

LEGISLATIVE ASSEMBLY OF MANITOBA
Wednesday, 4 March 1981

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

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

**PRESENTING REPORTS BY STANDING
AND SPECIAL COMMITTEES**

MR. SPEAKER: The Honourable Member for Emerson.

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

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

MOTION presented and carried

**MINISTERIAL STATEMENTS
TABLING AND OF REPORTS**

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, I'd like to table the Ninth Annual Report of the Manitoba Police Commission for the year 1980.

MR. SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

MR. ARNOLD BROWN (Rhineland) introduced Bill No. 37, An Act to authorize the Rural Municipality of Montcalm to Sell and Convey a Portion of a Public Road within the Municipality and that the same be now received and read a first time.

INTRODUCTION OF GUESTS

MR. SPEAKER: At this time I would like to introduce 27 students of Grade 4 standing from Salisbury School under the direction of Mr. Tim Pechey. This school is in the constituency of the Honourable Member for Elmwood.

We also have 46 students of Grade 11 standing from Sisler School under the direction of Mr. Brown. This school is in the constituency of the Honourable Member for Inkster.

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

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, to the First Minister. In view of the announcement by Ottawa that a Federal Government report discloses

that the oil industry in Canada has been conspiring over the past number of years in order to milk Canadians of some billions of dollars by way of price fixing, can the First Minister advise whether or not he has yet received a copy of this federal report?

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON (Charleswood): Mr. Speaker, I can tell my honourable friend that we have not received a copy of the report. My office has been informed however that the report will be made available later on this afternoon to the Provincial Government and its agencies.

MR. PAWLEY: Mr. Speaker, in view of the information this morning that the Federal Government will be not launching anti-combines charges but indeed will be holding, in place thereof, a public inquiry, can the First Minister advise whether or not a submission will be made to the public inquiry by the Province of Manitoba?

MR. LYON: Mr. Speaker, it would be too early at this stage to say whether or not Manitoba would be making a submission to such an inquiry but I must say, Sir, that the holding of an inquiry would be entirely consistent with what the Government of Manitoba recommended to the Government of Canada when we spoke on the energy question in Canada at the First Ministers' Conference on Energy in November of 1979. Sir, I'll just read very briefly what we recommended at that time from the Government of Manitoba's submission, "We would expect, of course, that mechanisms would be established to monitor and to review periodically the effectiveness of any new pricing schedule as well as other aspects of our energy strategy on both the supply and demand sides. Specifically, we should monitor the returns of the oil companies to ensure that they are being utilized in the national interest in support of our self-sufficiency objective".

MR. PAWLEY: Mr. Speaker, further to the First Minister, in view of the information disclosed is the First Minister now prepared to make any representations to the Province of Alberta to turn the taps back on insofar as the production of oil so that Canadians will be able to enjoy some relief from the blackmail being attempted by the Province of Alberta?

MR. LYON: Mr. Speaker, as I've tried to make clear to my honourable friend, and I believe the Minister of Energy as well, Manitoba believes that both the Federal Government and the Government of Alberta should get back to the negotiating table in terms of arriving at a consensus in the interests of all Canadians. Unlike the leader of the newly diminished party, Mr. Speaker, we are not pointing fingers and saying that Alberta is the only culprit; we know very well that the National Energy Program which somehow or other, under economics that I suppose only my honourable friends opposite would understand, say that it is better to buy oil offshore at

\$40 a barrel than it is to buy it from Albertans at \$18.00. Maybe my honourable friends subscribe to that kind of economic voodooism, but we don't.

MR. PAWLEY: Mr. Speaker, since the First Minister now admits that Alberta is one of the culprits, is the First Minister now prepared to review the position that has been taken by himself, personally, a position which recommended the sale of assets of PetroCan, involving production facilities; and is the First Minister also prepared to review the position that he has taken all along which has favoured sharp increases insofar as oil prices are concerned in Canada under the guise of some vague destination of self-sufficiency?

MR. LYON: Mr. Speaker, the question has been answered on many occasions before. I merely say to my honourable friend that the position adopted by the Government of Manitoba is precisely the same position that was endorsed by the six major nations of the world meeting at the Tokyo Conference, all of whom agreed that the price of energy in each of those countries had to move toward the world price. That has been the consistent policy of this government and eight other provinces of Canada, including Saskatchewan, and the then Government of Canada. My honourable friend from the NDP and the Premier of Ontario are the only two who seem to favour the opposite of that policy.

