



Fourth Session - Thirty-Fifth Legislature  
of the  
**Legislative Assembly of Manitoba**

---

**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

---

42 Elizabeth II

---

*Published under the  
authority of  
The Honourable Denis C. Rocan  
Speaker*



**VOL. XLII No. 101 - 1:30 p.m., WEDNESDAY, JULY 14, 1993**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

**Members, Constituencies and Political Affiliation**

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	Ste. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Cliff	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
GRAY, Avis	Crescentwood	Liberal
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	Rossmere	
<i>Vacant</i>	Rupertsland	
<i>Vacant</i>	The Maples	

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 14, 1993

The House met at 1:30 p.m.

## PRAYERS

## MATTER OF PRIVILEGE

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Speaker, I rise on a question of privilege as a result of the conduct in this House yesterday of the honourable member for Radisson (Ms. Cerilli). I do not raise questions of privilege very often, because I think such questions should be reserved for those matters of extreme importance, not only to the members of this House but to all Manitobans.

I would like to read to you, Mr. Speaker, from the unedited Hansard for yesterday. There was an exchange in the House between the honourable member for Brandon East (Mr. Leonard Evans) and the First Minister (Mr. Filmon) with respect to youth unemployment in Canada.

I am quoting from the words of the Premier yesterday in this House. In reference to the honourable member for Brandon East the Premier said: "Mr. Speaker, if he has any real credibility, if he has any real desire to see jobs created in this province, why does he not speak to his member for Radisson who is trying to kill a thousand jobs in Brandon and western Manitoba by going out and lobbying against and arguing against the expansion of the Ayerst plant in Brandon?"

"Why does he not tell her to stop sending around petitions, to stop sending around letters to everybody encouraging them to stop the Ayerst expansion in Brandon, if he really has any credibility . . ." [interjection]

**Mr. Speaker:** Order, please. A matter of privilege is always dealt with as a very serious matter in this House.

**Mr. McCrae:** Mr. Speaker, I am continuing to quote from the Premier: ". . . if he really has any credibility or desire to see jobs in this province?"

Then, Mr. Speaker, the honourable member for Radisson (Ms. Cerilli) rose in her place and said: "Mr. Speaker, on a point of order, I would ask you to have the Premier clarify his remarks. It is not

correct that I sent out petitions on this issue, and I would ask him to remove that remark from the record."

Your Honour found there was no point of order and felt that what was at issue was a dispute about the facts.

Mr. Speaker, the point of order, such as it was, raised yesterday by the honourable member for Radisson, does not square with the document I have in my hand. Her remarks led honourable members in this House to believe she had no involvement with a petition or work being done against the operations of Ayerst Organics in the city of Brandon.

I have in my hand a document which I propose to table. It is headlined: Update on Action Around PMU Farming and Estrogen Treatment for Menopausal Women. I will table that now, Mr. Speaker.

The document says: "Greetings from the MANITOBA ANIMAL RIGHTS COALITION! My name is ELIZABETH CARLYLE, and I have been working with Marianne Cerilli on a plan of action that would address the many destructive aspects of Pregnant Mare Urine (PMU) farming and its end product, estrogen, used for "treating" menopausal women. We have addressed the issues from a number of perspectives and incorporated all of these in brief form in the enclosed petition. This petition is our first step in bringing PMU farming and the over-prescription and unnecessary prescription of drugs to the public's attention.

"If you would like to participate in the launching of the campaign, please contact myself, Elizabeth . . .", and there is a phone number, ". . . or leave a message . . .", at another phone number, ". . . or Marianne at 222-0074 . . .", which, Mr. Speaker, is the honourable member's constituency office, ". . . or 945-1567.", which is the honourable member's Legislative Building telephone number.

I am tabling that document, Mr. Speaker.

\* (1335)

All of this was happening yesterday, Mr. Speaker, with the quiet acquiescence of the

honourable member for Brandon East (Mr. Leonard Evans) and the Leader of the official opposition, the member for Concordia (Mr. Doer).

There is a larger issue at stake besides just the parliamentary conduct of the honourable member for Radisson. The destructive policies of the New Democratic Party and the conduct of the honourable member cannot go unchallenged. There are a thousand jobs at stake here. Farm diversification is at stake here. I suggest the biggest economic development initiative in 30 years in southwestern Manitoba is at stake here. We are talking jobs, jobs, jobs.

I think the Standing Committee on Privileges and Elections ought to be called, because, surely, the point of view of one Elizabeth Carlyle, either under oath or otherwise, is necessary to bring the proper light on the denial made by the honourable member for Radisson yesterday, and perhaps others as well may need to be heard to get to the bottom of whether we have been lied to in this House or not, Mr. Speaker.

So, Mr. Speaker, I move, seconded by the honourable Minister of Finance (Mr. Manness), that the subject matter of yesterday's exchange in Question Period, including the comments of the honourable member for Radisson (Ms. Cerilli), be referred to the Standing Committee on Privileges and Elections.

**Mr. Jerry Storie (Filn Flon):** Mr. Speaker, a matter of privilege is a serious matter, as the member for Pembina (Mr. Orchard) well knows. He has apologized to this House on a number of occasions.

This, Mr. Speaker, first of all, is clearly not a matter of privilege. One of the criteria for a matter of privilege is that it be raised at the first opportunity. This issue was raised by the Premier (Mr. Filmon) in a rather demeaning manner, from his point of view. I think it belittles the office of the Premier, the way the issue was raised.

It certainly was raised yesterday and has been dealt with. It was dealt with in an honourable way by the member for Radisson (Ms. Cerilli), who rose in her place and said categorically, I did not send any petitions out, and disassociated herself. In essence, that is what she said. [interjection] Mr. Speaker, I will read into the record the exact words if the Premier so desires.

Mr. Speaker, members of this House will recognize that a member's word is to be taken at face value. The fact of the matter is this letter went out without the approval of the member for Radisson, and she has indicated that.

Mr. Speaker, every member in this Chamber has had their names associated with projects, with events, with statements which have had no bearing in fact. The Premier, in this House, got up and said, I did not authorize Michael Gobuty to put my name on a letterhead to raise Immigrant Investor Funds in Asia.

Did we stand on a matter of privilege and ask to have the Privileges and Elections Committee struck so we could question Mr. Gobuty on whether actually the Premier had authorized it? We took his word for it.

\* (1340)

**An Honourable Member:** He is not a member of this House.

**Mr. Storie:** Neither is the woman whose name is associated with animal rights. [interjection] Is this a debate, Mr. Speaker?

On the point of order that was raised by the First Minister, the member for Radisson (Ms. Cerilli) rose and said: "Mr. Speaker, on a point of order, I would ask you to have the Premier clarify his remarks. It is not correct that I sent out petitions on this issue, and I would ask him to remove that remark from the record."

That is what she said. That is what I said the member for Radisson said. This is not a matter of privilege.

But beyond that, this is, in my opinion, the worst abuse of a matter of privilege in this Chamber. The defeated candidate for the federal Brandon-Souris riding is now trying to protect his image.

This is so obviously politically motivated, so obviously a disgusting abuse of the privilege rules that I believe, Mr. Speaker, that you should not only rule this issue not a matter of privilege, but should chastise the member for Brandon West (Mr. McCrae) for having the political audacity to raise this kind of garbage in the Legislature.

**Mr. Kevin Lamoureux (Second Opposition House Leader):** Mr. Speaker, our rule book, the Chamber rule book is fairly clear in terms of the integrity of the individuals who sit inside this

Chamber in that we have to take at face value what it is, in fact, they are saying.

Beauchesne's, and I want to go to Citation 116 which states that: "Should a question of privilege be based on published material, the article in question must be submitted and read at the Table."

Mr. Speaker, in fact, the member for Brandon West (Mr. McCrae) did bring forward a document. The most interesting aspect of this particular document is that it is third party, that there is nothing the member for Brandon West has demonstrated that, in fact, the member for Radisson (Ms. Cerilli) has done anything with respect to this.

Mr. Speaker, it is very serious when a member rises on a matter of privilege. We do not question individuals in terms of the intent as to why they are rising on a matter of privilege, but I do not believe the Attorney General has a matter of privilege in this particular case, and, in fact, at the very least, the member for Brandon West, if anything, in all likelihood might even owe an apology to the Chamber.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, the member for the NDP party, the member for Flin Flon (Mr. Storie), says this was not the first opportunity. It is the first opportunity after the government, indeed all members of the House have had access to the unedited version of Hansard.

There is plenty of precedent that the opportunity we have availed ourselves of today, the member for Brandon East [sic], is the first opportunity.

Mr. Speaker, at issue here are the words spoken by the member for Radisson (Ms. Cerilli), and, indeed, to what extent she made herself fully explicit with respect to her point of order. The document that the member for Brandon East tables today—[interjection] Pardon me, Brandon West (Mr. McCrae) tables today, raises the prima facie doubt as to the truth of the remarks made yesterday in the House by the member for Radisson. Those comments taken at face value would indicate to every listener that the member had no involvement whatsoever. The document tabled by the member for Brandon West today proves exactly the opposite.

Indeed, Mr. Speaker, as we are told, as honourable members we accept at face value their words. Indeed, this Chamber cannot work unless

we do that, but when proof is tabled that shows that a member, one of the 57 of us, has misled the others, it dictates that action has to be taken. The action as requested by the member for Brandon West, moved by motion, seconded by myself, is that the Standing Committee on Privileges and Elections should consider this very, very serious matter.

\*(1345)

**Hon. Gary Filmon (Premier):** Mr. Speaker, I would also, in support of the motion of the member for—

### Point of Order

**Mr. Lamoureux:** Mr. Speaker, on a point of order, just for clarification, I had understood on a matter of privilege that one member from each caucus has the opportunity to speak to the motion of privilege. In fact, just for clarification, any member inside the Chamber can stand and rise to speak to this particular privilege?

**Mr. Speaker:** On the point of order raised by the honourable member for Inkster, indeed, it has been a practice of the House, or it has been my practice, to determine whether or not, on a matter of privilege—to ascertain the facts on this matter because I have to deal with whatever is put on the record on a matter of privilege.

On a matter of urgent public importance, there I do allow a spokesperson for the government and either one of the opposition parties to have five minutes to address the position of their party respecting the urgency of debating this matter today. Now, that applies specifically to a matter of urgent public importance.

On a matter of privilege, we deal with it a little bit differently, where we do allow, and I have allowed it for the Liberal Party at one time, where I have allowed a member to bring forward his point and then to have his House leader on his behalf bring forward some other remarks.

\*\*\*

**Mr. Filmon:** Mr. Speaker, in speaking to the prima facie evidence as to whether—[interjection]

**Mr. Speaker:** Order, please. The honourable First Minister does have the floor.

**Mr. Filmon:** I realize this is very troublesome to the member for Dauphin (Mr. Plohman) and his

colleagues. I would ask him to please treat this with seriousness.

In speaking to the prima facie evidence with respect to whether or not the member for Radisson (Ms. Cerilli) is involved in the circulation of information and petitions destructive to the continuing expansion of Ayerst Organics in Brandon, I would also like to table a letter on the stationery and letterhead of the member for Radisson, and it shows, in addition to her signature, her photograph.

The letter is addressed to a Dr. Lavalleur at the University of Minnesota Hospital Clinic in Minneapolis, Minnesota, and it says:

"Dear Dr. Lavalleur: Thank you for the interest you have expressed in the issue of the expanding use of hormone replacement therapy for women as well as the P.M.U. (pregnant mares' urine) plant expansion in Brandon, Manitoba, the environment and health.

"Enclosed is a paper for your consideration. Please call if you are interested in working to do education and organizing work on these issues. Sincerely, Marianne Cerilli."

Mr. Speaker, if I may quote from the paper— [interjection] I am tabling the entire paper.

The paper is dated February 1993. It is entitled, *The Business of Estrogen Production, the Environment and Women's Health*, and it says among other things: "This is an article dealing with a Manitoba issue that we must get involved in for the sake of women's health and safety, as well as for the protection of the Assiniboine River and those who drink its water. This issue is hormone-replacement therapy for women in menopause, and particularly the expansion of a Brandon pharmaceutical plant which manufactures the estrogen drug used in the therapy.

"For 26 years a Brandon, Manitoba pharmaceutical company has cornered the market on a unique source for estrogen-replacement drugs: pregnant mare urine. Ayerst Organics Limited (Brandon) has the dubious distinction of being the only "PMU" processing plant in the world. The estrogen extracted from pregnant mare urine in this plant is shipped to Ayerst's main plants in Montreal and New York City, where it is used in the manufacturing of Premarine, a synthetic hormone drug often prescribed to menopausal women."

It goes on with a great deal of explanatory information and it says: "Another person concerned about the long-term impacts of the expansion is NDP MLA Marianne Cerilli, the Environment Critic for the Official Opposition. Cerilli believes that a federal environmental assessment is in order: 'Ayerst's industrial expansion in Brandon raises several environmental concerns which warrant a full Federal Environment Impact Assessment of the project. First, this expansion has serious consequences for the water quality of the Assiniboine River, a river that many Manitobans use as a drinking water source'. Cerilli also feels that the increase in effluent being dumped into the river may pose problems in its own right. 'This will tax the Brandon sewage system. Therefore it is not only an environmental concern but an economic one as well'."

\* (1350)

Mr. Speaker, she goes on to say: "As a woman, Cerilli says she also feels very strongly that a traditional environmental assessment of the production process is not enough."—not enough. "Noting that the final product of PMU processing is the hormone drug marketed as "Premarkine" which is widely prescribed . . ."—

Mr. Speaker: Order, please.

### Point of Order

Mr. Storle: On a point of order, I understood the Premier to stand to speak on the relevance of this matter as a matter of privilege. It is not a debate on issues that have been a matter of public record for a long time, that the member for Radisson is concerned about estrogen therapy, that the member for Radisson is concerned about the environment.

Mr. Speaker, those two things are a matter of record, and we certainly have no dispute with it. The member for Radisson is the Environment critic, for heaven's sakes.

Mr. Speaker: The honourable member does not have a point of order. I believe the honourable First Minister is trying to ascertain whether or not there is a prima facie case.

\* \* \*

Mr. Filmon: Mr. Speaker, in addition to all of this, the criticisms of the member for Radisson with respect to the expansion of the Ayerst plant in

Brandon continue throughout the extent of this paper which I am tabling, and then at the end, the paper concludes: For more information call Marianne Cerilli, 945-1567 or 222-0074.

**Mr. Speaker,** I think this, without question, is direct evidence of the fact that not only is the member for Radisson (Ms. Cerilli) opposed to the expansion of the plant, of Ayerst in Brandon, but is prepared to do anything within her power to put that plant out of business. That, I think, is a tragedy with respect to the economy of this province, with respect to more than a thousand people who will depend upon this plant for their livelihood.

I table this document.

**Mr. Speaker:** Order, please. We will now hear from the honourable member for Radisson.

**Ms. Marianne Cerilli (Radisson):** Mr. Speaker, I rise on a matter of privilege.

**Mr. Speaker:** Order, please. We are dealing with a matter of privilege. I thought the honourable member was trying to add to the matter of privilege.

**Ms. Cerilli:** Mr. Speaker, I am speaking on this matter of privilege.

I want to start off by saying that as the Environment critic, I have on a number of occasions raised serious concerns, environmental and health concerns, about a number of projects in this province. I think that is my job.

I do not think that this project should be considered as different from those others. A number of the things the Premier (Mr. Filmon) raises I think are legitimate concerns about this project. They are shared by other people in the province.

I want to make it clear that when the minister spoke yesterday, he raised the issue of material that had my name on it that went out with petitions, and that is what I said I had no knowledge of. I did not give the authority for that to go out with my name on it.

\* (1355)

I have spoken with members of the group that is doing that petition. I knew about the petition. I made it clear to them that I was not to be named in that petition at all.

I know other members of my caucus have made it clear, our position on this facility. The paper that was written was done before we had full and extensive caucus discussions on this issue. I know

that for a number of months, I have spoken to members opposite, but I have had no organizing involvement with these activities.

I continue to have serious concerns, both in terms of the women's health issues, of the increased prescription of the drugs that are produced from the estrogen manufactured in Brandon, but I also am interested in seeing the development of jobs in Manitoba.

I have at no time said I was opposed to those jobs. I think we have to bring this back to the point of the material that was referred to by the Premier (Mr. Filmon) yesterday, which I said I had no authorization been given to have that material go out.

Thank you very much.

**Mr. Speaker:** I think that I have probably heard sufficient argument. I will take this matter under advisement to have an opportunity to peruse Hansard. I think now we should move on.

## ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. Gregory Dewar (Selkirk):** Mr. Speaker, I beg to present the petition of Verna Greer, Darlyne Teetaert, Peg Sanders and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the '93-94 budget.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I beg to present the petition of Yves Lafreniere, René Dumesnil, Edouard Gagnon and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the '93-94 budget.

### READING AND RECEIVING PETITIONS

**Mr. Speaker:** I have reviewed the petition of the honourable member (Mr. Maloway). It complies with the privileges and the practices of the House and complies with the rules. Is it the will of the House to have the petition read? [agreed]

**Mr. Clerk (William Remnant):** The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS Manitoba has the highest rate of child poverty in the country; and

WHEREAS over 1,000 young adults are currently attempting to get off welfare and upgrade

their education through the Student Social Allowances Program; and

WHEREAS Winnipeg already has the highest number of people on welfare in decades; and

WHEREAS the provincial government has already changed social assistance rules resulting in increased welfare costs for the City of Winnipeg; and

WHEREAS the provincial government is now proposing to eliminate the Student Social Allowances Program; and

WHEREAS eliminating the Student Social Allowances Program will result in more than a thousand young people being forced onto city welfare with no means of getting further full-time education, resulting in more long-term costs for city taxpayers.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Family Services (Mr. Gilleshammer) to consider restoring funding of the Student Social Allowances Program.

\* (1400)

## ORAL QUESTION PERIOD

### Health Care Quality of Service

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Speaker, last week the heads of geriatric departments at our two teaching hospitals expressed concern about this government's health care plan of action. They in fact called the changes under this government health care "deform." Nurses have been on a consistent and persistent basis trying to get through to this government to let ministers know the impact of the serious changes that are taking place in hospitals and hurting patients.

Today the Manitoba Medical Association has stated its objection to the government's health care plans and in fact has said that the government is failing Manitobans when it comes to health care.

I want to ask the Premier, since this is now such a very serious matter with voices from all over the province, from all walks of life in Manitoba being raised, if he is now willing to get involved in the health care changes going on in Manitoba, if he is committed today to indicating he is prepared to change direction.

Will he listen to the many professionals and patients and health care consumers in the province of Manitoba and ensure that the quality of services are there for Manitobans when they need them?

**Hon. Gary Filmon (Premier):** Mr. Speaker, as the member knows full well, the responses of the two medical practitioners that the member opposite referred to with respect to changes in the Home Care Program were based on the totally false statements that were issued by New Democrats that suggested that home care was being wiped out in this province—totally false statements, irresponsible and inflammatory statements that were designed to mislead and indeed did mislead many people.

Those matters, of course, have now been not only clarified but rectified as a result of the opportunity to address the falsehoods that New Democrats put on the record, Mr. Speaker.

In respect to the entire issue of health care reform, as I mentioned last week, I came away from a meeting of First Ministers in which that topic was raised by Premiers of New Democratic and Liberal administrations across this country, who not only said that we were progressing towards health care reform as a necessity and in fact said complimentary things about taking the initiative in Manitoba to get on with what is absolutely necessary, but the final bottom line, whether these Premiers were of New Democratic, Liberal or Conservative background, was that if we did not take steps to come to grips with the tremendous burgeoning of cost, if we did not start to reform the way in which we provided health care in this province, we would lose medicare as we have known it for the last couple of decades.

That is a conclusion that has been arrived at by Premiers of all political stripes. The only people who are arguing against reform to health care are the New Democrats from their irresponsibility of opposition here in this province, who are misleading the public and who are taking a position that is indefensible in terms of logic and reason in this country.

### Mental Health Services Government Plans

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Speaker, the only area that the Minister of Health ever points to when we ask for evidence of the success of his health care reform plan is with

respect to mental health. In fact, he has said on occasion that we must ensure the needs of Manitoba's mental health consumers continue to come first in this province.

Mr. Speaker, I want to ask a question and table a document leading into that question, a document which is a copy of the government's Tertiary Care Program Consolidation which contradicts the minister's plan in March to close psychiatric beds at St. Boniface as well as the new psych services building at Health Sciences Centre by consolidating mental health services under the core health program at St. Boniface Hospital.

I would like to ask the Minister of Health if he will tell the House how the need for acute care for persons requiring mental health services is being met while the government continues to shuffle beds, cut beds. Will he clarify once and for all, what are his plans for mental health services?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my honourable friend constantly moves her horizons of understanding ever below.

