the year after - but that will, at the very least, save us \$12 million over a three-year period - we think that may be underestimating with the latest information that we have - but that it would be called on - it doesn't matter that it hasn't been called on since 1973. We know that. They had to pay out about \$3.4 million in 1973; times have changed; conditions have changed; the economy has changed and the fund has changed, some of the aspects in the fund have changed.

So, when you look at what we bargained for this is what we got. First of all, I want to separate the program. I'm hoping that none of the members opposite are suggesting that we don't bring in the compliance issues. I'm hoping none of them are saying that the Government of Manitoba can believe that it's above the law. That law, whether they agreed to it last year or not, is now the law of Manitoba and we must conform to it in our own activities. That means that all of those things that I mentioned which we think are basic reforms - sex discrimination, sharing of pensions between husband and wife - now we are obligated. I don't think that, and I hope they're not suggesting that we not follow the law.

That takes away a very large piece of this pension bill. Those things that are there they haven't spoken against. It's interesting that they didn't say anything about those and they're focusing totally on the removal of the penalty. So, a large part of the bill is compliance. We're complying with both progressive reforms in the pension plan which they now say they're interested in, they now think that we should be instituting, and those that we should because they are now the law of the land.

What else is there? Part-time teachers is there. The only positive thing that was said, and I'm going to give the Member for Morris his due, he said he agreed with the clause in the section for part-time teachers. That's at \$200,000 cost and he said he agreed to it, and the Member for Kirkfield Park is smiling and we don't want to not give her her due, those were the two positive statements made about the whole bill. There were no positive statements. Did you make some positive statements about compliance? — (Interjection) — We'll have to check that. You just didn't speak against it, just didn't say anything negative, but they did both make a positive point about part-time teachers and I think they've commented that this is going to help women, which was the point I had made, that there were going to be thousands of women that were going to be helped through the part-time teacher, so they supported that.

They didn't like educational leave. I'm trying to break up into parts what this bill is. They didn't like educational leave and I'm not sure why, cause it doesn't cost a cent to either the fund or the taxpayer and that usually means that that's their main concern. Teachers can buy back educational leave at twice the contribution. They pay the employer and the employee's contribution and this benefit is no cost to the province or the fund so I don't why they would bother opposing that. I don't see any problems with that.

They raised the question of the '73 cutoff date. The '73 cutoff date, it was interesting. That was raised in the negative because we weren't moving on it and saying, why aren't you moving on this and the answer was that we didn't have enough information and the recommendation from the committee had been that we study it further. So on the one hand he's complaining because we're moving and on the other hand, when we don't move, he says you're not moving when we tell him we need more information, which is the responsible thing to do.

Let's get down to the early retirement because this is where the issue lies and they're actually prepared to vote against an entire bill, a large amount of which is both reform, basic pension reforms that are now the law and that they now say they approve of, they can accept the part-time teachers and they're taking their negative position out because of the removal of the penalty for early retirement, so let's deal with that.

They're concerned about the cost and they try to suggest that it's going to cost the taxpayer.

A MEMBER: Who's it going to cost?

HON. M. HEMPHILL: It is not going to cost the taxpayer money. In fact, there's going to be savings to the taxpayer. In the long run, there is going to be savings to the taxpayer and we'll outline what they are.

First of all, school boards.

MR. SPEAKER: Order please.

HON. M. HEMPHILL: What have you got? So if we separate the others, we're looking at early retirement.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. M. HEMPHILL: If we don't want to carry this on to 8:00 o'clock, let me get my points in response in before the time to close.

Let's look at the early retirement and the costs. The first thing that happens is that school boards are going to save money. School boards are going to save money, not just in the short run for five years, but for every year that they have an opportunity, where there's going to be about 70 teachers retire that wouldn't have retired, that we wouldn't expect to retire but who will be retiring with the removal of the penalty. So they're going to save, and I'm glad that you said the taxpayer, it's all coming out of the same pocket, because I can now make the point that if the school board save from half a million to a million dollars, which is what we predict they're going to save, by doing what we know they're going to do, which is have teachers retire at the top end of the scale and they're going to hire many teachers at the low end of the scale, they're going to save half to a million dollars and that is going to be money that is saved the taxpayers of Manitoba, whether it's saved at the school division level, so that's the first place that money is going to be saved.

