

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 22 April, 1987.

Time — 1:30 p.m.

### OPENING PRAYER by Madam Speaker.

**MADAM SPEAKER, Hon. M. Phillips:** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

### MINISTERIAL STATEMENTS AND TABLING OF REPORTS

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

**HON. M. HEMPHILL:** Thank you, Madam Speaker. It's my pleasure to table the Landlord and Tenant Review Committee Report.

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

**HON. M. SMITH:** Madam Speaker, I'd like to table the Supplementary Information for Legislative Review Report for the 1987-88 Estimates for Manitoba Community Services.

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

### INTRODUCTION OF GUESTS

**MADAM SPEAKER:** Before moving to Oral Questions, may I direct the attention of honourable members to the gallery where we have 19 Grade 5 students from the F.W. Gilbert School. The students are under the direction of Mrs. Hancox, and the school is located in the constituency of the Honourable Member for Lac du Bonnet.

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

### ORAL QUESTIONS

#### MTX - RCMP Report

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

**MR. D. ORCHARD:** Madam Speaker, my question is for the Attorney-General.

Madam Speaker, can the Attorney-General indicate whether the report by the RCMP into potential wrongdoings in Saudi Arabia by MTX is in his possession?

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

**HON. R. PENNER:** I'm sorry, would you mind repeating that question?

**MR. D. ORCHARD:** Madam Speaker, my question is to the Attorney-General, and I'm wondering if he or his department has received the RCMP investigation into potential wrongdoings in Saudi Arabia as a result of the MTX operations.

**HON. R. PENNER:** No, Madam Speaker, that has not yet been received. I'm advised that there are still one or two interviews to be conducted. There was some difficulty in making arrangements; they have to be conducted in the Middle East. I'll try to get a further report on that in the next day or so and advise my learned friend opposite as soon as possible.

**MR. D. ORCHARD:** Madam Speaker, given that at the time of the MTX affair in the House, the Attorney-General, the Premier and the then-Minister responsible for MTS indicated to the people of Manitoba that the RCMP investigation was taken to provide speedy action and investigation into this report, could the Minister indicate why it has taken so long - 10 months - for the RCMP to complete investigations in Saudi Arabia?

**HON. R. PENNER:** The RCMP are a very thorough and efficient and responsible police force, and nothing should be done to cast aspersions on them. They have, at my request, acted most expeditiously.

I should advise the House that in order to interview people in a foreign state, one has to go through External Affairs, and so we became dependent on External Affairs so that the proper protocol could be observed. Once External Affairs has observed the proper protocol, there are other formal steps that have to be taken so that interviews can be conducted by the police on foreign soil.

We might have opted, as was indicated earlier on, at the time referred to by the Member for Pembina, to have other foreign police agencies conduct those interviews for us. We opted instead for consistency to have the same officers, who were in charge of the investigation domestically and in North America, be the ones who could conduct the interviews on foreign soil. So those steps had to be taken.

I'm satisfied completely that the RCMP have not wasted a moment in fulfilling its responsibility in this connection.

#### MTX - employees returned from Saudi Arabia

**MR. D. ORCHARD:** Madam Speaker, my question is for the Minister responsible for the Manitoba Telephone System.

Can the Minister indicate whether all employees with MTX who were in Saudi Arabia have now returned to the Telephone System in Manitoba?

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

**HON. G. DOER:** Madam Speaker, I believe there are three employees still in Saudi Arabia. There should be, I believe, Madam Speaker, two within the next month or so, in terms of the down-scaling and the winding down of the Saudi Arabian MTX operation.

### **MTX - redeployment of employees without loss of seniority**

**MR. D. ORCHARD:** Madam Speaker, a supplementary to the Minister responsible for the MTS.

Madam Speaker, my question is: Have employees who have returned from Saudi Arabia, employed in MTX, have they been redeployed in the Manitoba Telephone System without loss of seniority or position within the Telephone System?

**HON. G. DOER:** Well, Madam Speaker, there have been some employees that were on contract for the Datacom MTX operation in Saudi Arabia; there are other employees who were MTS employees in Saudi Arabia to MTX; there have been a number of employees redeployed in the Telephone System.

I'm prepared to bring the specifics back to this House, Madam Speaker, in terms of who was there when the announcement was made on November 21; where they are now in terms of the specifics of the question the member opposite has asked.

### **Constitutional Conference - Man. Gov't Position Paper re Quebec**

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

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

Next week, the Premier will be representing the province at a Constitutional Conference at Meech Lake, a conference that will deal with a number of major issues of future importance to all of our people, including potential for changing the constitutional amending formula; perhaps appointments to the Supreme Court; other issues of great importance.

I wonder if the Premier can indicate whether the government has prepared a Position Paper with respect to the question of any incentives or concessions that ought to be made in order to have Quebec enter the Constitution.

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

**HON. H. PAWLEY:** Madam Speaker, I thank the Leader of the Opposition for that question.

We have, in the last several days, received several letters, one from the Prime Minister himself, one from Senator Lowell Murray, all making particular proposals to us, as a province, along with other provinces.

We are certainly in the process now of preparing our response, evaluating the proposals that are being placed on the table, not just by Quebec, but now proposals by the Prime Minister as well. Upon completion of that evaluation, we will be of course making our position quite open, quite clear, as we proceed along the course of the discussions.

It may very well be, Madam Speaker, that this first conference may not lead to any further formal conferences. The intent, on the part of the Prime Minister, is to attempt to ascertain whether or not there is a political will for further discussions, so that the conference at Meech Lake involving 11 First Ministers is to ascertain whether or not there is sufficient political will to permit the development of more formal conferences further.

So there is not going to be the presentation of formal Position Papers at Meech Lake, but rather an attempt, on the part of the Prime Minister, to ascertain whether or not it would be productive to have formal conferences scheduled over the next number of months to attempt to resolve the issue pertaining to Quebec and the Constitution.

### **Constitutional Conference - veto power, section 41**

**MR. G. FILMON:** The present amending formula to the Constitution protects the rights of all provinces, both large and small, specifically because section 41 of the Constitution allows for any one province to block a change in the current amending formula.

Will the Premier assure the people of Manitoba that he will protect that safeguard for the benefit of all future Manitoba generations and not allow only one province, Quebec or Ontario, to have a veto on future constitutional changes?

**HON. H. PAWLEY:** Madam Speaker, I've always expressed concern in respect to any particular province being given veto powers. More important than that, I believe, Madam Speaker, is the importance to ensure that we more tightly define, more clearly define within the Constitution the rights of smaller provinces, such as Manitoba and others, so we can ensure that when we're dealing with regional economic development, when we're dealing with equalization payments, that there's greater protection enshrined in the Constitution so that smaller provinces don't just have protection by way of phraseology that sounds good in the Constitution, but that we have tighter and better defined wording to ensure that basic social services in health and education is protected insofar as all regions of Canada.

Obviously, the present wording in the Constitution does not fulfill that objective, as witness what has happened under the previous Liberal administration that abandoned that very fine principle that administration inserted into the Constitution; and, unfortunately, that Liberal default has been compounded by a more recent default.

### **Constitutional Conference - retention of section 41**

**MR. G. FILMON:** Madam Speaker, specifically to the Premier: Will he insist on the retention of section 41 in its present form, and ensure that neither Quebec nor Ontario will be given a veto power over future constitutional amendments?

**HON. H. PAWLEY:** Madam Speaker, certainly, that is not our proposal at the present time that any particular

province be given any veto power. The Leader of the Opposition might wish to discuss this further with his federal leader, but it has not certainly been our position ever, as I've indicated previously, that veto power should be provided to any one particular province.

### **NDP Conference and repudiation of Quebec vote**

**MR. G. FILMON:** Madam Speaker, given that the Federal NDP Convention adopted that position, will he now repudiate that position of the Federal NDP Convention of which he was a member?

**MADAM SPEAKER:** Would the honourable member like to rephrase that question? That's not in order.  
Order please.  
That question is not in order.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MADAM SPEAKER:** Order please, order please.  
The honourable member can't answer a question that's not in order.

### **Sugar beet industry - negotiation of stabilization agreement**

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

**MR. G. FINDLAY:** Thank you, Madam Speaker.  
I have before me a petition that was sent in by three people who gathered signatures in Altona and Winnipeg. Madam Speaker, they gathered 518 signatures of people that are saying that they hoped this petition will help in some way to change the opinion of the NDP Government relative to the sugar beet question.

The petition, Madam Speaker, goes on to say: "We, the undersigned, would like to express our support for the sugar beet industry. The industry benefits this province as a whole and, therefore, it is reasonable that the Provincial Government help to sustain it through a difficult period."

We are depending on the province to prevent the loss of sugar beets to Manitoba, Madam Speaker.

I would like to ask the Premier, Madam Speaker, if he is now prepared, because of what these people have brought forward, plus the urgent need to get on with planting this week, if he would instruct his Minister of Agriculture, and his Minister of IT and T to immediately negotiate and sign a stabilization agreement for the sugar beet industry of Manitoba?

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

**HON. B. URUSKI:** Thank you, Madam Speaker.  
I want to tell the Member for Virden, first of all, I have not received a copy of the petition that the member now has in his possession.

Secondly, Madam Speaker, we are prepared to sign an agreement immediately - immediately, Madam Speaker - based on the consultations and discussions

that the Premier had with the Hon. Jake Epp, who indicated that he certainly understood our problem with the deficit, and in fact said that there would be very little deficit in the plan, which I understand was corroborated by producers, that they foresaw little deficit in the plan over the years ahead.

Given those federal understandings of our position, Madam Speaker, all we have asked all along is that we're prepared to sign an agreement and, in fact, our proposal calls for providing more money in the first years of the plan than the original proposal that they called for, but we're not prepared to sign a blank cheque with respect to the deficit. We're prepared to sign today, Madam Speaker.

Thirdly, Madam Speaker, following the meeting that we had on Monday - the Minister of Industry, Trade and Technology, myself, the Minister responsible for the Wheat Board, my Assistant Deputy and an official, and the Federal Minister of Health and another official - the officials were to get together yesterday morning.

Madam Speaker, our staff called Ottawa at eight o'clock in the morning, which was nine o'clock Ottawa time, and spoke to the federal official, the Assistant Deputy in charge of stabilization programs, Mr. Lavoie, and by that time he had not received any communication from his ministry and told us he would get back to us.

Madam Speaker, by noon of yesterday, we still had no communication from Ottawa. Our staff called the staff person who was at the meeting - Ms. Banks, I believe her name was. She indicated she would call us back. She called us back and indicated that they were not sure what advice to give their federal officials on how to deal with this situation.

So, Madam Speaker, today I called the Hon. Jake Epp's office to find out what is going on at the federal level, given the statements that they'd made over the weekend.

We are prepared, and have been prepared, and I repeat again, to sign an agreement based on the commitments that were given over the weekend, but we will not sign a blank cheque, Madam Speaker.

### **Sugar beet industry - counter- proposal to tripartite agreement**

**MR. G. FINDLAY:** Madam Speaker, would the Minister tell the House and the people of Manitoba what negotiating options he put on the table on the weekend in order to get a stabilization agreement signed?

**HON. B. URUSKI:** Madam Speaker, I will again repeat: Our negotiating offer was that we're prepared to put more money in the first years of the plan than the original agreement called for. The original agreement called for a premium in the first year of approximately \$225,000.00. Our commitment is an average of \$315,000 per year, over a 10-year period, Madam Speaker.

That is a larger commitment in the first years of the plan, but we have always said that we will not sign a blank cheque vis-a-vis the deficit; and the deficit, Madam Speaker, in the first year is projected to be \$3 million. Now they say there is no deficit.

Remove those two clauses, as we have always asked, and we'll sign the agreement.

### **Sugar beet industry - grant or bipartite agreement**

**MR. G. FINDLAY:** Madam Speaker, since the Minister has not signed a tripartite or any kind of agreement yet, would he tell the people of Manitoba how he plans to use the \$315,000.00? Is it an outright grant to the sugar beet growers, or is he going to sign a bipartite agreement between the growers and the province, failing to sign the tripartite?

**HON. B. URUSKI:** Madam Speaker, again, we are prepared to sign the tripartite agreement on the terms that I have enunciated. We said this on March 30, a month ago, Madam Speaker, that we were prepared to do it, but we were not prepared to sign a blank cheque vis-a-vis the deficit.

### **Sugar beet industry - tripartite agreement**

**MADAM SPEAKER:** The Honourable Member for Virden with a final supplementary.

**MR. G. FINDLAY:** Thank you, Madam Speaker. The Minister, a little over a year ago, signed a Tripartite Hog Agreement which contained the same 50-50 responsibility for the deficit at the end of the plan.

Why will he not sign a same plan for the sugar beet growers?

**HON. B. URUSKI:** Madam Speaker, the sugar beet plan, the Federal Minister of Health, who spoke on behalf of the Federal Government, indicated that they understood our concerns with the deficit and there would be very little deficit in the fund. They have agreed to try and ameliorate those concerns; we have yet to see what their decision is.

Vis-a-vis the question of hogs, Madam Speaker, the tripartite plan on hogs was signed in this country, and only because provinces had to move into what was normally a federal responsibility, the lack of federal action. That's when we moved into a long-term stabilization plan for Manitoba producers, Madam Speaker, but when it comes to sugar beet growers, the Federal Government has been 100 percent responsible for the sugar beet industry from 1958 to 1985, until Mulroney's Conservatives changed that agreement. That's why we would not sign.

Secondly, Madam Speaker, in the event that we signed on the terms that they're negotiating on behalf of their federal counterparts, this would be a reduction in terms of federal support in excess of \$1.2 million a year over the historical commitment and will give no incentive to the Federal Government to deal with the one major issue that we had in the agreement, and that was to bring about a national sugar sweetener policy because the incentive would be removed from 100 percent support to 33 percent of support for the industry. What incentive would that be to have a national sugar sweetener policy then, Madam Speaker?

### **Lottery 6-36 - discriminatory ad**

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

**MR. J. DOWNEY:** Thank you, Madam Speaker. I have a question for the Minister responsible for Cultural Affairs and Manitoba Lotteries.

The question is, Madam Speaker: Does she and her Premier, and members of this government, take pride in the discriminatory ads against the farm community that are now out under Lottery 6-36? Do they take special pride in the discriminatory ads that are now being put forward by Lottery 6-36?

**MADAM SPEAKER:** Would the honourable member care to rephrase that so it doesn't seek an opinion.

**MR. J. DOWNEY:** Madam Speaker, on behalf of the farm community, who have received a major blow over the last many years with reduced prices, do the Premier of the Province and the Minister of Cultural Affairs, responsible for Lotteries, take pleasure in the discriminatory ads which are now out under Lottery 6-36?

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

**HON. H. PAWLEY:** Madam Speaker, my information is, in case the Honourable Member for Arthur is not aware, that the particular lottery he is referring to involves all Western Canada - his counterparts in the Provinces of Saskatchewan, Alberta and British Columbia.

**MR. J. DOWNEY:** Madam Speaker, in view of the fact that the First Minister is the Premier of Manitoba, which is part of it, do he and his Minister responsible for Cultural Affairs and Lotteries approve of the discriminatory ads which refer to farmers as mindless knee-slapping people? Is that the attitude that he and his government have toward the farm community?

**HON. H. PAWLEY:** Madam Speaker, if indeed the Member for Arthur is properly quoting the ads - and I must admit, I don't watch or look for ads involving lotteries; I have yet to win anything from lotteries and thus avoid expenditure - but, if indeed, the ad is as mentioned by the Member for Arthur, I would like him to send me a copy if he has a copy of the ad in his presence, so we can examine it; because if it is as described, if it is discriminatory and distasteful and disgusting, as described by the member, then we would certainly be taking it up from the Province of Manitoba with the Western Canadian Lotteries, which includes British Columbia, Alberta and Saskatchewan, as well as ourselves.

### **Lotteries 6-36 - apology to farm community**

**MR. J. DOWNEY:** Madam Speaker, to the Minister of Cultural Affairs responsible for Lotteries:

Will she or will the Premier, on behalf of the government who are responsible for Manitoba's portion, send a letter of apology, or apologize publicly, to the farm community and ask the Lotteries to withdraw such an ad?

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

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

As the Premier has already indicated, the ads produced for Lottery 6-36 or 6/49 or any number of those games is a matter under the authority of the Western Canada Lotteries Corporation. However, Madam Speaker, I have not seen the ad in question. I have not had time to watch TV to see the ad, period. I'd be happy to look into the matter, to review the ad, and to report directly back to the member opposite.

### Lotteries - Min. responsible to review mail

**MADAM SPEAKER:** The Honourable Member for Arthur with a final supplementary.

**MR. J. DOWNEY:** Madam Speaker, I would ask that if the Minister read her mail, she will find a letter in it that refers to the problem which I am bringing to her attention. I ask her if she would read her mail.

**HON. J. WASYLICIA-LEIS:** I read my mail daily, go through every piece of my mail, and the member opposite should know that on the basis of what I bring into the House.

I have yet to review today's mail. I have not seen that letter to date, and I'd be happy to check today's mail and review that correspondence and deal with it appropriately and accordingly.

### Wheat prices - inequity between eastern and western provinces

**MADAM SPEAKER:** The Honourable Member for Lac du Bonnet.

**MR. C. BAKER:** Thank you, Madam Speaker. My question is to the Minister of Agriculture.

In this week's Co-operator there's a story entitled "East Gets Higher Wheat Price." I'm wondering, sir, if you can make a comparison between what gives Ontario the higher wheat price. For instance, they are comparing No. 3 wheat with Ontario wheat, really, as far as quality is concerned. I don't know whether you've read the article yet or not, sir, but could you make a comment on it?

**MADAM SPEAKER:** Would the honourable member care to rephrase that question so it's in the jurisdiction of the Honourable Minister?

**MR. C. BAKER:** Will the Honourable Minister ask his federal counterpart, the Agriculture Minister of Canada, to justify the two prices for grain, Eastern Canada versus Western Canada?

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

**HON. B. URUSKI:** Madam Speaker, I thank the honourable member for his question.

This situation dealing with the inequities, in terms of not only prices received for domestically consumed

wheat, has perplexed us in light of the low world prices and the ability of eastern farmers to sell in the domestic market; but, secondly, that the farmers east of the Manitoba-Ontario border have stabilization payments 100 percent financed by the Government of Canada, whereas western Canadian farmers have a stabilization plan only financed between 66 percent and 75 percent by the Government of Canada, Madam Speaker. That inequity, as well, will be raised.

### PTH 67 - expropriation of land

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

**MRS. S. CARSTAIRS:** Thank you, Madam Speaker. My question is to the Minister of Highways.

It concerns the start of the upgrading of the north road leading into the town of Stonewall, which is to become PTH 67. In that Notices of Expropriation have been issued to those living along the north road, is it the government's intention to proceed with this despite extensive petitions indicating the dangers?

**MADAM SPEAKER:** The Honourable Minister of Highways and Transportaion.

**HON. J. PLOHMAN:** Madam Speaker, the Member for Lakeside has raised this matter with me on a number of occasions as well, and I've had numerous meetings with the people in the Stonewall area regarding Highway 67. The Member for Lakeside is sitting nicely on the fence on this issue, as are a lot of people, realizing that this is really an impossible situation with regard to whether you can win or not on this.

The fact is half the people want to have the road upgraded in its present location; another group want to see this road moved a number of miles south.

We have indicated, Madam Speaker, clearly, during Estimates discussions in the past number of years, in discussions during Estimates when these things are discussed, that we believe that the current road, in its present location, must be upgraded. It is not in good condition, the horizontal and vertical alignment, and therefore it needs to be upgraded in its present location and we intend to proceed with that.

### PTH 67 -open house hearings

**MRS. S. CARSTAIRS:** A supplementary question to the same Minister, Madam Speaker.

Why did the government drop plans that were in the making in November and December to hold public hearings on this particular issue?

**HON. J. PLOHMAN:** Madam Speaker, there were no plans to hold public hearings. There have been a number of open houses held. On at least one occasion we had an open house where all the people could come to see the plans and review them individually with the Highways personnel, and a number of people in the area took advantage of that. We do have support from the town of Stonewall with regard to this issue. We certainly . . .