Now, Mr. Speaker, my honourable friend has tabled yet another document. That document is part of, I would have to presume, the literally day-in and day-out consultation with leaders in the health care community by senior members of my staff and myself.

Now my honourable friend's first statement said we do not consult with doctors, yet all of the information my honourable friend and any New Democrat has ever come to this House with has been as a result of discussion papers put before the health community to try and craft reasonable programs of change.

My honourable friend made specific reference to the heads of geriatric services at our two teaching hospitals. I would like to draw my honourable friend's attention, before she gets led further down the garden path: Wednesday, the 8th of July 1992, heads of geriatric services, better known as HOGS. Dr. Powell welcomed Mr. Maynard and thanked him for his kind attention.

Mr. Speaker, that started a series of meetings in July of 1992 which carried on into August and September '92, November, December of '92, February, April, May of '93, all with the heads of geriatric services, Dr. Powell being at most of them.

Mr. Speaker, there has never been more consultation with that group before.

**Ms. Wasylycia-Lels:** Mr. Speaker, I was trying to ask the minister about mental health services and the fact that we have a report saying one thing and an announced plan saying another thing. So if the minister will not answer and account for those kinds of reports—yes, let me ask the minister about a specific situation.

Last night at 7:30, a suicidal patient was taken into care at Concordia Hospital where he was sedated and restrained on a stretcher in front of the emergency room desk. He was still there this morning at 9:30 because there were no beds available in Winnipeg or Selkirk.

I want to ask the Minister of Health if he will confirm today that, in fact, services are not being co-ordinated in the acute care sector of mental health and how can he justify—

**Mr. Speaker:** Order, please. The honourable member has put her question.

**Mr. Orchard:** Mr. Speaker, I will be most anxious to follow up on my honourable friend's allegations. But let me indicate to my honourable friend that never before in the history of the province of Manitoba have so many resources been placed in the community for community-based mental health services.

Never before in the history of the province of Manitoba has such a substantial community investment been made, including crisis stabilization unit beds originally, a unit at Salvation Army expanded most recently, a second unit and crisis stabilization unit with Sara Riel, mobile crisis teams to serve those individuals in need of intervention because of episodic mental illness, case workers, funding to self-help groups. Never before, Sir, has there been more investment in a community-based mental health system.

Now my honourable friend will be wont, upon occasion, to bring individual circumstances to light, and I welcome those. But my honourable friend cannot sit in isolation and make the incorrect and untrue accusations that this system is not being changed for the betterment of the citizens of Manitoba.

### **Health Care Reform Government Plans**

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, one thing is consistent with this government. No matter what the criticism, it is the people who offer criticism

or suggestions who are wrong according to this Minister of Health or this Premier (Mr. Filmon). Everyone is wrong but them.

Why does the Manitoba Medical Association say health care reform is reckless and haphazard and, quote, human costs escalate as waiting lists grow longer and services deteriorate?

When we opposed and offered alternatives in pediatrics or obstetrics or home care, this government did not listen. Will this government do the one thing they have refused to do ever since they started the whole process? Will this government listen to the groups that are offering suggestions and put their health care "deform" on hold while they listen?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, there has never been a greater involvement of professionals in designing changes, consulting with changes in terms of the health care system ever before.

Mr. Speaker, for instance, with the heads of geriatric services, there were meetings in August, September, 1992, carrying right through—a total of some 15, 16, 17 specific meetings on health care reform.

Mr. Speaker, I might indicate that physicians across the length and breadth of Manitoba are assisting this government providing sound advice, providing good working solutions to health care reform, from the length and breadth of this province of Manitoba, in the city of Winnipeg.

Now, Mr. Speaker, I recognize that from time to time, the union leadership and the MMA are going to want, for their own agenda reasons, to say nothing is happening. But the consultation process has never—I repeat—never been more extensive in the province of Manitoba than it has been since I became minister and commenced this project of very necessary change and reform.

\* (1410)

**Mr. Chomiak:** Mr. Speaker, will the government at least—since it is identified in the MMA's failure grade to the government, and it has been identified by groups over and over again and by the two heads of the two geriatric units at the two largest hospitals—put their home care, homemaking services cutbacks on hold and not initiate the budget cuts at the Winnipeg Region of Home Care from \$31 million to \$29 million as proposed this year?

**Mr. Orchard:** Mr. Speaker, no matter how many times I indicate to my honourable friend that the Home Care budget is increasing, that does not seem to matter to my honourable friend, that home care attendant services will increase by 11 percent this year in the number of hours provided per month, that registered nursing services will increase by almost 10 percent by month in hours purchased for care of Manitobans in their home, Victorian Order of Nurses, almost 4 percent more this year—an increase, not a decrease.

Mr. Speaker, what my honourable friend is suggesting in terms of the domestic services of housecleaning and laundry is to repudiate the Howard Pawley policy that the member for St. Johns (Ms. Wasylycia-Leis), the member for Concordia (Mr. Doer), the member for Flin Flon (Mr. Storie), the member for Dauphin (Mr. Plohman), the member for Brandon East (Mr. Leonard Evans) passed at cabinet as good progressive reform policy for the Home Care Program.

Mr. Speaker, this program of Home Care has grown consistently ever since we came into government to provide more services, more health care services, more personal services to individuals to live independently than ever before in the history of the province of Manitoba.

**Mr. Chomiak:** Mr. Speaker, the minister did not even listen to the question, never mind listen to the MMA or listen to the seniors or listen to the disabled.

### Health Care Reform Government Plans

**Mr. Dave Chomiak (Kildonan):** My final supplementary to the Premier: Will the Premier, who has heard these questions raised in the House over and over again, do the right thing and talk to his Minister of Health, put the Home Care cutbacks, the maintenance and homekeeping services on hold, and put on hold the cutbacks as recommended by the MMA, as recommended by seniors, as recommended by disabled, and as recommended by the people who are in the field who are delivering or not going to be delivering these services?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I have a great deal of difficulty trying to accept the hypocrisy of the member for Kildonan and all of his colleagues on this issue, when it is recognized that what is being done in the home care field is the

progressive implementation of a policy that was adopted by the Pawley government on home care.

It is unbelievable that they would try and somehow portray this as being a major change. The fact of the matter is that it is still their ardent desire to grovel around looking for any cheap politics that they can, no matter what the cost to their credibility. I will not respond any further to the member for Kildonan.

### **Health Care Reform Medical Community**

**Mr. Paul Edwards (Leader of the Second Opposition):** Mr. Speaker, the Liberal Party in Manitoba, back in May of last year, supported the health action reform plan, and we still do. That plan enjoyed the support of the major stakeholders in the health care sector.

I want to just cite two very small quotes, one from The Characteristics of the Vision, page 3, Health Care Providers, which said that "physicians, nurses and other care providers understand the full continuum of services available and will work with Manitobans to choose effective services."

That report also indicated, in the letter from the deputy minister, "that health promotion and disease prevention can only be effectively addressed through initiatives and co-operation . . . ."

That is correct. It can only be achieved with those.

What we have seen over the last 14 months is the systematic alienation and disappointment of every sector in the health care sector in this province. Nurses and doctors and occupational therapists and nonprofit organizations and other health care professionals have consistently, one by one, withdrawn their support from this minister. They do not trust him, Mr. Speaker, and they are telling us again and again that they do not believe that they can work with him towards these goals.

My question for Premier (Mr. Filmon): Given that co-operation is essential, as set out in this package, how does this government hope to achieve health care reform when the major players in the health care sector do not trust, and tell us they cannot work, with the Minister of Health?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I find the Leader of the Liberal Party's comments to be rather difficult to accept. I want to indicate to my honourable friend—and I do not do

this to reflect on his presence or absence at Estimates—but in Estimates this year before the member for The Maples left his role as critic with the Liberal Party, we got into this exact discussion.

My honourable friend the Leader of the Liberal Party might check the questions and the comments made by the member for The Maples wherein he indicated that one year later all organizations who supported health care reform on May 14, 1992, with this document, still support the reform of the health care system as envisioned, and there has not been a single organization that has said, we no longer agree with health reform and the process of change.

Mr. Speaker, that is even consistent with my understanding of what the MMA said today as the union bargaining on behalf of doctors.

My honourable friend is not in tune with what is happening in the health field. His former colleague the member for The Maples was and so stated in Estimates, and I would refer my honourable friend the Liberal Leader to read the comments of the member for The Maples in Estimates of Health this year.

**Mr. Edwards:** Mr. Speaker, there is no question that the major players in the health care sector support the health care reform package. So do we. What they do not support is the minister. They do not support the minister's actions in the last 14 months, and they are telling us again and again from every sector that they cannot work with him and achieve this health care reform.

Mr. Speaker, let me ask the Premier (Mr. Filmon) how he hopes to achieve health care reform, which is the single most important thing that this Minister of Health has done and he has said that himself, when we have the Manitoba Medical Association, amongst many others, offering criticism of the government's broken promises to include the medical profession and other stakeholders, and going on to say that the initial benefit of doubt given to the action plan has given way to deep mistrust. Lack of information and understanding about government's true agenda has fuelled their confusion, anxiety, skepticism and hostility.

How are we going to achieve that, with this Minister of Health having that kind of reputation in the important sectors in this field?

**Mr. Orchard:** Mr. Speaker, with all the respect I can muster for my honourable friend the Liberal

Leader, physicians in Manitoba are still being consulted with, are still working on committees studying progressive ways to change the health care system. They are still making recommendations to government on terms of change of the health care system. Physicians are very significantly involved in all aspects of health care reform.

I gave to members of the opposition—again the Liberal Leader did not avail himself of Estimates—a list of physicians who are members of various committees that are studying program changes and reform as we speak.

Now, Mr. Speaker, I understand that the MMA, as the union bargaining—and they are currently bargaining with government—are saying certain things, but the union of doctors does not represent the participation of rank and file—

**Mr. Speaker:** Order, please.

\* (1420)

**Mr. Edwards:** This is the problem. The Minister of Health asks us to believe him and dismiss all others. He says not to worry about the medical association or the nurses or the occupational therapists or the organizations for the physically handicapped, all of these other people in the field. That is what he tells us.

Mr. Speaker, this is not about laying blame.

My question to the Premier (Mr. Filmon): How is he going to achieve health care reform when everyone else out there who can really achieve this does not trust this minister?

**Mr. Orchard:** Mr. Speaker, I do not know whether we can trust my honourable friend's questions, because my honourable friend says that doctors are not consulted with.

I can show my honourable friend, and I will lead him through it. I will read him the dates, but that would consume time of Question Period—but with the heads of geriatric services, Dr. Powell, Dr. Kirschen. Those individuals have been involved in I do not know how many meetings, but it is at least a dozen and a half, and as recently as yesterday with senior members of the department.

Now my honourable friend presumes knowledge wherein he says they do not trust government. My goodness, my honourable friend is out of touch with reality, and how desperate one becomes so quickly

to create an issue in such a fresh young leadership bid, Sir.

### **Year of Indigenous People Funding Request**

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, we all recognize that this is the Year of Indigenous People. It has been said on many occasions that the government has done precious little to recognize this year.

Mr. Speaker, the aboriginal leaders in our province are making a bid to host the North American Indigenous Games. Part of that bid is to send athletes this year to Prince Albert, where there will be some 3,500 athletes participating and some 10,000 to 15,000 people expected to attend.

Mr. Speaker, in June of this year aboriginal leaders sent a proposal to, I believe, the Premier's Office, requesting support to send some 700 athletes to Prince Albert for these games and as a preliminary step to succeeding in their bid for the games in the future.

My question is to the First Minister. Can he tell this House how the government responded to that request?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I will take that question as notice on behalf of the Minister of Native Affairs (Mr. Downey).

**Mr. Storie:** Mr. Speaker, perhaps the First Minister would care to tell this House why this week a member of the Premier's staff phoned one of the principals, Chief Rod Bushie, and offered \$10,000 to this venture and asked in the same conversation whether this individual would run for the Conservatives in Rupertsland.

**Mr. Filmon:** Mr. Speaker, I can tell the member this, that Chief Bushie came to see me something like four or five weeks ago to meet and discuss with me the prospect of running for us in Rupertsland. So I am not surprised that would have come up in the conversation.

**Mr. Storie:** Mr. Speaker, the offer of \$10,000 and the question, will you be a candidate, from the Premier's Office is clearly unacceptable.

From a government that just put on a performance about ethics, I want to table a letter from Chief Rod Bushie which says: "I was disappointed that the government has chosen to offer only a token gesture of financial support, in this the International Year of Indigenous People.

"I was even more offended when Mr. Sokolyk proceeded to ask me whether I was interested in running as a Progressive Conservative candidate in Rupertsland."

Mr. Speaker, is this the ethics of this government?

**Mr. Filmon:** Mr. Speaker, I am not sure what the point of the member is. It is absolutely foolish. The offer of the money on the proposal had absolutely nothing to do with it.

**An Honourable Member:** All of a sudden, you know about it. Who is being truthful now, Gary?

**Mr. Filmon:** All you said was, it was in the same conversation. You did not say, nor did Chief Bushie say, that one was conditional on the other, Mr. Speaker.

### Continental Barley Market Government Action

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, for months we have been asking this government and the Minister of Agriculture (Mr. Findlay) to stand with farm organizations and to stand with farmers opposing the move to a continental barley market because it would have a negative impact on farmers. We know that malting barley farmers will now lose up to \$30 per tonne because of this action.

I want to ask the Premier if he will admit that the action taken by federal minister Charlie Mayer was a wrong decision and that it is going to have a negative impact on Manitoba barley growers. Will he now stand up and oppose the move made by Charlie Mayer to move to a continental barley market?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I will take this question as notice on behalf of the Minister of Agriculture.

**Ms. Wowchuk:** Since Saskatchewan Pool and Manitoba Pool have now turned to the courts for a ruling as to whether the federal government has the authority to change the rules of barley marketing, will the Premier contact the federal Minister of Agriculture and will he contact Prime Minister Kim Campbell, and ask them to delay the move to a continental barley market because of the negative impacts this will have on Manitoba farmers?

**Mr. Filmon:** Mr. Speaker, the Minister of Agriculture (Mr. Findlay) has responded to that question on many occasions in the past.

**Ms. Wowchuk:** Mr. Speaker, I want to ask the Premier, since he pretends to be supporting people in rural Manitoba, if he understands the concept of orderly marketing, if he understands the concept of single-desk selling and the value of this to farmers and the equity that is going to be lost because of this move to the continental barley market and if he is concerned about the—

**Mr. Speaker:** Order, please. The honourable member has put her question. The honourable member for Swan River, kindly take your seat now, please.

**Mr. Filmon:** Mr. Speaker, the member for Swan River has a lot of nerve talking about support for rural Manitobans when her member in her party is attempting to destroy an industry that represents an annual cash crop to Manitoba farmers of almost \$100 million and a thousand jobs in that industry, and she does not have the nerve to talk against it. She sits there and silently supports her member for Radisson (Ms. Cerilli). She has a lot of nerve.

### Point of Order

**Ms. Wowchuk:** On a point of order, Mr. Speaker, I would like the Premier to apologize for those comments, since, if he will look at the records, he is misleading the House when he is saying that we are not in support of PMU producers. Look at the record. Look at the resolutions—

**Mr. Speaker:** Order, please. The honourable member clearly does not have a point of order.

### Pharmacare Claims Backlog

**Ms. Avis Gray (Crescentwood):** Mr. Speaker, the Pharmacare office has confirmed that once again the waiting lists for Pharmacare refunds is 10 weeks. We know that Blue Cross turnaround time is one to two weeks. This delay is unacceptable, as I know the Minister of Health agrees because he stated that in July of 1991.

Can the minister tell this House, what is he doing about the backlog?

**Hon. Donald Orchard (Minister of Health):** Since approximately the beginning of this fiscal year, knowing that most of our claims come in in April, we have had additional term staff processing

claims. At this time of the year, with the backlog of claims, it often will take eight weeks. As of last week that had expanded to 10 weeks, and staff are working diligently to clear the backlog and to get those refunds back to Manitobans.

**Ms. Gray:** Can the minister tell us is he utilizing staff on a term basis and at the same time having the regular staff take off the 10 unpaid days? Is that what his department is doing?

**Mr. Orchard:** All staff in the Ministry of Health that are part of the MGEA contract are required to comply with the 10 days off which commenced Friday, the 2nd of July. The term staff, I cannot indicate. We bring term staff in and part-time staff in on an as-required basis for as lengthy a period of time as we need to clear up the backlog.

\* (1430)

**Ms. Gray:** It is a great management system in the Department of Health, but with the final supplementary to the minister: Can he tell us, so that we can tell our constituents and other people who are calling our offices, when can we expect that this backlog will be cleared up, and when will we see a turnaround time of under three weeks which the minister had promised us last year?

**Mr. Orchard:** Mr. Speaker, that is exactly the attempted agenda that my senior officials and my staff in the Pharmacare refund department are working diligently toward.

I repeat, as my honourable friend well knows, that the majority of the claims in Pharmacare are still made prior to April 30, and there is an exceptionally large number of claims still received.

Now, Mr. Speaker, what I have not received to date is the numbers to indicate whether that request for refund this year was significantly different from previous years, but I can give my honourable friend the assurance that staff, the ministry and this government are very anxious to have refunds processed as quickly as possible.

### **Francophone School Division Effect on Existing Divisions**

**Mr. John Plohman (Dauphin):** Mr. Speaker, last night in committee, the Francophone school division legislation received passage at committee stage. At that time, I repeatedly asked the Minister of Education for assurances that existing school divisions would be compensated for any negative impacts they will suffer as a result of students and

funding being transferred from existing divisions to the new Francophone division.

With other sources now supporting our contention that there will be cost implications impacting on the quality of education in existing divisions, will the minister now state to this House clearly that she will not allow existing public education systems to suffer as a result of the formation of the Francophone division and that there will be full compensation for cost implications to existing divisions?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Yesterday, we did have a number of public presentations regarding the Francophone school division. I will remind the member that each of those presentations was in support of the formation of the Francophone school division.

We will be looking at the number of students who will be transferring from existing divisions into the new Francophone division. At that time, we will then be able to assess with school divisions exactly if there are any costs.

**Mr. Plohman:** The minister need not talk about it. It is the amount of those costs.

### **School Boundaries Review Government Plans**

**Mr. John Plohman (Dauphin):** The minister talked about another initiative in the context of the Francophone division. I want to ask the minister today if it is her intention to impose a major reduction in the number of school divisions in this province, four in Winnipeg and 14 in rural Manitoba to allegedly partially offset the costs of the formation of the Francophone division.

**Hon. Rosemary Vodrey (Minister of Education and Training):** The member attempts to fearmonger—the only word I can consider—when he puts forward information such as that and puts it on the record.

I have, however, made it very clear I will be making an announcement regarding the issue of school boundary review very shortly.

**Mr. Plohman:** Sounds like school board boundaries is a fearsome issue for this minister.

Mr. Speaker, will the minister now come straight with this Legislature, since the Public Schools Finance Board is indicating there will be 14 divisions in rural Manitoba, four in the city of

Winnipeg, and is even referring to the new regional names—Region No. 6, Manitoba Lakes—in a communication going to Stonewall and Arborg?

I want to ask the minister now to come straight with this Legislature and tell us what she is imposing with regard to these regions.

**Mrs. Vodrey:** The member becomes so agitated when he speaks about this issue.

I will tell him that any announcements I will be making regarding school boundary review will be made as soon as possible. The issue he is referring to is an issue that relates to the Public Schools Finance Board and has not anything to do with any announcement I will be making in regard to school boundary review.

### Bill 30—Vulnerable Persons Amendments

**Mr. Doug Martindale (Burrows):** Mr. Speaker, after extensive consultation in the community and the Minister of Family Services appointing a review committee, and the review committee bringing 46 recommendations to him, we have The Vulnerable Persons Act. It went to committee last night.

To the minister's credit, he made some minor amendments to this bill. However, there were a number of recommendations in the review committee which were made by presenters which I moved as amendments, which the government defeated.

I would like to ask the minister, since it is not too late, if he would reconsider his decision of last night and consider making amendments at third reading to require the Vulnerable Persons' Commissioner to report to the Legislative Assembly and to put the preamble as principles into the bill.

**Hon. Harold Gillehammer (Minister of Family Services):** Mr. Speaker, I genuinely appreciate the recognition that the member gives to the department and the process that we embarked on a couple of years ago, the tremendous consultation we did with the community over this issue. I think, while the numbers of presenters were very few last night, they offered a lot of good suggestions which have been incorporated into the legislation. I praise the staff and the review committee for the tremendous work they did.

I am pleased that the member of the official opposition was there to hear all of the presentations and get a better understanding for the legislation.

We have tried to give him and members of the Liberal Party adequate briefings to give them that understanding. I note that only he and one other member in the House spoke to the legislation.

We did accept some amendments yesterday to that legislation. Unfortunately, the hastily put together amendments that the member brought forward last night we were not able to accept.