MR. PAWLEY: Mr. Speaker, further to the First Minister. In view of the information that has been disclosed this morning involving gouging to the extent of billions of dollars, apparently by oil companies, of Canadians; in view of the First Minister's position that he's been adopting all along pertaining to defence of the position of the Province of Alberta and the oil companies, is the First Minister now, in view of the revelation of this information this morning, prepared to now ask Alberta to step back to a position in which, indeed, we were prior to this weekend, so that talks can be resumed federally and provincially?

MR. LYON: Mr. Speaker, I'm not aware of the nexus between what my honourable friend, or the connection, between what my honourable friend is talking about and the alleged statements that we are going to see from a report that no one has as yet seen. My honourable friend is free and quite capable of practising his peculiar kind of socialist mumbo jumbo. For our part, we will continue to advance positions with respect to a national energy policy which are in the long-term interests of the people of Canada.

MR. PAWLEY: Mr. Speaker, it's very clear that every time the First Minister finds himself in an awkward position he prefers to refer to socialist mumbo jumbo and Chile and Cuba and whatever it be. Mr. Speaker, on the other hand, we're quite aware of the First Minister's insistence on representing the many other interests, interests outside of the interests of the people of the Province of Manitoba.

To the Attorney-General, in view of the information that has been revealed, is the First Minister prepared to recommend to the Attorney-General, at the next

Federal-Provincial conference involving Attorneys-General, the Federal Government, that the anti-combines legislation be tightened up. So rather than we go through the charade of public inquiries we can get down to some tough anti-combines charges involving situations such as this.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, as far as I'm aware that subject matter has never appeared on the agenda of the Provincial Attorney-General since I have been Attorney-General, nor previously, so I will have to, Mr. Speaker, take that question as notice and review that particular subject matter.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I would like to direct a question to the Attorney-General in his capacity as Minister for Urban Affairs and directly as it relates to the relationship between the province and the City of Winnipeg. Mr. Speaker, in view of the fact that citizens in the northwestern part of Winnipeg are in a dilemma in that when other people attended meetings and got the Council to change its mind it was referred to as wonderful citizen participation; but when citizens in the north end get together for the purpose of doing the same thing it is referred to as a mob. Can the Attorney-General determine from the City of Winnipeg the guidelines to offer the citizens of North Winnipeg as to whether they should stay home or come out en masse in order to get their will with the City Council.

MR. SPEAKER: The Honourable Minister of Urban Affairs.

MR. MERCIER: Mr. Speaker, as usual the Member for Inkster makes his point by asking a question.

MR. GREEN: Well, Mr. Speaker, I'm being very serious about a very serious question. Can the Minister determine from his liaison with the City of Winnipeg, whether the citizens of the north end, who need desperately a grade separation on Keewatin, should stay home and then be told you can't have it because you didn't come out or should come out and then be told you can't have it because you're a mob. It is a problem to these people as to how they are supposed to behave in view of the way in which they are being characterized by City Councillors who previously said you didn't get the overpass because you didn't attend the meeting and now that you've attended a meeting you're a mob. It is a problem for these people.

MR. MERCIER: Mr. Speaker, up until now I have never heard the Member for Inkster try to make the point that an elected person's decision should be based on the number of people who attend a meeting for or against a certain proposal. That should be the decision of the elected representative to make, not on the basis of the number of people who attend any meeting but on the basis of what is correct and right to do.

MR. GREEN: Mr. Speaker, I wish to assure the Attorney-General that I am not making that point. As

a matter of fact I totally agree with what the Minister has said but those are not the rules apparently as they apply between the City Council and the citizens of North Winnipeg and since those rules do not apply, could the Minister in his capacity as Attorney-General, related to the City of Winnipeg, obtain from the City of Winnipeg advice to these citizens if they want the grade separation on Keewatin? Should they come out and badger their councillors or should they stay home? Because they've been told if they stay home they don't want it, and they've been told if they come out they're a mob and they have a dilemma, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Urban Affairs.

MR. MERCIER: Mr. Speaker, that is a question which the people of the north end of the city, or of any section of the city, should ask their own elected councillor.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker, I'd like to address a question either to the Premier or perhaps to the Minister of Energy. Perhaps the Premier or the Minister of Energy might like to answer this question, Mr. Speaker. Inasmuch as the half-cent-per-litre new tax, otherwise known as Lougheed's Levy, which has been caused by the recent cutbacks by the Alberta Government and which will cost the people of Manitoba millions of dollars per year, can the Minister advise whether the government has made any assessment of possible future cutbacks which the Alberta Government has indicated will take place over the next year?