**MR. H. ENNS:** I was their guest speaker.

**HON. J. PLOHMAN:** That's right. The Member for Lakeside was out there defending both sides of the issue. He's with his friends. Some of his friends are here and he supports his friends.

The fact is the Member for River Heights feels compelled now, Madam Speaker, to bail out the member and to provide better representation for the people of Lakeside, I guess, than they're getting on this issue.

The fact is it has been debated for a number of years; it's time to get on with the work.

**MADAM SPEAKER:** The Honourable Member for Lakeside on a point of order.

**MR. H. ENNS:** Well, Madam Speaker, yes, I think it's a question of order. I wouldn't want the Minister to deliberately leave misinformation on the record. The Minister is quite correct that I have been engaged and involved in this issue for a considerable length of time.

I have always made my position very clear as to which route PTH 67 ought to be, which is the south route. It is not a question, as he described, of being with my friends who wish this side or that side, and myself . . .

**MADAM SPEAKER:** Order please.

**MR. H. ENNS:** I've always supported the south route for that highway.

**MADAM SPEAKER:** Order please.

The honourable member does not have a point of order. A dispute over the facts is not a point of order.

#### **PTH 67 - table reports on studies**

**MADAM SPEAKER:** The Honourable Member for River Heights with a final supplementary.

**MRS. S. CARSTAIRS:** Yes, a final supplementary to the same Minister, Madam Speaker.

Can the Minister of Highways table in the House reports or studies which would indicate that the route upon which the government is proceeding is indeed the one which will provide the greatest safety?

**HON. J. PLOHMAN:** Madam Speaker, I have indicated to the municipalities that if they were prepared to take over this route, that we would be prepared to build another route. They did not want to do that.

The fact remains this route will be required into the future. It will be a provincial highway and it needs to be upgraded for safety reasons. Once that is done, no one can preclude the possibilities of additional routes at some time in the future, but right now the immediate priority is to upgrade the current route at its present location.

Insofar as studies and analysis that would show that the road is justified in its present location, the Member for River Heights could come and discuss this with myself and my staff at any time.

#### **Civil Service - No. of employees**

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

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

My question is for the Minister responsible for the Civil Service. How many full-time, term and contract employees are currently employed by the Civil Service?

**MADAM SPEAKER:** The Honourable Minister responsible for the Civil Service Commission.

**HON. E. KOSTYRA:** Thank you, Madam Speaker.

I'll have to take that question as notice and provide the information subsequently. Information is usually provided during the time of the Estimates discussion of the Civil Service Commission, but I can provide it in advance once it is prepared.

**MRS. G. HAMMOND:** Is the Minister then saying that he will supply the information to the Legislature?

**HON. E. KOSTYRA:** Yes, that's what I said, once it's prepared.

#### **Manitoba Developmental Centre - staff morale**

**MADAM SPEAKER:** The Honourable Member for Portage la Prairie.

**MR. E. CONNERY:** Thank you, Madam Speaker. My question is to the Minister of Community Services.

Madam Speaker, for some time we've been telling the Minister that working conditions at the Manitoba Developmental Centre in Portage are very poor and that the morale was very low.

What steps will the Minister take in the light of the new information, which is that sick time has increased 27 percent since 1983. The sick time is double that of Brandon and Selkirk, double that of the national average, and is costing in an area of \$1.2 million annually.

What steps will the Minister take to correct this situation?

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

**HON. M. SMITH:** Madam Speaker, I agree with the member's contention that there are very difficult pressures, heavy pressures on the staff at MDC. However, the conditions have shown general improvement, certainly, while this government has been in power, and that is our intention, to improve the working conditions.

Again a specific detail about sick time, we are looking into whether there's any particular things we can do, but the gradual funding and the standards at the centre have been showing gradual improvement, Madam Speaker.

#### **Manitoba Developmental Centre - tabling of Ombudsman's Report**

**MR. E. CONNERY:** Madam Speaker, the Ombudsman's report will tell everybody what steps need to be improved at the MDC to improve the staff morale, to improve the sick time.

Madam Speaker, will this Minister of Community Services now release the Ombudsman's report so we can all look at the problems that are there and work together to improve the conditions for the mentally retarded and the workers of the Manitoba Developmental Centre?

**HON. M. SMITH:** Madam Speaker, I do think this question has been asked not once or twice, but three and four times, and I've given the consistent reply that it's the Ombudsman's privilege to release his report. As a matter of fact, I think it will be released today or tomorrow.

The procedure is that he prepares his draft report. He sent me a confidential copy asking for departmental comments. We provided those, they've gone to him, and as I understand it, he's compiling his final report. That is the procedure that we've followed consistently with Ombudsman's reports.

### **Daerwood Machine Works - incentive payment**

**MR. E. CONNERY:** Madam Speaker, a new question to the Minister of Business Development.

Some time ago we asked the Minister for information on the conditional grant to the Daerwood Machine Works. The Minister's staff has the information.

Is she unwilling or is she embarrassed to release that information to us?

**MADAM SPEAKER:** The Honourable Minister of Business Development and Tourism.

**HON. M. HEMPHILL:** Thank you, Madam Speaker.

Well, I'm neither - I'm not embarrassed to release the information, Madam Speaker. I suppose the reason that I didn't rise and relay the information to the member opposite in the House is that I did it with him privately, provided the information directly to him, and assumed that was satisfactory, Madam Speaker.

**MADAM SPEAKER:** The Honourable Member for Portage la Prairie on a point of order?

**MR. E. CONNERY:** Yes, Madam Speaker, the Minister is inferring that she gave me all the details. I was not inquiring the details and I would ask this Minister to withdraw that.

**MADAM SPEAKER:** A dispute over the facts is not a point of order.

The Honourable Minister to finish her answer.

**HON. M. HEMPHILL:** Madam Speaker, I was communicating my understanding. I thought that I had answered the question that the member had asked of me, and I provided him with that information. If that wasn't all the information he wanted, and he wants additional information, I'm certainly glad to provide it to him.

### **Ombudsman - appear before legislative committee**

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

**MR. G. MERCIER:** Thank you, Madam Speaker. A question to the Premier, Madam Speaker.

There have been numerous concerns, or a number of concerns, expressed in recent days about the reports that the Ombudsman has in his possession which are not being revealed publicly, Madam Speaker.

I ask the Premier: Would he be prepared to develop a process whereby the Ombudsman could appear before a special committee of the Legislature in order that members of the Legislature could review his activities over the past year and ask questions and gain information from the Ombudsman?

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

**HON. H. PAWLEY:** Madam Speaker, we'll take that suggestion under advisement.

**MR. G. MERCIER:** Madam Speaker, I thank the Premier for that answer, and I do point out to him that I believe that is a procedure followed in some other provincial jurisdictions.

### **Planning and Priorities Committee and Treasury Board - appointments**

**MR. G. MERCIER:** Another question to the Premier, Madam Speaker.

The Orders-in-Council, the minutes of Cabinet of April 1, indicate that a secretary was hired for the Planning and Priorities Committee at a salary of \$59,600, and a secretary was hired for the Treasury Board at a salary of \$71,500.00.

Madam Speaker, would the Premier confirm that these are new positions, or if they are not new positions, what was the salary of the previous incumbents?

**HON. H. PAWLEY:** Madam Speaker, as was indicated some time ago, the two committees, ERIC and the Committee of Social Resources, have been dissolved. Those two committees have been replaced by, first, an enhanced and strengthened Treasury Board to deal with matters pertaining to expenditure with enhanced support. The committee dealing with Planning and Priorities is a combination of the original responsibilities of ERIC and the responsibilities that were earlier provided by Social Resources Committee of Cabinet.

**MR. G. MERCIER:** I thank the Premier for that answer, but I wonder if he could indicate whether these are two new positions, or if they are not new positions, what were the salaries paid to the secretaries of the previous committees?

**MR. D. ORCHARD:** You signed the O/C. Don't you know?

**HON. H. PAWLEY:** Madam Speaker, it seems to me somebody's got a little blood pressure in this Chamber.

Madam Speaker, as a result of the reorganization of the two committees, staff was redeployed and

reallocated in regard to the responsibilities of those two committees.

### Royal Bank - rural closures

**MADAM SPEAKER:** The Honourable Member for Brandon West.

**MR. J. McCRAE:** Madam Speaker, my question is directed to the Minister of Finance.

The Royal Bank of Canada has closed its regional office in Brandon, and closed branches at Cranberry Portage, Minto, Ethelbert and Roland. The Royal Bank blames this Minister's Budget, citing changes in the corporation capital tax.

Madam Speaker, in view of the fact that the small business community in this province, which employs so many Manitobans, is already operating at a maximum efficiency, and such large institutions like the Royal Bank can bring about efficiencies to cover the \$3 million tax increase brought on by this Minister's Budget; in view of the fact that the small business community can't just make those kinds of changes overnight, has the Minister met with the bank officials to discuss the changes that it's proposing?

Does the Minister's Budget contain projections as to how many other small businesses in this province will close down as a result of his Budget?

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

**HON. E. KOSTYRA:** Thank you, Madam Speaker.

I'm not surprised that the Member for Brandon West rises in his place and speaks on behalf of the banks in the Province of Manitoba, because that has been a consistent position of members opposite when it comes to issues like that.

In regard to the specific question, I find it quite strange and somewhat unbelievable that a newspaper article would blame the recent Budget for closures that have taken place in rural banks over the past year, Madam Speaker.

### Businesses - tax increases and economic forecasts

**MR. J. McCRAE:** Madam Speaker, if this kind of action on the part of the bank is the response of a large financial institution to the economic conditions in this province, can the Minister tell us what his projections are as to the response of small and marginal business operations that are already operating at maximum efficiency, employing as many people as they can?

How can those business people look forward to employing more people in Manitoba in the future with the present grab that we saw in March - a payroll tax, hydro corporation capital tax, sales tax and so on?

**HON. E. KOSTYRA:** The projections that we have used, that we provided in the Budget for economic growth, for continued economic growth in this province, and for continued decrease in unemployment, are projections that are similar that have been brought forward by such institutions as the same one that the

member makes reference to. That is the Royal Bank of Canada, which indicates that Manitoba is going to be - it seems that the member is not interested in the response, Madam Speaker - which indicates that Manitoba is expected to continue to lead the nation in terms of economic growth of all provinces in Canada over the next year.

In regard to the specific question regarding taxes and tax increases in order to maintain services, if, Madam Speaker, we cannot get the banks to pay their fair share of taxes, how can we expect to continue services? Manitobans want banks, as other businesses, as other Manitobans have to pay their fair share, Madam Speaker, and I don't apologize to the bank for the fact that there have been increases on taxes for banks. Members opposite may want to apologize for that fact; I will not.

**MADAM SPEAKER:** The time for Oral Questions has expired.

### ORDERS OF THE DAY COMMITTEE CHANGES

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

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

I move, seconded by the Honourable Member for Elmwood, that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: The Hon. M. Smith for the Hon. G. Doer; the Hon. G. Lecuyer for Mr. D. Scott.

### COMMITTEE REPORTS

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

**MR. C. SANTOS:** I ask leave, Madam Speaker, to make the report on the Committee of Supply.

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

**MR. C. SANTOS:** Madam Speaker, the Committee of Supply has considered certain resolutions, directs me to report the same, and asks leave to sit again.

Madam Speaker, I move, seconded by the Honourable Member for Inkster, that the report of the committee be received.

**MOTION presented and carried.**

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

**HON. J. COWAN:** Madam Speaker, would you please call the Debate on Second Readings as they appear on the Order Paper, starting on page 1 with Bill No. 3 and proceeding through page 2 to Bill No. 11, and following that, please call the debate on the resolution concerning The Patent Drug Act.



**ADJOURNED DEBATE  
ON SECOND READING  
BILL NO. 3 - THE MANITOBA ADVISORY  
COUNCIL ON THE STATUS OF WOMEN  
ACT**

**MADAM SPEAKER:** On the proposed motion of the Honourable Minister responsible for the Status of Women, standing in the name of the Honourable Member for River East who has some minutes remaining.

The Honourable Member for River East.

**MRS. B. MITCHELSON:** Thank you, Madam Speaker. Madam Speaker, I'm pleased to rise today to speak on Bill No. 3, The Manitoba Advisory Council on the Status of Women Act.

Madam Speaker, I just want to read the first "WHEREAS" and indicate my support and my encouragement of the government in proposing this bill. It says:

"WHEREAS the Legislative Assembly of Manitoba believes that:

- (a) women and men should have equal rights, opportunities and responsibilities to enable them to develop their talents and capabilities . . . ."

**MADAM SPEAKER:** Order please.

The Honourable Member for River East has the floor. If other members want to conduct business, they can do so elsewhere.

The Honourable Member for River East.

**MRS. B. MITCHELSON:** Thank you, Madam Speaker. I'll start again with my first "WHEREAS":

"WHEREAS the Legislative Assembly of Manitoba believes that

- (a) women and men should have equal rights, opportunities and responsibilities to enable them to develop their talents and capabilities for their personal fulfilment and for the benefit of society; and
- (b) changes in social, legal and economic structures that would make possible full equality and promote free access, without discrimination of any kind, of women to all types of social and economic development and to all types of education should be promoted by the Government of Manitoba;"

Madam Speaker, I fully agree with this part of the proposed act. I agree wholeheartedly that the establishment of the Manitoba Advisory Council on the Status of Women was an important step, Madam Speaker, in ensuring that women have an input at senior decision-making levels within the government. Its role as an advisor continues to ensure that the Government of Manitoba is clearly aware of the impact that it is making on women through its policies and programs.

Madam Speaker, it is the council's goal that tomorrow's women and men have equal status in society, in jobs, in social benefits and in decision-making processes. The establishment of an Advisory Council on the Status of Women is an interim measure, Madam

Speaker, which will cease only when women's voices are equally heard in the government and in this Legislature.

Madam Speaker, the goal of the Manitoba Advisory Council on the Status of Women is to work towards equality of treatment and opportunity for women and men in this province. The role of this Advisory Council is to consult with the women's community on issues affecting women; to introduce to the Government of Manitoba recommendations which can shape policy, programs and legislation; to inform the public of formal recommendations addressed to the Provincial Government; and to ensure that government policy development and legislative initiatives reflect the right of women to equality.

(Mr. Deputy Speaker, C. Santos, in the Chair.)

Mr. Deputy Speaker, economic and social equality for women should be a priority of all governments. Measures should be and have been introduced which will improve the financial position of low-income women, improve job training opportunities, permit the government to deal more effectively with abusive programming and pornography, reform divorce law, improve the enforcement of maintenance orders, remove discrimination from The Indian Act and address other equality issues.

Although we have made some inroads, the average income of families with a female head in 1984 was \$20,829 compared to \$37,732 for families with a male head. Mr. Deputy Speaker, 43 percent of families with a female head live below the poverty line; 43 percent of single women live below the poverty line; 52 percent of single and widowed women over the age of 65 live below the poverty line. This is often due to lower pay and/or inadequate pension benefits or coverage during their working years or to the lack of survivor benefits in their husband's pension plans.

Mr. Deputy Speaker, a woman working full time earns on an average only 66 percent of the salary of a man working full time, \$18,000 versus \$27,000.00. A woman working full time with a university degree earns less on average than a man who has only a high school education. Inroads have been made by women in managerial and administrative positions where their share of the jobs jumped to 32 percent in 1985, compared with 19 percent in 1975; however, Mr. Deputy Speaker, women represent 42 percent of the labour force.

Women are more likely than men to survive as entrepreneurs. According to one recent study, 47 percent of women but only 25 percent of men make it through the tough initial years of business ownership.

Mr. Deputy Speaker, the Federal Government, between September of 1984 and June of 1986, created 347,000 jobs for women. The unemployment for women fell by 2.4 percentage points from 12 percent to 9.6 percent. In comparison, Mr. Deputy Speaker, the rate increased by 3.4 percent during the term of the last Liberal Government.

Mr. Deputy Speaker, 3 out of 5 women over 65, and 4 out of 5 women over 75 are single, widowed or divorced. In 1984, the average income of female lone-parent families was \$19,205 compared, Mr. Deputy Speaker, to \$40,697 for married couples with single children.

The Canadian divorce rate has doubled since 1970. There were dependent children in 48 percent of the divorces granted in 1984. The mother was granted custody in 74 percent of the time, and the father 15 percent of the time, while no award of custody was made for 10 percent of the time.

In the absence of support payment, Mr. Deputy Speaker, many dependent spouses and children are forced onto welfare. It is estimated that Canadian taxpayers spend \$1 billion annually to support dependent spouses and their children. Half of this funding comes from the Federal Government via the Canadian Assistance Plan.

Between 75 and 85 percent of support and maintenance orders are breached in whole or in part in Canada either by a failure to pay at all, by paying less than required, or by paying late. This occurs, Mr. Deputy Speaker, despite the fact that up to 80 percent of supporting spouses are estimated to be able to afford their support payments. Only one-quarter of Canadian families are supported by the husband's income alone.

Mr. Deputy Speaker, I have no problem at all with the first "WHEREAS" in this legislation, but I have some difficulty with the second "WHEREAS," and that is: ". . . WHEREAS the role of women in childbearing should not be a source of discrimination and that the upbringing of children requires a sharing of responsibility between women and men and society as a whole."

Mr. Deputy Speaker, I have no problem at all with the fact that the upbringing of children requires a sharing of responsibility between women and men and that child bearing should not be a source of discrimination. But Mr. Deputy Speaker, I have some difficulty with asking society as a whole, to share in the responsibility of the upbringing of children, or of my children.

Mr. Deputy Speaker, I made a conscious decision to have my children - to have one child, to adopt one child - and, in fact, I feel that it is my responsibility and my husband's responsibility to share in the upbringing of those children. But when you ask society as a whole to share in the upbringing, I have some grave concerns, Mr. Deputy Speaker.

How much are we asking society to share in the responsibility? Of course, they have a little responsibility, but if you're asking society in general to be responsible for your family and for bringing up your children, are we then going to ask society as a whole to tell us when we should decide to have children; whether we can, in fact, make that decision on our own; or whether society should have some input into when I, as a person, can become pregnant or when I, as a person, can choose to adopt my own child? I have some grave misgivings, Mr. Deputy Speaker, when it comes to having society as a whole be responsible for the upbringing of my children.

That all leads us around to the fact, or the NDP Government's philosophy in day care, in child care, where they feel that it is the state's responsibility to provide subsidized child care for all, and have that as the only choice for Manitobans and Canadians; and I have expressed my feelings on this before, Mr. Deputy Speaker, and I will again say that I feel that there should be a choice in the type of child care. There's no question in my mind that child care, that day care is needed and more day care spaces are needed, Mr. Deputy

Speaker, but I do not feel that this universal subsidized type of day care or child care is the only route to go. I feel that families have a responsibility to bring up their children and they also have a responsibility to choose the type of day care that they feel best suits their needs.

I've indicated before that my child care needs are care in my own home, care that I can afford to pay, Mr. Deputy Speaker, and that I will pay on my own and I don't feel that the taxpayers of Manitoba, in fact the taxpayers of Canada, should subsidize my child care when I choose to go out to work for my own personal self-fulfillment. And if I should so choose to do that and if I can afford to do that, I will do that and I don't expect the government or the taxpayers of Manitoba to subsidize my child care and I don't feel that the taxpayers of Manitoba, or in fact Canada, want to subsidize child care for those that can well afford to pay their own.

I have no question, no qualms that those, Mr. Deputy Speaker, that need help, those single family parents, those women that need to go out to work or, in fact, those men that are single parents, I have no problem at all with subsidizing those that need subsidy, that need to go out to work for financial reasons just to make a living and to support their family and to have the basic needs. But those, Mr. Deputy Speaker, that do not need subsidy should not be subsidized.

We have a right as Manitobans, as Canadians, as taxpayers, Mr. Deputy Speaker, to choose what we want for our children; and the best type of day care or child care that we feel we need as parents who are responsible for the upbringing of our children is not for society as a whole to bring up our children and to tell us, and to dictate to us, Mr. Deputy Speaker, what we should do or how our children are going to be brought up.

And I say again that if we expect society to be responsible for bringing up our children, are we going to then let society dictate to us when, in fact, we should be having children or whether it's feasible at all for us to have children or not?