**Mr. Martindale:** Mr. Speaker, my amendments were not hasty, and they were the same as the recommendations of the review committee. I appreciate the briefing that this minister gave me. That is true.

I would like to ask the minister if at third reading he would consider amending this bill to require that there be a review of this new and comprehensive legislation. It is very long, it is very complex and there is a need to have a review in place as part of the bill. Would the minister consider doing that at third reading?

**Mr. Gillehammer:** Mr. Speaker, I think the time to give consideration to amendments was during the public presentations. Afterwards, we spent many, many hours last night listening to presenters and considering amendments to the legislation. This follows many months, in fact years of consultation with the major players in the whole community living area.

I regret that the amendments brought forward by the member for Burrows were not accepted by the committee last night. I can tell you that those who stayed afterwards to speak after they made their presentations reflected well on the process and on the legislation, and there is a genuine understanding that this is a landmark piece of legislation that is very progressive.

**Mr. Martindale:** Will the Minister of Family Services amend the vulnerable persons bill in order to define the role of advocates, another recommendation of the review committee and many of the presenters last night, that advocates be included in this bill and that their role be clearly defined? Would the minister consider that for third reading?

**Mr. Gillehammer:** Mr. Speaker, I have already indicated that consideration to amendments was made last evening. We did make amendments to give further clarity and enhancement to the support network that vulnerable people have. I think that

really addressed a number of the concerns raised by presenters last evening.

### **Swan River Area Flood/Rail Damage**

**Mr. Daryl Reid (Transcona):** Mr. Speaker, we are receiving calls in our office from concerned residents in the Swan River, Birch River and Mafeking area with respect to the flood damage on the rail lines and the highway structures of our province.

My colleague the member for Swan River (Ms. Wowchuk) has drawn these concerns to my attention, and I, in turn, am drawing these to the attention of the government. Residents have indicated that with the rail line washout, Mr. Speaker, there may not be the opportunity to fill the grain quotas for the farmers for that area.

I want to ask the Minister of Highways and Transportation if he has received any assurances from the Canadian National Railways that they will be replacing that structure to allow the rail operations to continue into that area.

**Hon. Albert Driedger (Minister of Highways and Transportation):** Mr. Speaker, my understanding is that they are going to be repairing the structures and make provisions for the grain based on the quota that is available to be moved as soon as possible.

I want to at the same time indicate that most of the structures have now been replaced, with the exception of two. We have the major structure on Bell River where we are establishing a Bailey bridge and that should be operational by this weekend. The other structure on 367 connecting with No. 10, I cannot give any indication yet when that will be open. Other than that, all the roads are operational at the present time.

\* (1440)

**Mr. Reid:** Mr. Speaker, the question was about the railway and the service for the producers of the area.

Will the minister indicate for the residents of that area what communications he has had with Canadian National Railways to give assurances that rail service will be once again restored to that area and that those producers can receive the level of service to allow them to have their product moved to markets? What contact has he had with CN to establish that information?

**Mr. Driedger:** Mr. Speaker, staff have been in conversation with the railway to find out exactly what their plans are, how soon they will be operational out there. I do not have the definite information on that now. I hope to have it by tomorrow, and I will try and give a more definitive answer by tomorrow.

**Mr. Speaker:** Time for Oral Questions has expired.

### **ORDERS OF THE DAY**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you call Bills 37, 27 and 36.

### **DEBATE ON SECOND READINGS**

#### **Bill 37—The Manitoba Public Insurance Corporation Amendment and Consequential Amendments Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister responsible for the Manitoba Public Insurance Corporation (Mr. Cummings), Bill 37, The Manitoba Public Insurance Corporation Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba et apportant des modifications corrélatives à d'autres lois.

**Mr. Neil Gaudry (St. Boniface):** Mr. Speaker, it gives me great pleasure to rise and speak on Bill 37. It is quite a complex bill, The Manitoba Public Insurance Corporation Amendment and Consequential Amendments Act. [interjection] No. The member for St. Norbert (Mr. Laurendeau) asked me if I was going to support it, and I told him no, because it is too controversial at this stage to support it.

On May 6, the minister unveiled his plan for the no-fault compensation for injuries sustained as a result of an automobile accident. [interjection] I do not think so. I think it is the community at large. It is not the lawyers. Mr. Speaker, as I said, I am not the expert on this bill, but our critic will speak at length on this bill to bring out the issues that are not addressed in this bill. The presentation that was included—when the presentation was made, there were sophisticated graphs which projected the personal injury claim costs, and it indicated very clearly that it will go through the roof if something is not done to stop that.

The government has also spent an amount of \$200,000 on an advertising campaign trying to convince Manitobans that pure no-fault is the way to go. I do not know whether it is true or not, but the fact that I think we go back to the election of 1988. It was an election issue where the Conservatives, the Tories came into power at that time because of the Autopac. Maybe I think what they are trying to do again, just prior to an election—we do not know when it is going to be. Could it be this fall? Could it be next year? Maybe they want to call it right away, so we will be pleased to go to an election. Right?

**Mr. Reg Alcock (Osborne):** Anytime. I am prepared anytime.

**Mr. Gaudry:** The member for Osborne said he is prepared to do it anytime. [interjection]

No, I did not talk to any lawyers. I will listen to the member for St. Norbert (Mr. Laurendeau) maybe.

**An Honourable Member:** Do you talk to your Leader?

**Mr. Gaudry:** Oh, sure, I talk to my Leader all the time, because he is a good Leader. He is one of the best. [interjection]

The member for Lac du Bonnet (Mr. Praznik) last night mentioned when we were in the bill for Francophone—I asked that question about St. George asking why the school divisions. Under his breath he said: They are all Liberals. I do not think—

**Hon. Darren Praznik (Minister of Labour):** I never said that.

**Mr. Gaudry:** Yes, you did. That is why I said at that time that we should not politicize the issue.

### Point of Order

**Mr. Praznik:** On a point of order, Mr. Speaker, the member, I think his memory may fail him. At no time yesterday did I imply that all the people there were Liberals, because I know from the results of the last election that the Liberal Party came second in that area, and there is no way—

**Mr. Speaker:** Order, please. The honourable deputy government House leader clearly does not have a point of order.

\* \* \*

**Mr. Gaudry:** Mr. Speaker, the literature which the government has been distributing has been

emphasizing that this new scheme will mean lower Autopac rates. Well, they will have to show that. What this propaganda fails to mention is that it also means less benefit. In this case it means that there is no free lunch for anybody.

Mr. Speaker, the government says that this is because of lawyers' fees and personal injury claims and court awards. Their solution is no-fault. Our party, the Liberal Party of Manitoba, does not agree that costs have risen only due to rising personal injury claims. The Liberal Party of Manitoba also does not agree with the government's projected cost, because there is no evidence to the contrary.

Mr. Speaker, there are a lot of issues like the problem with the rising cost. What the Liberal Party has been calling for from the beginning of this is personal injury compensation in Manitoba should be reviewed by the Public Utilities Board so that we have a made-in-Manitoba solution to rising personal injury claim costs.

We agree that these make up a large part of the Manitoba public insurance costs, but we need to look more carefully at the causes. The government's solution is simplistic. It is a backdoor method of allowing private insurers onto the car insurance scheme. It appears that the government has chosen not to create a Manitoba solution to personal injury compensation in Manitoba. It has chosen to adopt a Quebec plan.

Mr. Speaker, unfortunately, the minister and the Premier (Mr. Filmon) have indicated that we will be adopting a Quebec-style approach to no-fault, but they have not released the regulations which will accompany the act and which will contain plain procedures, treatment of claimants benefits, charts, et cetera. The substantive part of this scheme, the part that will affect Manitobans, will be contained in the regulations—[interjection]

No, I will keep on. I think I will go on for the 40 minutes so I will educate the member for St. Norbert (Mr. Laurendeau) a little bit this afternoon.

Mr. Speaker, the regulations should be released before the act is passed so that the complete compensation scheme can be examined openly by members of the public, interest groups and health care professionals.

In Quebec, for example, the pure no-fault system has generated record profits, and we are aware of that, \$2 billion since it was introduced. During each of the last two years the government has taken

\$250 million into general revenue. Will the Manitoba government do the same thing?

When we asked the minister in the House whether the government's intention was to use this scheme to bring down its deficit, the government denied it very clearly. The Premier (Mr. Filmon) pointed to the current act which contains a provision which prohibits the government from allowing MPIC profits to general revenue.

Mr. Speaker, the Quebec legislation also contains this type of provision, but it has not prevented the government from diverting funds into general revenue.

What is wrong with diverting funds into general revenue as long as benefits received under the act adequately compensate injured people so that they can maintain the same lifestyle which they had prior to an accident? These profits should be used to lower premiums. Also to the extent that the government is creating fear of the future costs, by distorting the facts and so creating a climate of acceptance for no-fault, it is doing the people of Manitoba a disservice.

It has been said that the tort system encourages good driving because it punishes at-fault drivers by making them financially responsible for their accidents. In Quebec, following the introduction of the no-fault, automobile accidents increased 17 percent and fatalities increased 6.8 percent.

Mr. Speaker, there are a lot of other things that I would like to put on the record, but I feel that the member for Osborne (Mr. Alcock), who is our critic, would be prepared to speak at length on this issue. I am sure we would like to see it to committee after and then let the public come out and give their opinions and request or propose amendments so that we are satisfied with what the government has proposed in this bill. Thank you very much.

\*(1450)

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, this I think will certainly prove to be one of the most important bills that we deal with this session. We on this side, and I in particular have been a long-time supporter of the principle of no-fault insurance.

I find it more than a little ironic that we have the government of the day introducing no-fault insurance, particularly because the Minister responsible for the Manitoba Public Insurance Corporation (Mr. Cummings) at one time said, you

will certainly not see no-fault insurance proposed while I am the minister. Those were his almost exact words. Now I can only assume that the conversion on the road to Damascus was a matter of political reality rather than philosophical change.

**An Honourable Member:** Political opportunism.

**Mr. Storie:** Political opportunism, my ethical colleague from—

**An Honourable Member:** Broadway.

**Mr. Storie:** Broadway. How could I forget? The singer on Broadway. My dear, personal friend and close colleague, what's-his-name.

I had to chuckle when I first learned that the government was actually intending to introduce this legislation, because it certainly is not consistent with what the minister had said and what the government actions have been over the past few years. I would have predicted that rather than introduce no-fault insurance, the government would have been working to continue the privatization of the Manitoba Public Insurance Corporation, because that is their ultimate objective. There are very few members on the government side who fundamentally believe that the Manitoba Public Insurance Corporation should exist in the province of Manitoba. There is not one of them, if they were in Manitoba in 1972, that supported the NDP government when we introduced the Manitoba Public Insurance Corporation. There is not one of them who would not have manned the barricades to prevent the introduction of the Manitoba Public Insurance Corporation.

My colleague the member for Brandon East (Mr. Leonard Evans), who is amongst the only members in this Chamber who were here during those years and during that debate, can testify that there is not and there was not a single Conservative member or Liberal member who supported the introduction of public insurance. [interjection] Mr. Speaker, the member for Inkster (Mr. Lamoureux) raises the issue about Ontario.

If I have any regret about the actions of the Rae government in Ontario, it is that they did not proceed with the introduction of a public auto insurance as we have in British Columbia, as we have in Saskatchewan, as we have in Quebec, as we have in Manitoba, but what the member for Inkster does not know is that one of the reasons why the Ontario government did not feel it prudent to proceed with the introduction of Autopac in

Ontario was a legal opinion supported by the federal Department of Justice that if they had gone ahead and nationalized the insurance industry in Ontario, they would have been subject to a \$700-million bill because of the Free Trade Agreement, because the Free Trade Agreement provides for right—[interjection] absolutely true. Well, the member for Inkster, of course, was not around during the Free Trade debate in '87, Mr. Speaker, either.

The fact of the matter is that one of the articles in the Free Trade Agreement provides for compensation where the government creates a monopoly. The insurance industry obviously in Ontario—there are many headquarters of insurance companies in Ontario—would have been sued under the agreement. There would have either been compensation paid or the United States would have been allowed to implement countervail against a whole range of products until it was deemed that the compensation had actually been paid. So that was one of the points, but it is a sore point. It should have been done. It has been a tremendous benefit to the province of Manitoba.

So, Mr. Speaker, coming back to Bill 37 and the government's intention, I have no doubt that Bill 37 is before us, because the government of the day failed to do what it said it would do in 1988. The Minister responsible for the Manitoba Public Insurance Corporation was one of the facilitators of the protest in Manitoba over the increase in Autopac rates in 1988.

I regret very much that we had to make a decision to begin to increase Autopac rates. I regret that we did not revise the revenue coming into MPIC beginning in the '70s. I think everyone in the House will recognize that the deductible that people paid in 1988 was the same deductible as what was introduced in 1972. If the inflation rate alone had been applied to the deductible, the deductible would have been more than \$600 in 1988. We made some mistakes. The corporation made some mistakes in terms of adjusting its policies to reflect reality, but the member for Ste. Rose (Mr. Cummings), who was then the critic for Autopac, said that the reason that the rates increased so dramatically were simply because of mismanagement.

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

Madam Deputy Speaker, what the minister did subsequently, not only did the newly elected government when they assumed responsibility for MPIC take the increase that the NDP government had already authorized—they took that increase, and in every subsequent year they have raised the rates—last year, for some people 13 percent additional—every single year.

So the fact of the matter is that management alone was not the issue. We were facing in 1985, in 1986 and 1987—[interjection] The Minister responsible for MPIC (Mr. Cummings) wants to talk about skulduggery. We will talk about Bill 37 because, fundamentally, the minister who is introducing it does not believe it, has said so on many occasions. He does not believe in no-fault insurance. So why, I ask you, Madam Deputy Speaker, is the government proceeding with no-fault—politics, pure and simple politics?

It is only a slight coincidence, I believe, only a slight coincidence that the government, having already told MPIC to proceed with a rate increase request of some 10 percent this year, is going to be able, if we should pass this legislation, I believe, to say: No rate increase this year; we are not going to need it—and attempt to say, we have managed MPIC. Madam Deputy Speaker, it is political poppycock. There is not a member over there that believes fundamentally in MPIC, let alone, no-fault insurance.

This is political opportunism at its best, but you will be surprised to learn that notwithstanding the motives of members opposite, I believe that this is a reasonable approach. Notwithstanding the government's intention, notwithstanding the political motivation for this act, notwithstanding the fact that no one really believes what they are doing, they are doing it for political reasons because they want to save their political heinies. I think that is a parliamentary term, political heinies. Madam Deputy Speaker, if that is not the political term, then I will rephrase it. They want to protect their political, *en française*, derrières.

Having said that, I want to deal with the principles of no-fault insurance. I want to go over what this bill actually does for the people of Manitoba. In principle, what we are doing here is ensuring that anyone who is involved in an accident has a right to expect some form of compensation, some form of income replacement, some form of medical insurance, medical rehabilitation insurance, as a

matter of course. And it has nothing to do with fault.

Madam Deputy Speaker, there are serious, serious shortcomings with our current "no-fault system." I think everyone in this House understands, and MPIC has given us ample evidence to suggest, that the tort system is not working in the best interests of either the corporation, the Manitoba Public Insurance Corporation, or average Manitobans. It is absolutely true that the tort system tends to work best for those who can afford to pay the legal fees, the costs incurred in fighting a long and protracted battle with an insurance company, whether that insurance company is MPIC or some other insurance company.

The fact of the matter is that under the current system, when someone is injured, particularly if that person is at fault, or 50 percent at fault, only partially at fault, the fact of the matter is that MPIC becomes an adversary. MPIC is, in effect, the adversary even though it is a public insurance corporation. Even though it was created to support the interests of Manitobans in protecting themselves while they were driving automobiles, it is an adversarial situation.

\* (1500)

Madam Deputy Speaker, what no-fault does is, in effect, remove the adversarial nature of much of it. That is not to say there are not going to be disputes. That does not mean there are not going to be disputes over the nature of the compensation provided, the amount of compensation provided, the adequacy of the compensation provided. There are going to be disputes, and those obviously are going to need dispute-settlement mechanisms, and I will get to that in a minute.

But the fact of the matter is that, on balance, more Manitobans will receive coverage and better security under a no-fault system. So Madam Deputy Speaker, let us start by suggesting that the principle is right. Certainly as a social democrat I believe that principle is sound. I think that anyone who is involved in a group insurance program of any kind recognizes the benefit of spreading the risk and maximizing the benefits to the individual.

So, Madam Deputy Speaker, we start with that principle. The particulars of the legislation and the implementation of this particular no-fault scheme are going to be the prime concern, and I think most

members on this side are going to talk about particular concerns with the implementation, how we are actually going to achieve this improved insurance scheme for the average Manitoban.

I am told by MPIC officials that the \$55,000 income ceiling that will be used for income replacement under this piece of legislation represents the maximum income for some 85 to 90 percent of Manitobans. Clearly we are already acknowledging in this House, and this is what surprised me about the government introducing it, that the top 10 percent of income earners in this province are going to be penalized by this legislation.

In one way or another, if they are in an accident, whether they are at fault or not at fault, income earners who have income beyond \$55,000 stand to have their style of life, their quality of life, jeopardized by this legislation. So I am surprised that members opposite are doing that. It certainly is not fitting with the Conservative philosophy of individual rights and individual responsibilities that we have come to hear from members opposite on most occasions, which leads me to conclude once more that this is a political opportunistic bill rather than any bill of principle.

But be that as it may, I am glad to see it, Madam Deputy Speaker. I am glad that we are having a chance to debate it. There are two other issues that I think require very careful consideration, and one of them is the issue of appeal. It seems to me that in this legislation there is no more important element than the question of how someone who feels they have been wrongly judged, that their compensation, their income replacement has been wrongly assessed, gets redress. We have too many examples in this society of supposed appeal mechanisms which do not work, which are not fair, quite frankly, and we are very concerned that we not establish under this legislation another appeal mechanism which appears to be tainted by the political process, the government appointment of members, that appears to be a front for the corporation itself. I use the Workers Compensation system as an example.

The fact of the matter is that the appeal of individuals that have been turned down by the compensation system is to the compensation system itself. Now, I think there are very few people who have gone to appeal under the Workers Compensation system who feel that the

corporation, the Compensation Board, has given them a fair appeal.

I am not saying that all appeals are turned down by any means. But, certainly, there are those where it is clearly in the Compensation Board's interest not to approve an appeal. I think that puts the appeal board, the appeal review panel, in a difficult position.

Madam Deputy Speaker, I believe, and we said when the government introduced this legislation, that there needs to be a completely independent appeal process. There are ways to structure that appeal process that I think we could devise very quickly.

Madam Deputy Speaker, in this province we appoint a provincial Ombudsman collectively as a Legislature. The provincial Ombudsman reports to the Legislature, does not report to an individual minister or the government of the day, does not report to a Crown corporation.

The fact of the matter is that if we were to establish a completely independent appeal mechanism that was arm's length from the Manitoba Public Insurance Corporation, an arm's length from the minister's office, I think we would have an appeal system that would be truly independent.

Now, I do not know why the Minister of Finance (Mr. Manness) is nodding off. This is an important debate, and I am trying to stick to the topic.

I think that we have a mechanism that could work. The fact of the matter is that, particularly for individuals who have unique circumstances, I think the only fair process is one where the commission is completely independent and the government has an opportunity to, I think, amend the legislation to make sure that that happens.

Madam Deputy Speaker, apart from the appeal process and the appeal mechanism, I think that there are some legitimate concerns about individual groups of insurers. I think that, for example, farmers and small-business people are going to find it very difficult to protect their interests through this legislation.

I think that any, particularly, farmers, perhaps fishermen, anyone whose income fluctuates dramatically from year to year, anyone who is the sole proprietor of an enterprise where it is not only a question of their income that they need to protect,

that they also need to protect their ability to raise revenue in their enterprise.

Madam Deputy Speaker, I understand from MPIC officials, again, that the income as it is to be determined under this legislation is going to be net income minus depreciation. In other words, the depreciation that normally is allowed and is used to reduce your income will not be implemented, so that it is a modified form of net income that will be used.

But for the small-business person or the farmer who not only needs to replace their income but needs to replace themselves and their place of business, this is a serious issue. We could use a farmer as an example, who is a sole proprietor and works the land himself, and their net income may be \$15,000 last year. Well, the \$15,000 that they may be entitled to as income replacement is not going to allow them to live and to have someone to look after the farm.

So, what they are going to lose is everything. I think there is a genuine concern under this legislation that—[interjection] Well, minus depreciation or plus depreciation. The fact of the matter is, though, over the long term, and in some cases perhaps we are talking about two or three years, I think there is serious repercussions for those people.

\* (1510)

So I think we need to make sure, and I do not claim to be an expert on how MPIC is going to manage this particular section. I know they have attempted to, but I think that there are some problems there. Again, it raises the issue of an appeal process, that we need to have a fair and independent appeal process, one that can judge the individual circumstances.