MR. SPEAKER: The Honourable Minister of Energy.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, when these questions first started about a week ago, the government had examined the possible impact of the oil cutbacks and we said at the time that there would not be a direct impact at the gas pump or directly from the change in supply of 60,000 barrels per day. That position is still valid.

I indicated at that time that what the change did do, it reduced the amount of revenue that the Federal Government would have achieved from their measures last November, which would have brought to the Federal Treasury some close to \$4 billion a year and this would reduce that amount of 4 to somewhere around 3. So, Mr. Speaker, I find the member's rationalization somewhat strange, to blame the price increase on the Province of Alberta because in fact the Federal Government is still making some \$3 billion more than they would have prior to last November, simply that their profits have been reduced. When Mr. Lalonde immediately tries to portray that this increase is caused directly by the reduction in supply in Alberta, is just not quite the facts. The facts are, that there is no direct tie-in; it took a distinct and different direction in Federal Government policy to bring about this price increase. There is no Mr. Lougheed, nor Alberta, nor Saskatchewan, nor any other producing province can affect the price of fuel supplies that directly simply by controlling the supply as they are doing.

MR. EVANS: Mr. Speaker, the Honourable Minister did not answer my question which was, has his department, has his government, made any assessment of the proposed future cutbacks; the proposed future cutbacks which could have a similar impact in terms of causing Manitoba oil product consumers to pay more money by way of whatever tax. Mr. Speaker, I'd like to ask the Minister the additional question, will his government or will his Ministry undertake to play the role of an active mediator to try to bring Alberta and Ottawa back together again inasmuch as, while we are geographically a western province, nevertheless in terms of oil consumption we are indeed an eastern province?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, I can perhaps deal with the second portion of my honourable friend's question because he asked the Province of Manitoba to act as a mediator between the Government of Alberta and the Government of Canada on the national energy policy. A national energy policy, by the way, Mr. Speaker, which finds very little support throughout Canada except in the New Democratic Party and the Liberal Party nationally.

Mr. Speaker, last August, in this Chamber when the 10 Premiers of Canada met in Winnipeg for the Annual Premiers' Conference, we called at the time, the 10 of us, for a meeting to deal with the economy of the country. We asked the Prime Minister to convene such a meeting to deal with the economy of the country and the other problems of Canada; such as energy pricing; such as high interest rates; such as the decline in housing; such as all of the other economic factors that afflict the economy in Canada. Mr. Speaker, we have not had a response from the Prime Minister of Canada for that kind of a meeting and I suggest that rather than asking a province — whether it be Manitoba, Saskatchewan or whomever — to mediate as between the Federal and the Alberta Governments; if the Prime of Canada would respond to the very reasonable call that was made by the 10 Premiers of Canada last August, then we could get on to discussing some of the important economic measures in this country, measures that are equally as important as the constitutional measures which are also important for the future but measures which need to be discussed concurrently in this country.

MR. EVANS: Mr. Speaker, we indeed have a very specific important problem facing the people of Manitoba right now which is causing Manitoba consumers millions of dollars more because of the Lougheed levy. Whatever the Prime Minister, or the Premier of this province thinks, I ask him, I plead with him now, to play a role of active mediation whereby he can, this very day, pick up the telephone, call Alberta, call Ottawa and ask Mr. LaLonde and Mr. Lougheed, or whoever, to get together on behalf of the interests of all of the people of Canada, as well as Manitoba, to settle this thing quickly and expeditiously. There is the challenge.

MR. LYON: Mr. Speaker, as I have said before Manitoba, the Government of Manitoba, has always favoured the resolution of the energy pricing matter

between Alberta and the Government of Canada in a reasonable and in an expeditious way that is fair to the people of Canada and fair to the position of the people of Alberta. But may I say, Mr. Speaker, that in government, and in the Constitutional discussions that we're involved in at the present time, we understand that the provinces of Canada have control over the natural resources of this country. Now, all of the provinces in Canada support that proposition, including the socialist government of the Province of Saskatchewan. If my honourable friend, or his Leader, are trying to suggest, by implication, that a province does not have control over its resources and over the amount of its resource that is sent outside of the province, I would like my honourable friend to tell me some time in the course, say, of the Budget debate, just what stance he and his party are going to take as and when the Federal Government imposes a tax on electrical energy, which they're bound to do one of these days, which they're bound to do; and I want my honourable friend to say very clearly then, whether or not he agrees that a province should have the control over its resources and that the Federal Government should not move in on that kind of a pricing structure, as indeed Mr. Lalonde is moving in at the present time. The extra obligation that is being paid —(Interjection)— Mr. Speaker, the extra obligation that is being paid by the people of Canada is an obligation that was imposed by the Federal Government, not by the Government of Alberta.