So I have a little difficulty with this "WHEREAS" in the legislation. But basically, Mr. Deputy Speaker, I am supportive of the Manitoba Advisory Council on the Status of Women. I feel they've served a purpose and they still have a purpose to serve. We have a long way to go to become equal with men in society and I feel that I can basically support with the reservations that I do have about society being responsible for the upbringing of our children.

Thank you.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Housing.

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

I am also very pleased to rise and support this very important piece of legislation. We all are aware that this body has been operating already since 1981 and that they have been doing an excellent job. So the issue here is not to create an organization that has work to do but to recognize the importance of the work that is done by the advisory committee and put that into permanent legislation.

That is a statement by this government, Mr. Deputy Speaker, of how important we feel the role of the Advisory Council on the Status of Women is and is going to continue to be for some time. I suppose in the best of all worlds, and we all wish that we were living in a society where we didn't need this, where we

didn't have to have an Advisory Council on the Status of Women, where we didn't have to give sort of special recognition and special help to groups, women and others, who are clearly continuing in today's society, disadvantaged.

But we haven't reached that time yet, Mr. Deputy Speaker, and although we've made a lot of strides towards a lot of improvement in almost every area and this government has placed a particular emphasis on the role of women and on equality not just for women but all disadvantaged groups; and we can take pride in many pieces of legislation and programs and policies that we have implemented and brought in that deal with pension reform, that deal with child care - many, many areas that this has been a top priority of this government. We know that we need help to deal with some of the tough, difficult issues that we still have to improve and changes that still have to be made.

That's one of the roles that the Advisory Council plays. They will give us advice when we ask for it, Mr. Deputy Speaker - when we're bringing in programs or legislation and we ask for advice - but also when we don't ask for advice, because this is an arm's length body that has the right to provide information and suggestions to us under responsibility on those things that we ask for their advice and those things that they think that we should know.

So they have a responsibility to investigate, to provide information to give us, and keep us in touch with the women of the province because it's very important that we not lose track of what the issues still are that are facing us and what areas we still must move to make improvements in.

I have a copy of the act, Mr. Deputy Speaker, and it's clear that the kinds of things and issues that they are dealing with are critically important to us, to women, and indeed, to the fabric of society and the fabric of the family, which is one of the things that we agree completely with the member opposite that we want to enhance, protect and make sure that the family is getting all of the supports that they need.

I'll just touch on a few of the issues that they have dealt with, Mr. Deputy Speaker, so you can see the importance of the role that they play to us as a government and to the women who they particularly represent and act as advocates for.

One area, Mr. Deputy Speaker, is the area of pensions and there was some reference made previously. We all know of many, many cases of women, who are in the largest number, of elderly women, who are also the largest number of people in our country who live below the poverty line. One of the reasons for that, Mr. Deputy Speaker, is that they haven't been entitled to pensions, that either their husband dies and the woman does not get the pension that the man would have received had he still been alive and for which she contributed all her years of work, whatever that contribution was to the family, and is entitled to her share, or, as was in the case previously, in the event of family breakup where women did not get and were not entitled to any share of the pension on family breakup.

That's one of the areas we have moved in very effectively to make sure that women are entitled, whatever the situation is, whether it's death or family breakup, to their share of pensions. We've made a lot of improvements in that area and a lot of the things

that we have done has been a result of information brought to us and advocacy and support and help by the Advisory Council on the Status of Women. It came from many other areas, the help and the advice, but this has been a very important piece of information and support for us when we're making these decisions.

They've dealt with issues like the health care of women, and while we want to make sure that the health care is available to everybody and is the best health care system that we can have, we know that women have health care issues that are unique to them, Mr. Deputy Speaker, and for which they are entitled to and require special programs, largely a lot of them in the preventative area, but a lot of them in the general health care field where it's very important that women's health care issues are dealt with and making sure that we know how the health care system is delivered across the province and what the needs are of women, whether they are Native women in the North or women out in the country or women here in the city that we are improving the health care system to them.

Women have always taken a role, Mr. Deputy Speaker, when it deals with issues related to society and the protection of the family. That does not matter whether the issue is pornography, whether it is abuse of women or of children, whether it deals with the issue of child care which I will address specifically shortly. Women have always been in the forefront of pressuring all levels of government and all people responsible to protect the family and to protect children.

One of the main advocates of this has been the Manitoba Advisory Council on the Status of Women. They have helped us develop our programs for child care, for family life sex education, abuse against women, abuse against children, and we have greatly appreciated the role that they have taken and the support that they have given in those areas.

One of the other areas they are talking about and that we are trying to improve, Mr. Deputy Speaker, is in the area of management, in making sure that we recognize the abilities of women to manage and to be in administration.

You look at all the fields - we have lots of information, for instance, that shows us and tells us, Mr. Deputy Speaker, that women in education are some of the best educators, best management people that we have in the system. When you look at the elementary system, it's populated largely by women; a very, very small percentage of the administrative people are women. In all of those areas, and in looking at our own departments, we have made a conscious effort to increase the recognition and the number of women sitting on our boards and serving in administrative capacities, and we will continue to do that.

This gives me an opportunity to talk for a few minutes, Mr. Deputy Speaker, on the role of women in business, and as the Minister of Small Business, it encourages me greatly to see the expanded role that women are now taking in the area of small business and how successful they are going to be.

In fact, Mr. Deputy Speaker, it is clear. I think there are going to be 75,000 jobs created in small business over the next few years and 50,000 are going to be created by women. It's an area that they are moving into because they have the skills and the abilities and they're beginning to recognize it and so is everybody else.

It is interesting, Mr. Deputy Speaker, to even realize that women are sometimes more successful in business than are men, not only as successful and as good and as capable, but even more successful, and there are very definite reasons for that which I want to recognize. The first one is . . .

**MR. H. ENNS:** You're only now catching on.

**HON. M. HEMPHILL:** Well that's true, - the member opposite said "We're only now catching on," and I think the point there is that women are now catching on. It's the women that are catching on that they have the skills and they have the abilities and they're not going to be kept down.

That's one of the responsibilities that we have, as governments, and the advisory status and the role that women have, to make sure women understand and have the confidence; give them the confidence to go forward for management positions, to create businesses and to do all those things they're capable of doing, because one of the biggest problems we have is that they're not sure, even today, that they have the abilities that men have, and we have to make sure they understand that.

But one of the reasons - I know the members opposite will be interested in hearing this - one of the reasons they're more successful in business, there's a number of them; first of all, they do more planning. There's been studies that show this information. They do more research and planning. They turn to professional people for more help and advice; they take less money out of the business, as do men; their equity is less; their loan requirements are less because they do not borrow as much so they start up with less. They take less out, they put more into the company, and all of these things put together, plus their management skills, are making it clear that women are going to be in the forefront of business, not only working in them but owning them and starting them in Manitoba and in our country, and for that, we should all be very pleased because that is a step forward.

Mr. Deputy Speaker, I wanted to talk just for a couple of minutes about the difference in today's society. It used to be that those women that worked were the women that wanted to work, or the women that were working were women who were working for an additional holiday, or they were working for "pin money" as we used to call it, or to get a new chesterfield or new furniture, and some of them were working because they had to, but not too many, for a lot of reasons.

One, we didn't have the breakdown of the family unit and most of the families, large numbers were supported by the males that were working and we don't have that anymore, but the women that are out there today in large numbers are not out there by choice, Mr. Deputy Speaker. They're not out there because they want to be; they're out there because they have to be. Out of the two-earner families in 1961, only 16 percent of the families had two incomes and now there are up to 50 percent.

Some women are working because they want to and the Member for River East is one of them. I have to say to her that she's damn lucky. She's lucky and she's one of a few, because the number of women that are

out there because they want to and because they have the privilege of doing it and because they can make choices about how to care for their children are a much smaller percentage than the number of women who are out there either because the wages are low of both the husband and wife and they need two incomes to provide shelter and to put bread on the table, or because they are in the increasingly large number of single-parent women, young mothers many of them, who are left alone and who have no support and who have no choice. So for a lot of those women, they are out there because they are doing, as women have always done, whatever needed to be done.

Do you know when we built this country, this pioneering spirit in this country was not built by men alone? It was built by our grandfathers and our great-grandfathers, but it was built by our grandmothers and our great-grandmothers. They were there just creating and establishing a country.

When the men went off to war, the women did again what needed to be done. They built planes, they ran the factories, they ran the businesses, and they ran the country and they can do it again. So whatever needs to be done, the women are there doing it.

Unfortunately, in today's society, Mr. Deputy Speaker, women are having to carry both roles and both responsibilities, often with very little help and support. They have to continue to be the main providers of child care and the main supporters of the family, although that is changing. I want to say thank you to all the men, many of whom are in this Chamber today, who are taking their share and their responsibility for the rearing of children. So credit goes to them. But a lot of them are not doing that yet, Mr. Deputy Speaker, and the women are still the sole carers of children and the sole providers for the family well-being, also either the sole support or a major contributing to support to the financial well-being of the family, which brings me to the point about child care.

What does this say - I was delighted to hear the Member for River East saying that she supports, in general, the principle of this legislation, and that she supports the first "WHEREAS" but she has difficulty with the second one because she does not think that we should be paying for child care, that this society should pay for child care.

Mr. Deputy Speaker, all I can say is that if we don't pay for child care today, we're going to be paying for it tomorrow and tomorrow and tomorrow, and the dollars and the cost of it can never be even added up. Because the cost to a society that does not take proper care of its children will be felt for generations to come. That's a chance that we, in this government, are not going to take.

So for all those who choose to work, like the Member for River East, and to have the financial resources and the ability to decide how to care for their children, and to care for them themselves, which is the first priority, a lot of our programs go to keep families together, go to provide support to the family so that they aren't dependent on other people.

But for those who are, whether they're a single parent mother, or a mother and a father working at or below the poverty line and barely able to provide everything that their family needs and they must both work, then what they need to know is that their children are being

well looked after and that they're being well cared for. They're entitled to that and society should be doing that as one of its main responsibilities.

So I can't think of anything better to ask a society to do that is not doing the job itself. The reason we need child care, the reasons are many. One of them is that both mother and father have to work, but the other is that our society has the breakdown of the family unit, which is something we all bear responsibility for, is a major part of our society, and that is something that until we improve that, society as a whole has to take a responsibility for.

In the breakdown of the family unit, the biggest cost is where? Is it to the adults? No, it's to the children. The greatest negative effect caused by the breakdown of the family unit is on the children. That is one of the things that we have to do while this continues, and it is still continuing, is make sure that the children are looked after.

Look at the young teenage mothers. This is something that we have to concern ourselves with a great deal. I mean I can't quite remember the figures, but the one I remember is something like 100 pregnancies a week in Manitoba. It may be large - I'll have to check on that figure - but it is a very large number of young women who are having babies. They used to get pregnant and they didn't always have their babies. Now 85 percent of them are keeping their babies, trying to raise them, and they drop out of school, so they have no education. They often have no family support. The male is usually gone. They are there without an education, without family support, with a child that they have to support and no help.

Mr. Deputy Speaker, this has to be one of the biggest concerns of this government, is giving help and support to those young women to help finish their education so that they won't be dependent with their child for the rest of their life, and then to make sure that while they are either in an education program or working to support the child, that the child is properly taken care of.

I think probably those are the main points that I want to make, Mr. Deputy Speaker. I guess what I'm trying to say is that there are a lot of reasons why this body has to exist and that it has to clearly exist for some period of time. That's why my colleague is making sure that this advisory body is established in legislation so that it is permanent. It has the protection and the knowledge that we want it to be there doing that job for us now and in the foreseeable future.

If the day comes, Mr. Deputy Speaker, that we don't need that advisory body any more because we have achieved equity in the workforce and because we don't have what we call women's issues or issues of disadvantaged people in our society, not only will we be the first to say so, but the Advisory Committee will be the first to say you don't need us any more because the job is done, and we will all be thankful when that day arises, but in the meantime, I and my colleagues will be thankful that they are there helping us do this job.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** Mr. Deputy Speaker, I move, seconded by the Honourable Member for Kildonan, that debate on this bill be now adjourned.

**MOTION presented and carried.**

**MR. DEPUTY SPEAKER:** Second Reading on the proposed motion of the Attorney-General, Bill No. 4, The Re-enacted Statutes of Manitoba, 1987 Act.

**MR. J. DOWNEY:** Stand.

**MR. DEPUTY SPEAKER:** Who is standing it - the Member for Arthur?

**MR. J. DOWNEY:** No, it was standing in the name of the Member for St. Norbert.

**MR. DEPUTY SPEAKER:** In the name of the Member for St. Norbert. Is that agreed? (Agreed)

**MR. DEPUTY SPEAKER:** Seconding Reading on the proposed motion of the Attorney-General, Bill No. 5, An Act to Repeal Certain Statutes Relating to Education and Other Matters, standing in the name of the Member for Ft. Garry.

The bill will stand? (Agreed)

### **BILL NO. 6 - THE EMERGENCY MEASURES ACT**

**MR. DEPUTY SPEAKER:** On the proposed motion of the Minister of Government Services, Bill No. 6, The Emergency Measures Act, standing in the name of the Member for Gladstone.

The Member for Gladstone.

**MRS. C. OLESON:** Thank you, Mr. Deputy Speaker.

I just have a few comments I would like to make to add to those that were presented by my colleagues when we last spoke on this bill last Wednesday. I, too, have some concerns with powers that are given to individuals to declare a state of emergency in situations which may arise from time to time, be it flood, fire, blizzards or whatever and any other conceivable situation which may arise. Now, I have a great deal of respect for the mayors and reeves of this province, but do they really want the responsibility that this legislation places upon them by this Minister?

With no guidelines for the inevitable problems which arise from actions of this nature, this legislation gives them a great deal of power and a great deal of responsibility. And I would like to know, Mr. Deputy Speaker, who asked for this legislation? No one in my constituency came forward and said that they wanted this legislation. They didn't beg me for it. I didn't hear anything about it, and did dozens of mayors and reeves march on the Minister and say that we must have this legislation and we must have it this Session and we want these powers, we need these powers? What suggestions were made to the Minister that led him to believe that this bill had to be drafted in this form, and what consultation did he have with the mayors and reeves of the province?

I don't really think that there were any numbers of people came forward wanting this. At least, if they did, I would have thought if there were people in great numbers that wanted this, we would have heard about it and I haven't.

One of the other concerns I have with this legislation is more in what it does not say than what it does say. We've seen in the past, Mr. Deputy Speaker, a relatively straightforward bill brought to this House, debated and passed, either with our support or without, and find out later that the regulations were so riddled with difficulties that it was almost unworkable. Regulations that were not even alluded to by the Minister in introducing a bill, nor were they debated, of course, in this Chamber. They were passed by Order-in-Council afterwards and we could have very little input.

One example, of course, that comes immediately to mind is The Water Rights Act which was passed in this Chamber a few years ago, I believe it was 1983. As I recall, we, in the Opposition, opposed the bill for several reasons, of course, which I will not go into now but which most of the reasons that we had at the time are coming to have some bearing on the activities of the government. But nowhere was it written in that bill at the time, for instance, that a future Minister of Natural Resources could introduce such a thing as water tax. There was no authority mentioned in that legislation that would have led us to believe at that time that a water tax could be imposed from that legislation. That is just an example, Mr. Deputy Speaker, of what I am speaking of when I talk about bills that are brought before this House and then we later learn that some of the implications of them which we were not made aware of at the time of debating the bill.

Now, I'm wondering if there is somewhere lurking in this legislation something that would be very difficult to deal with later on when we see the regulations. I think it would be a good idea if the Minister would prepare some regulations for us to look at even while we are debating the bill so that we can see just what might be the effect of this bill later on.

I rather suspect that later on we will see some effects that we will not be particularly pleased to see. I note in one section of the bill is referenced to a requirement for each municipality to prepare an emergency plan. It has been a voluntary system so far. Up to now, they don't have to, and of course it still exists because this bill isn't passed, that they don't have to prepare a plan, but they may.

If this is made into law that they must prepare a plan, what is the penalty if they don't? What are we telling them? Are we not telling them also, any penalty that might be imposed upon them, how is this going to be imposed? What sort of police action will take place if they haven't had a plan within a certain time? Are there going to be regulations that spell out penalties and what cost will there be to the municipalities for preparing these? What financial implications do we have? Are we offloading some more financial strain on municipal corporations by passing this act?

I hope the Minister, when he is summing up the bill, which he may do before it goes to committee, will answer some of those questions and some of them of course we will be asking at committee, and we'll be hearing what other people have to say.

I read with some interest the paper that was put out in December of 1986 by a different Minister, I see, than the current Minister, but nevertheless it pertains to the same bill. It says, "Aims of the Revised Act," and the first one they list is to simplify the layout and language of the emergency legislation. Well, that's a debatable

point, whether it clarified anything or simplified it. I think probably it created more paperwork and more bureaucracy to get the same thing done, but we will have to take a look at that as it evolves. But on first blush of reading this legislation and this paper that was circulated, it doesn't seem to me to be making anything any simpler.

It's also one of the aims to delete specific reference to war requirements and focus on the peacetime emergencies. I suppose this is a direct result of having declared Manitoba a nuclear-free zone. We never ever need to worry about any war action ever again. That's comforting news, but if we are going to have emergency plans and have nothing that might cover any emergency of that nature, maybe we're making a mistake. There should be something in there to deal with that. There's nothing written in stone that there'll never be any activity of that sort in this country. History has certainly proved that often there are disputes and we need to be ready for them.

Another aim is to ensure that the provincial and municipal governments, provincial departments and agencies, develop and maintain emergency plans and trained emergency response personnel. My question of course to the Minister is: What financial implications does that have on municipal corporations? Are they to be responsible for all the costs of this legislation? And the training, is there going to be some training program set up?

What is going to take place as a result of this legislation that will make things easier for the municipal corporations? Another aim is to ensure that provincial and municipal governments are authorized by the revised legislation to respond quickly and effectively to emergencies and disasters. That could very well be, if you see an emergency in your own local area, but it still gives the reeve or the mayor of that jurisdiction a great deal of power and a great deal of responsibility; and as I said earlier in remarks, did they ask for that power and that responsibility?

Another one of the aims was to simplify procedures that will not require ministerial or Order-in-Council approval and would be in line with current practices, and yet in another portion of the bill it talks about all the reports that are to be immediately, or rather the term is used, "forthwith sent in." So I think that the flood of paper going between the Minister's office and the municipal corporation will certainly not decrease.

We have seen, of course, difficulties with the present situation; for instance, I'm thinking of last spring when there was flooding, there are awkward situations which arise now and which maybe a local authority could handle much better. But this is, to me, this legislation refers only to calling a state of emergency.

There are emergencies arise which you technically, you couldn't really call several persons' houses flooding in a small isolated area a state of emergency for the entire municipality. But over the years there has been activity of that nature, and it takes endless phone calls, paperwork, waiting and it is awkward for the people that are complaining. Flooded basements don't wait for the paperwork to flow. And I've had calls from constituents who are wondering, you know, why they have not had someone look at their place; why they have not had an answer, because in many cases they'll be content with the answer of whether they do or do

not get assistance, but they'd like to know, and that has been one of the problems with emergency help in many cases.

I think that goes for a lot of things that government does. All they would like is an answer, and they wait and they wait and the paper flows and they call their MLA and their MLA phones several departments and tries to get an answer and weeks later, there's a yes or a no. Whereas we would like to have that not only in this department of this emergency type relief, but a lot of other things, answers now.

Now, Mr. Deputy Speaker, during committee hearings on this bill, as I said before, I look forward to hearing from the Minister on some of these points to clarify them for us - to clarify the powers that he's giving by this bill, who is being relieved of powers through this bill and what are the financial implications. Will the municipalities have any input into the regulations that are flowing, going to flow from this legislation? I think that is very important. If they are going to be charged with this responsibility, then they should have some input into the regulations that are prepared.

Most of all, I would say, in closing, that I would like to know most of all how the quality of life in Manitoba is going to be enhanced and enriched by the passage of this bill.

Thank you, Mr. Deputy Speaker.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Environment.

**HON. G. LECUYER:** Thank you, Mr. Deputy Speaker.

I would like, Mr. Deputy Speaker, to say a few words on this particular bill, and I would hope, Mr. Deputy Speaker, that I can get even the Member for Arthur's attention, or if not his attention, at least his silence. His silence would be bliss.