Madam Deputy Speaker, I do not know how many seriously injured people we have in the province of Manitoba. I do not know, for example—maybe the minister can tell us—how many people would be injured seriously enough in Manitoba to require income replacement for more than six months.

It seems to me, however, that the vast majority of injuries do not require anything like six months income replacement. It seems to me that we should be able to devise a system that will compensate people fairly and an appeal process

that will look after unique circumstances for that number of people, however many it is.

I understand that there were 20,000 people who received some form of bodily injury compensation last year, 20,000 people. I would expect, given that the vast number of claims are in the \$1,000, \$2,000, \$3,000, \$4,000, \$5,000 range, that the actual amount, the number of people that received income replacement or would receive under this scheme income replacement for six months are very few.

We may be talking about a few hundred or few hundreds at most, and it seems to me that we could develop a system where individuals, their unique circumstances would be reviewed by some sort of appeal process so that you could be more flexible in the awarding of income replacement than you might otherwise be. It seems to me, we should look at that. If we are going to do a no-fault system, we should make sure that to the extent possible, everyone's circumstances are reviewed, at least.

Now, we do not even have to change the maximum income replacement level. I understand from MPIC that that is an indexed number which, I think, is good as well, but I think we want to, if we are going to be serious about this, make sure that we protect the interests of as many people as we can in this process.

As I said, I think there may be a concern on the part of some Manitobans, those whose income is beyond \$55,000, that 10 percent of Manitobans who may see this as the penalty that they are going to have to pay because of legislation. That may be a legitimate perception, Madam Deputy Speaker.

I have another concern, generally, about our ability at some point to amend and to modify, and our willingness to modify, this no-fault program. We have another no-fault system in operation in the province. It is called the Workers Compensation system. Since this government assumed responsibility for Workers Compensation, the number of cases, the number of people who are coming to my office in desperation because of the way they have been treated by that no-fault system has escalated dramatically.

I would say quite easily that I am getting, currently, three or four times the number of compensation cases as I did three years ago—three or four times as many.

I will explain some of the problems that we have with that no-fault system. One, for example, is the question of collateral benefits, and this is an issue that is mentioned in this legislation, the collateral benefits issue. Here is what happens in the compensation system, and I raise this only because I am afraid that as we implement this and over a period of time the same mentality will begin to work in the corporation as currently works in the Compensation Board, that we no longer remember that the principle of the bill was to provide protection.

Madam Deputy Speaker, the principle behind the bill is to protect the interests of claimants, and that is what we are here to do. Over time, however, the corporation who manages this system, although it has to operate within the legislation, has administrative and operational control over what actually gets paid out and how and the process the claimants have to follow to get compensation. Their concern begins to be control of costs, not concern about the claimants but control of costs.

I will explain what happens in the compensation system. At one time, for example, workers in the province of Manitoba could, if they wished, go ahead and buy group disability insurance or disability insurance on their own. In other words, if I was an employee of Hudson Bay Mining and Smelting, an employer that pays workers compensation premiums like any other company in the province, and I were to buy disability insurance from Great-West Life or any other private insurance company in the province, and I were to get injured, I would have collected the disability insurance income replacement that I had paid for privately through Great-West Life and I also would have collected the workers compensation payments that I was due because my employer had paid the premium to ensure that I was compensated.

Madam Deputy Speaker, what the Workers Compensation Board has done, as a result of Bill 59 that was passed by this government only a short while ago, is make sure that no one who buys private insurance privately with their own money receives any benefit from it. What the corporation does now—absolutely true—is deduct any private disability payment that you receive from whatever the Compensation Board pays you. That goes even further. They deduct virtually every form of income including, at one point, child income support payments from the federal government,

from the compensation payments that are payable by the Workers Compensation Board. So that is why I raise this issue in terms of this particular bill.

No-fault insurance and the legislation we are about to pass, if the government certainly has its way, is giving the Manitoba Public Insurance Corporation tremendous power. I believe the act has the potential for tremendous good, but if the corporation is allowed to manage this system over a period of time, it will be more concerned with the controlling of costs than the provision of benefits. Therein lies the danger for all of us.

So, Madam Deputy Speaker, again, this leads me back to my point that I had made originally, that the overriding concern of members on this side, and certainly myself, is not with the concept but it is with the ability of individuals who are affected by this legislation to get a unique and personal hearing about their circumstances. The need, therefore, for a completely independent appeals process is paramount. It is paramount. We have to have someone who is not looking at the corporation's bottom line or the fees or the premiums that are going to be charged in the next round of Autopac rate increases or election planning, whatever. We have to have that kind of independence.

**An Honourable Member:** Why do you support it?

**Mr. Storle:** Madam Deputy Speaker, the member for Osborne (Mr. Alcock) says why do I support it? I have said since I began my remarks that, in principle, this is worthy of support. It is working in other jurisdictions. In fact, my question could be to the member for Osborne, why is he not supporting it? The Liberal government in Quebec continues to support no-fault insurance. They have a scheme there, and I, for one, and—

**An Honourable Member:** They also support Mulroney.

**Mr. Storle:** Well, the member has got me there. That does show that they are a stupid Liberal government, but other than that, he has proved nothing. Actually, what it does show is that they are a liberal government. They support the Conservatives and they support the left wing. They do not know what the heck they support. I thank the member for Osborne for making my point.

Madam Deputy Speaker, I want to get back to the fact that, in my experience, I have not heard nor received any expression of concern from the Consumers' Association in Quebec, from Quebec

members of the Legislature, the National Assembly, from Quebec M.P.s about the impact of the no-fault system in Quebec. I believe that the no-fault system in Quebec has operated for more than a dozen years. I think it is 10 or 12 years. So we have concerns.

I mentioned a couple of particular business groups, the farmers and small-business people, who I am concerned their livelihood and their quality of life may be at jeopardy as a result of an accident, if we implement this particular legislation. I am also concerned about the treatment that seniors, part-time workers and students may receive under this legislation.

I have had some explanation from Autopac officials, again, about how students would be treated, how people who interrupt their work years to take education—[interjection] I am sorry. Well, Madam Deputy Speaker, the minister responsible says the officials have been forthcoming and frank. No, it was actually John and Frank.

They have indeed been forthcoming. I am concerned, however, that what we are getting from MPIC officials is MPIC line. They have their own interests in this, and our job as legislators and mine as an individual MLA is to make sure that the interests of the public are protected in this, not just the interests of MPIC, and certainly not the political interests of the government.

\* (1520)

So, Madam Deputy Speaker, that leads me to another group that may have been neglected in this legislation and again reflects the need for an independent appeal process and that is northerners. A \$55,000 income replacement program may be a fair number for someone who lives in the city of Winnipeg or someone who lives in Steinbach or Winkler, maybe Brandon, but a \$55,000 income for someone who lives in Flin Flon or Lynn Lake or Sherridon or Pukatawagan or South Indian Lake is not a \$55,000 income. In those communities, the cost of living is easily 15 percent or 20 percent higher than it is in the city of Winnipeg.

So I am going to call on the government, if we pass this legislation, to establish a territorial income replacement scheme that recognizes that different areas of the province require different income levels to maintain the status line.

I make the case here for all members to consider that a \$55,000 income we can say is a \$55,000 income in Winnipeg, but that same \$55,000 goes to about \$35,000 to \$37,000 or \$40,000 if you live in northern Manitoba and maybe even less if you live in a more remote part of Manitoba. I think we have to recognize that there is an inequity in that number. Maybe that would not matter if we understood that the Appeals Commission could take those things into consideration, and I think we need to make sure that there is a way to accommodate the uniqueness of our province and the unique circumstances that every individual may face.

How much more time do I have, Madam Deputy Speaker? I have put her to sleep. Seven minutes? I know that I would get leave to continue my discourse if I requested it, but I did want to finish in my allotted time.

Madam Deputy Speaker, the over-arching question that we have to ask ourselves as opposition members is the question of whether this meets the test of fairness, whether this bill, if it is implemented properly and consistently, will achieve the goal of protecting the Manitobans who are injured in automobile accidents and protecting their income and protecting their quality of life which we believe are the goals. Obviously, there are many, many questions in a bill that is this far-reaching that need to be addressed. We need to be certain about its fairness before we implement it, and that is going to be one of the tests that members opposite have to use in deciding whether we are going to support the legislation.

I think I can say on a personal level that I am inclined to support this legislation, but I have reservations, and those reservations exist because of the lingering doubt that I have about the government's commitment to fairness, the government's intentions when it comes to this legislation, and our current ability within the legislation to have a fair appeal process. I think those are some of the reasons why members opposite are exercising some caution when debating this legislation.

Madam Deputy Speaker, I think that there are some additional support mechanisms that the government could implement to assist people to make sure this legislation is workable. One of the innovations in the Workers Compensation system was the introduction of worker advisors. Worker

advisors were put in place because in many instances the people who are injured in the workplace simply do not know the process that needs to be followed to get adequate compensation, to get fair compensation.

It is a system that we put in place when we were government some eight years ago, and it is a system that served injured workers quite well. That is notwithstanding the decline in the interest of the Workers Compensation Board to compensate injured workers. I think we also could put in place here a system of claimant advocates, advocates for people who are injured, that would indicate to people quite clearly that we are interested in their welfare and not just the welfare of the Manitoba Public Insurance Corporation.

Madam Deputy Speaker, the bottom line for the people of Manitoba should not just be the bottom line on their rates next year. I have said, I wonder about the political timetable that we have before us, the government rushing in no-fault insurance, setting it at an artificial timetable for the implementation, so that the bills that are going to be handed out a year from now are consistent with the government's re-election timetable but may not be consistent with the timetable that may be necessary to implement this in a fair and adequate way. That is the other suggestion that I would have.

Bill 37 is a very extensive piece of legislation. It is fraught with many difficulties. It is without question going to create inequities and it is going to create hardship for some people as we work through the implementation process.

I would recommend that we slow this process down. I do not think we have had adequate time for debate. I have not had an opportunity to meet with some of the groups who may want to discuss this legislation. I know that the MPIC critic has not had an opportunity to meet with all of the people who may have some view on this legislation. Given the important nature of the legislation, given the significant change that it is going to create for Manitoba motorists, I think there is an argument that can be made for slowing this process down, for having the standing committee hearings interessionally. We could slow this down and make sure what we end up with is of consistent, high quality and is actually going to meet the needs of Manitoba residents.

So, Madam Deputy Speaker, I think those are the issues. I think that if the government is listening, we on this side may in fact be able to support this legislation, if the government is listening—[interjection] Well, now they are listening. I mentioned we might support it and now they are listening. I should have said that first I guess.

I want to reiterate then for the member for St. Vital (Mrs. Render) that the principles are these. The concept of no-fault insurance is a good idea. It is workable. It has worked in the province of Quebec, to my knowledge, quite successfully, but there are some serious questions, (a), about the government's rationale for introducing it. Philosophically, this is not a Conservative piece of legislation. This, in the opinion of many people in the province, is an attempt to ensure that they do not embarrass themselves with another Autopac increase next year, after five successive increases in Autopac rates.

\* (1530)

There are legitimate concerns about the government's willingness to implement an appeal process. There are concerns about the government's ability to disassociate the appeal process from the corporation, which I believe is absolutely necessary. There are many, many individual flaws in the bill dealing with the coverage for students, for seniors, for farmers, for small-business people, for high-income earners and for those with exceptional talents.

Madam Deputy Speaker, there is a danger long term that a no-fault system governed by—

**Madam Deputy Speaker:** Order, please. The honourable member's time has expired.

**Mr. Storle:** Well, that is a pity. Could I have leave to spend the last minute summing up?

**Madam Deputy Speaker:** Does the honourable member for Flin Flon have leave to conclude his remarks? He has requested two additional minutes. [agreed]

**Mr. Storle:** Madam Deputy Speaker, I was simply enumerating the number of groups that I think need to be protected by this legislation. They can stand to be harmed because of their unique circumstances, and I mentioned students, part-time workers, and small businesses and farmers. I also mention, and I am quite serious about this, people with exceptional talents, that there are many artists

and artisans and musicians and artists of one form or another who have exceptional talent. Unfortunately, in our society, their talents and their skills are not always recognized, nor are they always remunerated in a fashion which they would like and we believe would be necessary. So I think this system has to be flexible, and it will receive support from this side of the House and from Manitobans if it is done fairly. That is the issue.

Thank you for the additional time.

**Mr. John Plohman (Dauphin):** Madam Deputy Speaker, I rise to speak on Bill 37 and appreciate the opportunity to do so because it is one of the most significant changes in Manitoba's Public Insurance Corporation that has been undertaken in many, many years in this province. Certainly it comes about after a number of years of rising premiums and reduced benefits, I might add, for motorists in this province which have caused somewhat of a crisis, and therefore, we need to look at changing the way we do things with regard to the Public Insurance Corporation in this province.

I think there is no doubt that we have seen major premium increases, not only under previous governments but also under this government, over the last number of years, although they have not reached the same political intensity insofar as debate over them. They are still there, and they have been rather substantial increases. With the increase in the deductible that has taken place and the penalties for being involved in accidents and so on, the benefits are being eroded. The coverage is being eroded. The services are being eroded in an attempt to keep those premiums down, so I believe that this decision by the government is one that was necessary.

One has to ask, of course, why it took this long for them to come to the conclusion that no-fault was a concept that had to be adopted in this province. They have been in government five years and have ruled it out conclusively, even in recent years, said, no way we are going to do that. There is no way we will be caught putting in place a no-fault scheme or a total no-fault scheme in this province. Now, they are doing it because, I believe, of the political issues surrounding the public insurance issue in this province.

If we go back to the late '69 period or early '70s when Ed Schreyer first brought in the idea of public

insurance in this province, everyone will realize that it was very much a political issue and perhaps was one of the major considerations in Schreyer's re-election in 1973. The reason why it was an issue is because it was one, the New Democrats at that time, the new government, the first-time New Democratic government in this province brought it in and stuck to its guns on it, even though it was a very difficult issue, stuck to the principles, and were very successful.

So it was a very positive development for Manitobans, particularly for young motorists. It was therefore a very political issue, and so this issue of public insurance is by its very nature historically then a very political issue in Manitoba, and it has helped governments win elections and has contributed to governments losing elections in this province. Almost without fail it has been an issue in election campaigns since the inception.

It was, after it was first founded, as I mentioned, a positive contributor to the re-election of Ed Schreyer. It was an election issue in 1981 when the New Democrats could point to the potential dismantling of the Public Insurance Corporation by Sterling Lyon who was in government the previous four years, whom Manitobans did not trust with public insurance in this province, and certainly we in opposition did not trust.

It was a major issue in 1986, not to the extent that it was in 1988, but it was a major issue in 1986 because I recall clearly that the opposition Conservatives were promising the electorate that they were going to give them back, each driver, ten or fifteen bucks, this reserve, this terrible reserve that the New Democrats had hoarded away in MPIC. They were going to give this back to the motorist because obviously New Democrats had overcharged these motorists and they had this hideous reserve. What an awful thing! Imagine, a reserve.

And would this government not like to see that kind of reserve at MPIC in modern days, the one that was in place in 1986 by the New Democratic government of that time? I know, going house to house it was a cheap trick by the Conservatives in an effort to win an election, to buy a vote for ten to fifteen bucks a head. The people in Manitoba did not go for it, and they were not successful, the Conservatives, in winning an election on that.

In 1988, it was a political issue again, but this time it was on the negative side for the New Democrats. In 1973, it was a positive; in 1988, it was very much of a negative because of the rate increases and the way that the political opposition, our political opponents, coupled with the media were able to build this issue into a major one, to blow it all out of proportion in terms of factors that contributed to these large increases in premiums, the factors that had nothing to do with the large increases such as allegations of mismanagement and those kinds of things. But in fact the Conservatives were successful in that campaign, and it was one of the largest contributors, in my mind, to the downfall of the New Democratic government in 1988, as well as the timing of that election which was also a major contributing factor.

So I must say, Madam Deputy Speaker, that this has been very much of a political issue through many elections, and I believe that this government is being politically opportune in bringing forward these measures at this time, even though they disagreed fundamentally with no-fault up to as recently as one year ago. They are doing it for the purposes of being able to tell motorists in this province that they are going to see their rates drop, and they hope to be able to do that in the short term, avoid the negatives of this, the downsides of the horror stories that may result in the short to medium term with the implementation of this new scheme. There are going to be people who are upset. There are going to be people complaining. There are going to be losses, and there may be major negative publicity, articles, news media stories during the period of time that this new system is being put in place in the province, during the transitional time, the formative years of implementation of no-fault.

\* (1540)

So the government hopes to capitalize on the drop in premiums which they can take credit for. I think this is very much a political issue on the part of the government. They saw what happened in '88 on one side, and now they want to create another issue that can assist them in being re-elected in the province of Manitoba. That is why it is coming forward now. It is basically on the basis of politics. I have no misgivings about my stating that at this present time. I think that will be borne out in the next election campaign if everything goes according to plan by this government.

Madam Deputy Speaker, this rather political issue, then, is one that we are having to deal with in this Legislature. As a result of the major increases that came forward in 1988 and contributed to the previous government's downfall, as I indicated, we commissioned a report by Judge Kopstein to look at the overall operation of the Manitoba Public Insurance Corporation to determine whether there could be ways to improve efficiency or some changes in the way it operated to save significant amounts of dollars to avoid having to increase premiums to the extent that they have been increasing over the last five years or six years.

One of the recommendations, of course, was a no-fault scheme similar to what was in place in Quebec. At that time, it was something that we supported, but we did not have a chance to implement it because the report came after we were out of government, but we support the principle of no-fault. It was even one that we supported I think right back to the inception of MPIC to a certain extent, because there was a limited no-fault aspect in terms of damages paid. There always has been in the creation of MPIC, right from its inception, that income loss was covered in injuries, pain and suffering for a driver even at fault, would be present and would be in place so that there was not a complete no-fault scheme, but there were many aspects of the policy that was in place that had no-fault aspects to it. So that principle is not foreign to MPIC, even to the creation of MPIC originally.

So we support the principle because we believe that it is a fair principle. We are not saying that this bill is as fair as it could be, Madam Deputy Speaker, and I will speak to that as my colleagues have before me and my other colleagues will undoubtedly in the next number of days, but the principle is one that can be fair.

It also leads to another principle which we have supported historically in our party, and that is one of a universal sickness and accident insurance plan in Manitoba. We have always advocated and hope that some day that kind of principle could be adopted, a universal sickness and accident insurance plan in this province.

The one that we see now through the changes in the MPIC proposed by Bill 37, the one that we see through this no-fault scheme that is being proposed goes some distance towards a universal accident insurance program, because every Manitoban is

covered if they are Manitoba residents. They do not even have to own a car or have a licence, they are covered.

They are covered if they are involved in a traffic accident anywhere in North America, pretty well, United States and Canada. So that means that a person who is holidaying in Florida or in Texas, may not have a driver's licence even, does not own a car and is hit while crossing a street and hit by a motorist, they are covered to the same level for income loss as anyone else.

I think that is a very positive feature of this bill, and I think that that goes some distance towards providing what I mentioned is a universal accident insurance scheme for Manitobans. It does not deal with sickness and accident as universal schemes for other accidents. It deals with motor vehicle accidents. But it is a major step in that direction, and I think it is a very positive step from that point of view.

Imagine being in Florida or anywhere and knowing that you are still covered. Of course, this particular scheme does not prevent you as an individual from still undertaking a lawsuit against an individual who was responsible for, perhaps, causing the accident in those jurisdictions. But it does ensure that you are covered for income loss no matter where it happens. That is a very significant step.

Now, we would like to see this broadened in the future, and it gives a base to work from. That is one of the reasons why we can find many of the aspects of this bill positive, and something that we can support.

We reject the tort system that has been in place for a number of reasons. As I mentioned, cost is a major factor, and we have to understand that we simply cannot afford the way we have been doing things under the tort system, because there is so much money tied up in courts in litigation that takes place in order to prove one's point of the need for compensation, justification for pain and suffering loss.

It costs a lot of money, the courts system eats up a lot of that money, and a lot of it does not find its way to the victims, in any case. So that is one of the reasons why we support this no-fault system, the principle of no-fault, and also reject the tort system. Because, in fact, the system as we have had it at the present time does cover pain and

suffering to the extent that it can be shown by way of, either negotiations directly with the MPIC or through the court system, and can be very expensive before decisions are made and result in long and costly delays.

So that is one of the reasons why we reject it at the present time. Another reason why we also tend to reject the present system and support the principle of no-fault is because it is unfair—the present system is unfair. I want to quote from Judge Kopstein. He said that he rejected the present tort system because it operates upon a standard that does not recognize normal human mistake. He noted that accidents are inevitable, and at times, ordinarily careful drivers will be at fault. Being found negligent or innocent is often a matter of sheer luck. To quote Judge Kopstein: Accident insurance which discriminates between those entitled to adequate compensation and those not so entitled on the basis of luck is not insurance. It is a game of chance with high stakes.