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

MR. LAURENT L. DESJARDINS: Mr. Speaker, I wonder if I should try to adjourn the debate, or ask a question at this time. Mr. Speaker, there's another speaker on that side. I'll ask the question to the Minister of Energy who was quite fast in pointing out the tax that the Federal Government was adding to the cost of gas, could he now point out how much the tax, the provincial tax, especially that 20 percent tax, is adding to the cost of gas to Manitobans?

MR. CRAIK: Mr. Speaker, that question was directed to the Minister of Finance yesterday and I believe he dealt with it.

MR. DESJARDINS: Mr. Speaker, it was the Minister of Energy who pointed out that the cost to Canadians was increased because of the federal tax and I'm asking the same Minister of Energy how much increase is there to Manitobans because of the provincial tax, especially the 20 percent tax.

MR. CRAIK: Well again, Mr. Speaker, I believe that was addressed yesterday, but just to give the member some further information, the Manitoba tax comes on after the pricing schedule has been in place for some time and, if we are to believe what we are told by Mr. Lalonde, that once the affairs are settled with Alberta the levy that Mr. Lalonde has applied arbitrarily yesterday would come off; so let's all hope that it is off before Manitoba would arrive on the scene with a tax that would come in after the fact.

MR. DESJARDINS: Mr. Speaker, is the Minister saying that he is now making money on something

that he disagreed with the Federal Government, by putting a percentage tax on the total after it's all over there's 20 percent of the total thing, is that what the Minister is saying?

MR. CRAIK: No, Mr. Speaker, again the Minister of Finance, as he indicated yesterday the provincial tax comes on after there has been an averaging taken of the prices of gasoline at 20 self-serve stations in the Winnipeg area. Whether or not there is a return to the Province will depend on how long the Lalonde tax applies, and how soon there is a settlement between Ottawa and Alberta.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MS. JUNE WESTBURY: Yes, Mr. Speaker, my question is for the Honourable Attorney-General. In view of recent complaints about snowmobilers outside of the city, but close to the city, does the Attorney-General intend to bring in any new regulations that will provide for better enforcement and better control of snowmobiles and perhaps more easily identifiable licence plates, since apparently the licence plates are invisible to snowshoers and hikers who are being harassed and placed in a dangerous position. Another effect of this harassment has been, in a couple of instances, cruelty to animals. The Attorney-General is indicating, I think, that I should have asked the Minister of Natural Resources the question; if so, I would ask that whichever of the Ministers is prepared to answer it would do so.

MR. SPEAKER: The Honourable Minister of Transportation.

MR. DON ORCHARD (Pembina): Mr. Speaker, I might provide a small amount of information for the honourable member. The snowmobiles, in terms of licencing and identification, are quite frankly always going to be a problem, but they have had some large number identifications being part of the identification process used on snowmobiles. The problem the member alludes to, particularly an identification by snowshoers or cross-country skiers, is a difficult one because, from time to time, errant snowmobilers may pass a snowshoer or a cross-country skier at some 50 and 60 miles an hour and identification, if not being difficult may well be, in fact, impossible, Mr. Speaker.

MS. WESTBURY: I have a question for the Attorney-General, Mr. Speaker, one way or another. I wonder if the Attorney-General is proposing any changes to the Manitoba Building Code as they apply to hotels constructed before the present regulations came into effect. I am referring particularly, of course, to the fire last July at the Holiday Inn and particularly insofar as regulations requiring heat and smoke detectors and sprinkler systems are concerned. Are there any proposals changed, especially retroactive ones, please.

MR. MERCIER: Mr. Speaker, I appreciate the Member for Fort Rouge referring all of these questions to me, but the matter she raises now really is within the jurisdiction of the Minister of Labour and perhaps, in view of his absence today attending

a funeral, the question could be taken as notice for him.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUKE: My question is to the Minister of Health. I'd like to ask him if it's government policy to pay funds to health care institutions that fail to pass provincial inspections, or to meet provincial regulations.