Mr. Deputy Speaker, this bill which is, I believe, a most opportune change at this time, because the current legislation is certainly long outdated, as I believe the Minister responsible indicated in his opening remarks in introducing this bill. From a number of standpoints, the existing legislation is outdated. It's outdated, first and foremost, because it dates essentially from - it's about three decades old and was intended primarily to deal with wartime emergency measures. I believe that we need today to address or deal with man-made or natural emergencies that arise, whether these be weather-type emergencies, as we've experienced, for instance, I believe it was just last year in terms of an ice blizzard. Or whether it's the result of a fire, forest fire situation, or whether it's the result of an explosion as it occurred, for instance, in Neepawa, I believe it's approximately two years ago as well. Or a flooding situation, I believe EMO, for instance, was involved in such an incident last year.

All of this means that the province, if it is to carry out its mandate, as a government, to recognize that it has a fundamental responsibility in the matter of safety and security of its citizens. Whether this, as I say, is in regard to natural emergency situations that arise or whether it is as a result of man-made emergency situations, it has a responsibility for coordinating an approach, a way of coping and re-establish the good order in situations such as those.

It has to be able to do so in conjunction with municipalities, if the disasters occur primarily in a municipal jurisdiction, or with incorporated cities or towns. Of course, there may be situations that arise where it has the primary responsibility because it involves more than one local jurisdiction or more than one local authority. It may be that it has to do so in conjunction with the Emergency Preparedness Canada, EPC, to deal with a disaster which has more than one province involved; or if it's a matter, for instance, where let's say a railway disaster or an air crash disaster, as occurred some years ago, for instance, at MacGregor, I believe in the early 1970's - I'm not exactly what year that was.

The act itself presents or corrects or brings the language up-to-date in many ways. It also, in the section dealing with the administration, puts in place mechanisms which enable these emergency plans to not only be put in place, but so that they can be activated should a disaster occur.

I'm given to understand that the legislation itself would not so much change so many of the things that we've learned since disasters such as the MacGregor disaster, but would enable us to actually put in legislation what we have learned and the way that we do operate presently when emergency situations arise so that our legislation reflects more the reality that we actually live in, in accordance with the plans that are presently in place; so that we can continue to ensure that all of the municipalities put their plans in place, because I understand they don't all have a plan currently, and so that we can continue to update the provincial plan to cope with emergency situations.

It delineates who has the powers to initiate action and to coordinate action. Of course it doesn't require, because it is basically new legislation, that a whole new armada of civil servants be put in place because the role primarily of EMO is one of coordination. Emergency situations very often require the participation of many departments. Maybe if there is a flooding situation, for instance, that the Department of Housing be involved to receive people who have to be evacuated. It may be that the Department of Health has to be involved. Certainly it would require the involvement of the Department of the Environment in most of the situations that are emergency situations. As well, it enables the department to put in place regulations to enable the department to effectively carry out its role and responsibility as described under this act.

So it is a good legislation and, having said that, I certainly want to indicate that I'm pleased that the Minister has introduced this legislation.

I would like to talk a little more in general terms on the element that's always present in such a disaster and that's the human element. We've learned, hopefully, as I've said before, a lot from previous experience and we should be able to change our approach on the basis of what we've learned. The human element counts in such emergency situations in the way we respond to such situations. There has to be a lot of planning, always an array of technology that has to be oriented at all times towards the prevention of disasters. In some cases we cannot foresee and we cannot prevent, but if we take this preventative approach, there are many disasters that can be prevented.

Being responsible for the Department of the Environment, Workplace Safety and Health, and

responsible for the administration of The Dangerous Goods Handling and Transportation Act, the department that I overlook has certainly a lot of responsibility in that area, especially to be better prepared to deal with emergency situations that might arise as a result of spills of chemical in the environment. Because these are getting larger in number and in the quantities used, and especially because of the complexity and the potential risks that these present, certainly we have to prepare in an ongoing way a better approach to deal with them.

That is why, Mr. Deputy Speaker, a few years ago, we adopted legislation in Manitoba in 1984 called The Dangerous Goods Handling and Transportation Act under which we have been adopting regulation, which regulation is basically uniform across Canada. It is certainly my hope that in the same manner, that by adopting this legislation, this new Emergency Measures Act, we are establishing a better structure to cope with emergency situations provincially, municipally and locally in cities and towns. As well, we are doing so by linking up with the national system and we're doing that with other types of legislation which we're uniformalizing across the country.

Just today Cabinet endorsed a regulation which will require the certification of generators of hazardous waste and the licensing of transporters of hazardous waste through the use of a manifest system which will be used not only in Manitoba but which is going to be uniform across the country under this legislation.

That is one of the measures which I was alluding to when I said that we have to use the knowledge we have learned in past situations, for instance, such as MacGregor. In those days, we did not know exactly how to cope with situations, and if one reviews what took place during the MacGregor disaster, one would find out that we certainly were not prepared.

We did not know how to effectively coordinate such a situation; nor did we know how to communicate because there was no clearly established lead agency to do that. When we look back at that situation, we say what a disaster that was, but having learned from that - or what would be worse would be not having learned from that - continue to perpetuate a situation which certainly has to be looked at in disasters in all respect. So we've learned from that situation and, hopefully, we can do better in the future.

I think that the examples of what occurred, for instance, in the emergency situation that arose in Neepawa; in situations that arose like the flooding in the Pequis Reserve last year; the situation that arose - which is not even complete at this point in time - recently with the fire in Minot, involving a factory or a warehouse where a large quantity and variety of chemicals were stored and has potential health effect on not only the population of Minot, but with the smoke cloud directing towards Manitoba.

Emergency Measures took a lead role in making sure that the various departments of the province were informed, the police, RCMP, in Southern Manitoba were informed, that Saskatchewan authorities were informed, so that all agencies and departments could play a role in making sure that not only could we monitor the situation, but that we could swing into quick action should a problem be identified. While such a role was played by EMO, this body is in a position to coordinate and play that role in the future.

Now I was referring a while ago in terms of the human element in such situations, in the planning originally, of course, in preparing for action should a disaster occur, and as part of the planning, to attempt to prevent disasters in the future, and when a disaster does occur, of course to be on the front line to do the clean-up and the restoration efforts, staff in my department are called upon to do that kind of work in many situations; therefore, that's part of the human element. Of course, there are also the victims in such situations which are also involved.

Large scale disasters do happen, and when they do, they dominate also the public media attention. Most of the time we are not called upon to deal with large scale disasters or we hope never to have to deal with disasters such as the magnitude of Mississauga or the Bhopal incident, etc., but they are proportionate to the size of our province. And in some case they're already bad enough.

Now as I said before, they can occur from natural or man-made causes and they occur on an unpredictable basis. Those that are natural are often not preventable, but that is not the case for situations involving fires; oftentimes, especially those involving hazardous substances, are generally preventable. But in order for that to be the case, we must establish good plans to address these potential disasters, to be prepared to face and cope with them when they do occur. And we must know in advance how we're going to cope with them if they do occur.

I could go over the whole situation in terms of what occurred, for instance, when we had to cope with the derailment in MacGregor years ago, but I will not do so. The only thing that's important is that we know what went wrong in that situation, and especially that we realized that it was basically a communication disaster and that we correct the situation in the future.

Specifically at that time we lacked, among other things, a game plan or protocol which clearly defined the roles of all the players, both public and private, in advance. And that is what we are establishing by revisions to this act today and by developing plans to address future disasters.

I think perhaps the MacGregor incident served perhaps as a turning point in Manitoba, and maybe if nothing else, we can say that it was a worthwhile lesson and has enabled us to bring about many, many improvements in recent years on the way we cope with such situations in the future.

As I already said, the department itself has become a lead agency for the transportation and handling of dangerous goods in areas where emergency response capability is certainly critical; and we're certainly the most well integrated department from that standpoint in Canada and perhaps elsewhere as well.

However, in spite of the degree of attention, we are not the sole delivery agency, and for every service in Manitoba, that overall responsibility is the role that falls upon the shoulders of EMO which is housed in another department, Government Services. But it may involve the office of the Fire Commissioner; it may involve Natural Resources; it may involve Municipal Affairs; it may involve the Department of Health; the Department of Highways and Transportation is often involved as well. But I do believe that the Manitoba model works very well because it allows those most familiar with the



day-to-day smaller emergencies to handle them on a relatively independent basis, while providing for partial or total integration of all emergency services if and when the need arises. That I believe is important . . .

**MR. J. DOWNEY:** Who determines that?

**HON. G. LECUYER:** . . . and that's the role, basically, in answer to the question by the Member for Arthur, is the coordinating role that EMO has and does play.

Perhaps, Mr. Deputy Speaker, I could end by simply saying that we have profited from past lessons, and with this bill, we are improving our capabilities to put in place the mechanisms to cope with future situations or disaster situations that might arise.

Having said that, I commend the amendments proposed to this bill to all the members of the House as an improvement, I think, that we cannot in any way, shape or form be against.

**MR. DEPUTY SPEAKER:** The Honourable Member for Charleswood.

**MR. J. ERNST:** Thank you, Mr. Deputy Speaker.

Let me say that, and I suppose because of the fairly tale government on the other side, we should start off, "Once upon a time," Mr. Deputy Speaker. In fact, once upon a time there was a situation existing in the Emergency Measures Department of this province . . .

**MR. DEPUTY SPEAKER:** May I remind members about the Rules of the House about reading newspapers.

The Member for Charleswood.

**MR. J. ERNST:** Mr. Deputy Speaker, at one point in time, some time ago, the Emergency Measures Department of this province was a force to be reckoned with throughout the Province of Manitoba. They had a very good organization; they had very well-trained staff; they had a central pool of resources, Mr. Deputy Speaker, upon which to draw. They had all of those things. They had plans put into place for all kinds of disasters. They had plans put into place for air crashes, for floods, for all kinds of major catastrophes that could have struck the province.

They had, on a regular basis, training programs to deal with that kind of situation which employed both local resources and the resources of the central pool of organization, Mr. Deputy Speaker. They were prepared to fight forest fires; they were prepared to deal with major evacuations and all kinds of calamities that we could have, and in fact, from time to time, did strike the Province of Manitoba.

Mr. Deputy Speaker, that department of the Provincial Government had one central line of authority, it had one central department, and it could deal with all kinds of matters across the whole province. It also had one central pool of resources that required the taxpayers to pay for only once, Mr. Deputy Speaker, not a frittering or a myriad of requirements all across the province, but only one central pool of resources, one pool of resources that could be dispatched in short order all across the province to wherever those kinds of emergencies occurred. That made, in my view, Mr. Deputy Speaker, some sense.

I, at that time being involved in Municipal Government, saw first-hand how some of that operation operated, how it worked, how that kind of resource pool could be dispatched, could be distributed throughout the province to meet those kinds of disasters, but that's been slowly eroded, Mr. Deputy Speaker, over time - eroded because of the priorities of the members opposite.

We've seen erosion in Highways, in both physical and budgetary terms, substantial amounts of money, Mr. Deputy Speaker, eroded from that department. We've seen it eroded from Emergency Measures; we've seen it eroded from support for municipalities; we've seen it eroded in any number of areas. At the same time as all that erosion is taking place, on the other hand, the government is grabbing for more revenue. We've had 270-some millions of dollars just grabbed in this year alone.

Mr. Deputy Speaker, on top of that there will still be massive deficits contained in the provincial economy. So it's a question, I think, of the misplaced priorities of the government. But they haven't recognized a need for dealing with their own responsibilities, dealing with what are common sense or moral responsibilities as well as legal ones, Mr. Deputy Speaker.

For instance, we had a little snowstorm in Winnipeg. You know, it's a reasonable thing to happen in Winnipeg in the wintertime, Mr. Deputy Speaker. Last November, we had a snowstorm. For heaven's sake, the government had no plan how to staff their hospitals during a snowstorm. Now where was the emergency planning? Where was the Emergency Measures Organization? Where were the priorities of the government, Mr. Deputy Speaker, to deal with that situation, because they couldn't even get staff to the hospitals to man it. They had staff working there for 18, 24, 36 hours because they had no plan and no ability to get those people into the hospitals.

**A MEMBER:** It's Winnipeg's plan.

**MR. J. ERNST:** Mr. Deputy Speaker, somebody said it's Winnipeg's plan. Thank heaven Winnipeg did have a plan because they're the ones that got them there. They're your hospitals, Mr. Deputy Speaker; they're not the city's hospitals. Those hospitals are run by the Department of Health here in this province and it's their responsibility to make sure those hospitals function and the delivery of health care takes place.

So, Mr. Deputy Speaker, they had not the ability, not the plan, not the resources, to carry out a very simple situation - a snowstorm in Winnipeg in the winter, and the fact that hospital staff couldn't get there or back because of a lack of planning in the members opposite.

Mr. Deputy Speaker, in terms of dealing with this, and the mention was made of the fact it was the city's plan, and thank goodness for that. Thank goodness the city did have a plan. But the City of Winnipeg also has major resources that can deal with situations like that too, Mr. Deputy Speaker.

They have a 1,000-or-more-man police department; 1,000-or-more-man fire department; a substantial ambulance department; a very large number of public works employees and a very large number of pieces of equipment that can deal with many of the kinds of disasters that could strike in the City of Winnipeg.

But, Mr. Deputy Speaker, those same resources are not available in rural Manitoba. Those same resources are not available, yet geographic areas that are two and three and four times larger than the City of Winnipeg, what are they going to do? What are these municipalities expected to do under this plan? Section 8(a) requires them to establish and maintain a local emergency response organization. Are they now going to be forced, Mr. Deputy Speaker, to go out and hire additional employees and purchase more equipment to set up an emergency plan that the government thinks they should have as opposed to what they can do on their own with their own limited situations?

In many of those municipalities in rural Manitoba, Mr. Deputy Speaker, they have no fire department or they have a volunteer fire department. They don't have the resources that say are available in the City of Winnipeg to respond to those kinds of situations. They have no ambulance service or limited ambulance service, depending upon the area that you look at.

They have shared RCMP services. Local authorities do not maintain their own police departments, by and large, in rural Manitoba. They have shared RCMP services, so that two or three municipalities may share the same RCMP detachment or be within at least part of their municipalities within one geographic area.

Mr. Deputy Speaker, they're, in fact, cutting back those police services in rural Manitoba, as we're seen in recent time down in the area of the Member for Arthur, even in Winnipeg Beach. Those kinds of cutbacks certainly are going to go no way forward in helping local authorities respond with an emergency response organization. It's not going to be possible for them to meet the kind of response that should take place in those situations where major disasters will fall on citizens of our province.

Those municipalities, by and large, Mr. Deputy Speaker, have no experience in dealing with these kinds of situations and have very limited experience certainly. They have no manpower, no systems, no equipment, and worst of all, they have no money to deal with those kinds of situations. Here we have a requirement to put a new department into every single municipality in the province.

**A MEMBER:** No.

**MR. J. ERNST:** Well, the members opposite say, no, but it says clearly; Clause 8(b) requires him to establish and maintain a local emergency response organization. That's a requirement of the bill. It's not voluntary; it's not an "if, and, or maybe"; it's a "will," Mr. Deputy Speaker, and they'll have to address that. Perhaps the Minister of Education could help out his colleagues in learning how to read some of the words that appear in these bills so they can understand what the requirement is under this bill.

Mr. Deputy Speaker, in this situation, it is a clear attempt by the Provincial Government to shirk its responsibilities under emergency planning in the Province of Manitoba and to leave those rural municipalities sitting out there high and dry with the responsibility. Oh, they gave them broad new powers; that's very nice. I'm sure that the municipalities will welcome those with open arms. But, Mr. Deputy

Speaker, what they're not going to welcome with open arms is the fact they're going to have the responsibility to deal with all those issues and they're going to have to pay for them, and the Provincial Government is offloading their responsibility onto the backs of rural Manitoba taxpayers.

We've heard and seen, over the past few months, the kind of problems that agriculture faces in Manitoba, as elsewhere, Mr. Deputy Speaker, but we're talking now of Manitoba. They are now expected to foot the bill - the property taxes levied on farm land is now going to be expected to foot the bill for an Emergency Measures Organization throughout the province because the Province of Manitoba here is attempting to offload their responsibilities.

Clause 8(f) of the bill, Mr. Deputy Speaker, says, "The municipality may levy, appropriate and expend such sums as may be required for preparation, development or implementation of emergency plans and programs."

Mr. Deputy Speaker, that clearly says where the financial responsibility for this matter is going to lie, and it's not going to lie with the Minister of Finance; it's not going to lie with the Minister of Government Services. It's going to lie with the municipal taxpayers throughout the Province of Manitoba.

This is a clear signal, Mr. Deputy Speaker, that the NDP have struck again. We've had all kinds of examples of that over the past few months, but here's another clear example of shirking their responsibility and offloading that responsibility onto the backs of property taxpayers throughout the province.

Talk about a hypocritical attitude, Mr. Deputy Speaker, there is no greater hypocrisy than this kind of bill coming forward from that government, no greater hypocrisy. We have heard for the past year about how the Federal Government has taken away some money that somehow they figure rightfully belongs to the Provincial Government, that they have had cutbacks in transfer payments, that they've had reduction in grants. Everything was "blame the feds" for the financial woes of the Province of Manitoba. They assume no responsibility over there at all, Mr. Deputy Speaker; it was all the Federal Government's fault.

At the same time, the hypocrisy comes in when they now try to offload their responsibilities onto the municipal government and suggest all of a sudden now that it's quite all right. It's quite all right that they can get rid of their responsibilities, but the Federal Government can't do it on their side. Now, Mr. Deputy Speaker, how can you even belong to an organization or a party like that where that kind of hypocrisy exists? I don't understand it.

Mr. Deputy Speaker, I want to make sure that there is no misunderstanding with respect to the matter of whether municipalities could or should be the first line of defence in respect to these kind of situations. Certainly, municipalities understand what the problems are. In most cases, they are able to put up a line of first defence, be able to respond in the initial phases of these kinds of disasters because, first of all, they're there, which makes a significant difference when you're first on the scene. Secondly, they have some limited resources with which to respond to those kinds of situations. They are able to assess the impact.

They are able to, as I've said, respond in a very initial situation, but they need a central resource to draw on.

They cannot, particularly in rural Manitoba, stand alone in these situations. They have not the resources, they have not the manpower, they have not the experience and they have not the money to carry out what's necessary in many cases.

They need that central resource - central pool of manpower, expertise, equipment, supplies, whatever is necessary - to meet those immediate demands that take place when a disaster strikes. They need, Mr. Deputy Speaker, someone with the ability to cut through jurisdictional red tape. They need someone to be able to override many of the jurisdictional problems that exist amongst municipalities, amongst school boards, amongst local government districts and many other areas that throw roadblocks, not necessarily deliberate, but certainly roadblocks from time to time, in the way of handling those kinds of emergency situations.

They need that and that could be done through a strong central Emergency Measures Organization, not a diversified one that offloads again the responsibilities to someone else and takes it out of the hands of the Provincial Government so they can throw up their hands and say it's not our fault. The municipalities are responsible; they have to do it. Mr. Deputy Speaker, that's not good enough certainly in the areas of rural Manitoba that need this kind of service.

Mr. Deputy Speaker, when those kinds of disasters - a forest fire, a flood, a major windstorm - those kinds of situations occur in rural Manitoba, they need resources immediately. They have people who need housing immediately. They have people who need clothing. They need living supplies, blankets, food, medicine. Those kinds of things, Mr. Deputy Speaker, they need right away. They don't need it in two weeks time; they need it within hours. They have no central resource; they have no means of central supply to deal with those kinds of situations. That's gone, they've blown it, thrown it away; and it needs to be addressed and it should be addressed in this bill and it's not.

The powers granted under this bill, Mr. Deputy Speaker, are quite extensive. But the Member for St. Vital - unfortunately, I can't say; he's not here either, I suppose, but unfortunately anyway, he's unable to hear my words today with regard to this bill - but the Member for St. Vital stood up on Bill 8 and talked about the enormous powers that Bill 8 was going to grant to the City of Winnipeg dealing with assessment.