That is why he said the tort system was not fair, because it is based on the principle that the driver at fault must be treated differently than a person who is not at fault. No-fault insurance rejects that notion entirely and therefore gives us a principle on which we can support legislation that leads to no-fault insurance in this province.

Now, we have rejected, Madam Deputy Speaker, some other alternatives. There have been a number of reports that have been undertaken by MPIC. I mentioned the Kopstein report; there are a number of other reports that have been done through MPIC. We have also had other analysis done by various groups, the LERNS enhanced no-fault deductible automobile insurance proposals that were put forward. The lawyers have put forward other alternatives. There has been thresholds suggested. In all cases, we feel that there are sufficient drawbacks with those proposals that they are not positive and should not be the first priority.

For example, with thresholds I would think that thresholds tend to encourage thresholds to become the minimums, that there would be every effort made by lawyers and anyone involved in such claims to try to escalate them to meet the threshold so that they could ensure that there was some payout, because below the threshold they get nothing. So it is an unfair system. It can be very unfair, and it still involves very high court costs

with all of the litigation disputes that go on. So thresholds are not the way to go.

\* (1550)

On the other hand, deductibles would seem to be somewhat more fair, but there are also drawbacks on that side of it as well. Someone suggested that we could continue with the present tort system but we could have in place a system of deductibles so that a person would not get an award unless they were over a particular level of, say, \$5,000. Then they would get only the difference between the deductible and the amount of the award that was agreed to through the court system or through negotiations. So if there is a \$5,000 deductible, a person with a \$6,000 claim would get \$1,000, and they would lose \$5,000 or five-sixths of that award. The person getting \$100,000 award would still only lose \$5,000 and would get 95 percent of his award, and the person with a \$1,000 claim would lose everything. So you can see then that it would apply in different ways and could perhaps be viewed as being very unfair in its application. Therefore, I have come to the conclusion that deductibles are not necessarily the way to go either.

So what we want above all else with this legislation is to ensure that the system is fair, and we are not particularly certain that this government would put in place the fairest system, because we are not so sure that is their major motivation for bringing this legislation in.

As my colleague has said before and I said earlier, there is a very political aspect to this particular issue. We believe the government is driven more by politics than by fairness, when introducing this legislation, and desire to take credit for the lowering of premiums which they can then take across Manitoba to the people of Manitoba and say we are good people; we reduced your Autopac rates.

I think, Madam Deputy Speaker, that is the primary motivation, so our primary motivation has to be fairness. We have to review this legislation with a view to ensuring that the government is being as fair as possible. If they are not going to be fair, we are committed to making it fair, because we believe in the principle of no-fault insurance. We have to ensure that it is fair one way or another—one way being by getting this government to put in place a very fair system, and another way, by ensuring that we as government in

the future make it fair, if this government refuses to do so at this present time.

We must deal with the issues of fairness as they deal with income loss and with appeal particularly. My colleague the member for Fiin Flon (Mr. Storie) mentioned that there are inadequacies with the appeal system. We believe that it must be totally impartial. It must be free of any political interference, and there must clearly be faith in that appeal system by the people of Manitoba. It must not only be seen to do justice but must do justice in its decisions. They must reflect fairness.

Therefore, we will be reviewing this issue very carefully as we go through the clause by clause, and prior to that, the public hearings on this particular debate, with a view to putting forward suggestions that will make the appeal system more fair and hoping that the government is also working on this issue, because they must put in place a fair system. Therefore, they should be motivated to ensure that that mechanism is researched, that they look at various options, that they look to improve, not to simply sit with what they have in this particular bill.

Of course, we must consider the levels of compensation for income loss. We have to remember that, Madam Deputy Speaker, there are many people who will not be eligible, as this bill is drafted for the \$55,000-a-year income loss, which is the maximum. Some that are unemployed—others have mentioned students and farmers and small-business people as to how they should be compensated for present income loss and future income loss. How do you project ahead fairly? How do you ensure they are adequately compensated and protected from becoming destitute in the future as a result of that particular accident, because they are no longer able to earn the income that they could have earned otherwise, potential income loss?

That is the least concrete area in this particular bill, the fuzzy area, the one that needs to be articulated. So we have to look at, as my colleague mentioned, the issue of talented people who have lost the opportunity to market those particular talents as a result of an automobile accident. How should they be compensated? Madam Deputy Speaker, those issues are ones that we will want to see addressed and clearly articulated.

I have to share the concerns that some of my colleagues have raised in so far as the haste with which this government is proceeding on this particular issue on this bill.

We noted that only a few short months ago they were not committed to the concept, to this particular principle of no-fault insurance. They were not committed. The Minister responsible for MPIC (Mr. Cummings) clearly stated that he would not bring in this bill. Now, all of a sudden, it must be done immediately.

Again, it is working on a political timetable rather than on ensuring that what is brought in is sound and fair. So I think there is some justification for the government to consider the criticism that is being made as being aimed at the government with regard to the timing and the research, the study, the consultation that must take place, the education, so that people in Manitoba are aware of precisely what it is they are buying into if they are going to support this.

It is not enough—[interjection] Now the Minister of Natural Resources (Mr. Enns) says we do not want them buying a pig in a poke, and he has got it right on there. We do not want the people of Manitoba to find that that is what they have after Bill 37 is passed.

We want them to know what it is beforehand. We want them to have the opportunity to debate this, to study it, to dialogue with the government, and perhaps those hearings in Room 254 or 255, for a few hours when people line up to speak, is not the best way for an issue as complicated as this to be discussed by the public and to be understood.

Perhaps there should have been an announcement of the government's intention first, an outline of its basic principles, a white paper on no-fault insurance with public dialogue and then legislation brought forward.

I know that the government will say, well, if you advocate that, you are advocating higher rates in the short term, and you are to blame if you cause delays in that way. I do not think that that is a realistic way to respond or react to that kind of criticism or those kinds of suggestions. I think the government would be well advised to look carefully at that option, and that is an option.

That is to say, look, we want to ensure that what we are putting in place for Manitobans is durable, will stand the test of time, will stand the test of

scrutiny, of fairness from all sectors, from victims and from those who are families of victims, so there will be fairness and justice ultimately done by way of this bill.

The government has that opportunity, yet, to consider that option. While we support the principles I have indicated, we have several reservations. That would be putting it mildly; we have many reservations, and I could certainly enunciate a number of areas where we could see amendments being required.

But, Madam Deputy Speaker, I think it would be better for the government to in fact outline some additional strategy with regard to this bill rather than being driven blindly by the political agenda to have those rates come down in the near future so they can just simply say, we can take credit for that; we brought your rates down—but to ensure that what they are putting in place is sound. So they should consider that other aspect of what is being dealt with here, consider how well they are responding and answer the critics who come forward and propose alternatives, the suggestions that they are making, answer them and cause public debate on them before passing this bill. I think that is the responsibility of the government and one that they should feel is incumbent upon them to deal with in an adequate way.

\* (1600)

We are in the closing days of this Legislature. Perhaps it will take a number of weeks, maybe even months, however we do know that at times very complicated pieces of legislation, very detailed legislation, comes before this House with very short notice as has happened this particular year. This sitting, particularly, we have had a number of rather substantial pieces of legislation come forward at a very late time, at a very late date in the session, and it means that the extent of public knowledge of what is going on is limited.

Even as members of this House and this opposition become aware of the details of those bills, as we study them, the members of the public are not always fully up to date as to what is being proposed until some months later. We have to ask the government why they want to not ensure that the public is aware.

So, Madam Deputy Speaker, we will support the principle of no-fault insurance as my colleague the member for Brandon East (Mr. Leonard Evans) has

indicated, the member for Flin Flon (Mr. Storie, and we will want to have opportunity for our colleagues to debate aspects of this bill to demonstrate some of the positive aspects from Quebec and other jurisdictions that have had this concept, this principle, in place for a number of years and also to point to areas where it will need to be improved.

We hope the government will be listening to that debate and considering aspects of improvements that are put forward by the opposition.

**Mr. Doug Martindale (Burrows):** I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

**Motion agreed to.**

### **Bill 27—The Environment Amendment Act (2)**

**Madam Deputy Speaker:** To resume debate on second reading of Bill 27 (The Environment Amendment Act (2); Loi no. 2 modifiant la Loi sur l'environnement), on the proposed motion of the honourable Minister of Environment (Mr. Cummings) standing in the name of the honourable member for Burrows (Mr. Martindale).

Is there leave to permit the bill to remain standing? [agreed]

**Mr. Dave Chomiak (Kildonan):** Madam Deputy Speaker, I rise to speak on this particular bill, and I can indicate for the purpose of members in this House that I will be the last speaker from our party on this bill, and the matter will be moved, certainly by our caucus, to committee following conclusion of my remarks this afternoon.

Notwithstanding that, my colleague the member for Burrows (Mr. Martindale) will be very courtly, as we say in French, by providing a very short wrap-up statement prior to the matter being moved by our party into committee. For the benefit of the member my comments will be brief and to the point.

Until the recent drastic cutbacks to the home care services, I as an MLA representing a suburban part of the city received more calls on stubble burning when it occurred as a problem than any other issue since the time I have been elected to this Chamber up until the home care cuts which have dwarfed the number of calls I received on all of the issues.

I was very moved and quite concerned by those calls and by the representations made to me on

behalf of constituents, many of whom were forced to personally attend at a hospital because of the conditions, many of whom, and these were the majority case, whose children were either forced to not attend school or forced to attend at the emergency ward of a hospital due to health difficulties which occurred as a result of the smoke inhalation.

This particular issue is a classic issue that probably is a paradigm of what we experience in the Legislature in terms of varying issues and being very difficult issues and very hard issues to deal with, Madam Deputy Speaker. One of the things that I admire by the constituents who phoned me at the time was their realization of the very serious economic times facing the farming community and their need to try to economize as best they can. I was very impressed with the fact that my constituents were cognizant of that.

But standing beside that concern of course are the very grave health concerns that are predominating in this debate as well as the environmental considerations, Madam Deputy Speaker, something that has evolved over the past several years to become of greater importance in our society and in our quality of life.

There is no question that I felt compelled to take a very strong stand on this issue based on the representations made to me by my constituents who were suffering physically and otherwise from the ill effects of the stubble-burning residues and smoke that had accumulated in our end of the city this past spring.

This bill, to my mind and my review, without even considering the comments of the minister or without considering the comments of other members in this House, basically suggests that the bill itself is a compromise as I understand it.

I think the action taken by the government in the sense of putting together a committee to make recommendations made sense, to make representations to reflect the various viewpoints because it is very difficult in issues of this kind to try to grapple with the issues.

Putting people together in a room, having representations from all kinds, I think was an effective way of trying to come to grips with the very real issues contained in this particular bill. Actually if I had more time I would actually like to get into

some of the historical aspects of it, but I will cease and desist on that point.

My review of the bill indicates that there is regulatory power that is being assigned to allow other individuals to have the regulatory authority to enforce the bill, and I understand that the RCMP and others can enforce the bill. I think that is a positive step because clearly we need the requirements for enforcement of these provisions.

I suspect, in fact I do not suspect, I know, that probably 99.999 percent of people involved in the farming community very strictly adhere to safety and environmental concerns in terms of this stubble burning, but for whatever reason perhaps some individuals, combined with the weather conditions, have caused some considerable difficulty and we require regulation. There is no question that we require regulation if only from a health standpoint. We certainly require some kind of regulations.

\* (1610)

This bill, by restricting stubble burning to particular hours and by restricting it to regions by empowering the minister to have the authority to designate these various areas, I think, is a compromise attempt to try to deal with a very serious problem.

I did review the comments of various other members in the House concerning this bill, and I will not spend a lot of time reviewing. I am not an agricultural specialist by any stretch of the imagination.

Clearly there has been a decreasing tendency on the part of people involved in agriculture to engage in stubble burning, and probably as time goes on that will decrease even greater. But some form of regulation was required because of the effect that this process was having on the urban area of Winnipeg in particular and on other parts of Manitoba through safety concerns as a result of smoke on highways resulting in safety concerns in terms of driving conditions.

So there was a health and environmental problem. There was an economic and a concern from the rural communities. There is basically a compromised position in terms of the bill that comes down that allows for more stringent controls as well as stipulating times when stubble burning will be allowed and will not be allowed.

In an ideal world, one would desire far more stringent regulations and tighter controls in order to

definitively ensure that we do not have this health problem occurring in our areas. But I am a realist, and I recognize that this piece of legislation is a result of a compromise process.

I did have an opportunity to read the discussion paper prepared by the Crop Residue Burning Advisory Committee, and I note that there were people on it such as Kim Lachuta of the Concerned Parents of Children with Asthma, a representative of the Manitoba Lung Association, et cetera, people whom I had spoken with to gain advice and guidance during the period of time when stubble burning was a serious problem in the city.

If people of that interest and of that concern are prepared to accept this kind of legislation, then I think it is worthy of at least trying and seeing how it functions in the future.

I also have had an opportunity to review a brief prepared by several nurses concerning the issue. From my quick review of the brief, I believe that this legislation probably would fall within their acceptable guidelines of trying to deal with the problem, with the proviso on the caveat that we must continue to be very vigilant in our observation of how the regulations are working and how the system is functioning to ensure that we do not see major health problems occurring.

Because if we are involved in a period of health reform in this province—and that is certainly open to some question—then we certainly must be dealing with preventative aspects. Clearly preventing health problems at their source is something that is of crucial importance, not just for the health and well-being of Manitobans, which in itself is justifiable, but there certainly are grave concerns in terms of the economic viability of many aspects of the health care system, and certainly forcing individuals into hospitals and taking away from their economic productivity is a factor for consideration. Although on human grounds alone, we should be justified in bringing about stringent regulations.

I have reflected on this some time, because the other position that one could take would be to take a very strident position and say, a complete ban and complete regulations. But I am moved by the fact that individuals who are intimately involved in the debate came down on the side of this kind of legislation.

Consequently, I am moved by that. I have also had discussions with many of the individuals who contacted me during the time when it was a major problem, and there seems to be satisfaction on their part for this kind of regulation. So on that basis, I can indicate that we will be sending the matter to committee. Certainly, we will dealing with it affirmatively at this point in regard to this particular bill.

With that, Madam Deputy Speaker, because I know the member for Burrows (Mr. Martindale) wants to put some concluding comments in this regard, the only caveat—I am not certain if the minister made the regulations available. I believe they were supposed to become effective August 1. The regulations are available. I have not had a chance to review them. I would like an opportunity to review them, but certainly that does not change my comments with regard to this bill.

With that, I believe the member for Burrows wants to make a few comments since the members of this House charitably allowed the matter to remain standing in his name. Thank you, Madam Deputy Speaker.

**Madam Deputy Speaker:** Order, please. Is there leave to revert back to Bill 27 to permit the honourable member for Burrows to put his remarks on the record, because leave was previously granted to leave it standing in his name? [agreed]

**Mr. Doug Martindale (Burrows):** I will be fairly brief on this Bill 27, The Environment Amendment Act (2) which has been called the stubble-burning bill. Stubble burning is actually something that I know a little bit about because I have burned stubble. I worked on a farm near Cayuga, Ontario. We grew red clover, and it was grown for seed. So once it was combined, you had huge masses of clover straw, which is extremely difficult, as the Minister of Agriculture (Mr. Findlay) knows, to work into the soil. I was the guy with the pitchfork that went from windrow to windrow lighting it on fire. Even though I was about 16 at the time, I was concerned about the air pollution, but I was following orders and doing what I was told to do on my relatives' farm.

It is interesting to note that stubble burning is actually a misnomer. It should really be straw burning. Stubble is what is left after combining, and the straw is the residue that is left after combining and threshing. So it is really a matter of

straw burning. I do not know where the expression stubble burning came from, but we are stuck with this expression of stubble burning. Maybe it is connected to the other slang expression, stubble jumpers, I do not know.

This is a serious and legitimate concern of farmers, because from time to time, due to soil conditions or the amount of residue, it is difficult to get rid of the straw any other way, although there are other methods that the straw is disposed of. For example, sometimes straw can be baled and sold. Flax straw can be baled and sold, and I believe there is a program where the baler goes around the province and it is commercially bought and used for the purposes that flax is used for.

When I was living in Saskatchewan, I went to Coleville, Saskatchewan, where about 75 years ago when people were homesteading there, they planted pine trees which now are 50 or 60 feet high. [interjection] The member for Kildonan (Mr. Chomiak) does not want to hear about legitimate farm uses of straw residue, but he should listen, he might learn something.

They had straw there which I believe was from flax, but I could be corrected, and they were using it to mulch trees. So they were putting six or eight inches of straw under pine trees at Coleville, Saskatchewan. It was really quite amazing to see those pine trees, because it is on the edge of the parklands and sort of the border between the parklands and the prairie. So you are driving along over treeless prairie, and all of a sudden there are 60 feet high pine trees, and the reason they are there is because of irrigating them from sloughs and dugouts and the mulch which the farmer pointed out to me was preserving the moisture in the soil because the soil did not dry out due to the mulching with straw. So there are a number of alternative uses. It is just too bad that we cannot match up supply and demand in this country.

Last November I was down in the fruit-growing area near Niagara-on-the-Lake. I was sitting in a farm home talking to friends and out in the field there were straw bales, and they were being bought off the field at \$4 a bale, which is a very high price, I guess due to poor crops in southern Ontario. Yet here we had a surplus of straw. It is too bad we could not send it down to southern Ontario, but probably it is not economical or feasible or somebody would be doing it—

**An Honourable Member:** Transportation cost.

**Mr. Martindale:** Transportation cost, as the minister points out.

So farmers have some legitimate interests and legitimate reasons why from time to time they feel it is necessary to burn straw, but on the other hand, we also have city dwellers and rural people, people in small towns and even on farms, who are affected by the smoke from this farming practice. The public debate and this bill, which is really a compromise, was quite interesting. More and more asthma patients and others were ending up in the hospital, and I am sure the Premier's Office and the minister's office and MLAs' offices were getting more and more phone calls. The government said they were not going to do anything and then a day later they said they were. They were going to act, I believe, under emergency measures legislation. They were going to stop stubble burning.

So in a very short period of time they changed their position, and I think that is a good thing. I commend them for changing their minds on this because from time to time people criticize the government and occasionally I will even defend them. You know, it is not easy to defend this government, but sometimes I do it.

Just this morning I was talking to someone on the phone who had made presentations at a committee last night. They were very disillusioned because, they said, we come to this committee, there are 10 or 12 presenters, and the government does not seem to listen to us. We have suggestions for amendments and they do not do anything.

\* (1620)

I said, well, you know, in defence of the government, after all the public presenters had left, the Minister of Family Services (Mr. Gilleshammer) did move amendments. They were carried, and so from time to time the concerns of the public are listened to and amendments are the result.

I believe that this bill is the result of public pressure and the government listening to people's concerns. Now, it does not happen very often, but occasionally it does, and I would grant that this is one of those examples. So we are pleased to see that the minister has this bill, and it is the result of a compromise, and we are going to send this to committee now with support.

Thank you.

**Mr. Kevin Lamoureux (Inkster):** Madam Deputy Speaker, I was wanting to put a few words on the record on this particular bill, primarily because it is one of those bills that I believe give at least some sense of hope for those individuals that are out there that want to see some form of change in the way government does things.

I know the Minister of Agriculture (Mr. Findlay) has met with a constituent of mine by the name of Kim Lachuta, and I had the opportunity. Kim had visited me at a local restaurant to discuss some of the problems about stubble burning and had asked in fact what is it that a person can do as an individual to be able to see some sort of a change. I had expressed at the time, you know, it is fairly easy just to go and criticize and so forth and to demand what it is that you feel has to be done.

For example, at the beginning, there was a lot of talk about banning stubble burning, period, just an outright ban. There are many different interest groups, no doubt, that are out there that do take a very hard line. I suggested to Miss Lachuta that a good responsible approach to stubble burning would in fact be to do things such as getting petitions, making presentations, not only to government but to all sides, to involve farmers, because the farmers—and no one wants to deny economic opportunities to our farmers, to sit down and to talk about it and try to come up with some form of a compromise that in fact will allow for urban residents to be able to breathe relatively clean air and allow for farmers that are put into a situation in which they have to burn, at least provide them that opportunity to be able to do that, Madam Deputy Speaker.

You know, personally, and it is a bit harder if—many would say that I am an urbanite of sorts, but I am very sympathetic to the farmer. I, myself, would like to see all farmers cultivate, to find different usages of the stubble, but I do appreciate the fact that some farmers are unable, for whatever reasons. I think that there is a responsible way of doing things, and I think that this bill at least moves in that direction.