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, it's certainly not a matter that comes under the area of government policy whatsoever. The policy of course, is to attempt through the Standards Division to maintain the necessary qualities of care and of physical repair at all our health institutions and I'm not entirely sure of the point at which the Honourable Member for Transcona is driving.

MR. PARASIUKE: With respect to provincial inspections and regulations, I do so because last Friday the Provincial Auditor indicated that large private profit-making corporations operating personal care homes refused to file audited financial statements, unlike non-profit personal care homes, to the Provincial Government. The Auditor said that he had a list of those private corporations but that I had to ask the Minister of Health for permission for him to table them. I'm asking the Minister of Health if he would table the list of those private corporations that will not file audited statements, indicating their size as well.

MR. SHERMAN: Mr. Speaker, that has nothing to do with the standards to which I believe the Honourable Member for Transcona referred or at least which I inferred he was discussing in his initial question. Standards are a matter that are supervised by the Standards Division of the Manitoba Health Services Commission or by hospital accreditation committees or whatever.

What he is talking about now is a matter of meeting obligations that have been applied in some circumstances and not in other circumstances with respect to the filing of audited financial statements in the personal care home field. I might say this is a subject of considerable discussion throughout Canada, in those provinces that have insured personal care home programs where proprietary operators and non-proprietary operators operate side by side as in Manitoba. It has not been entirely resolved. It's my understanding that what the Member for Transcona says the Provincial Auditor said, the Provincial Auditor in fact did not say. However I will check the record and confer on the subject with the honourable member further.

MR. PARASIUKE: I'd like to ask the Minister if he will provide a list of those private corporations which will not file their audited statements; and also if he can indicate in that list whether any of the corporations that received approval from this government in the last year to build personal care homes while this government at the same time said no to non-profit groups who wanted to build personal care homes, if

he could indicate whether approval was given to any private corporations to build new personal care homes who do not meet the Provincial Government's own regulations in The Medical Services Act, to provide audited financial statements, is that the case? Can the Minister provide us with that list?

MR. SHERMAN: Mr. Speaker, I will not give such an undertaking at this moment but I will take it as notice, but I want to state quite clearly for the edification once again of the Honourable Member for Transcona, Mr. Speaker, that those proprietary operations that were licensed to go back into construction this year are known to the Honourable Member for Transcona and known to every member of this House. They were operators who co-operated with the Government of this Province at a time when it was necessary to make some changes and make some moves because they had not had a chance under eight years of discriminatory government by the previous administration, to bring their physical plants up to date. They could not meet the standards; they could not continue to meet The Public Health Act; —(Interjection)

MR. LYON: They just jeopardized their lives. They didn't care about the problem then.

MR. SHERMAN: They could not continue to meet requirements under the fire code because for eight years that government over there when it was government, Sir, discriminated against them and made it very clear to them that they were going to be put out of business. We said you've got a good track record in terms of your care of patients; your physical plants have been allowed to deteriorate by the previous government; if you will build up the standard you can come back into the field. That is what has been done and the Member for Transcona knows who those operators are.

MR. SPEAKER: The Honourable Member for Burrows:

MR. BEN HANUSCHAK: Yes, Mr. Speaker, I wish to direct my question to the Honourable Minister of Consumer and Corporate Affairs, and the Minister may wish to take the question as notice. Could he indicate to the House whether the companies which have recently collapsed in Ontario, leaving a \$35 million loss, namely Astra Trust Company and Remore (sic) Management Investment Corporation are registered in the Province of Manitoba?

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. GARY FILMON (River Heights): It's my understanding, Mr. Speaker, that they are not but I will double check that.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE: Mr. Speaker, I have a question that relates to an interview that was held with the Leader of the Opposition by the Manitoba Business Journal and one question in here the Journal asked: "Do you see a role in future for a

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resurrected Manitoba Development Corporation?" and the Official Leader of the Opposition said, "Possibly, but I feel the message of the various undertakings of this area wasn't too clearly cold". The NDP inherited the Flyer, the Lord Selkirk and Saunders Aircraft. Mr. Speaker, my question is, to clear my mind, to clear the record, did the NDP government under the former Premier Schreyer, inherit Saunders Aircraft?

MR. SPEAKER: Order please, order please.
The Honourable Member for Kildonan.