You'll remember, Mr. Deputy Speaker, that he stood up and said these enormous powers, and this bill was bad and that the public should be warned that the government was bringing in a bill that was far beyond any kind of power that any municipality should ever have had. Well, Mr. Deputy Speaker, this bill makes Bill 8 look like a birthday card.

This bill has more powers than that bill ever dreamed about and I'm surprised that the Member for St. Vital hasn't stood up in this House and said that, that he hasn't expressed that concern. If he was concerned about Bill 8, he surely should be concerned about this particular bill because it has far more powers granted to municipalities, Mr. Deputy Speaker, than any one would have thought.

Just let me run through a couple: "Acquire, utilize any real or personal property; require any qualified person to render assistance for which he is qualified; control or prohibit travel on any road or street; authorize

entry into any land or building without warrant and cause demolition or removal of any tree, structure or crop at the will of that authority."

Now, Mr. Deputy Speaker, those kinds of rules you see in the Warsaw Pact countries. Those kinds of rules give government ultimate authority to walk in, do what the hell they want and don't worry about it or worry about it later. Now, Mr. Deputy Speaker, those are the kinds of powers that are contained in this bill.

If it was a Tory Government bringing in a bill like this, every single member of the bench opposite would be screaming loud and clear, "violation of human rights," and all kinds of bad things would befall because of the kind of bill that was being brought in. Now, because they're bringing it in, it's quite acceptable. In fact, we've had Ministers stand up and defend their situation.

So, Mr. Deputy Speaker, I have to wonder, I have to wonder again about the hypocrisy of the members opposite when that kind of situation arises.

In conclusion, Mr. Deputy Speaker, it's time for the government to come clean. It's time to tell it like it is. They want to dump their responsibility onto the backs of farmers, on the backs of rural taxpayers, on the backs of city taxpayers, across the whole province. They haven't got the money. They've blown it on whatever else they've decided to spend their money on and now they're trying to shirk their responsibilities.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Labour.

**HON. A. MACKLING:** Mr. Deputy Speaker, I move, seconded by the Honourable Minister of Education, that debate be adjourned.

**MR. DEPUTY SPEAKER:** The Minister of Labour has moved, seconded by the Minister of Education, that debate be adjourned.

Does the Honourable Member for Turtle Mountain wish to speak?

With the consent of the House, the Member for Turtle Mountain.

**MR. D. ROCAN:** Thank you, Mr. Deputy Speaker.

I am pleased to rise and speak to Bill No. 6, The Emergency Measures Act; Loi sur les mesures d'urgence. As you know, Mr. Deputy Speaker, this is a major revision of the old act which has been around since 1970. Although there are some good points in this bill, I do have some concerns with some of the aspects of the legislation.

On December 15, 1986, the then-Minister of Government Services sent out a discussion paper on how this act should be revised, and I find it very interesting that nowhere in the speech by the Minister of Government Services does he mention this discussion paper. For instance, Mr. Deputy Speaker, he doesn't say how many reeves and mayors responded to his predecessor's letter. What concerns did they have, Mr. Deputy Speaker? Are all the R.M.'s in agreement with the principles of this bill as it is now being presented? Do all R.M.'s and LGD's agree with many of the major changes that the government has brought in with this bill?

It would have been nice, Mr. Deputy Speaker, if the Minister would have provided the Opposition with some kind of feedback that he received with regard to the discussion paper of December 15.

What is this bill supposed to do? This act, back in 1954, was put in place at a time when the priority for emergency preparedness was primarily conducted on a war emergency. I think it is safe to say, Mr. Deputy Speaker, that little consideration was given to any potential emergencies resulting from floods, fires, severe weather, dangerous goods, rail and aircraft accidents, and a host of other disasters which one can think of.

This bill is an attempt by the government to make the language in the act clearer and to make the act easier to understand. However, Mr. Deputy Speaker, I don't think that the government has left the 1950's, and I give an example of a definition of a "civil emergency." A civil emergency is defined in the bill as "any emergency caused or resulting from a natural disaster or a disaster caused by human intervention, but does not include a war emergency."

Now, Mr. Deputy Speaker, they are saying technically, "they," being the government, that if I, as a citizen of the Province of Manitoba, round up 3,000 people and attempt to take over the province, in the way that this government has been acting in the last six-and-one-half years, I think that I could find 3,000 people to get rid of this government. To me, trying to remove a government or to thwart the will of a democratically elected government is called revolution.

However, under this act, this is not covered because the Minister might call it war and say there is no emergency; but the head of the EMO might call it human intervention and say something to the effect of, "Mr. Minister, we have an emergency," and maybe the Minister might reply, "No, we just have a gathering." Just like he says to members of the Opposition when talking about workers compensation - "No, we don't have a deficit; we have an unfunded liability." So I have some concerns about that definition, Mr. Deputy Speaker.

Now I have another concern, and it stems from nowhere in this bill does it define what a local emergency response organization is. Does that mean a committee established by the R.M. or the LGD or the town or the city? Is this different than the committee of different members of a particular community who, under this act, must be established to advise a local government authority in the development of emergency plans and programs? Mr. Deputy Speaker, I would like some clarification on that, maybe when the Minister closes debate.

The bill also permits the local authorities to enter in mutual aid agreements with other local authorities. I find this a little bit restrictive, in a sense that when an emergency occurs, we must look to every source to help alleviate the suffering caused by the disaster. I think we should look at the possibility of involving our school divisions and our private industries, to a greater degree, should a disaster strike.

Mr. Deputy Speaker, I find it very peculiar that when we are dealing with emergencies, we have two sets of standards, one for Southern Manitoba and one for Northern Manitoba. We have the Minister of Northern Affairs, according to the definition of local authority, representing Northern Manitoba.

Why, Mr. Deputy Speaker, does a definition of local authority read as follows: "The council of an incorporated city, town, village, community, as defined in a Northern Affairs Act, or rural municipality, or the resident administrator and council of a local government district, or the Minister of Northern Affairs with respect to Northern Manitoba."

Why - and I hope the Minister of Government Services can explain this - is the Minister of Northern Affairs defined as a local authority? I hope the Minister would include his reasons for this when he closes debate.

Now, Mr. Deputy Speaker, I want to turn to the parts of the bill that deal with the issuing of a state of an emergency which is Section 11(3) which states: "Every declaration made under subsection (1) or (2) shall identify the emergency or disaster, state the area in which it exists, and a copy of the declaration shall be forwarded forthwith by the municipality to the Minister."

I think that the intention in this particular clause is a good one. However, the word "copy" to me represents something on paper, which technically is mailed or hand delivered. Well, if we mailed something in Thompson, it could take approximately five days to get to the Minister. By then the disaster would be over, and it is awfully hard to drive from Thompson to Winnipeg to get the necessary information to the Minister. In a state of emergency I feel that the declaration could be communicated by the most appropriate means necessary to make sure that the Minister is aware of the situation.

Mr. Deputy Speaker, I have two other concerns dealing with this bill. One of them is the application of The Workers Compensation Act, as it relates to this piece of legislation. We are fortunate, Mr. Deputy Speaker, that the Minister introducing this bill is also responsible for The Workers Compensation Act, so he would be the best one to inform me what are the benefits payable if an accident should occur during the state of emergency. This is not a petty concern, Mr. Deputy Speaker, for the clause in the bill states quite clearly that The Workers Compensation Act covers every person including a person who is not a volunteer - who is a volunteer - and who is required or takes action in an emergency or disaster or is engaged in training in disaster or emergency relief programs. Now, where is it in this legislative authority, in The Workers Compensation Act, to permit this? My last concern on this bill is that this act will only come into force on a day fixed by proclamation.

Mr. Deputy Speaker, I feel that this bill should come into force on the day that it receives Royal Assent, because we never know when a disaster is going to hit. Mr. Deputy Speaker, on March 18, 1986, a disaster hit the people of Manitoba, and the sooner that we get rid of this and the sooner that we can get this act into force, the quicker we can relieve their suffering.

I do not feel that it should be left up to the government to bring this act into being, because it is, I feel, important for the government to respond quickly to any emergency so this act should come into force on the day it receives Royal Assent. I find it ironic that this government has the nerve to condemn the Federal Government for offloading the sugar beet problem onto the Provincial Government. They also talk about the federal transfer payments being offloaded onto the provincial governments but, Mr. Deputy Speaker, all I can see is

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the Minister offloading his responsibilities onto the other local authorities.

With those few words, Mr. Deputy Speaker, I look forward to this bill going to committee when we will be able to discuss it in greater detail.

Thank you, Mr. Deputy Speaker.

**MR. DEPUTY SPEAKER:** The Honourable Member for La Verendrye.

**MR. H. PANKRATZ:** I move, seconded by the Member for Riel, that debate be adjourned.

**MR. DEPUTY SPEAKER:** Does the Honourable Minister of Labour wish to speak?

**HON. A. MACKLING:** Yes, on a point of order.

I had adjourned debate, presuming there was no other speakers. By all means, I withdraw that motion you had accepted, and then the honourable member spoke, so that the Honourable Member for La Verendrye can adjourn debate. I withdraw that motion.

**MOTION presented and carried.**

**MR. DEPUTY SPEAKER:** On the proposed motion of the Minister of Community Services, Bill No. 11, The Change of Name Act, standing in the name of the Member for Rhineland.

**MR. A. BROWN:** Stand.

**MR. DEPUTY SPEAKER:** Stand.

### ADJOURNED DEBATE ON MOTION THE PATENT ACT

**MR. DEPUTY SPEAKER:** Resuming debate on the proposed motion of the Honourable First Minister, standing in the name of the Member for Arthur.

**MR. J. DOWNEY:** Mr. Deputy Speaker, I rise to speak again on what is, in the estimation of the majority of members on this side of the Assembly, and I'm sure the majority of Manitobans and anyone else in society that is paying any attention to what is going on in this place; we have again the Premier of the province, the members of the Cabinet and the government posturing, politically posturing, to try and shore up their image within the provincial jurisdiction, and to shore up our friend and their friend, the Leader of the New Democratic Party in Ottawa.

Mr. Deputy Speaker, as far as having any substance, having any true factual information that tells both sides of the story, the resolution is absolutely void of such items, there is very little fact, very little substance as far as putting both sides of the story across, and again, Mr. Deputy Speaker, it's a sham on the Government of Manitoba, the New Democratic Party, for the way in which they like to approach the people and try to put across that they're the great saviours of our society when it comes to health and those matters.

I think for the interests of the Assembly and for the members of the Government, that we should be back

through it because there were a couple of points made the other day that I think have to be re-emphasized and, Mr. Deputy Speaker, I'm going to re-emphasize those points. I'll just go through the resolution point-by-point because it seems to be that's the only way in which one can get them to pay attention.

I guess the other point that has to be made, and I'm not making any reference as to whether or not the Premier is or is not in the Chamber, but it's of such magnitude and such importance to it, to my knowledge I haven't heard or I can't see on the proceedings of the different events, I haven't seen or heard of his speech in the House.

(Madam Speaker in the Chair.)

I am not aware that he has sat in to listen to any of the debate on this matter, so one has to take the whole thing into perspective, that he is so upset and so concerned about a bill of this magnitude at the national level, to take the time of this Assembly, to take the valuable time of this Assembly, when we have a crisis in agriculture, when we have a crisis in health care, when we have a crisis in child care, and the issue which my colleague from St. Norbert has been continually bringing to the Minister responsible for Community Services, those kinds of issues, those kinds of priority items which I think should be dealt with, Madam Speaker, and yet we have a Premier introducing a resolution that is for his own political and his political party's good.

You know, that's the kind of government that we have in the Province of Manitoba, that the issues of the day - the agricultural issues, the issues of child care, the issues of hospital cut-backs, the issues of Crown corporations running wild with the taxpayers' money and no accountability - and we have got a resolution of this type on the Order Paper that isn't even factual in telling both sides of the story.

I think it's a shame that the taxpayers are expected to pay this kind of money to keep this Assembly going to try and shore up the political image of the New Democratic Party as being the great saviours of the elderly, of the legions.

My goodness, the legions. I can't understand the legions in their support for this bill if they truly understood the facts, but they aren't taking time. My goodness, I've got many legionnaire friends; I'm proud to be an honorary member of the legion in my home community. Yet, for some reason, they have listened or read or had sold to them a bill of goods that surely is a bill of goods, and as my colleague, who is a former staunch supporter of this country and fought to the bitter end to save this country, he, Madam Speaker, being a member of the legion, said, "It's scare tactics." And that what's it is.

I don't blame senior members of our society for being nervous and upset and concerned, because in a lot of cases they are on fixed incomes; and whether it be food or whether it be housing or whether it be the medicines and the essential ingredients they need to give them some ease in their latter part of life, I don't blame them for being concerned if, in fact, they are going to face higher costs.

But, Madam Speaker, let's tell them the truth, and the truth of the matter is that none of the medicines

that they're now taking, generic or otherwise, are going to increase in price because of this legislation. But you don't see that - that isn't in this bill - and that's why it is absolutely wrong and it destroys the credibility of any politician sitting on the government side that stands and says your medical bills will go up. That's not true, Madam Speaker. In fact, what may go up are future medicines produced by some of these companies. For the next seven years, they're going to be allowed to charge a royalty fee on the finding of that drug.

Madam Speaker, do the members of the government not know that we have a plague in our society? A plague known as AIDS that can strike anybody. What are we seeing on our TV's, what are we seeing in the newspapers and all the ads, Madam Speaker, is the scare of AIDS. Now, isn't it worth us, isn't it worth the Canadian taxpayers, isn't it worth the seniors, isn't it worth everybody paying just a little bit more for a drug that may well be the cure for AIDS, may well be the cure for cancer?

And I think if I went to the legion in Minnedosa, Melita, Deloraine or Oak Lake, where I've got many good legion friends, and sat down and talked to them in that kind of a realistic manner, and you said, "Would you contribute a little bit so that your grandson or granddaughter, or your son or your daughter, or your neighbour's daughter or family would have the chance for a lifesaving drug?" - do you think that they would say, "Oh, this is the worst bill in the world"?

They would stand shoulder to shoulder and they would take up a collection and they would pay monthly a higher fee for their bills so that that may come about, Madam Speaker, because I know the legions, I know the seniors in this province and I'm not trying to trick them, and I'll talk in that manner publicly, to them personally, but I'm not trying to fool them. And I'll tell you, Madam Speaker, they will contribute to help find that drug for their young people in our society.

We have AIDS running in our society today that's scaring the lives out of these people. It's scaring the lives out of my colleagues. And it's our responsibility, as it is the government's responsibility, to treat resolutions of this manner responsibly, but they're not, Madam Speaker. They're playing a political game with the seniors and those as less capable of looking after themselves in our society. Scare tactics, as my colleague from Minnedosa says, scare tactics. That doesn't wash.

That is being seen through, Madam Speaker, on a daily basis by the New Democratic Party not only in Manitoba but in Ottawa as well. The federal members of the New Democratic Party better enjoy where they now stand in the popularity polls because that's as close as they'll ever get to being in power. That's as close as they'll ever get to being in power.

Canadians, I can tell you, when it comes to tearing down of our support for NATO, yes, Madam Speaker, they love to tear down our support for NATO, but when it comes closer to becoming elected, watch them soften their position as my colleague from Lakeside said the other day. Watch them become more moderate. Yes, Madam Speaker, watch them become more moderate.

Yes, Madam Speaker, they'll even start to talk about free trade. I pointed out the other day in my speech, how can you be against free trade and support this resolution? Where are we going to get the drugs in our country unless we open up to some of our trading

partners that may develop some of the drugs that we need - life saving drugs? If we don't have workable arrangements and at least the will to freer trade, then we will be frozen out, Madam Speaker, we'll be frozen out of those life saving drugs.

So I plead with the government, No. 1, to quit playing politics with the lives of our seniors and elderly people like the legions who supported our country, who maintained our country and maintained our freedom, fought for that. Don't play games with the lives of people who dedicated themselves. Of course, the Member for Kildonan wouldn't know anything about that, Madam Speaker. He wouldn't know anything about that at all. He doesn't understand what it is to stand and defend. I'm sure he's quite prepared to turn and take the other route out and let somebody else do those things that are essential to the preservation of our freedoms.

I don't want to become personal on this because it's not my nature to do so. But he has to be reminded every once in awhile that there is a responsibility and a right to defend where you are so proud of.

Madam Speaker, the point I wanted to emphasize again, there isn't any place in this resolution, brought forward by a Premier who is actually using the taxpayer's money to have this debated for his own political purposes. I don't believe so. My colleague from Gladstone asks the question, has the Premier ever spoken on it? Not only hasn't he spoken on it, I'm not sure whether he's ever sat in to listen to any of the debates.

Madam Speaker, I apologize, no reflection on whether there is presence or absence of the Premier in the House. I just say that I'm not sure, I'm not aware of the fact whether he's been here or whether he hasn't. I do not mean that in any way to reflect on his attendance in the Chamber.

But one has to ask the question, why is it on the Order Paper? Why is it on the Order Paper? Is it in the best interests of Canadians? Is it in the best interests of Manitobans? If it is, then where is the substantiating evidence? Where is the substantiating evidence in the resolution? I haven't heard any. I haven't seen in here that it says the true fact that any drugs that are now being produced and used by the people in our society have got to pay more money for them, other than the normal increases in inflation.

But I tell you, Madam Speaker, there is certainly every clause in this resolution that refers to increased costs, loss of service, loss of product. That isn't going to happen, Madam Speaker, on the drugs that are currently out there that people are depending on. - (Interjection)- Well, the comments that are made aren't worth responding to because they aren't in a serious manner, I'm sure that they're not.

But I'm absolutely serious in my comments that the government is playing the game of political support for themselves and it isn't fair to those people in our society that depend on them. Of course, that's their nature and one wouldn't expect any better. One would expect better from the Member for Lac du Bonnet, but he's part of the same kind of game. He plays the same kind of game and puts on the Order Paper the plant breeders' rights scare.

There's another major scare that goes through the farm community that is going to cost you a tremendous amount more for seed, for grain, for food. You know,

in the words of the socialists, it puts on the verge of starvation, because some terrible multinational is going to take over the control of the production of seeds and all those types of things that we need.

Absolute falsehoods, absolutely scare tactics, Madam Speaker, so bad that their whole credibility has to be challenged as a government and his people who stand up and responsibly represent their constituencies. I think it's deplorable that they play that kind of game - deplorable - particularly when we see the waste of taxpayers' money and use of the legislative time to do so. Yes, we all have the opportunity in Private Members' Bill, and think times to put our thoughts and our feelings forward, that I don't believe should be taken away from the legislative members.

But to use government time, to use the time that we should be debating the Estimates of the Department of Agriculture, to use the time that we should be defending the homeless and the people who are unable to look after themselves, in hospital care, those are things we should be debating, Madam Speaker, not this kind of self-propping up, self-imagery, a political game that is being played by the Premier and his party. If find it extremely deplorable and I can tell you, Madam Speaker, so do my constituents.

I would like to know, Madam Speaker, how much time I have left to making my comments, if you would be so kind.

**MADAM SPEAKER:** Please turn the light on. The honourable member has three minutes.

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

That is the three-minute light? Okay, thank you. Does that flash more than three times for three minutes? Thank you, I see it now, Madam Speaker.

**MADAM SPEAKER:** I understand it's on steady until your three minutes are up, does it not?

**MR. J. DOWNEY:** Goodness! You know, Madam Speaker, being an obeyer of the law and involved in traffic and driving, a flashing red light means to stop. Now, I would have thought that we'd at least had an amber light so that we could have run it, you know, but anyway I'll disregard the norm . . .

**MADAM SPEAKER:** I didn't invent it.

**MR. J. DOWNEY:** . . . in this situation; that a flashing red light means to proceed, you've got three minutes left. Thank you.

Madam Speaker, I was going to go through clause-by-clause the resolution which is on the Order Paper but I don't have the time to do so, but I will say this: that the bill, the resolution is written to leave the impression that it is high, a tremendous cost increase, irresponsible to do so. They should have had a clause in there that all future drugs produced that fall within this act, it'll be introduced in the House of Commons; on new drugs that are produced, there's a seven-year period of which they have the opportunity to produce those and charge the fee in which they can recover the research charges and encourage them to do more. And as I say, I want to emphasize again, I don't think

there is a person in our society who doesn't feel some responsibility to try and find that drug that may - that may - cure or stall cancer, that may cure and stall AIDS, Madam Speaker.