I was very pleased to see, in particular, the Minister of Agriculture (Mr. Findlay) and his response to this issue in dealing with individuals, in particular Ms. Lachuta. I know I can speak on her behalf in terms of she very much appreciated the fact of at least being listened to. I think that is what

Manitobans want. They want to be listened to when there is a problem that is out there.

Having said those very few words, Madam Deputy Speaker, I am quite prepared to see it go to committee.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 27, The Environment Amendment Act (2) (Loi no 2 modifiant la Loi sur l'environnement). Is it the pleasure of the House to adopt the motion. Agreed? [agreed]

### **Bill 36—The Highway Traffic Amendment Act**

**Madam Deputy Speaker:** On the proposed motion of the honourable Minister of Highways (Mr. Driedger), Bill 36 (The Highway Traffic Amendment Act; Loi modifiant le Code de la route), standing in the name of the honourable member for Transcona.

**Mr. Daryl Reid (Transcona):** Madam Deputy Speaker, I am pleased to rise to put my comments on the record. I believe that I will be the only speaker for our party speaking on this piece of legislation. After I have concluded my remarks, we would be prepared to pass this bill through to committee.

This bill, Madam Deputy Speaker, known as The Highway Traffic Amendment Act or the used vehicle inspection legislation, in a way can be a misnomer. We like to refer to this piece of legislation as the Bob Kozminski bill, basically for the fact that it will give a great deal of power and, of course, a great deal of income to the used vehicle inspection points in this province, something that I am sure all members of the opposite side are aware of and the efforts that Mr. Kozminski has made to ensure that this legislation has come before this Chamber for debate, not only during this session but in the last session, when the member for St. Norbert (Mr. Laurendeau) introduced his piece of legislation, of course, which never concluded debate in this House for reasons to which we will not get into at this time. I am sure, if members opposite want, we could debate that at the same time.

With this bill, we have had the opportunity to ask a few questions of the Minister of Highways (Mr. Driedger) and the Minister responsible for the Manitoba Public Insurance Corporation (Mr.

Cummings) about some of the impacts of this legislation and what it is going to mean to members of the public and how much money members of the public are now going to be charged for this inspection.

We, first off, I think, to set the record straight, should make it clear that we support mandatory vehicle inspection. That is clear. We believe that all vehicles in the province, on a regular and ongoing basis, should they be registered in the province of Manitoba, should be obliged to undergo an inspection program.

Where we differ from the government on this is that we believe in the public vehicle inspection program versus what the government believes in the private vehicle inspection program. The government, in this case, wants to put money into the pockets of their friends, many of them car dealers in this province who have supported this party over a number of years, car dealerships and their owners that support the Conservative Party. Looking at the campaign contribution list, it is no wonder that this government has chosen to bring in this legislation.

The bill, Madam Deputy Speaker, will put \$84 million into the pockets of used vehicle inspection points in this province.

**Some Honourable Members:** Oh, oh.

**Madam Deputy Speaker:** Order, please.

**Mr. Reid:** Madam Deputy Speaker, I know members opposite get great humour out of this, but we do not find it as amusing when members of the Manitoba public who have vehicles registered in this province are going to be gouged upwards of \$40 to have their vehicles inspected by private inspection points, a service that was provided by the Manitoba Public Insurance Corporation and the Department of Highways and Transportation until this government introduced legislation to change that. That was a service that was provided to members of the public. Now, they are going to have to pay that \$40 user fee.

Now, Madam Deputy Speaker, if we want to get into the fine details of this legislation, that is something we are prepared to do on third reading of this bill, but the intent of this second reading of the bill is to talk about the principle of this legislation and that is why I am standing to talk about the principle of this legislation.

I hope that members of the public that are watching here today and that may be listening will be aware that this government is now going to force them to pay this fee to the private vehicle inspection point, something that had been performed by the MPIC inspection points to this point. The Minister responsible for MPIC (Mr. Cummings) has said that there has been a slight reduction—a slight reduction was his term—in the number of vehicle inspections taking place in this province this year. Well, for the information of members of this House the vehicle inspections that were done were approximately 25,000 vehicles inspected a year on average over the course of the last number of years, and this year those vehicle inspections are going to drop to 3,000 to 3,500.

Now, I would like any member of this government to tell me how that drastic a reduction is going to protect the safety and security of the travelling public and other members of the public in this province. I do not see one member on this side that is going to be able to answer that question, because that is not going to happen. That is not protecting the public in this province.

\* (1630)

In fact, Madam Deputy Speaker, when I raised questions in this House during Question Period, I made reference to a study, Project E-400, that was done by the Manitoba Public Insurance Corporation for the minister responsible—and this minister should have known; I take it he should have known of projects that were authorized by his department—indicating that the Manitoba Public Insurance Corporation was providing four options for this government to look at.

In option 1, the mandatory universal inspection of all vehicles in Winnipeg by MPIC and all vehicles outside of Winnipeg by the private sector. That was considered. The advantages were a greater number of vehicles inspected on an annual basis, further expansion of operations in other areas of the province, and a decrease of the 10-year time frame for frequency of inspections. The disadvantages: Erosion of the revenue base through payouts to the independent shops, quality of inspection is difficult to control; unnecessary repairs—the key, Madam Deputy Speaker—unnecessary repairs may be ordered through the private sector inspections, something that members opposite should be aware of, in particular women, and I will relate to that later, how women

can be affected by this; and negative public reaction to extending the program to the private sector; and the program is complicated to administer.

The second option, Madam Deputy Speaker, was the mandatory universal inspection program of all vehicles conducted province-wide by MPIC. The advantages of that program was assurances that all vehicles registered in Manitoba would be safety inspected; greater administrative control; more vehicles would be inspected annually; and the opportunity to inspect vehicles more frequently.

The disadvantages: physically impossible to transport inspection equipment to remote areas of the province; and that there was limited vehicle population and limited exposure to salvage vehicles in some rural areas makes the program delivery in those areas impractical and uneconomical. That was a given.

Under option three: the mandatory, universal inspection of all vehicles by the private sector. The advantages were the ability to inspect a greater number of vehicles annually, and the frequency of inspections reduced from once every 10 years.

The disadvantages of that program under the private system of mandatory inspection, Madam Deputy Speaker, was substantial program revenues directed to the private sector, \$84 million, as I have already indicated. There would be a high administrative cost factor attached to it. There would be little control over the quality of inspections and necessity of repairs.

Now that may be something that the Minister of Highways (Mr. Driedger) is addressing through his inspection point. Time will tell because the minister has not finished drafting the regulations to this point. We have asked him for that, and the minister has indicated they are not ready. Also that there would be negative public reaction to the private sector involvement.

Now, the fourth option that was available, the fourth and final option that was available and was presented to the minister responsible for MPIC, said that all vehicles in Winnipeg and more populated rural areas would be inspected by MPIC. As this option is considered the most viable in terms of delivery and cost effectiveness, the following analysis of the program's operation was developed: that vehicles would be inspected on a biannual basis every two years for all Manitoba

registered passenger cars and light trucks with the exception of vehicles in the extremely remote northern parts of our province.

That meant, Madam Deputy Speaker, that by the proposal of option four, that this government had in their possession that was given to them, that 98.9 percent of all vehicles in this province would have received mandatory public vehicle inspection in this province if this government chose to go with that option, something that they obviously did not choose to go with.

The claim centres would have been in the major centres of our province, and they would have been in fixed locations versus the mobiles that we currently have in this province, the only one mobile, I believe, that is remaining.

They would have established 10 inspection lanes, in five Winnipeg claim centres, so it would have been convenient to the public of Winnipeg. They would have been operating over an extensive period of time, and they would have had inspection points in Brandon. They would have had inspection points in other communities of our province, such as Thompson and Dauphin. They could have put in place to provide that inspection under the public vehicle inspection program for the members of our public to have their vehicles inspected on an every-two-year basis.

So, Madam Deputy Speaker, MPIC was fully capable of expanding the program and had presented options to this government, in fact was going to triple, over triple, nearly quadruple the number of inspections that they were going to perform servicing the public vehicle inspection program in this province. This government chose not to move in that direction.

Now, the primary consideration with this legislation was that it is to protect the safety of the public. That should be our primary concern with any legislation that we bring in in this regard. But in this respect, there are going to be some problems with that because this program will not address the concern that there will be tens of thousands of vehicles travelling the highways and roads of our province, Madam Deputy Speaker, that will not receive this vehicle inspection program. That, I have confirmed in consultation with members of the minister's own department, wherein they have indicated that there are tens of thousands of vehicles that do not change hands, and that these

vehicles have not received that inspection program.

Since safety is the primary consideration, and the number of vehicles that are involved in accidents should be of consideration and concern to all members of the House, the government has never come forward with any information to tell us the number of vehicles that are involved in accidents in this province where vehicle defects can be directly attributable to the cause of that accident.

The reason for that is, by the minister's own statistics under the driver vehicle and traffic accident and statistics reporting, the most recent copy is 1991, indicates that only 0.8 percent of all vehicles involved in accidents have vehicle defects that are directly attributable as a cause for those accidents. So less than 1 percent of all accidents have defects that may be the cause of that accident.

Now, if that is the case, I find it interesting that the members opposite want to bring in this legislation. The only reason I can see that, Madam Deputy Speaker, is to put money into the pockets of their friends. That is the only thing that I can see, and \$84 million is justification enough, I suppose, for the members opposite to move in that direction.

I have asked—

**Madam Deputy Speaker:** Order, please.

**Mr. Reid:** It is okay. It is all right, Madam Deputy Speaker. I have no—

**Madam Deputy Speaker:** Order, please.

**Mr. Reid:** I just had to take a drink of water here to quench my thirst. I am just recovering from the flu, so it is a bit difficult to talk.

Under this program, and this, Madam Deputy Speaker, I raise because when I talked about people, and I am talking about vulnerable persons here, and in particular, people that do not have knowledge of vehicles and how vehicles function. They may be competent enough to receive a driver's licence and to operate their vehicles, but as far as the mechanical abilities, that area may be lacking. They had put trust in others that they will not be, in a sense, ripped off.

There was a program—some members of this House may not have seen it—in particular, where women were involved. A woman took her vehicle to a garage for an inspection to find out the

condition of that vehicle, and she received a list of defects for the vehicle. The same vehicle was taken to that garage by a man a short time later, and there was a different set of defects, a much reduced list of defects. So, Madam Deputy Speaker, the only thing that one can conclude by that is that certain segments of our society, in particular women or others who do not have a sense or a mechanical ability dealing with vehicle condition, mechanical condition, there is an opportunity here for members of our society to be gouged or to be ripped off by this process.

\* (1640)

Now I do not see anything in this legislation that would prevent that from happening. [interjection] I have read this legislation thoroughly. I have consulted with members of the minister's department. I have talked with the member for St. Norbert (Mr. Laurendeau) on this, and he is trying to—[interjection] I have not talked to Bob Kozminski on this, although I have talked with several used car dealers in the province who have drawn this to my concern, which brings to mind another point, Madam Deputy Speaker.

I find it very disconcerting that members of the public would be coming and lobbying myself and other members of our caucus on legislation that had not been introduced to this Chamber, and they seemed to know the specifics of this legislation before that bill was introduced into this House. Now, one could assume that the members of the public who are doing this lobbying were lucky in their guess, or there is the opportunity that they might have had some consultation with members of the government, I suppose, could be another option, or maybe in fact they wrote the legislation.

So, Madam Deputy Speaker, I leave it for the members opposite to inform us on what the case may be here. Maybe they will choose the lucky part. It seems that that would be the only reasonable or possible explanation that they could give for members of the public having advance or inside knowledge of what this legislation was going to contain before members of this Chamber had the opportunity to review the legislation. I do not think that that is fair to members of this Chamber, because I think members of this Chamber should have the first opportunity to review the legislation, debate it and consult with members of the public on the impact of that legislation before that legislation receives the blessing of the government here.

**An Honourable Member:** I showed you the legislation last year, Daryl. You looked at the bill. You did not speak to it, but you looked at it.

**Mr. Reid:** Well, for the member for St. Norbert (Mr. Laurendeau), we could get into reasons why his legislation did not pass here. I am sure he would not want me to delve too deeply into that aspect of it. I do not think it would be fair to him or to other members of the Chamber for me to dwell on that aspect. It is a long and very tragic story on the events that unfolded why this legislation did not proceed, because the member was unavailable to pursue that avenue, but I will not dwell on that aspect of it.

**An Honourable Member:** Was he out in Transcona?

**An Honourable Member:** Only in Transcona.

**Mr. Reid:** All I know is that I hope that the member has changed vehicles to make it easier to see where he is going.

With this legislation, Madam Deputy Speaker—and the members opposite think that might have been a low blow on my part, but I can assure them after what I heard in Question Period today by their member for Brandon West (Mr. McCrae) and the Premier (Mr. Filmon) himself, I feel very little discomfort in the comments that I just made, with respect to those comments that I heard in this Chamber here today.

**Mr. Marcel Laurendeau (St. Norbert):** . . . Daryl, the next time your brother gets pissed out of his face, I will not carry him out of the next auditorium.

**Madam Deputy Speaker:** Order, please.

**Mr. Laurendeau:** The next time he gets pissed out of his face, I will not carry him out. You carry him out.

**Madam Deputy Speaker:** Order, please.

**Mr. Reid:** It is unfortunate the member opposite, Madam Deputy Speaker—I did not dwell on any specifics of the case, but I am sure if the member for St. Norbert wants me to relate the conditions, in fact, he should be honoured that a certain rock band has taken to write a song and dedicate it to the member for St. Norbert. I am sure he knows to which I am referring.

In continuing my comments, Madam Deputy Speaker, one of the aspects of this legislation that is not contained in this legislation is with respect to the environmental component checks. With this

legislation there is not a segment in this bill that relates to the environmental component checks. That is something that has been lacking in this province for a period of time, and it is not only something that has not been dealt with by this government but by successive governments, in all fairness to the government members. That should have been included. I know, and I hope that members opposite know, that there are vehicles that are travelling in public that have in some cases their exhaust systems modified to the point where they are—

### Point of Order

**Mr. Laurendeau:** On a point of order, Madam Deputy Speaker, the honourable member for Transcona is impugning some motives on me a little bit here or making fun of an instance that happened to me last year. That instance not only did a lot of damage to myself, but it damaged my family. My daughter still today has trouble sleeping, and if that member for Transcona wants to make fun of me, he had better choose to be very careful with the words he chooses—

**Madam Deputy Speaker:** Order, please. The honourable member for St. Norbert does not have a point of order.

\* \* \*

**Mr. Reid:** I am sorry, Madam Deputy Speaker, if I said anything that offended the member for St. Norbert. It was not my intent to say that there was something that was untoward by the events that took place. If there was anything that created hardship—

**Mr. Laurendeau:** You were making fun of it.

**Mr. Reid:** Give me an opportunity. I am asking for an opportunity here. Just calm down.

What I am saying here is that we are talking about a case here that happened to the member opposite. I do not want to go into the details of that. I told him that, but if he wants to continue to raise the issue here, then it is giving me the opportunity because he is raising the issue and throwing comments at me about it, that I take it then that he wants to talk about it. The members opposite heckle me on many other occasions when I speak on—

**Madam Deputy Speaker:** Order, please. The honourable member for Transcona is concluding his debate on Bill 36, and I would appreciate the

co-operation of all members in this House in (a) letting him complete his debate, and (b) I would remind the honourable member for Transcona that the debate is to be relevant to the principles of the bill.

**Mr. Reid:** Madam Deputy Speaker, I apologize to the member opposite if he took any offence to any of the comments that I made with respect to other events.

To continue my remarks, Madam Deputy Speaker, on this legislation, there is no component of this legislation that deals with the environmental components that are on a vehicle. So if there are segments of the exhaust system, for example, that have been removed, there is nothing in this legislation that will say there have to be checks or inspections for that.

I have looked at the sheets that the government uses for their inspections, Madam Deputy Speaker, and since the Minister of Highways (Mr. Driedger) has not come out with any regulations dealing with components that will be inspected by the private shops, I can only refer to the motor vehicle inspection reports that the Manitoba Public Insurance Corporation uses. They do include a section under the exhaust, but they do not indicate whether the full components under the exhaust system will be covered or will be inspected by this process. They only refer to the muffler. There is nothing to deal with the environmental components, including the catalytic converters. In this legislation, that is missing.

One other segment here that I have asked the Minister responsible for the Manitoba Public Insurance Corporation about is the 23 jobs that are affected by this legislation. The Manitoba Public Insurance Corporation employees have performed these used-vehicle inspections over a number of years. In fact, Madam Deputy Speaker, I believe this is the 25th year that these inspections have been ongoing.

In that case, these employees are quite concerned about what is going to happen with their jobs. They have not been given any advance notice about their jobs. In that sense, they are quite worried about what the future holds for them. I have asked the Minister responsible for the Manitoba Public Insurance Corporation whether or not he is going to inform these employees, whether or not these employees are going to be laid off or

whether they are going to be redeployed. The minister has not given us any indication on what is going to happen to these employees.

\* (1650)

I hope the minister responsible will take some action in the very near future to let these employees know that they hopefully will be redeployed within other government departments, in fact, hopefully even in the vehicle inspection program under the Minister responsible for Highways and Transportation, because it is my understanding that the minister will have to have staff to go around and perform some of these inspection-point certifications and checks and that these staff may be the ones that are qualified to do this. That would give them the opportunity to continue their employment opportunities with the government.

Another point, Madam Deputy Speaker, this legislation does not provide for: since there are no regulations that have been drafted, the taxicabs currently have to have inspections done on a twice-yearly basis. Under this system it says that the MPIC will cease inspections of taxicabs in the fall of '93. That is this year. Since there are no regulations that have been drafted, I am unclear as to whether or not these taxicabs will continue to have their vehicles inspected as per the Taxicab Board instructions, whether they will follow the Motor Vehicle Inspection Report from the Manitoba Public Insurance Corporation or would there be some other regulations that will be drafted and provided when this program continues, because this program has to be a continuing and ongoing program of vehicle inspection to protect the public that uses taxicabs in our city.

These taxicabs, of course, are going to have to pay this fee in advance of other members of the public since this program will not be in place and operational until, I believe, in 1995. That means that the minister should move with all haste to ensure that the regulations are in place and available for use when the vehicles have to be inspected by this program.

Under the Autopac inspections, they were willing to inspect a significantly greater number of vehicles than what they have been doing under the current program of 25,000 vehicles per year. This would have given us the opportunity, Madam Deputy Speaker, to have all vehicles in the province inspected on an every-two-year basis. It would

improve the safety for the travelling public in this province, and it would have kept the cost to a minimum.

In fact, looking at the charts that were made available by this study by MPIC, it showed that for a very modest fee that this program could be continued under private vehicle inspection programs. In fact, the chart here shows that for a \$10 fee, if this government is intent on going ahead with the user fees, even taking into consideration the factor for cost of living, this program run under the Manitoba Public Insurance Corporation could have generated enough revenue to pay all of the operating costs and to pay the 10-year amortization cost of equipment purchased, Madam Deputy Speaker, and they would have made a small profit on top of it.

So this program could have remained in the public domain, operated continuation of the current public inspection program, continuation of the same operations that were there but on an expanded basis to provide a greater number of vehicle inspections in this province. Looking at the monies that are going to be generated on the MPIC study at least, had that vehicle inspection program fee been increased and they had gone as far to calculate it based on a \$30 fee, that the operating cost would have been the same, that the revenue generated would have been considerably higher, in fact several million dollars, and that the profit for MPIC at that time would have been in the range of \$5 million a year which could have gone towards offsetting the rates of the travelling public for their automobile insurance in this province.

Now the government chose not to go in that direction. The government likes to talk about the cost of buying fixed equipment, and they say there were several million dollars involved. Well, I say to the members opposite that had they chosen to look at the fact that the photo licensing program in this province generates upwards, in fact over \$800,000 a year in profits from that program, those funds could have been redirected to the public vehicle inspection program in this province to offset the equipment purchased in this province, could have been amortized over the same period of time, the 10 years that is involved, because the figures that the member for St. Norbert (Mr. Laurendeau) uses were I believe in the \$9-million range to purchase this equipment.

So over the same 10-year period we could have taken that \$800,000 a year, paid down the equipment purchased to continue the public vehicle inspection program in this province, and we would have had the continuation of the program under the Manitoba Public Insurance Corporation instead of putting the \$84 million a year into the hands or into the pockets of the used car dealers and owners of this province, Madam Deputy Speaker.

So I say, Madam Deputy Speaker, that we had options that were available to us. The government had options that were available. They could have chosen to continue on this program and chose not to do that. Now Manitobans are going to have to pay the difference. They are going to have to pay that \$40 fee out of their pocket. There is the opportunity for them to be taken advantage of by some, because there will probably be very few, but there will be some unscrupulous dealers in the province or vehicle inspection points in this province, and there is not a mechanism in place that I see that will protect those people.