I can make the argument that money saved to the taxpayer is money saved to the taxpayer whether it comes from the school division or ourselves. The teachers are going to pay the full cost for five years, \$3.2 million, \$3.4 million. They're picking up our share

and their share, so there is no cost to the taxpayer for the first five years.

After that, I noticed that not one of you in debate mentioned the removal of the revenue guarantee. You all avoided, in today's debate, even mentioning that there was another savings to the Province of Manitoba and therefore the taxpayers of Manitoba. The removal of the revenue guarantee is going to, sometime over the period of the next few years, save this government we believe at least \$12 million and we believe it could be much more and it will be the actuary that is giving those figures, not me or not this government, and what is that doing? It's offsetting \$6.2 million dollar costs of the early retirement, \$6.2 million over a life of 30 or 40 years at present value, today's value, which is the way the actuaries cost this, offset by a half a million to a million savings by school boards, offset with the teachers picking up the full cost for five years and offset by the savings of the removal of the revenue guarantee which we believe will save the Province of Manitoba at least \$12 million over a three-year period in the very near future.

Now, that is a deal. Anybody can understand that is a great deal for all of us, for the teachers that are retiring, for the education system that needs to have a better balance of young teachers and old teachers and for the education system and for the taxpayer.

There were a few questions that were raised that I'll try to deal with fairly quickly. The Member for Kirkfield Park thought that I had given either a wrong answer or didn't quite understand when I said that teachers who had already retired that it wasn't affected. Perhaps I didn't go quite far enough in my answer. There is no retroactivity for somebody who retired a year ago or two years ago, but as soon as the act is proclaimed the penalty will be removed for all teachers in the province, so I think that I was meaning that it wasn't retroactive for teachers but the penalty will click in as soon as the act is proclaimed, for all teachers.

When we say that this is going to act as a precedent for others, the only point I would make there is that any time an employer can negotiate a deal like this where the costs are paid by the fund or by the people or by some other offsetting factor that face the province or them or the taxpayers' money, then they should do it, because I think this is one of the waves of the future.

This bill was not only supported by the teachers, by the trustees, every school board in the province wrote me a letter, all the educational institutions, the superintendent, all educational institutions and many groups and individuals outside of the education system; and do you know why they think it's a good move? Because they think it's the way we have to go. They think it's what we have to do and it's one of the waves of the future, is to have early retirement for those who want it so they are not filling spaces unnecessarily and taking up jobs that can be filled by young people.

You talk about inequities. Three of the school divisions in the province had negotiated early retirement packages in their contracts. Three of the school divisions had already negotiated early retirement clauses, and do you know what that means? It means that this is the wave of the future. They were starting to go into negotiated contracts. Do you know what else it means? It means that there would be built-in inequity, because you know who was negotiating, the richer,

bigger boards; and you know who are the ones that couldn't afford it will be the smaller, poorer rural boards that many of you are so concerned about, you would have an inequitable position between their ability to bring in new, young teachers and to have employment opportunity for other teachers, when you compare them to the opportunity of big, suburban boards. So clearly this is an indication that the time has come to move on progressive legislation like this.

I just want to see if I've covered - oh, I do have to say a word about due process because it was raised in the debate and the suggestion was that all the fears they have and all the worries they have are coming home to roost and they're true. Not one of them is true. It's actually the opposite; all the things they were worried about and all their fears have not happened. It is not affecting the mobility; it is not the cause of out-of-province teaching. There is some out-of-province teaching, but it's not related to due process. So this is going to be another example where the gloom and doom and fears and worries are not going to come, are not going to be borne out. — (Interjection) — We'll refute your figure.