Those kinds of diseases, whether they be kidney or any part of our body, we owe, I believe, to those people who are prepared to invest in it the opportunity to recover some of their costs. Far be it, Madam Speaker, for me to stand here and say that I would support any rip-off. I would not stand here and support anybody in our society whether they be multinational, whether they be small business or anyone. We cannot tolerate any rip-offs in our society in such mannerism in such areas as drug production, but we can sure carry some responsibility and if presented in a responsible manner, as I'm sure my colleagues have spoke, as I'm sure the House of Commons in Ottawa have presented, then I think that it is an acceptable approach. I don't have any trouble, as I said earlier, standing before any crowd or any group of people, individual or otherwise, in my constituency in stating that case. Because I believe, whether they be legions or seniors, that they're prepared to accept that position.

I thank you, Madam Speaker, and I would just hope the government would come to their senses and start dealing with matters within their jurisdiction before this Assembly.

Thank you.

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

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

Once again, the member has delivered one of his blockbuster speeches and I was very interested in listening to him, and I was quite interested in listening to his references that he made at several points to the Royal Canadian Legion. I'd like to point out to him that the Royal Canadian Legion is on a list of many, many organizations who are on record as opposed to the federal legislation, so perhaps he should make copies of his speech and pass them off to the Royal Canadian Legion for their perusal.

Madam Speaker, the question that we should be asking, of course, is who really wants this legislation, and why? The senior citizens at 505 Munroe in Elmwood at Kildonan Horizons, do they want this legislation? The senior citizens at Legion Gardens on Talbot, do they want this legislation? Do the seniors at Cosmo Place in Elmwood want this legislation? So where does it come from? Madam Speaker, it comes clearly from the multinational drug companies. That's where the seed for this legislation comes from.

The current situation, Madam Speaker, of low generic drug prices benefits all Canadians. The benefits of any of this legislation will only benefit a few and it will be concentrated in Central Canada and more particularly in Ontario and in Quebec. According to a Royal Commission inquiry, generic prescription drugs saved Canadians \$211 million in 1983 alone. At a time when the Federal Government is decreasing its support for vital provincial health programs, this legislation will dramatically increase the need for and the cost to the provincial pharmacare program.

In Canada the price of a generic tranquilizer widely used is \$2.31 per thousand tablets. Now, in the United

States, the exact same drug sold under the brand name diazepam -(Interjection)- it is valium, yes, cost \$349.93 for the same amount. Now, Madam Speaker, this is a price difference of 15,000 percent. A single tablet that would cost a Canadian one-fifth of a cent in Canada, presently in the United States carries a thirty-five cent price tag.

Now, Madam Speaker, in an article in today's Globe and Mail written by Juliet O'Neill, with Canadian Press, I'd like to quote from that article. "A key U.S. legislator and a consumer group have turned to Canada's drug competition system as a potentially good model to follow as they debate what to do about alleged price gouging by U.S. pharmaceutical companies. The paradox is that Parliament is about to pass a bill that will make the Canadian system more like the U.S. system because it will limit the competition that brand-name companies face from low price copies of their drugs. This twist was aired yesterday at a congressional hearing." And they go on to describe the major price increases that are going on in the United States and they quote, "That one can only conclude that what is going on is greed on a massive scale." Now, this is what's happening, this is an article in the Globe and Mail as of this morning, this is what's going on in the United States.

The subcommittee staff prepared a report showing that prescription drug prices in the United States have increased more than 79 percent during the past six years and that the industry has spent only one of every three dollars from that increase on research and development.

And, Madam Speaker, a final quote from that article: "The consumer-oriented American Association of Retired Persons, however, praised the Canadian system as 'an appropriate market-oriented model for moderating the trend and escalating prescription drug prices'." The association also says that it's too bad Canada is going ahead with legislation to lessen competition and erode the savings consumers get from the current system. Now, if that isn't a sobering situation, I don't know what is.

Madam Speaker, it's a clear example of a case where we are trying to move more towards the American system, and at the same time they are looking at ours and considering possibly moving towards our system.

Madam Speaker, this legislation provides these multinationals with the opportunity to increase their profits without increasing their plant productivity or their product quality. The Federal Government points proudly to the \$1.4 billion in investment that multinationals will make in this country over the next 10 years, and if we're to accept the figure of their Royal Commission, that Canadians saved \$221 million in 1983 by using lower-cost generic drugs, a raw comparison, without accounting for inflation, and the increase in use of drug therapy for an aging population, would show that the ordinary Canadian will be trading \$2.2 billion of savings in return for the promise of some jobs in Central Canada and an increase of multinational branch plant manufacturing.

Now, Madam Speaker, in an article in the Brandon Sun under the headline, "Pharmaceutical Policy Impact is Difficult to Predict," one Steve Kerstader says, and I quote, "Producers of brand-name drugs say they will spend an additional \$1.4 billion over the next decade

on research and development and will create 3,000 new jobs in the process."

Now, by the government's own admission, relatively little of this will take place in the immediate future. Less than \$300 million of the \$1.4 billion in new investment, for example, is to be spent before 1990.

He goes on in the article to make a couple of other observations and when describing statements made by the Honourable Jake Epp, he said that what Epp didn't say was that major discoveries rarely took place in Canada, even before the Patent Act was changed in 1969 to promote generic competition.

He also said that suggested factors other than the Patent Act determined where new drugs are new developed. Studies of the industry have shown that most of the basic research is done in the home countries of the multinational corporations.

Madam Speaker, the legislation grants the multinationals carte blanche access to the Canadian marketplace for four years. After that point in time, the Federal Government will institute a review board to monitor prices. Now under this system, the companies can raise their prices and it will be up to consumer groups and other affected people, such as the people that I referred to earlier in 505 Munroe, and other seniors' homes across this country, to seek reasonable prices after the fact.

Now, this places the burden approved squarely on the individual instead of the companies involved. Now, Madam Speaker, the Liberals claim that they're going to stall this bill in the Senate, and they should have been more concerned when Andre Ouellet first contemplated a similar bill in 1983, and then when Judy Erola took a job with the pharmaceutical lobby group promoting this current legislation. And, of course, as usual, the Liberals have problems making up their minds as to where they stand on the issue, whether it's the testing of the Cruise where the Liberal caucus splits down the middle, half in favour and half against; or whether it's free trade, they are on the fence, and so it is with this issue.

Madam Speaker, the average Canadian household pays \$230 a year on prescription drugs. The additional burden of dramatically increased drug prices would bankrupt either the household or the province. In response to this, the Federal Government has graciously stated that they will give Manitoba \$4.4 million over 4 years to support the provincial Pharmacare Program if this legislation goes through.

The pharmaceutical companies know how important this issue is to them and not only have they hired the most expensive and powerful professional lobbyists in the country, they've also put out this 24-page colour supplement in the Globe and Mail. It's a very expensive piece and I think it simply reflects how much is really at stake here in terms of their long-term profitability.

I would also like to point out that again Judy Erola was hired to become president of the Pharmaceutical Association effective March 1, a former Cabinet Minister, well connected.

In addition to that, I wanted to deal for a moment with some of the money that's been spent on this campaign. I mean not only the money for all of the advertising and supplements that they've put out, and not only for the hiring of the people that they've hired - those alone indicate that they are expecting a fairly



good return on investment - but also I wanted to point out the record of some of these companies' contributions to the Federal Conservative and - before members get too upset - the Federal Liberal Party as well, because both parties received fairly generous contributions from the drug companies for their 1984 federal election campaigns.

Now, Dow Chemical, or Dow Pharmaceutical, for example, gave the PC's \$10,375 in 1984, and in '85 they responded with a little better, \$11,435.00. Now, Madam Speaker, it should be pointed out that this is the period of the pre-election and the election period, so I understand all of this money would have been used for the election itself.

Now, another group that was willing to contribute was guess who? The Pharmaceutical Manufacturers Association. Now, what did they give? They gave to the PC's in 1984, \$3,595, and to the PC's in 1985, \$3,634.00. So that comes to a total, to the PC's for those two periods, of \$33,682.00. Now that can buy an awful lot of wallpaper for Government House.

Also, not to let the Liberals off too easily here because I think it's a conspiracy involving two administrations, over the span of two administrations. The Liberals, on the other hand, in 1984 from Dow Chemical received \$10,600, and from the Pharmaceutical Manufacturers, \$3,900, and in 1985 the Liberals received from Dow Chemical, \$12,000, and from the Pharmaceutical Manufacturers, \$3,500.00. And, of course, the total for the Liberals was just slightly less than for the PC's over that period; that total was \$33,328.00.

So, once again, Madam Speaker, we have further evidence that there's a lot of money at stake here and that the drug companies are not prepared to just take their chances on this issue. They're prepared to put their money where their mouths are and they are prepared to hire the people that they need and to put the money into the parties, where necessary, to get what they want; it's as simple as that.

Now, Madam Speaker, one last comment on that whole issue of people that were hired. The lobbying firm of former Newfoundland Premier Frank Moores was also brought in on this big effort. So they had all the heavies out. They were all mixed up in this thing together and they continue to be.

Now, mind you, when the time comes to cast ballots in the next election, I'm sure that the senior citizens of this country and the people that have to use a lot of prescription drugs, I'm sure that they'll remember where these two parties were at that time . . .

**A MEMBER:** We'll remind them.

**MR. J. MALOWAY:** . . . and we'll be reminding them, yes, we will, Madam Speaker. We'll be reminding them why they have to pay the prices and the costs that they will have to at that time.

Now, Madam Speaker, the pharmaceutical companies are using the carrot-and-stick approach to the Canadian Government by threatening the closure of plants in Canada and the removal of R and D to patent companies. They've panicked the federal Tories into rushing this ill-considered legislation into the House of Commons. The carrot is the promise of jobs in the high-tec dream and the problem is not that these

companies want to milk us for all we're worth, we certainly know that is the case. The problem is that the Tories believe in the maintenance of Canada's branch plants of the United States and that's basically the bottom line.

Madam Speaker, a report submitted to the Commission of Inquiry on the pharmaceutical industry in 1984 by the National Anti-Poverty Organization shows that 50 multinational drug companies have actually increased their investment in Canadian plants since 1969, showing that the present legislation is not a disincentive for investment in this country. Any withdrawal by these companies from Canada has not been the result of hostile legislation, but a need for consolidation of assets brought on by management errors within these companies themselves, as further confirmed in an article in the Globe and Mail on August 3, 1984.

Now, Madam Speaker, generic drug companies create more jobs than their brand name counterparts. The increase in job years created by domestic drug companies has been about 2.1 percent per year compared to 1.3 percent by the multinationals. Each new worker contributes \$107,000 per position to the Gross National Product, higher than any other manufacturing sector.

Madam Speaker, in the 1960's, when the current legislation was brought in, three investigative studies concluded that Canadians were paying among the highest pharmaceutical prices in the world: The Restrictive Trade Practices Commission in 1963; the Hall Commission on health care in 1965; and the Harley House of Commons Committee on drug costs and prices in 1966.

They found that the multinational drug companies used their market dominance to set prices higher than would otherwise be the case by normal market factors. In 1969, legislation forced these companies into a more competitive situation and lowered prices for the individual consumer. Now the pharmaceuticals are on the verge of restoring the old system and, of course, the high prices.

Madam Speaker, the 1969 legislation has saved provincial Pharmacare programs an estimated 20 percent increase in costs that would have occurred without it, according to a study for the Economic Council of Canada in 1981.

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

The Kennett Study in 1982, which compared generic and brand-name drugs, saw that generic drugs increased in price from 1979 to 1982 by 5.44 percent, and guess what? Brand-name drugs increased in price anywhere from 42.52 percent to 64.4 percent in the same period of time - quite a substantial variance there.

Sales in Canada of generic drugs paid \$193 million in royalties to the patentees and licencees in the United States in 1982. Now, had these same drugs been sold at U.S. list prices, sales would have totalled \$375 million, which that's compensated now for exchange rates, and without the current legislation, U.S. companies would have been able to nearly double their profits for the same product.

Now, Madam Speaker, pharmaceutical drugs are not part of discretionary purchasing on the part of the consumer. They're prescribed by a physician as part of a medical treatment and are necessary for the health of the purchaser. If you're an ailing person, try telling the doctor that no, you can't have this drug or you can't afford this drug, or you won't take this drug; try saying no to the doctor, it's a very difficult thing to do. This is not the same case as a person who is deciding whether to go out and buy a new car or not to buy a new car, or to buy a new suit or not to buy a new suit. I mean, there are basic necessities that these people require to survive.

The potential of abuse for the sake of profits, not only should concern the government on the basis of consumer protection, but on the very real danger of compromising health care needs.

Madam Speaker, the Federal Government wants this legislation in order to bring us in line with international practice, but what is international practice? They fail to realize that our health care system in our country is administered differently in each province and is totally unique and cannot be quantified in the same manner as national or free market systems elsewhere. We're not set up to take advantage of bulk rate purchases available to national health systems as in Norway or in the United Kingdom; nor do we consider free market systems as in the U.S. and Switzerland socially or economically desirable.

Without recognizing the unique needs of health care systems under the jurisdiction of the provinces, the Federal Government is ready to do away with protective provisions which do not violate any of our current treaty obligations, including the GATT.

Now, Madam Speaker, the research and development units currently operated in this country by these corporations are engaged in little or no actual research. They are performing only the barest minimum of clinical testing as required by our legislation. By conforming to the strict letter of the law, these reveal that they're interested, not in developing any technological facility in this country, but maximizing profits while minimizing the commitments demanded by good corporate citizenship.

Now, Madam Speaker, these companies are owned by their shareholders. They're traded on the stock exchanges in the United States and in Canada, and one of the reasons . . .

**A MEMBER:** What about their pension funds?

**MR. J. MALOWAY:** And the pension funds too, one of the honourable members mentions. But the fact of the matter is that they're out to maximize the profits for their shareholders; that is why they're set up. And if they don't perform well in terms of earnings, they won't be around long, so they have an interest in trying to seek out the best possible market, the best possible advantages that they can.

If they can get preferential treatment in terms of law, in terms of subsidies, whatever way that they can, this will help them in maximizing their profits and this is what they're trying to do, but the point is that they're more interested in maximizing the profits for the company and for their shareholders, as opposed to helping people in need. They're not social agencies.

Madam Speaker, even if these companies did increase their R and D facilities in our country, profits from discoveries and patents would still flow to the parent companies located elsewhere; and, of course, as the members know, they're not all in the United States - they're in Germany, they're in France, they're in other countries. The point is that they're not here in Canada.

Madam Speaker, the multinational drug companies have been trying to change this bill for some time now. In 1983, a senior official in the Consumer and Corporate Affairs Department was quoted in the April 5 edition of the Ottawa Citizen as saying in part that, quote, "It's the most superbly orchestrated lobby campaign I've ever seen," he said. "They've hired consultants," and we know who some of those are; I've mentioned them earlier. We've gone to the provinces, we've gone to the universities, anyone they could possibly use to make it look like the sky is falling in. Again, it's a long-term conspiracy here that spanned two governments and finally reaching a conclusion that perhaps won't last. If the polls hold and the NDP succeeds in forming a Federal Government, perhaps we'll have some radically different legislation on the books, Madam Speaker.

On April 5, 1983, Geoff Scott, now this is back when the PC's were in Opposition - remember those good, old days when they were back in the Opposition federally - and Geoff Scott was their critic at the time, and he was the Member, and still is, the Member for Hamilton-Wentworth. He made a statement in the House of Commons concerning the need to maintain generic drugs in the Canadian market. Now at this time, again he was the Consumer Affairs Critic, and today I understand he's a regular backbencher, he's not a parliamentary secretary or anything like that.

But let's look at what the PC's said, when they were in Opposition for those period of years, on several things. There was the talk about the sacred trust during the election campaign - we all remember that. Mulroney went across the country talking about how we would have to keep the senior citizens pensions intact, and then all this talk about the sacred trust. No sooner was he in office than he tried to de-index the senior citizens' pensions and was stopped short on that. Then he looked towards the children's allowances. This is just another part of that progression of opposing this legislation when they were in Opposition and no sooner do they get in government than they turn around and basically write up the same bill that the Liberals were proposing at the time.

We also remember the other statements that the Prime Minister was making when he was talking about the Liberal patronage at the time, that he promised to clean it up. When it was brought to his attention during the campaign that he had made a slip of the tongue during his leadership campaign and he'd made a reference to "there's no whore like an old whore," he quickly retracted that and said: Oh no, no, I've reformed. I said that to get delegate votes at the convention, to become leader of the party. But goodness no, I would never do that, I've reformed. We have to clean up this patronage business. What did he do? Jumped back, jumped back to the other story - a different song.

Madam Speaker, the legislation that's proposed now is similar to the legislation contemplated by the Liberals in 1983; they're very similar.

Douglas G. Hartle of the Institute of Public Policy, University of Toronto, stated in an article in the Canadian Public Policy in 1984: "In short, the alternatives suggested by Andre Ouellet would certainly raise drug prices and costs to the detriment of Canadians as consumers and taxpayers. Indeed, if compulsory licensing did not lower prices and costs, the multinational drug companies would not be so insistent about the repeal of section 41(4) of the Patent Act. Price monitoring is no substitute for workable competition. If it were, the Pharmaceutical Manufacturers Association of Canada would not be in favour of a system of voluntary price monitoring by the industry."

So we see that, again, the Liberals and the Conservatives, when in government, have acted very much the same on this issue. Again, they are simply dancing the tune that has been directed to them by the people who helped to finance their election campaigns in 1984.

Now, Madam Speaker, concerning the issue of promised research and development in Canada, the reality of the situation is that no multinational company is concerned with setting up research facilities within this country. Out of the 66 members of the Pharmaceutical Manufacturers' Association, only 6 out of 66 maintain facilities in this country.

The chairman of Ayerst, McKenna and Harrison Inc., Don Davies, was quoted in the July 16, 1983 issue of the Globe and Mail, and here is what he had to say: "Virtually all companies do most of their research in their home country," he said. "German companies do the bulk of their research in Germany, and French companies do their work in France. That's just the way it is."

Instead of supporting foreign multinationals, we should be supporting a truly Canadian pharmaceutical industry. Canadian-owned firms, Madam Speaker, may be of little importance as a portion of total market share, but they have a greater commitment to R and D in this country.

In 1979, Canadian firms spent 7.5 percent of their sales dollar on R and D, while foreign firms spent only 3.5 percent. There's a little bit of a difference there, Madam Speaker. The lack of foreign R and D investments cannot be laid at the door of the 1969 legislation on compulsory licensing. Roger Gaudry, who is the former chairman of the Science Council of Canada, and a former head of research at Montreal's Ayerst Laboratories said in the March 3, 1983 of Le Devoir that our problems in this area are due to other factors, not generic drugs exclusively.

Now, Madam Speaker, the use of generic drugs have allowed Manitobans to save \$8 million a year, according to statistics that were prepared by the Manitoba Department of Health.

Now, Madam Speaker, I did want to point out that there's an urgency in passing this resolution because it's now imminent that the Federal Government will be passing the bill in the next, I would imagine, matter of days or weeks. So it's very important that we pass this resolution and send it off to Ottawa at the earliest possible time.

If the government proceeds and passes this legislation, which it looks as though they're going to do, they're going to be ignoring a whole lot of people

and a whole lot of groups in this country who are opposed to this legislation. I just wanted to put on the record for some of the seniors in Elmwood, just some of the lists of groups here that the Federal Government will be ignoring once they pass this bill.

They'll be ignoring, Madam Speaker, the Consumers Association of Canada, the Manitoba Society of Seniors, the Manitoba Coalition of Health and Higher Education, which consists of a plethora of organizations, the Royal Canadian Legion, who the Member for Arthur is so concerned about. They will be ignoring the Royal Canadian Legion, who he suggests he wishes to speak for, and the list is a very long one, Madam Speaker, so I won't read the whole thing. But suffice to say that there are many, many organizations in this country who have studied this bill, who have looked at the issues, and have decided that they want no part of this.