That, Madam Deputy Speaker, is in essence the concern that we have with this legislation. We look forward to this bill proceeding through to committee to allow members of the public the opportunity to come out and to raise their concerns with this legislation.

I hope that the government will look at reconsidering this piece of legislation and keeping the public vehicle inspection program in this province in place and operational under Manitoba Public Insurance Corporation for the benefit of all Manitobans, and it will at the same time protect the employment for those individuals who are currently filling those jobs in those inspection points in this province.

With that, Madam Deputy Speaker, I believe I am going to be the last speaker from our party on this piece of legislation unless other members wish to speak. We are prepared to pass this bill through to committee. Thank you.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 36, The Highway Traffic Amendment Act (Loi modifiant le Code de la route). Is it the pleasure of the House to adopt the motion? [agreed]

\* \* \*

**Hon. Darren Praznik (Acting Government House Leader):** Madam Deputy Speaker, I would ask that there would be leave to waive private members' hour.

**Madam Deputy Speaker:** Is there leave to waive private members' hour?

**An Honourable Member:** No.

**Madam Deputy Speaker:** No? Leave has been denied.

**Mr. Praznik:** Then I would ask you to please call Bill 24.

### **Bill 24—The Taxicab Amendment and Consequential Amendments Act**

**Madam Deputy Speaker:** To resume debate on second reading of Bill 24 (The Taxicab Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les taxis et apportant des modifications corrélatives à d'autres lois), on the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger), standing in the name of the honourable member for Transcona.

**Mr. Daryl Reid (Transcona):** Madam Deputy Speaker, I am pleased to rise on this piece of legislation as well.

When I started off my comments on Bill 36, of course, we referred to that piece of legislation as the Bob Kozminski bill. It is interesting to note that one of the first acts of Bill 24 will be to remove the requirements for the U-drive vehicles licensing in this province. In fact, one of these same beneficiaries of the elimination of that program is Mr. Kozminski himself. It may be just a coincidence, I suppose, but looking at some of the U-drive establishments in the city of Winnipeg, it is interesting to note that Mr. Kozminski, who owns Keystone Ford and Budget Rent-a-Car, is going to be a beneficiary of the elimination of that licensing requirement. That is a side note, Madam Deputy Speaker.

We have concerns with this bill, this taxicab act, for what it will do to the industry, Madam Deputy Speaker, the owners of the taxicab vehicles in our city of Winnipeg and also for the drivers, what it will mean to the drivers of those vehicles. We had the opportunity to raise questions with the Minister responsible for Highways and Transportation (Mr. Driedger) when this bill was going to be introduced

for second reading, because members of the industry, we found out, were not consulted on this bill and that they had—and I would have thought they would have had the opportunity to be consulted because the government has indicated that they consult with members of the public before they bring in legislation. In this case, we are told that they did not consult.

Looking at the legislation, I can see why the government did not consult with the people that are involved in the taxicab industry, because it goes contrary to the wishes of those that are involved in that industry. In essence, it will take away opportunities from people involved in the taxicab industry and prevent them from taking any challenges to other forms of appeal that would be available to them.

(Mr. Speaker in the Chair)

This legislation, Mr. Speaker, goes contrary to the Conservative philosophy of deregulation, in the sense that this goes further into the regulated environment than what I have seen this government go—

\* (1700)

**Mr. Speaker:** Order, please. When this matter is again before the House, the honourable member for Transcona will have 37 minutes remaining.

### **House Business**

**Mr. Speaker:** Prior to getting into Private Members' Business, I will recognize the honourable government House leader.

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I would like to formally announce that the Standing Committee on Law Amendments will sit tomorrow night at seven o'clock to consider Bills 40, 44, 36 and 27.

**Mr. Speaker:** I would like to thank the honourable government House leader for that information.

\* (1700)

### **PRIVATE MEMBERS' BUSINESS**

**Mr. Speaker:** The hour being 5 p.m., time for Private Members' Business.

## PROPOSED RESOLUTIONS

### Res. 43—Proclamation of Anti-Sniff Legislation

**Mr. Speaker:** Resolution of the honourable member for Point Douglas (Mr. Hicke), Resolution 43, the Proclamation of Anti-Sniff Legislation. No, okay, Resolution 43 will drop to the bottom of the list.

### Res. 44—Mineral Incentive Exploration Program

**Mr. Jack Reimer (Niakwa):** Mr. Speaker, I move, seconded by the member for St. Norbert (Mr. Laurendeau), that

WHEREAS mining is a vital component of Manitoba's economy providing many jobs and investment in our province; and

WHEREAS the government of Manitoba has introduced a program whereby junior exploration companies will be offered a taxable grant equal to 25 percent of their investment upon completion of a project; and

WHEREAS this exploration will help tap Manitoba's mineral wealth, as well as generate jobs and foster increased economic development by investing in Manitoba's natural resources.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba support exploration companies in both their search for Manitoba's natural resources and their economic investment in Manitoba.

#### Motion presented.

**Mr. Reimer:** Mr. Speaker, mining in Manitoba and exploration in Manitoba is a very vital and a very profound economic stimulus in this province of ours. Manitoba, being a province that relies heavily on its natural resources and its natural ability to generate wealth, recognizes the importance of mining, its contributory spin-off effects and all the ancillary small businesses and large businesses that will feed off of any type of activity.

In general, when we talk about mining in Manitoba, I guess we usually look to the North, because of the vast northern shield, if you want to call it, of availability of minerals and the availability to explore and to mine these minerals. Indeed when we look at some of the large cities and towns in northern Manitoba, we can always look with envy to a degree and pride in the development of

Thompson, Flin Flon and The Pas and the fact that mining has been the backbone for them to continue to grow.

But as with mining, one of the ironic things about mining is that the end of a mine starts the day that it is opened, in effect, because there is only a certain amount of minerals. There is a certain amount of wealth that can be generated out of that particular, and inevitably the mine is mined to its extinction as it is being utilized.

So what has to happen is the fact that mining and the exploration of mining is an ongoing affair. It is not satisfactory just to have a mine and then to have the company rest on its laurels, if you like, to mine the wealth out of it, take the minerals out of it, and not look for expansion. Because to continue to supply the world's demand for metals, precious metals, base metals, and all kinds of minerals, not only in the metals, but in oil and gas and things like that, there has to be an incentive to explore. There has to be an incentive for companies to look for the wealth not because they are just there, but by the fact that there is an availability of opportunities.

Here in Manitoba, we are blessed with the opportunities to look at mining because we mine various metals. We mine gold, we mine nickel, we mine copper, and we also mine various other metals. In fact, just recently, there has been a bit of a flurry in the North because of the possibility of even diamond mining here in Manitoba, which seems to be at one time, I do not think that there was even the remotest thought of even looking for diamonds in Manitoba.

But because of exploration techniques, the fact that there are advancements of mapping and geological surveys, the fact of various aspects of mineral development, and the sophistication of analysis, we can now look at various areas where we thought that there was no mineral activity, or areas where there was very little interest. They have sparked new interest, new mining and claiming, and new exploration.

That is very exciting for Manitoba because we offer these areas of challenge and opportunities for mining companies to come in here and to try to develop this wealth and this resource for us. Because with that development, we have the creation of jobs. There is no doubt about it that any government, all governments, in fact any government of any persuasion, is always wanting

to have jobs and more jobs in their province. Because, as you know, that generates the taxes, and that then generates the availability and ability to provide services that all Manitobans, and indeed all Canadians, take for granted to some extent, but at the same time, governments provide.

So the fact that the mining exploration and the huge amount of money that it can generate is a natural and a tremendous stimulus here in Manitoba. One of the ways to do it, as mentioned, is through the mineral incentive program, which this government introduced just recently. In fact, it was proclaimed on February 29 of 1992. It was called the Mineral Exploration Incentive Program. It was proclaimed, like I also mentioned, on February 29, 1992.

In a sense, what it is, is that it works in a way of giving investors a flow-through share opportunity. What we mean by a "flow-through share" system is where the investment is provided through the federal Income Tax Act where the expenses are renounced by the exploration company and passed on to the investor. So what the investor does is he invests in a company and the company does the exploration work and the investor is able to utilize the investments and the exploration costs as a tax incentive through the federal government and, in fact, sanctioned by the federal government. So it presents a tremendous opportunity for people, even though they may not be prospectors or mineral exploration people, but it gives them the opportunity to finance and to be part of any type of exploration, especially here in Manitoba.

Here in Manitoba, in setting the parameters of the program, there was \$10 million that had been approved for mining exploration, \$2.5 million for oil and gas exploration. Oil and gas exploration in Manitoba is a small player, if you want to call it, in the sense of the global market of the oil and gas field. At the same time, we do have the availability of exploration in and around the Virden area and in southwest Manitoba. So there is always that opportunity and the only opportunity comes through exploration and the fact that we give them the opportunity to take advantage of it.

I would just like to point out some of the areas that there has been some activity and this is to June 30, my latest figures on the Mineral Exploration Incentive Program. Some of the areas that have taken advantage of the opportunity is in Bissett. There are two projects that are underway.

The expenditures were almost \$650,000, and the grant application is just over \$160,000 on it. There the target for exploration is gold in and around the Bissett area.

In Flin Flon—I know the member for Flin Flon (Mr. Storie) is always interested in areas around his area—there have been eight new projects that have taken advantage of the Mineral Exploration Incentive Program. Of these eight, there is almost \$3 million worth of exploration costs involved. When we talk about the amount of money that is used, this is money that is used in claiming and staking and equipment and expenses that are all associated with any type of mineral exploration time. There is a tremendous amount of time involved with that, with the people who are utilizing or renting or buying or equipment, and the fact that they are looking for minerals.

In and around the Flin Flon area, it is interesting that they are looking for copper some more. They are looking for diamonds. As mentioned earlier, there is diamond activity in and around the Flin Flon area. There is gold. There is spodumene, and there is zinc. So there is quite a diverse area of trying to find this type of activity.

\* (1710)

Lynn Lake, there are four projects that have taken advantage of the program, expenditures of almost a million dollars, almost a million dollars of activity. The target there again is copper, gold and zinc. In southwestern Manitoba, as mentioned earlier, the fact that there is exploration for oil and gas. There are three projects that have taken advantage of the program and that is almost \$2 million, that is \$1.8 million. There again the target is oil.

Oil, on the world market right now, is enjoying a bit of a lull in its pricing activity, but I guess it is like anything, once there is a demand there is always the fact that oil and gas will come about and there is always the availability of profit involved with that. That is the reason that they invest, Mr. Speaker, in these companies is because there is the availability of profit. There is the availability to make money because making money and paying taxes is one of the things that generates wealth and generates taxes and it generates the programs that we come to expect. A lot of the people that will invest in a lot of these small companies for buying shares—we have to talk about who invests in these companies.

There was an interesting article in *The Globe and Mail* just the other day that I could not help but notice, because from time to time we hear the comment made from our colleagues across the House, the opposition, about the big business and the big business not paying taxes and the big business taking advantage of all the tax loopholes and all the not paying their fair share of taxes. We have to look at what the definition of a corporation is, because a corporation is not an entity in itself, it is a conglomeration of shareholders. The shareholders are the ones that really own the company. That is who owns a company is shareholders.

We have to look at who is buying shares in the companies and what constitutes a company, because the company has to make profit. When it makes profit, it pays out that profit in the sense of dividends to shareholders. So we have to ask our question, well, if they are shareholders that control these companies, who are the shareholders? Well, the shareholders can be anybody.

It is an interesting comment, as I mentioned, that was in *The Globe and Mail* just recently. It is in regard to the amount of money that is being invested by the Ontario Teachers' Pension Plan and also the Ontario Municipal Employees Retirement Board. These are all people that are, like I say, the teachers' association, the pension board and the Ontario employment, and some of the figures are absolutely incredible, Mr. Speaker. The Ontario teachers' fund and the Ontario Municipal Board have become two of Canada's biggest commercial landlords and the most influential force in the market today. Today, those two companies control over 11 million square feet of real estate. Now, the importance of commenting on that is the fact that these unions have invested into private sector, into the real estate market for the sake of making money.

They want a return on their investment, ROI, return on investment. This is what motivates the investment of these large unions. It is ironic, when we hear the criticism from across the way about large corporations making too much money, but it is the investors in that company that are dictating and coming forth to the board of directors and saying that they want a return on their investment.

If these large investors, particularly, like I mentioned, the Ontario Teachers' Pension Plan and the Ontario Municipal Employees Retirement

Board are going to invest this type of money, and we are talking billions of dollars. In fact, the Ontario Teachers' Pension board has \$27 billion in its fund, and in only 18 months out of that amount it has invested almost a half a billion dollars into real estate, and the reason is because they want a return on their money. They want a return on their money.

They are not talking about just putting their money in there because a lot of that money that is going in for union dues now is not going in to fight strikes or anything like that, because there are very few strikes. They realize, the companies realize, and governments realize that strikes are not the mode, if you want to call it. So the money is being now invested and they are looking for a return on their investment. So they go to the various companies. They buy into the various companies through shareholdings and they want a return, and if they do not get a return, they go to that company and say we are going to pull our money out. So the company has to make money.

On the other hand, we have the NDP on the other side saying that the companies are not allowed to make money because they are taking advantage of the so-called poor downtrodden taxpayer. It is a circle, Mr. Speaker, that is hard to comprehend when you try to think of the mindset, if you want to call it, of the opposition parties in trying to cater and pander to one end of the spectrum, and at the other end of the spectrum not realizing what the market is out there.

So in looking at the Mineral Exploration Incentive Program, we talk about flow-through share offerings. That is exactly what we are doing is we are giving the people an opportunity to invest in the companies. They get a return on their monies invested and it creates jobs, it creates the movement of monies. It creates the fact of a turnover and possibly even the possibility of new mines, new gas wells or new oil wells, and the fact that there will be more development. Manitoba needs this type of development. Manitoba needs this type of involvement with mining and gas and oil exploration, here in Manitoba, because I believe this is a good resolution and I am sure that all members in this House will pass it.

**Mr. Speaker:** The honourable member's time has expired.

\* \* \*

**Mr. Marcel Laurendeau (St. Norbert):** Mr. Speaker, just a little while ago during the heated debate, I took some offence to what one of the honourable members from the opposition did to me. I would like to apologize to the member for Transcona (Mr. Reid) and to the House for the actions that I took and the words that I put on the record.

**Mr. Speaker:** I would like to thank the honourable member for St. Norbert for that.

**Mr. Jerry Storle (Flin Flon):** I want to commend the member for St. Norbert for putting those remarks on the record and for doing the statesmanperson thing. It certainly could have happened earlier in the day.

**An Honourable Member:** Manperson?

**Mr. Storle:** Statesperson person. The statesmanlike thing. It could have happened earlier in the day and we could have perhaps avoided some rancour in this House.

\* \* \*

**Mr. Storle:** Mr. Speaker, this resolution is a good one. I want to commend the member for Niakwa (Mr. Reimer) for bringing this resolution forward.

(Mr. Marcel Laurendeau, Acting Speaker, in the Chair)

I want to add very quickly thereupon that I am very disappointed with the government's response to an earlier resolution, which talked about the importance of mining and the importance of the mining community, which I introduced and spoke on earlier in this session.

Of course, the government's response was not to acknowledge the real concern of mining communities with respect to their future. The government's response was to ignore the intent of the resolution and pat itself on the back. Now, I do not think the honourable member for Niakwa would have responded in that way, and I do not believe that the member for Niakwa spoke on the resolution. But I want to point out the inconsistency of government members when it comes to dealing with resolutions.

We have the member for Niakwa, an honourable member indeed, who with good intentions talks about the Mineral Exploration Incentive Program, and talks about the importance of mining at the

same time, Mr. Acting Speaker, as his government is belittling others who raise issues that are important to mining communities. It is another example of politics.

I do not know whether the member for Niakwa has ever been in a mine. I do not know if he has ever spoken to a miner. [interjection] We were all minors 20 years ago. The fact of the matter is that this government has a very, very mixed record when it comes to dealing with mining communities and mining in the province of Manitoba. If I believed that the government generally was sincere about this resolution, about mining, about its involvement and its obligations when it comes to mining and mining communities, I would sit down and support this resolution wholeheartedly right now.

\* (1720)

Notwithstanding the good intentions of the member for Niakwa (Mr. Reimer), this government's record when it comes to mining, support for mining communities, miners, miners' families, is completely indifferent. Since this government took office in 1988, three mining communities have had their lifeblood shut off. Three mining communities, the community of Sherridon, the community of Lynn Lake, the community of Snow Lake are facing the grimmest prospects that a mining community can face when they have their sole employer, their mines, closed. [interjection] The member for Niakwa says they have run out of minerals. Well, Mr. Acting Speaker, that is part of the problem.

Unfortunately in 1988, in 1989, in 1990 when I and others in northern Manitoba were asking the government through MMR, Manitoba Mineral Resources, to get involved in a much broader, more extensive exploration program to forestall the demise of our communities, the government really did not respond.

Mr. Acting Speaker, when I was asking in 1988 and 1989 for the government to deal with the modernization in Flin Flon, to come to some agreement, to show some leadership, the government refused. The end result was that when the company was finally sold to Minorco, and Minorco could guarantee in essence the government that it would not lose any money, the government responded.

Many in my communities, many in the community of Snow Lake in particular, are saying that it was too little, too late. So we have some problem with the government's record on mining.

I also was interested in listening to the member's remarks on the Mineral Exploration Incentive Program. The fact of the matter is that when this program was first introduced in the budget in 1991, I believe, I stood in my place and spoke in favour of it, and if the member wants to read my remarks he will find that I said that this was a good initiative. It had some merit.

I also said at the same time, and the Minister of Energy and Mines knew at the time, that this Mineral Exploration Program, despite having the facade of a good idea, did not really help the mining communities that were currently struggling in the province of Manitoba. This program was not at that time a program that could be accessed by the two major mining companies in the province. Neither Inco nor HBM&S could take advantage of the program.

So you have to ask yourself, if the two mining companies that employ 97 percent of the miners in the province, that do the vast majority of the mineral exploration in the province, cannot take advantage of the program, how much credit does the government really deserve? How much credit should we give to this program? I would ask the member for Niakwa before he stands up and pats his colleagues on the back to check the record.

How much money did flow from this program to mining companies in 1992? Can the member for Niakwa tell me how much money? Mr. Acting Speaker, I can tell you it was—

**An Honourable Member:** \$6.4 million.

**Mr. Storie:** Totally incorrect, totally incorrect. The fact of the matter is that that may be the value of the exploration. That does not indicate how much money has flowed from the province, because in the budget this year, I believe \$1 million was set aside. Last fiscal year, the province of Manitoba spent absolutely no money on this program, in the first year after the government introduced the program. That is a commitment for 1993-94. The program was introduced in '91.

The fact of the matter is that the two largest companies could not take advantage of it. The member is now pointing out that a number of other companies will take advantage, have taken

advantage of this program. So it has some merit, but it is no panacea. It did not deal with the problems that were faced by Snow Lake or Sherridon or Lynn Lake or Flin Flon when the program was introduced, because it did not even recognize where the major dollars came from in terms of exploration.

Mr. Acting Speaker, the government has also introduced a new mine tax holiday, which I said at the time will be a useful vehicle for creating new mines, and it may create some of the additional exploration activity, may have created some of the additional exploration activity that we are seeing, but having said that the government did those good things, it also has failed to recognize the very difficult circumstances the communities, in particular of Flin Flon and Snow Lake, face right now.

In November of last year, the Minister of Labour (Mr. Praznik) attended a meeting in Snow Lake with myself, at which time the Community Adjustment Committee requested some \$257,000 for an education and training program. That issue has not been resolved today.

The community of Flin Flon, after it began to understand how devastating the layoffs in Flin Flon, as a result of the modernization and the closure of the Namew Lake Mine, were going to be to our community, the Community Improvement and Development Committee submitted a proposal to the government which ultimately requested approximately \$800,000 in total to deal with the adjustment issues in Flin Flon. Mr. Acting Speaker, the fact of the matter is, the government has yet to respond positively to that request.

The Snow Lake situation is unconscionable, that the people in Snow Lake, the community members who have worked so diligently to put together a training program for those people who are facing layoffs, who were preparing to start out on new careers, who wanted upgrading and educational opportunity, to have them wait this long is unconscionable.

So, Mr. Acting Speaker, I have no doubt and no qualms about supporting the Mineral Exploration Incentive Program, the concept behind it. I do not think it recognized the real reality of mining in the province at the time. It did not deal with the issues of the day, but it may have some merit, and the member for Niakwa (Mr. Reimer) is certainly to be

commended for at least thinking about the importance of mining in the province.

What I would like the member for Niakwa to do is sit down with the Minister of Energy and Mines (Mr. Downey) and perhaps explain that to the Minister of Energy and Mines, and not only talk about the need for investment on the part of the exploration companies, but talk to the government about the need for investment on the part of the government on behalf of the people of Flin Flon and Snow Lake and Lynn Lake and Sherridon and Thompson, Mr. Acting Speaker.