Oh, the concern for municipalities that they were passing on the costs. I think one of the things we have realize is that in some cases - and I'm not saying some municipalities aren't having some difficulty. Of course, that's the reason that we brought in the equalization program that put in \$52 million into poorer school divisions to help out just for that purpose - to help out school divisions that he is suggesting - that were not getting their fair share of money under their old program. But, you know, in 14 out of 15 of the municipalities or school divisions the municipal tax is higher than the school board tax; 14 out of 15 school divisions, so you have to be very careful when you're making — (Interjection) — They're not in the City of Winnipeg, they're outside.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. M. HEMPHILL: The point I'm making is that school taxes are not only caused by school trustees and by school boards, but sometimes the higher taxation is caused by the municipalities and not boards.

I think I want to end, Mr. Speaker, by making a few points about teachers. After having talked so much about their pension plan and about this special interest group, I'd like to make a few comments about teachers, because we've been so concerned about quality of education in my Estimates - and I can tell you and I want to go on record as saying that teaching and the teachers are the most important factor in quality of education, and that keeping a teaching force that is vital and capable is the most critical component of quality. Those teachers need both challenges and they need to continue to improve their qualifications and they need to keep pace with changing knowledge; and in our education system we need a balance of old experienced teachers who have a lot of wisdom and knowledge to impart to the system and their students, and new young teachers who have been trained with updated knowledge and equipment, who have been

trained in this decade with what is happening in society today and have a better understanding of that and bring the enthusiasm and the freshness that young people always do to a field or a service, so that we have to have a better balance.

Teaching is a stressful position. It's one of the most important jobs that is done and it is one of the most stressful; and it is getting more stressful, not less, as are many other jobs. They have a lot of special interest groups, competing special interest groups, the demands on teachers and on schools are increasing every day because of the breakdown in society, the breakdown of the family unit, the breakdown of other institutions. Who are they asking to pick up the difference, to fill all the holes? The schools. Who fills it, who does that? It's the teachers that are on the front line that are teaching those kids in the classroom. They're isolated. They have a lack of mobility. They have a lack of feedback and they have a lot of pressure from making sure - because they're very concerned about this - that each student, each individual student has an opportunity to learn and grow to their best potential.

Our teachers today are better prepared than they've ever been before. Many of them, dozens and hundreds of them, take their summer holidays that they have to upgrade or take courses and then to improve themselves to keep up-to-date with their profession and with information. They're concerned about their student and they are teaching with the highest professional competency, and a very high level of concern and involvement for their students.

So I think that we need to recognize the work that they're doing, the quality of work, and the importance of the teacher in the education of the child and in quality education. This reform helps those who want to go, those who are ready to go, and some of those that we all know should go, gives them a chance to retire and open up opportunities for other people who can carry on with the job that's been done.

Mr. Speaker, on this side we are proud of this legislation. We think that it is continuing our reforms in pension reforms and we hope that these will be expanded to other groups. It's good for kids; it's good for the education system; it's good for teachers; and it is not bad for the property taxpayers, because we negotiated a deal that made sure it would not be so.

MR. SPEAKER: Order please. The question before the House is the proposed second reading of Bill 72. Those in favour, please say Aye; those opposed, please say Nay. In my opinion, the Ayes have it and I declare the motion carried.

The Honourable Government House Leader.

HON. A. ANSTETT: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The question before the House is the proposed second reading of Bill No. 72.

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

YEAS

Adam, Anstett, Ashton, Birt, Brown, Corrin, Cowan, Desjardins, Dodick, Doern, Driedger, Enns, Evans, Eyster,

Thursday, 4 July, 1985

Filmon, Fox, Hammond, Harapiak, Harper, Hemphill, Kostyra, Lecuyer, Mackling, Nordman, Parasiuk, Pawley, Penner, Phillips, Plohman, Santos, Schroeder, Scott, Smith, Storie, Uruski, Uskiw.

NAYS

Banman, Blake, Downey, Gourlay, Graham, Hyde, Johnston, Manness, McKenzie, Orchard, Ransom.

MR. CLERK: Yeas 36; Nays 11.

MR. SPEAKER: The motion is accordingly passed.
The time being 5:30, I'm leaving the Chair to return this evening at 8:00 p.m.