Also, Madam Speaker, Vera Chernecki, who is an R.N. and president of MONA which is the nurses' organization in Manitoba, wrote a letter to the editor of the Free Press, February 6, 1987, and in it she says that the Manitoba Coalition of Health and Higher Education has sent a petition of over 10,000 signatures to Ottawa in opposition to this legislation. The Coalition of which Manitoba Organization of Nurses Association, MONA, is a member, consists of 33 other member organizations representing 250,000 Manitobans, Madam Speaker.

Bill C-22 is poorly written and offers no guarantees to Canadians that they will derive any direct benefit.

She goes on to say that the only guarantees we see are the prices of new drugs will increase substantially and that the consumer will have to pay the price.

Madam Speaker, how much time do I have?

**MADAM SPEAKER:** The honourable member has seven minutes remaining.

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

Just a couple of other people who are certainly opposed to the Federal Government's actions: Doctor Percy Barsky, who is the Associate Professor of Pediatrics at the University of Manitoba, has said that large drug companies are mounting a strong lobby to repeal legislation which allows lower-priced generic drugs on the market. Barsky has said it's time for doctors everywhere to speak out on the issue because it can seriously affect the well-being of their patients.

"This thing could bring down Medicare," he said, "it's a bigger factor than extra billing," and he goes on to make other quotes.

Madam Speaker, the groups and the people who have been opposing this legislation have been trying to protect the seniors, they've been trying to protect the families and all other prescription drug users in this country. When I pointed out earlier that the average family currently spends \$230 per person on the current system, can you imagine what kind of a burden individuals have who are dependent upon these prescription drugs? Older people in the seniors' homes, if you take the time to go into some of these senior citizens' homes, virtually everybody in those senior citizens' homes has a very, very high drug bill on a monthly basis, whereas families, such as my own, have almost nil costs in terms of drugs.

When we say \$230, that's what the average family spends over a year. If you take into account that a lot of families spend very little on prescription drugs and balance it out, there are a whole lot of people who spend a whole lot of money on prescription drugs. If you allow the bill to pass, if the bill passes and the drug companies have their way and the costs escalate even higher than they are right now, you are seriously hampering these disadvantaged people.

Thank you very much, Madam Speaker.

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

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

I'm pleased to be able to rise to participate in this debate. Like any issue, there are two sides to every story, and I think it's wise to look at both sides before people arrive at a decision. And I have looked at both sides, and in order to come to a rational decision on whether a person is for or against a certain issue or a bill or a resolution, it's good to have a little bit of history.

In 1969, the Canada Patent Act was amended to provide for, and I quote here, "Compulsory licensing to import patented pharmaceutical products." Applicants for these licences paid a royalty fee arbitrarily set of 4 percent of the selling price of the patented product.

This was their share of the cost of the innovator's research and development; thus the generic pharmaceutical industry was allowed and nurtured in Canada as a method to provide competition and to control drug prices.

In the following years, provincial Legislatures also introduced requirements which aided the use of cheaper generic drugs for drugs prescribed in the provinces or to those that are covered under various social programs. The combination of federal patent legislation and the provincial policies created a market environment which discriminated, to some extent, against the innovative full service manufacturer and guaranteed a significant market advantage to the distributors of generic copies who bear few of the costs or risks. This negative environment has discouraged major investments and research and development opportunities in the Canadian manufacture and distribution of pharmaceuticals.

Now, Madam Speaker, what about future application? The new amendments to the Canada Patent Act could recommend the following major modifications and extensions. There would be a reintroduction of patent protection for up to 10 years. Any abuse of overpricing by innovative firms will lead to the period of patent protection being dismissed. That, Madam Speaker, is a fact. Failure to meet increased ratios of research and development to sales from 5 percent to 10 percent by 1995 will see patent protection revoked.

New royalty terms paid by the generic firms would increase from 4 percent to 10 percent. They would be paid directly to the patent holder for the first four years. After that time, they would go into a research pot, which would distribute the funds by formula, which would reward those firms spending more on research and development in Canada. The use of this research

fund would be an incentive to make this production available in Canada, and thus not only create the opportunities for new and better drugs, but also at the same time create jobs here in Canada.

These new amendments would also require a commitment by both the innovative and generic companies to manufacture these fine chemical ingredients, as opposed to importing them.

Provincial plans would provide consumers with a greater knowledge of drugs, their substitutes, prices and also incentives, thus enabling them to compare and shop, and in this way produce competition. As we all know, once there is competition in the marketplace, this keeps prices in line. We will also need safeguards, and the amendments to the Canada Patent Act does have safeguards in there. It provides for an independent drug price review board, which could immediately review, on request, all innovative and generic drugs.

A government review after four years would allow for the reduction or elimination of the proposed exclusive period. After 10 years, the amendments provide for a full parliamentary review.

What are the statistics, Madam Speaker? I'll deal first with the innovative firms. For the 55 major firms in Canada, the ratio of promotion cost to sales is 21 percent; to research and development, 4.5 percent and profit is 15 percent. Overall, profitability and rate of growth of the pharmaceutical industry in Canada does not show an adverse affect from the introduction of compulsory licencing to imports.

A second point I wish to bring up is the market strategy. At present, it is to introduce new products to gain market share and their promotions are in large part aimed at physicians.

Thirdly, it takes many years and costs an average of \$100 million worldwide for an innovative company to carry new products through to the marketplace.

Now I want to deal with the statistics for generic firms:

Firstly, sales of their 70 compulsory licensed drugs in Canada amounted to \$328 million out of a total of 1.6 billion for all drugs in 1983; in other words, 20 percent of total sales.

Secondly, out of the four largest firms in Canada, the largest two are Canadian and two are foreign-owned.

Thirdly, sales are focused on hospitals and pharmacies using price competition as their strategy.

Fourthly, 1983 prices of generic drugs were approximately 51 percent patented on the drug prices.

Fifthly, in 1983, Canadian consumers saved \$201 million by using generic drugs as substitutes.

Now I want to touch on pharmaceuticals in the health care system.

The first point I would like to bring out is that health care costs in Canada in 1984 was \$33 billion. Out of that, private spending, as in dental, drugs, eyeglasses, etc., amounted to \$9 billion. Public sector spending was \$24 billion.

(2) Pharmaceuticals cost 4.5 percent of total health care expenditures in 1983, or \$1.5 billion out of \$33 billion in annual health care costs.

(3) Public funding of prescribed drug expenditures rose from 19 percent to 51.8 percent between 1970 and 1981.

(4) The fourth point I'd like to bring out is that in 1983, 21 million Canadians were covered by insurance plans and 4 million had no coverage.

(5) Manufacturers' invoice selling prices amounted to less than 50 percent of final prescription prices at the consumer level.

Now, if proposed changes are made to the Canada Patent Act, what are the pros and the cons? First, I'll deal with the pros.

(1) There will be a transformation of Canada's pharmaceutical sector into a world-class innovative industry, led by an unprecedented increase in jobs in research and development. That is very important itself, Madam Speaker.

By 1995, investment ratio of research and development to sales will double from 5 to 10 percent.

**MADAM SPEAKER:** I am interrupting the honourable member for Private Members' Business. When this item is again before the House, the honourable member will have 31 minutes remaining.

## PRIVATE MEMBERS' BUSINESS

### PROPOSED RESOLUTIONS

#### RES. NO. 9 - CAPITAL PUNISHMENT

**MADAM SPEAKER:** On the proposed motion of the Honourable Member for Arthur.

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

I move, seconded by the Member for Sturgeon Creek, that

WHEREAS the Federal Government has moved to debate the capital punishment issue; and

WHEREAS the majority of Canadians believe capital punishment should be reinstated.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge all Members of the House of Commons to vote in support of the return of capital punishment; and

BE IT FURTHER RESOLVED that the Clerk of the Legislative Assembly be directed to send a copy of this Resolution to each Member of the House of Commons.

#### MOTION presented.

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

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

I rise to introduce this resolution, Madam Speaker, and it is one that I'm sure that most elected officials throughout Canada and throughout the world have to struggle with over and over again, and let me assure you the difficulty of this and the importance of it will not diminish over time as we have seen the issue raised by society time and time again.

As well, Madam Speaker, I am well aware of the fact that the majority of Manitobans and the majority of Canadians fully support this type of punishment and the reinstatement of it, and I will try to explain why I feel the way I do and I'm sure reflects the feeling of large numbers of our society. It is difficult, Madam Speaker, to put such a motion on the Order Paper and to ask members to deal with such an issue because it really is a matter of life and death.

I want to, first of all, compliment our Federal Government in their move to debate the issue and to set up a House of Commons Committee to again debate it and point out to society as individuals who represent the different constituencies in Canada, to deal with it in an open and responsible manner.

As well, I think, it's important to point out some of the information that I have received came from Bill Domm, the M.P. from Peterborough, Ontario - interesting and certainly substantive research comments, and I think everyone would be well advised to pay attention to the kind of comments he is making.

As well, Madam Speaker, I think it's extremely important to note as well, and I want to congratulate and compliment a niece of mine, Marla Miller, from Coulter, Manitoba, who is in grade 12, who is doing very well in a 4-H speaking program and is advancing very well. I had the opportunity to hear her speech and I compliment her on it, and the case that she puts forward in support of it, coming from a young person in our society, well thought out, is something that I am extremely proud of. I want to indicate that to the members because I was moved and somewhat influenced by the comments that she made and the work that she had done.

Madam Speaker, we have to ask a question, first of all, of the kind of government that we have in the Province of Manitoba and there are certain questions that one has to ask of the type of philosophy or the type of people that they are. I assume - and I don't think it's incorrect - and if I am, I would ask the members to indicate that I am incorrect, but I would assume that the majority of them are opposed to capital punishment. I would assume that I'm assuming correctly, but you know, I find a big question mark, Madam Speaker, when we have individuals such as this, sitting in government who oppose capital punishment, yet strongly support abortion.

Madam Speaker, how can it be in our society, that we would have individuals opposed to the taking of a life for the taking of a life, a responsibility which I'll get into more later on, by the state, a responsibility for the state to administer law and order, that it is what our society is based on; yet we have a government in the Province of Manitoba, NDP philosophy that says we are abolitionists, we don't believe in the taking of a life for capital murder for those persons who intentionally take another person's life, yet they are prepared, each and every one of them, rank and file NDP, are prepared to take the life of an innocent unborn baby. I, for the life of me, Madam Speaker, cannot square that in my mind and I'm sure there are many other people who can't.

You know, there is another strange thing, and of course one would never expect a New Democrat to work from common sense. They are prepared and have passed legislation that is perceived in society to save my life by forcing me to do my seat belt up. Yet, as well, Madam Speaker, I'm hearing rumblings coming from that same government that they're prepared to allow sexual orientation in our society which would spread AIDS which would take people's lives. You know, Madam Speaker, where do they come from?

The member laughs but let's deal with some basics, Madam Speaker. That really has a lot of people, and I am extremely confused, Madam Speaker, as to where

they stand. But I go back, Madam Speaker, one would never expect from the government any common sense. That's the last premise in which a New Democrat or a Socialist work from.

Let's deal, Madam Speaker - and I know my time is limited; I think it's 15 minutes that I have to introduce the resolution - let us deal with why I feel and why I'm sure society feels the way they do about capital punishment. I believe, as I'm sure the majority of people feel, that the country was built on law and order and justice, and that ever since I was a small boy, if I did something wrong, the more wrong I did, the more severe the punishment. In fact, I even had the heavy hand of my father laid on a particular part of my anatomy and let me tell you, Madam Speaker, it hurt. And let me tell you, Madam Speaker, it was somewhat - and this is the main point - somewhat of a deterrent.

Madam Speaker, we have in our society the use of a breathalyzer, that on the first offence you have to pay a certain fine; second offence, you pay a pretty severe penalty because none of us in society want our family or our children killed by someone who is impaired or driving with too much alcohol in their system, and I fully support that, Madam Speaker. And, yes, everybody will stand in their place and say, yes, the breathalyzer is a deterrent to people driving and drinking; yes, it has a deterrent effect.

We carry along, Madam Speaker. The more severe the crime or the person gets involved in what is not normal in our society, yes, we carry on and the penalty is applied accordingly. In some cases, our society is saying, not strong enough in many cases. We have far too permissive a judicial system and we should put some stronger emphasis on that type of deterrent. So let's carry it through, Madam Speaker, to the ultimate.

You take an innocent person's life intentionally, premeditated, and those people who are abolitionists say, oh, when we get to that state, when we get to that severe a situation, then we now deviate from the very basis that our whole judicial system is based on. We now deviate because it's far too severe to take that person's life because it's no longer a deterrent. Why, all through the stages, do we have jails? Why do we have detention places? They aren't rehabilitation places; they're detention places so that people are put there over a period of time so they won't do it again, Madam Speaker, as I understand it.

Unless, if I'm incorrect, I invite anybody to stand and truly point it out, but why is it, the abolitionists, as soon as we get to that final stage of taking another person's life through premeditated murder, that we say, oh, oh, the whole system no longer applies. We now deviate from that because - yes, they say it's barbaric, it's vindictive that we as a society, for some reason, all at once became vindictive.

We weren't vindictive in the use of the breathalyzer; we weren't vindictive in putting people away for stealing or for other Criminal Code activities. I have a hard time, Madam Speaker, in the rationalizing of that argument. And that, Madam Speaker, until somebody breaks that jam in my mind, then I have to carry on with the position that our whole society, law and order, is based on that; that you commit a crime, you pay a penalty so that it deters you from doing it again. You take a person's life, Madam Speaker, the ultimate penalty in my mind is to have that person's life taken.

There is another argument which they want to deal with - and it's a legitimate point that is raised - but it doesn't hold water in my estimation; and that is, Madam Speaker, what if you make a mistake, and God help us, Madam Speaker, if we were to make a mistake in such a final decision as to a person's life.

I will go so far, Madam Speaker, to say, not as the old law was, beyond any reasonable doubt, whether a person premeditated murder. I will say beyond any doubt - not any reasonable doubt, take the word "reasonable" out - I will say beyond any doubt that it's proven that an individual has taken that person's life or the life of that family.

We talk about, and I give credit, because the material which I read I found extremely interesting. We talk about rehabilitation of that individual who took a person's life. Yes, I believe in rehabilitation of everybody possible, but I can tell you, Madam Speaker, that isn't good enough when it comes to the majority of people in society. They say, look, we work on the system, our judicial system is based on deterrence, and the final decision has to be.

I don't think, Madam Speaker, that some people can be rehabilitated. I think that it is proven that their minds, when they set their mind to carry out such a terrible act, that there is very little hope. I'm broad enough minded to say, if there was some hope, then I think an opportunity should be given; but I still think that to maintain our law and order, the ability for the judicial system to pass that, carry out that act, or have it carried out is absolutely essential if we're going to have the maintenance of a society and a system which each and every one of us have enjoyed.

I'm not going to get into, Madam Speaker, the argument, the biblical argument. People say that there's certain parts in books of the Bible that are pro and con. I do want to make one point, however, that I don't believe to use that, to use the Bible is wrong, if you want to get into that argument, but what I do take exception to, Madam Speaker, is that when I support capital punishment, that I am non-Christian, and those people that are abolitionists for some reason are, because - and I have the information here, which I could refer to - you can find an argument on both sides.

I don't think it's fair to say that to be a person who believes in carrying out the responsibility of the state, and it is the state - it's not an individual that is charged with this final job - yes, somebody has to do the job which I think is far overplayed by the abolitionists when they talk of hanging. Yes it's a gross thing to talk about and it scares people. And I don't like to think of that at all. I think there are more humane ways of carrying it out. After all, we are, and I say we are a society which I'm sure can deal with these kinds of difficult situations in a less, what I would call gross manner.

Madam Speaker, the whole argument which I think it boils down to and I've tried to deal with this in a reasonable, responsible manner, I urge members of the Legislative Assembly to ask the members of the House of Commons to support. Yes, they're going to go through an extensive committee stage, I think it's important that that happens; you don't make these decisions lightly.

I think, Madam Speaker, in concluding my remarks I just want to leave this thought on the record. Capital punishment is necessary to protect society and social

order, and at least this should be available to those people who are carrying out the sentencing. And I think to do less as an elected person, to do less as people representing a majority in society, that we have a responsibility to do that. I don't think that the average person who is asking for this, and it's by far in the majority in our society, should be ignored.

I don't propose to challenge the Member of Parliament which I know is in an opposite position than I am on this. I don't believe to carry this thing to the extent that one would make it a major election issue. But I think we each have the obligation and the opportunity to put our feelings forward. That's why the resolution is put forward, Madam Speaker, and until somebody tells me that there will be a total review of the deterrence system through the judicial practice, through the system that we have known has given us law and order, then we have to ask for the ultimate penalty to deter the ultimate crime that could take the life of not only one of my family but the life of any member's family, and I think we owe that much to society.

Thank you.

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

**MR. H. SMITH:** I speak against this resolution.

The first thing I would like to tell the Honourable Member for Arthur is that in a resolution you usually include in the WHEREASES some solid reasons for what you resolve. And in your resolution, the first reason you give for your position is, "WHEREAS a majority of Canadians believe capital punishment should be reinstated."

**MADAM SPEAKER:** Would the honourable member please address his remarks to the Chair?

**MR. H. SMITH:** Madam Speaker, the honourable members says this, and in saying so, he basically is showing disrespect for this Assembly, for all democratic Assemblies. He believes, obviously, that, Madam Speaker, we should work by public opinion polls, that we should all have computers and register our votes, that we shouldn't have any dialogue and discussion, be influenced by other ideas. Obviously, he has a closed mind and that shows.

His other reason is because the Federal Government has moved to debate the issue, we should take a position, in effect, comparable to some of the backbenchers in the federal House. I would suggest that he should look at even the example of the Prime Minister, who may not be the best Prime Minister we've had in this country, but at least has some conscience and has taken a position definitely against capital punishment, but for what sort of reasons? These are very flimsy, very flimsy.

Now he raises the whole point of what if someone is innocent. The fact is, in the United States, there were 23 wrongly convicted people reported to have been executed in the U.S. during this century. That's from Amnesty International. Now there are cases in Canada. For example, the name Donald Marshall should mean something to you, or, Madam Speaker, should mean something to the Member for Arthur.

I would like to even go further. There was an article in the Winnipeg Free Press on April 18, and it said this - this is an article where it quoted Professor Kenneth Avio of the University of Victoria. He did a study on capital punishment and he, in doing this study, went through all the reports and he came across memos. He uncovered frequent memos from the Ministry of Indian Affairs Department recommending that Native offenders be executed because Native people "... need special deterrents."

**MR. M. DOLIN:** That's a special deterrent.

**MR. H. SMITH:** Yes, it certainly is a special deterrent; it's taking one's life. It shows you that some people, even within the federal department, actually believe in showing bias; that is, to me, extremely bad. Now there are other studies, too.

For example, Professor Neil Boyd is writing a book on something like 120 murders in Canada, and in going over these 120 murders, he found at least 5 cases really that he would call self-defence. So you can't have that type of innocent people, their lives being taken.

Now you may say, so what, it's not my own life, but you should be concerned about other people's lives, and I think it's important, Madam Speaker, for the Opposition to realize this. They can look and read the newspapers about other people, things happening to them, but they don't take it seriously that it could happen to one of their own family.

Now, even if you have capital punishment, you still may not have it executed in all cases. Many Prime Ministers actually go ahead and do not stay the sentence and do not execute the person who's been proven guilty of murder. For example, Louis St. Laurent and his government, 75 percent of the convicted murderers did not hang - or did hang, I should say, did hang; and John Diefenbaker, who had more of a conscience, in effect, only had 20 percent of them executed. So it even varies by the actual government leader.

Now you may raise the point and you tried to raise the point, Madam Speaker, the member tried to raise the point about the fact that it deters, that this cannot be proven. The Canadian Association Chiefs of Police said that there's no record of deterrence from having capital punishment; in fact, the opposite is quite true.

A Globe and Mail report of April 4, 1987, recorded a record 15-year low in murders that has been reduced to 2.19 per 100,000 of the population. It dropped 20 percent. This is just last year. In fact, it has been decreasing rather than increasing, so there's nothing really one can say.

Now, you mentioned Mr. Bill Domm, the federal M.P. member. In his figures, for example, he's trying to include even the 329 people aboard the Air Canada flight that went down near Ireland that was the result of terrorists to maximize his figures. It doesn't make any sense whatsoever.