\* (1730)

The government also has an obligation to invest in those communities, because I remind again the member for Niakwa (Mr. Reimer) and the government that when the mining industry was doing well, which it was when this government took office, the mining industry was having some of its best years ever, the government was all too happy to accept the revenue that was flowing from the exploitation of our resources in northern Manitoba.

This government benefited by approximately \$400 million in mining taxes from 1988 to 1993—approximately \$400 million. Mr. Acting Speaker, if you asked how much of that money has been returned to northern Manitoba to support mining exploration and mining activity and mining communities and miners and their families, the answer is precious, precious little.

That is the legacy of this government. So when we have the member for Niakwa (Mr. Reimer) singling out the Mineral Exploration Incentive Program for commendation, that is one small part of a very large puzzle. The unfortunate fact is that this government has never taken the time to put those pieces together. That is the unfortunate part. They have never taken the small little pieces that represent individuals and individual's families, that represent jobs, that represent streets and communities in northern Manitoba and put those things together and said, this is what it is all about.

What they want is the revenue from mining taxes in the province and what they want to do is ignore the very real problems that our communities, the people who from the sweat of their brow create those dollars for the province of Manitoba.

Mr. Acting Speaker, the resolution, I guess, would have had more meaning had the member for Niakwa (Mr. Reimer) attempted to provide a much

broader overview of the mining industry in the province of Manitoba. It would have acknowledged the very real pain in some of my communities right now. It is not just good enough to say, well, the Mineral Exploration Incentive Program seems all right so let us pat the government on the back for that program, because it ignores a whole host of other realities which are not nearly as positive, and for individuals are downright frightening. [interjection]

Well, the member for Niakwa (Mr. Reimer) says, you cannot do it all, and that is right. That is why I asked him not to stop by introducing a pleasant sounding, innocuous resolution. I asked him to sit down with the Minister of Energy and Mines (Mr. Downey) and some of his colleagues and explain to them how important mining is to the province, how important mining is to the communities that are struggling right now, including, and more particularly Flin Flon and Snow Lake, and to ask the government to get serious about helping those communities adjust to their reality and the difficulties that they face.

So there is a great deal of work to be done, and I know that other members may want to speak on this. I would like to hear some of the other government backbenchers speak on this resolution, and I want them to speak a little more broadly than simply the Mineral Explorations Incentive Program. I want them to talk about the other issues the mining community faces, because I do not think that most members on that side know what these communities are facing, know how difficult it can be.

The member for Sturgeon Creek (Mr. McAlpine) says he knows what I did. Well, Mr. Acting Speaker, when HBM&S needed the government in 1987 to jointly invest, spend millions of dollars investing in Callinan Mines, I can tell the member for Sturgeon Creek that we were there.

**The Acting Speaker (Mr. Laurendeau):** Order, please. The honourable member's time has expired.

**Mr. Kevin Lamoureux (Inkster):** It is somewhat of a pleasure to be able to speak on this resolution, but really and truly it is not. You know, the first thing I did when I read this resolution is I recalled a speech that the member for Niakwa (Mr. Reimer) put on the record on pine trees. I felt somewhat sorry for the member, I must say, at the time,

because I thought, well, the government is about to be embarrassed here, but he stood up to prevent the government from being embarrassed, and I believe he even went the full 40 minutes.

Now, I see a resolution and I have to question. You know, no one questions how important mining is. If we go through the resolution, and I am going to go through the resolution—but I must question why it is that the member chose this particular issue to introduce into the Chamber, when in fact—

**Mr. Reimer:** My father was a miner.

**Mr. Lamoureux:** The member for Niakwa says his father was a miner. Well, that is good. That provides some of the answer, but I am somewhat curious in terms of how the resolutions come up. Do we have a caucus meeting of sorts that occurs in the Tory caucus, and they say here are all the resolutions that we have to introduce. Who is going to introduce this resolution? Then someone will put up their hand, I will take that one.

Now I understand why the member for Niakwa would have put up his hand, because his father was a miner. That is how the member for Niakwa, no doubt, got this particular resolution.

The reason why I say that, Mr. Acting Speaker, is you go through the resolution, and what does it say? The first WHEREAS, the very first "WHEREAS mining is a vital component of Manitoba's economy providing many jobs and investment in our province."

Wonderful, Mr. Acting Speaker. I think that embodies basically what everyone inside this Chamber believes. Who is going to say mining is not a vital component? I would be disappointed if in fact the member for Niakwa (Mr. Reimer) said that it was not a vital component. Then we go on and—

**An Honourable Member:** So would I.

**Mr. Lamoureux:** And so would the Minister of Environment (Mr. Cummings). Again, Mr. Acting Speaker, I would say everyone would.

We go to the second WHEREAS: "WHEREAS the Government of Manitoba has introduced a program whereby junior exploration companies will be offered a taxable grant equal to 25 percent of their investment upon completion of a project."

Well, Mr. Acting Speaker, I think I have heard that before. I believe it was in the Budget Debate—

**An Honourable Member:** I did not say it.

**Mr. Lamoureux:** No, the member for Niakwa did not say it, but I believe the Minister of Finance (Mr. Manness) said it. In fact, I cannot recollect—I did not do as much research as maybe I should have done, but I had thought that this particular program was being talked about in the throne speech also.

I think that the government has had many different opportunities to present this particular program, and I encourage government to promote it. I encourage them to promote it.

The next WHEREAS: "WHEREAS this exploration will help tap Manitoba's mineral wealth, as well as generate jobs and foster increased economic development by investing in Manitoba's natural resources."

Well, I would trust that every government, especially a backbencher from a government, if they enter into a program, they are going to say that it is going to have a positive impact.

(Mr. Speaker in the Chair)

Could you imagine what would happen to the member for Niakwa, maybe he would be sitting back here, if the member for Niakwa said something to the opposite, even though the Minister of Finance (Mr. Manness) says that it is wonderful and the Premier (Mr. Filmon) says that it is wonderful, if the member for Niakwa said no, it is not that good of a program. I think the member for Niakwa would probably feel more comfortable sitting over here. But then, Mr. Speaker, we go to the final, the catch it all, and it reads:

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba support exploration companies in both their search for Manitoba natural resources and their economic investment in Manitoba.

Well, with all due respect to the member for Niakwa (Mr. Reimer), Mr. Speaker, again, I would be absolutely disappointed in the member if in fact he did not believe that. I like to think that, you know, we all want to see further exploration and we want to see jobs being created. We want to see Manitoba prosper into the future in mining, it goes without saying, has a vital role to play in Manitoba's future and the future prosperity of this province. We all believe that.

Why does the member for Niakwa not maybe go out on a limb a bit, maybe talk about the Manitoba Mineral Resources. Why does the member for Niakwa not say something that could actually be

debated in terms of an issue, a policy issue? Maybe take a stand on something that he believes that the government could be doing better, or maybe, better yet, an idea, because I know the member for Niakwa, because he tells us that his father was a miner, has many ideas about mining.

\* (1740)

Maybe, Mr. Speaker, the member for Niakwa could have talked about how we could make mining that much better, maybe even safer for our miners, and how we could be able to contribute in a much more positive way. All the member for Niakwa is doing is saying what the Premier (Mr. Filmon) has said and saying what the Minister of Finance (Mr. Manness) has said.

Well, we have hours and hours and hours of debate, whether it is in the throne speech, whether it is the budget, whether it is the Estimates, in particular, in the department of mining.

I am wondering if the member for Niakwa was in there because of his concern for mining and asked and made these very strong statements. We have ample opportunity to be able to address the different issues that are out there, and the mining is a very important issue. If in fact we saw some change, some deviation, an idea, something creative, something that implies difference of any sort, well, then maybe we should be in fact having a vote on this particular resolution but, Mr. Speaker, I do not see anything.

I want to help the member for Niakwa. I am going to make a suggestion to the member for Niakwa, Mr. Speaker, and that is that next time the caucus has this pool in which everyone has to say which resolutions they have to take that the member for Niakwa take a stronger stand. When they hand him a resolution, change a few words. Be bold. Go where no Conservative backbencher MLA has gone before and take a stand, even if it means that it might be somewhat different than what the government might be saying.

He does not have to do that, Mr. Speaker. The member for Niakwa could in fact go where no other Conservative cabinet minister has gone before, if I can steal a quote, and come up with an idea that is an original and promote it in the form of a resolution.

Mr. Speaker, when we have resolutions into the Chamber, it provides every member, all members

of the Chamber to come up with ideas or things that they would like to see being done.

That would provide the member for Niakwa, because after all he is one of 57 or 56 that participate in private members' hour in terms of submission of resolutions, to be able to express what he really thinks about a resolution, because Mr. Speaker, in private members' hour, many of us value it, even though when it comes to bills—if there is a disappointment that I have inside this Chamber, it is the way in which we deal with private members' hour.

I think that private members' hour could be dealt with in a much more productive way. I do not believe that it is or has been that productive, private members' hour, and that is somewhat unfortunate because there is a considerable amount of time over the years, over the five-plus years that I have been inside the Chamber, a considerable amount of time that we spent during private members' hour. I would have liked, personally, to have seen, if it is a resolution, a resolution that calls upon something or reflects on an idea that a private member might have.

In many cases, opposition parties will use private members' hour to be able to express a concern that they have maybe with an issue or a policy, possibly even that the government takes it there in total disagreement or that they have something that they want to be able to generate. That, Mr. Speaker, is how I would like to see it.

Yesterday the member for Point Douglas (Mr. Hickes) I think had a very good resolution, the antisniff resolution, at which point in time when the member stood up and he was reading it, all of the Conservative members vacated the Chamber with the exception of the member for St. Norbert. They all vacated it on an issue which, I believe, could have been debated and should have been debated.

I might not necessarily be the biggest fan of the member for Point Douglas. He is definitely not on the same political philosophy as I am, but I believe he did put in a considerable amount of effort. Mr. Speaker, I think that members, whether it is dealing with mining or other issues, that when they bring in resolutions, that in fact everyone should at least have the opportunity to be able to debate their resolutions. Unfortunately, what we have seen, in particular over the last couple of years, is

resolutions, such as the mining resolution, that are introduced that are more back-patting than anything else.

In fact, after Day One, Mr. Speaker, and you know it, after Day One the chances of you getting a resolution onto the Order Paper, especially for debate, are not there. They are just not there, because what happens is on Day One we have 50 or 60 resolutions that have been submitted. Whether an individual might have put their priority on a bill, a private member's bill, or whatever, but anyway whatever is decided, I do not oppose this resolution. I look at it and I see the importance. I want to see this program work. I hope the program is successful.

I would have liked to have talked maybe a bit more about the Manitoba Mineral Resources corporation in terms of maybe its mandate. When we had it in committee the other day, Mr. Speaker, we talked in terms of the importance, or at least I tried to talk about the importance of this particular organization concentrating more on joint ventures as opposed to sole ventures, because then you get more private dollars involved in the developing and exploring.

I think that that would have been a nice little twist that maybe the member for Niakwa could have put in on this, because it would have been consistent with this particular resolution. Then the member for Niakwa could have talked about the benefits of that sort of a thing. I do not believe he would have been too far out of sync, if at all, with the government, because the minister in the committee had acknowledged that in fact, yes, it is somewhat apparent, and we will try to move more in that sort of a direction.

Well, a resolution that would pass of that nature, especially if you get all three parties' support on it, does obligate other political parties if, by chance, they do form government, to abide by a resolution of that nature. It does not bind them, obviously, but at least it gives some direction in terms of an issue which could benefit the mining industry even all that much more.

Mr. Speaker, those are the types of things, those are the types of debates that I would like to enter into as opposed to the changing of resolutions, even in many cases the intent. That is what I would like to see. I am sure with that, I speak on behalf of the Liberal Party or our caucus.

We want to see resolutions debated and voted upon. Even if we feel that the resolution is not necessarily worth the paper that it is typed on, it still deserves the opportunity to be able to come to a vote, and if it is a vote on division, then albeit. But then it does not drop at the bottom of the Order Paper to never again surface. Then the clock, or the three hours, kills it.

The same thing applies to private members' bills. Having said those very few words, Mr. Speaker, again, we in the Liberal Party obviously support growth in the mining industry and hope to see that the mining industry will continue to be there for all Manitobans. We have to be concerned about a number of things. The phrase that the Minister of Environment (Mr. Cummings) likes to use and the Premier (Mr. Filmon), sustainable development, very very important. That is what we want to see happen. Thank you very much.

**Ms. Becky Barrett (Wellington):** Mr. Speaker, [interjection] from the sort of northwestern part of the city of Winnipeg, not nearly as north as the member for Inkster (Mr. Lamoureux), but I must admit when I read this resolution and I saw it being presented by the honourable member for Niakwa (Mr. Reimer), I could not quite connect the member with the content of the resolution.

I know that there are some times where a member's name is put attached to the resolution without an obvious connection, but I understand that the member did grow up in a community, perhaps not in Manitoba, but a community where mining was a major part of the life of the community.

\* (1750)

Mr. Speaker, it is very interesting how we in the House sit across from each other or next to each other for upwards of six months a year and in sometimes very intimate kinds of surroundings. We get very involved in issues and discussions and debate and yet we know very little about each other's background and history and where we come from, which I find sometimes is unfortunate. I always appreciate gaining the little nuggets of information, particularly about a constituent of mine. [interjection] No, in answer to a question from the member for Sturgeon Creek (Mr. McAlpine), they are not mineral nuggets.

Mr. Speaker, I would like to spend a few moments discussing the serious issue that is raised

by the resolution brought forward by the member for Niakwa (Mr. Reimer) and begin by saying it is unusual, but most of this resolution contains issues and ideas that we agree with on this side of the House. I say that is unusual because in most cases the resolutions that come from the government side are resolutions that come from a perspective that is not one that we on this side of the House share. In this case, most of this resolution has ideas that we agree with. Mining is a vital component of Manitoba's economy. It does provide many jobs and investment in our province, not perhaps as many as it could with the proper support and assistance from the provincial government, but as the House well knows, virtually every mining community in this province is represented, and has for many years been represented, by a member of our party.

So we know very well the issues and the concerns and the day-to-day pressures that the mining communities in Manitoba need to deal with and also the benefits that the mining industry in the province of Manitoba has provided over the years for the citizens of Manitoba. I would just like to remind the members that the member for Flin Flon (Mr. Storie) in his discussion earlier this evening talked in terms of the fact that the Province of Manitoba had added to its tax revenues in mining taxes in the four years from 1988 to 1992 a grand total of \$400 million. That is a lot of taxes that the northern resource-based industries of this province have provided to the people of Manitoba.

Mr. Speaker, we also agree that exploration in the mining industry can help tap Manitoba's mineral wealth as well as generate jobs and foster increased economic development by investing in Manitoba's natural resources. There is no agreement from us on this side of the House that that is a statement of fact. It has been proved historically not only in Manitoba but throughout the nations of the world where nations have been blessed with natural resources. If the proper stewardship is shown with these natural resources, they can provide an enormous spin-off effect in jobs and economic development and quality of life for the people who live in the areas where these natural resources are found.

So, Mr. Speaker, while we can agree on some of the items in this resolution, and including the RESOLVED, which is really unusual, that the Legislature support exploration companies in both

their search for Manitoba's natural resources and their economic investments in Manitoba, we agree it is essential that we have, that we work together with exploration companies or we will not be able to find and use to the best of our ability the natural resources that we do still have in abundance in the province of Manitoba.

However, Mr. Speaker, we cannot agree with the actions that are implicit and implied by this resolution of the government. Perhaps I should change the word "action" to "inaction," and I would like to share—[interjection] and the member for Niakwa (Mr. Reimer) was, I am sure, hoping that this would be one of those few occasions when we could completely agree on something. I think I have been very, very generous, particularly today, in giving the member for Niakwa the amount of support that I have.

Mr. Speaker, I would not be fulfilling my functions as an MLA, where I attempt to do the best I can for not only the people in Manitoba, but most particularly the people in my constituency, working for them, which includes in some form the member for Niakwa, if I did not speak in the House on issues that were of importance to the people of Manitoba and to the members of this Legislature. Private members' resolutions are those elements.

Mr. Speaker, the area that I would like to discuss in this resolution is the statement that exploration generates jobs and fosters increased economic development. The member for Flin Flon (Mr. Storie) in his discussions earlier talked about the problems faced by many of the mining communities in northern Manitoba.

(Mr. Ben Sveinson, Acting Speaker, in the Chair)

Mr. Acting Speaker, I would not pretend to be an expert in the genesis of those problems, nor do I think it is appropriate to get into a political debate on what government initiatives or lack of initiatives caused or exacerbated those problems. But I do not believe there is anyone in the House today who does not understand and does not realize that communities in northern Manitoba, particularly mining communities such as Lynn Lake, Flin Flon, Snow Lake, and Sherridon, face because of the problems facing the natural resource sector. That is a given. Whatever the causes of those problems, those communities are in trouble.

Mr. Acting Speaker, we spoke earlier of the fact that the mining communities and the mining

activities and the mining corporations generated almost a half a billion dollars in taxes for all of the people of the province of Manitoba in the four years from 1988 to 1992. We are suggesting that if the government is to truly live up to its stated commitment to providing an economic climate where businesses and people can live and work productively, it is essential for the government to provide the infrastructure, the resources, the technological change training, the upgrading and the education, so that our citizens in Manitoba can continue to be what they have historically been, which is one of the best-educated workforces in the entire world, which is why Canada has been identified as an excellent place in which to live and Manitoba historically has been seen as a province which has a very well educated workforce. It is essential that we maintain that level of education, we maintain that level of relevance.

Mr. Acting Speaker, what this government has not been able to do is to return to those communities even a minimal portion of the resources that they generate to all of the people of Manitoba in the form of education and training programs, in the form of broadly-based joint ventures with the corporations in Manitoba.

(Mr. Speaker in the Chair)

Mr. Speaker, the people of Snow Lake asked last November for a quarter of a million dollars for an education and training program. The people of Snow Lake are having a very difficult time. Their

single-employment town, which is having a huge problem, has asked for some assistance. They had a program established ready to go, prepared to go, and the government, over six months ago, received an application for assistance with a training program so that the people of Snow Lake would be able to take advantage of the modern technology, would be able to get jobs, would be able to be productive and live productive lives, and the government has not responded to that request.

Now, Mr. Speaker, we know that we are in tough economic times, as the government keeps telling us. We know there are tough decisions that have to be made, but I cannot explain, and I wish the government would explain to me why it is appropriate or a good business decision not to provide training and upgrading for people so that they can live productive lives, pay taxes, help provide the economic infrastructure that this province needs.

While the government does not choose to pay a quarter of a million dollars—

**Mr. Speaker:** Order, please. When this matter is again before the House, the honourable member for Wellington (Ms. Barrett) will have four minutes remaining.

The hour being 6 p.m., this House is now adjourned and stands adjourned till 1:30 p.m. tomorrow (Thursday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 14, 1993

## CONTENTS

<b>ROUTINE PROCEEDINGS</b>			
		Plohman; Vodrey	5540
<b>Matter of Privilege</b>		School Boundaries Review Plohman; Vodrey	5540
Cerilli—Point of Order		Bill 30—Vulnerable Persons Martindale; Gilleshammer	5541
Oral Questions, July 13, 1993		Swan River Area Reid; Driedger	5542
McCrae	5529		
Storie	5530		
Lamoureux	5530		
Manness	5531		
Filmon	5531		
Cerilli	5533		
		<b>ORDERS OF THE DAY</b>	
<b>Presenting Petitions</b>		<b>Debate on Second Readings</b>	
Children's Dental Program		Bill 37, Manitoba Public Insurance Corporation Amendment and Consequential Amendments Act	
Dewar	5533	Gaudry	5542
Maloway	5533	Storie	5544
		Plohman	5551
<b>Reading and Receiving Petitions</b>		Bill 27, Environment Amendment Act (2)	
Student Social Allowances Program		Chomiak	5556
Maloway	5533	Martindale	5558
		Lamoureux	5560
<b>Oral Questions</b>		Bill 36, Highway Traffic Amendment Act	
Health Care		Reid	5560
Wasylycia-Leis; Filmon	5534	Bill 24, Taxicab Amendment and Consequential Amendments Act	
Mental Health Services		Reid	5567
Wasylycia-Leis; Orchard	5534		
Health Care Reform		<b>Private Members' Business</b>	
Chomiak; Orchard; Filmon; Edwards	5535	<b>Proposed Resolutions</b>	
Year of Indigenous People		Res. 44, Mineral Incentive Exploration Program	
Storie; Filmon	5538	Reimer	5568
Continental Barley Market		Storie	5571
Wowchuk; Filmon	5539	Lamoureux	5573
Pharmacare Claims		Barrett	5576
Gray; Orchard	5539		
Francophone School Division			