Now some of you members opposite may go ahead and say as well that there is a cost factor to keeping people in prison. A financial study in 1982 in New York State showed that it cost about \$1.8-\$2 million in trial costs, in appeals and procedures for, in effect, having someone go ahead and be executed. It costs half that

to keep them in prison for life. So there's no financial benefit from even having capital punishment in this country.- (Interjection)- This last bit of information I got from Amnesty International, a very reputable organization.

Now, what about the victims? Let me tell you this. Here's a quote from Amnesty International Publication about one woman. "My wife, Carol Persons, was murdered by X. Her life was precious as is all life. It is even more tragic than her death will be by sentencing X to his death, reinforce and perpetuate feelings of vengeance, hate and further human evil." This was by Roy Persons of St. Petersburg, Florida.

Another quote I like by Andrei Sakharov, a prisoner of conscience, USSR, said this: "I regard the death penalty as a sillage and immoral institution that undermines the moral and legal foundations of a society. I reject a notion that the death penalty has any sense of deterrent effect on potential offenders. I'm convinced the contrary is true, that savagry begets only savagry."

And that is true. What countries, by the way, have capital punishment in the Western World? United States and Turkey, and those are the only two countries.

**A MEMBER:** In other places, you're shot.

**MR. H. SMITH:** Because they're regarded as barbaric. In fact, in 1983 in Alabama with one prisoner committed to death, they took three charges of 1,900 volts over a period of 14 minutes to kill a prisoner. Smoke and flames came out of the body of the flesh before this person died and the prison officials actually had to stuff vaseline up their nostrils just so they could stomach it. They couldn't take it, the smell.

Now, the death penalty, by the way, you talked about Christianity. I would like to quote Coretta King, who, in Ottawa, said this: "I just don't know see how people can say they're Christians and murder people." If you, as an individual, cannot murder someone, why ask the state to do it for you, Madam Speaker? It absolutely is barbaric and it doesn't deserve a place in the Western World.

Now the member opposite talked about prevention by punishment. I mean, why don't we cut the hands off or fingers off of thieves? Why don't we do many things like that? It's barbaric, that's why we don't do it, Madam Speaker.

**A MEMBER:** Where do you stand on abortion?

**MR. H. SMITH:** Well, even you, you refer to that. I suspect that you're not pro-choice but yet you take a position contrary to your own position and, in effect, support capital punishment. If life is valuable, then you should, in effect, be consistent and oppose.- (Interjection)- You're being inconsistent, my friend. You're saying, in effect, that -(Interjection)- and yes, why doesn't Mulroney change if that is true?

But I don't want to get off on the ramblings of the Opposition. They shout out things at will and don't make much sense. It's their own position. He could not in his speech, Madam Speaker, come out with one earthly reason why capital punishment should be restored.

I was in the library looking over a few things and I saw a plaque on the wall, a proclamation by Duff Roblin.

Talking about the flag, he said, "Let it fly with dignity and honour over a free land." I would not be proud of this country if we, in effect, go ahead and destroy life, especially when biases and mistakes can be made and you cannot guarantee that they cannot be made. I believe that we should have a flag and it should mean something and it should not stand for a barbaric nation.

Thank you.

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

**MR. H. ENNS:** Thank you, Madam Speaker.

Madam Speaker, I firstly want to express my appreciation to my colleague, the Member for Arthur, for introducing this resolution to this Chamber. Admittedly, Madam Speaker, this is not a resolution that is within our domain to deal with, in terms of carrying out the resolve. It is a federal matter. But I say thanks to the Honourable Member for Arthur for introducing this resolution, (a) because he's had the guts to do it and, (b) because we as legislators and as parliamentarians - and I speak of all of us, of all parties, in all Parliaments, in all Legislatures - have conveniently found a way of avoiding discussing serious moral issues of the day that whether we like it or not, trouble a lot of people.

We do it for different reasons, Madam Speaker, mainly because of party discipline, because this is not an issue that sets a Conservative against a New Democrat or a Liberal; it is a matter of conscience, and thus the kind of party discipline that our system kind of has come to rely on is undermined when issues of this kind are brought to debate.

The only trouble with that is that a lot of people that we represent would like us from time to time to debate these issues, maybe not always resolve them satisfactorily, but surely those of us who have been placed here in trust to represent those views ought not to consciously and continuously ignore debating these issues, and this is not the only issue. This is one issue, capital punishment.

Abortion is an issue that is equally contentious, of a moral value, and is equally as personal to many of us, does not carry party labels on it. So what do we do? We don't talk about it in the House. Surprisingly, members opposite don't talk about it in the House because they are prepared to submit to this discipline that I just mentioned, their firm beliefs on that question, their national party's publicly stated position on that question, because they don't want to disturb the Minister of Health's position that he occupies in that Cabinet; and are therefore prepared to ignore conventions that they have attended, they have passed resolutions on that question with respect to freestanding abortion on demand clinics, Madam Speaker, that I know that you perhaps, at a different time, in a different era, ensconced not in the Speaker's Chair, but perhaps back in your chair as a member of this Legislature and as an active partisan member of this Legislature would surely have had some very strong views and had expressed some very strong views about that question.

But for the same reasons that we don't want to talk about capital punishment, the same reason we don't want to talk about sexual orientation, for the same



reason that we don't want to talk about new and frightening diseases like AIDS in this Chamber, we're silent and we avoid them, and more so, Madam Speaker, it's somebody like the Member for Arthur who has the courage to introduce a resolution of this kind.

Madam Speaker, more importantly we have for once a Prime Minister in this country that carries out a promise, and I remind all members of this Chamber - it was a promise made during the 1984 election and a promise that is being kept - no more, no less.

For the cynical editorial writers, and for the cynical position being taken by the Liberal and New Democratic Parties in Opposition, to accuse the Prime Minister and the Federal Government of this country for bringing up the question of capital punishment at this time, for some other ulterior political motives, is simply saying that they don't expect Prime Ministers, they don't expect political parties to keep their promises.

It was a promise made and a promise that is being kept, and that's all; and that despite the fact that the Prime Minister has made his personal views very well known, very well known on the subject. As a matter of fact, Madam Speaker, it's been a long time that we've had a Prime Minister in this country that has kept so many of the promises that he has made.

I'd be sorry tempted to spend the next 10 minutes and relate those promises, because, Madam Speaker, discussing the issue of capital punishment is not a particularly easy one for me. I make no apologies, attach no conditions to the fact that as a person of my background - pacifist, Mennonite background - it becomes extremely personally difficult for me to talk about taking another person's life.

Madam Speaker, I have made this statement before and I make it again. The 21 years that I have been an elected member, I still have difficulty in resolving when do I believe in representative government? When am I expected to lead? I have resolved that question. Are we just paying lip service to the word "democracy" that rolls so easily off our lips? Or do we genuinely mean government by the people and for the people?

Now the people may be wrong sometimes, and they have been wrong in days past. Societies have done things wrong, but in a democratic society people have the right to be wrong. People have the right to be barbaric if you want to call them that. But I will tell you one thing, Madam Speaker, what is hurting our system, what is hurting our democratic system more and more every day, what is causing the cynicism, the apathy that's growing among our public, is when they consistently see people that are elected, people that are put to Legislatures, people that are put to Parliaments, consistently refusing to talk about the issues or reflect the issues that concern the people.

Madam Speaker, every once in a while a government stumbles onto something that touches the people, like this government stumbled onto the language issue. Then all of a sudden, they found out what 85-86 percent of the people in Manitoba thought about it. Under those circumstances, because there was a forceful Opposition, because we were a democratic Legislature, that government was forced to back down and listen to those 86 percent of the people.

Now, Madam Speaker, editorial writers, intellectuals and I'm prepared to accept, may say that that was a wrong decision. Those people that view the evolution

of Canada, the evolution of our dual nature, of the two founding languages, undoubtedly felt that we, in Opposition, were wrong - 86 percent of the people in Manitoba were wrong, and the government was wrong to back down from forcing through that ill-thought-out resolution.

But, Madam Speaker, can anybody argue, can anybody make the case that that wasn't democracy in action? We may not always be happy with democratic resolutions to our problems, but that is the system of government that we have.

**A MEMBER:** That's the last thing a Socialist wants.

**MR. H. ENNS:** That is the system of government that we have.

So, Madam Speaker, I think it is totally cynical, and those who oppose it, those who charge my Prime Minister, my Federal Government for playing politics with this kind of an issue are missing the point totally.

It was a promise made during the last federal election and is a promise being kept, nothing more. The Prime Minister has indicated his position on it and he is allowing an open debate on this issue.

There is a difference, of course. My friends opposite, they have taken a party position on this question. They are not allowing any matter of conscience to direct them on this issue. My party, under my leader, both provincially and federally, has not made this a party position and we are free to speak as individual legislators to do either of two things - to reflect honestly the conscience that moves us on this question; but in doing so also to weigh equally honestly the responsibility that we have in acknowledging why we're here in the first place, to represent those people that are here in the first place.

Now, Madam Speaker, I won't get into the arguments, I won't get into the arguments that have or would like you to have or place various religious connotations on this argument. I can assure you there are as many arguments in the Bible that support capital punishment, beginning with the very first book in the Bible, Genesis, Chapter 9, verse 6, which says: "A man that sheds another's blood must have his own shed," and the reason given is because "Man is the image of God. Should he strike that down it must be paid."

There are many, as is so often the case in that great book of learning, there are many interpretations. Quotations can be taken out of context. Certainly the most popular one used is in the commandment, "Thou shalt not kill." That is used by the abolitionists. But I can assure you that for those of you who wish to study the Bible, there is equal support for those who feel that the ultimate crime of taking a person's life should forfeit that life after due process of law.

Madam Speaker, I compliment the Member for Arthur for bringing us to debate this issue in the House. I think that we ought to all reflect very seriously about what our people that we represent would ask us to do in this question, even though in this instance it's only an advisory role. As I said a little while ago, it's not in our jurisdiction to implement the portent of this resolution.

But I have no hesitation, Madam Speaker, in indicating to this House, and indeed to the electors of Lakeside who have made it abundantly clear as to where they

want their representative to be on this issue. And that is, narrowly defined, where premeditation can be proven beyond doubt, to support the return of capital punishment within our system of justice.

Madam Speaker, for some of us, and for me personally, that is not an easy decision to arrive at. I can remember that question being asked when the first Catholic President was being elected to the United States. Would he allow his Catholicism to stand in the way of promoting and carrying out public policy as directed from time to time by the Congress; by the House of Representatives, which represents the 240-250 million Americans that make that, with all its failings, still the greatest freedom-loving democracy that we have in this world? But that young and inspired Catholic President had no difficulty in making that statement prior to his re-election.

I have no difficulty making the statement that I've just made with respect to consideration of my religious background and feelings that I may otherwise have as a person on the subject matter.

**MADAM SPEAKER:** The Honourable Minister of Urban Affairs.

**HON. G. DOER:** Thank you very much, Madam Speaker.

I rise to join in the debate as proposed by the Member for Arthur. Madam Speaker, I believe this is a very, very serious issue, and a very serious issue facing our federal legislators in Parliament and facing all of us, as citizens of Canada, as this debate has indeed begun, and indeed the free vote will take place in Parliament followed by a proposed task force, etc.

Madam Speaker, I don't believe this is an issue of the left or an issue of the right or an issue of religion or an issue of not religion. I believe this is a very, very complicated and serious issue for all of us, Madam Speaker.

I recall, as a person who wasn't a member of this House, years ago listening to the debate in this House - I think four or five years ago - when members who I had a lot of respect for, notwithstanding partisan politics, took positions against capital punishment. For example, I believe the former Member for Turtle Mountain took a position against capital punishment because he didn't and wouldn't trust the state with that much power.

Madam Speaker, there were members on our side of the House that did support capital punishment, I believe, four years ago when this debate was taking place. It is a very, very serious issue. Madam Speaker, it's almost unfortunate that we didn't deal with this issue when it was originally scheduled to be dealt with, and that was the Thursday before Good Friday. It was on the Order Paper to be debated the Thursday before Good Friday.

I think it would have been rather ironic to be dealing with that issue the day before a religious holiday or celebration or whatever term in terms of the execution of Christ. Madam Speaker, it's also the end of another religious holiday in terms of Passover for other religions, and of course this issue is both a religious issue and a moral issue, in my opinion.

Madam Speaker, when I first started working in life, in a part-time job in the summer in the university, I did

work in Corrections. I worked with individuals who are presently considered some of the nefarious criminals in the criminal justice system in this country, and I think appropriately labelled, some of the individuals - individuals who were involved in the horrible axe murder situation in Selkirk, Manitoba, who had been in our correctional system, had been in some of our institutions.

Madam Speaker, when I speak against capital punishment - and I do speak against capital punishment - that does not mean to say that I believe that dangerous and potentially dangerous people should be out on the streets and risk the citizens of our country and the citizens of our neighbourhood. So when I oppose capital punishment, Madam Speaker, I have absolutely no sympathy for those individuals in our correctional system who I believe are dangerous and pose a legitimate threat to our public. Madam Speaker, it grieves me greatly when I hear that they're up for parole or potentially up for release into our society. I believe that the public has a right to be protected, notwithstanding the fact I do not believe in capital punishment.

Madam Speaker, I disagree with the issue of capital punishment on moral grounds. I believe in the philosophy that thou shalt not kill. I believe in that deeply; I believe that most members of our society believe in the philosophy and the rules of our society that thou shalt not kill.

Madam Speaker, we can look beyond just the traditional Judaeo-Christian ethics. There have been histories of other religions, great religions, in our world civilization. Gandhi comes to mind, Madam Speaker, a passivist, who achieved the results of his people in a very, very passivist way and a very, very outstanding way. There are other examples.

Madam Speaker, I have never believed in the philosophy, the Hammurabi's law, an eye for an eye, and a tooth for a tooth. Madam Speaker, as an individual, if I do not believe in killing, I do not believe the state should be empowered to provide capital punishment or the power of the state, in essence, to execute and kill individuals in our society. It's a natural extension of what I believe as an individual should be a credo and I believe that for the state.

And I'm happy, Madam Speaker, that in the Western World almost all of the democratically elected governments in the Western World have proceeded to abolish capital punishment, save but two, and I believe the Member for Ellice has already mentioned those two countries, that being Turkey and United States.

Madam Speaker, I believe we have one of the finest justice systems available to mankind, or personkind, in the world in terms of the adversarial system. But, Madam Speaker, having worked in the correction system before, I know of individuals who were guilty of very serious crimes, in my opinion, who got off on technicalities because they had a sharp lawyer. Madam Speaker, I know of many others, in my opinion, who were convicted on the basis of confusion, on the basis of technicalities, on the basis of flimsy evidence, on the basis of a lot of other factors that I did not think fair.

Now, I think we have a fine system. I don't know of any system that's better than ours, but we all know that sharp lawyers can get you off on technicalities and

lawyers or other resources in this system can mean you hang and have meant you've hanged for reasons that you have not committed the crime at all, but have been unjustly convicted of crimes you didn't commit.

Madam Speaker, the Member for Ellice has mentioned some names and mentioned some statistics. The Marshall case comes to mind. Well, the one difference between the Marshall case and other cases is, Madam Speaker, there wasn't capital punishment then and he, fortunately for all of us, was not executed. But, Madam Speaker, there have been cases, and cases that have been well documented by Senator Hiebert in terms of the Coffin (phonetic) case where individuals clearly, by all rules of evidence, in hindsight, were innocent and were convicted by the court at the time and executed. That is an irrevocable decision of the state and irrevocable in terms of our society.

Madam Speaker, we have heard of the situation where individuals have been hanged on shaky evidence. Madam Speaker, there's been a study to show that many individuals would have been convicted of other less serious kinds of convictions if they had been tried today and they would not have been executed. We have this situation in terms of justice in this country, Madam Speaker, where the individual, if we were to reinvoke the death penalty, we may have more heinous criminals who have got off for the last 15 years. We may have a period of 10 years where people are hung or executed and Parliament may abolish it 10 years from now. How do you explain to those families that the 10-year period that their individuals were involved in, this changed era, that they in fact got justice while people before them and people potentially after them have not?

Madam Speaker, I believe our justice system is a good one, but our justice system is not an infallible system and I defy anybody to prove that to me. I've seen year after year examples of that humanness in terms of our justice system.

Madam Speaker, the Member for Ellice has already mentioned the study of fines, bias and executions. Madam Speaker, that's a very serious issue when we are evaluating the whole return of capital punishment. Native Indians, Ukrainians, and French-Canadians were executed in disproportionate numbers to English-Canadians while the death penalty was in effect, the first full historical study of condemned persons shows.

And we already have the quote from the Member for Ellice, in terms of the "special deterrents for Native people." Madam Speaker, that is not a study that surprises any of us.

Over the years, any study in the United States has shown there's been a racial correlation of executions. Any study in any civilized country where there have been executions, minority groups, unpopular groups, groups with not as much wealth, Madam Speaker, have always been the ones that have been executed by the state in terms of capital punishment. And I think that's a very, very serious issue to consider when we are making a very serious decision on capital punishment.

Madam Speaker, the Member for Lakeside mentioned the issue of balance, the difficult balance between doing what your constituents want and also following your own moral convictions. I would agree with him, and I would agree with anybody that says that.

Madam Speaker, in the British Parliament recently, notwithstanding public opinion, and many British

parliamentarians, not British parliamentarians of this political stripe, quoted Edmund Burke: "In terms of the responsibility as a representative, it is not only to your industry but you have a responsibility to your judgment and you betray your responsibility if you only sacrifice yourself to public opinion."

Madam Speaker, many many speakers in British Parliament spoke and quoted this statement. We have Tommy Douglas who's talked about public opinions; we've had Winston Churchill talk about public opinions; the need for leadership rather than followship. I agree it's a dilemma. And I would agree with anybody that that balance is difficult and I'm sure will continue to be difficult for all of us to find as we strive to make the decisions that are in the best interests of the public and consistent with our own moral convictions.

But, Madam Speaker, I believe on this issue that we must take the moral ground and we must have the moral thoughts in mind when we're making the decision. Just as the British Parliament did when, contrary to public opinion, the majority of members in British Parliament voted against a return to capital punishment in that country.

Madam Speaker, they also dealt with the issue of deterrence in the British Parliament just recently. We've all heard the story of the number of pickpockets at a public hanging in England. We also heard stories from British Parliament in terms of the martyr syndrome that would return with the return of capital punishment in that country. The British Home Secretary, a prominent member of the Thatcher Cabinet spoke about the martyr issues that would be involved. In fact, Madam Speaker, there are a number of psychologists and psychiatrists, not all of them I believe, but a number of them that have stated that with the return to capital punishment you increase the violence in society and you may increase the anti-hero and you may increase the number of people that in fact are involved in these kind of murderous and homicide situations.

Madam Speaker, this year we have seen a 20 percent drop in the homicide rate in this country. It has been the lowest it's been in 15 years, and I believe that we should continue on with the many programs that the public is demanding and rightfully so, to make our streets a safer place. Madam Speaker, I believe we should continue on with an accelerated program in terms of prevention of crime. I believe we should be evaluating the media and violence in the media that makes us, a lot of the population has become very insensitive to the issue of violence in our society. I don't know why we get so preoccupied with certain aspects in our media, Madam Speaker, and we treat violence in our media with such casual disregard.

Madam Speaker, I believe our criminal justice system and the courts should differentiate strongly between those individuals that have a history, a convicted history of crimes against people versus crimes against property. I stand four square behind the theory that people that have committed crimes and violent crimes against individuals in our society should be locked up for a long period of time because I have a great deal of skepticism about the rehabilitation component in our corrections and our criminal system.

I believe society has a right to be protected. It grieves me greatly when I hear of a dangerous convicted murderer getting out on parole, Madam Speaker, but

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I believe for moral grounds and for just grounds, capital punishment does not, in my mind, exemplify the way the state should conduct its business, and for those reasons, I am opposed to the return of capital punishment.

Thank you very much.

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

**MRS. B. MITCHELSON:** Yes, Madam Speaker, is it the will of the House to call it six o'clock?

**MADAM SPEAKER:** Is it the will of the House to call it six o'clock?

The hour being 6:00 p.m. then, the House is now adjourned and stands adjourned till 1:30 p.m. tomorrow. (Thursday)