MR. PETER FOX: Yes, Mr. Speaker, on a point of order. I believe you have indicated to the House this is a Question Period and that people should be asking questions of the Ministry in respect to information that they desire of the Ministry. Now the member is a member of the particular caucus of the government; it's a sorry state when he can't even communicate with his own members in his own caucus, but to contravene the rules of order in this House by reading into the record something which was not a question because he didn't direct it to anyone, I think is going a little bit far. I do believe, Mr. Speaker, that this point of order should be indicated to the Member for Roblin. If he has questions and they're legitimate they should be answered; if he doesn't have any, he should find another time to debate.

MR. SPEAKER: Order please, order please. The point raised by the Honourable Member for Kildonan is a point that is well taken. I would hope that all members when they're asking questions make them very short and direct without a long preamble, by reading from some other quotation from some publication that is not an official document of this Chamber. I would hope that the questions would be to the point and the answers as well.

The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I've been following the pattern that the members opposite have been using for weeks since the House opened on the preamble so I apologize. I'll ask the question direct to the Minister of Economic Development. Did the NDP inherit Saunders Aircraft?

HON. J. FRANKLIN JOHNSTON (Sturgeon Creek): Mr. Speaker, I happen to have read the same article and according to a news release by the Member for Brandon East on September 23, 1970, Mr. Evans said they had been dealing with Saunders Aircraft since April of 1970 and the records of the province show there was no dealings before that time. It's just another misleading statement by the Leader of the Opposition.

MR. SPEAKER: Order please, order please.

MR. McKENZIE: Mr. Speaker, a supplementary question. I'd like to ask the Honourable Minister of Economic Development if he's prepared to contact the Manitoba Business Journal and hopefully have this error or misstatement corrected.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. A.R. (Pete) ADAM: Thank you, Mr. Speaker, it's kind of a change to be able to stand up and ask a question. If I receive as much latitude as the First Minister I'll be quite satisfied, Mr. Speaker.
(Interjections)—

MR. SPEAKER: Order please, order please. The Honourable Member for Ste. Rose.

MR. ADAM: I hope I get half the latitude that was afforded the First Minister I'll be quite happy, Mr. Speaker. On the 23rd of —(Interjection)

MR. SPEAKER: Order please, order please. The Honourable Attorney-General on a point of order.

MR. MERCIER: On a point of order, Mr. Speaker. I believe the Member for Roblin indicated he has a second supplementary question which he is entitled to.

MR. SPEAKER: Order please, order please. The recognition of members in question period is the prerogative of the Speaker.

The Honourable Member for Ste. Rose.

MR. ADAM: Mr. Speaker, now that I am able to get the floor and ask my question, I direct it to the Minister responsible for Energy. Mr. Speaker, I posed a question on July 23rd of 1980 in regard to a study that was being made on the oil industry and I direct my question to the Energy Minister today because the First Minister took the question on behalf of the Minister. I am wondering, Mr. Speaker, why they have not made themselves available of this study. I am asking the Minister, there was a study, I brought it to his attention in 1980 on the 23rd of July, I brought it to his attention that there was a serious study that had been undertaken by the Liberal Government and suppressed by the Clark Government and that we wanted this study before we would proceed with any oil policy. I ask the Minister now, why did he not avail himself of that study?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, it might be helpful for the Member for Ste. Rose to know that the Provincial Government is still not in possession of the study to which he refers but we are advised by the Federal Government that copies of it, that we have now read about in the newspaper, will be made available to the other governments and to the public at large. I presume that it will be readily available to him and he doesn't have to acquire it through the Provincial Government. However, if we can be of help to him in acquiring a copy we will be most happy to do so.

MR. ADAM: Mr. Speaker, we were trying to get a copy from the Clark Government and they wouldn't allow us and I wanted him to get it. I ask him today, in view of the fact that I brought it to his attention in July of 1980 that there was a serious study made on the oil industry, why he did not get in touch with the Government in Ottawa and get that report and find out what was going on, Mr. Speaker? He has responded . . . —(Interjections)—

MR. SPEAKER: Order please, order please. I believe the honourable member asked that question

with his first question. Has the honourable member another question?

MR. ADAM: I would now like to ask the Minister when he's going to respond to the question that the First Minister took on his behalf?

MR. SPEAKER: The Honourable Minister of Energy.

MR. CRAIK: Mr. Speaker, I thought I just did. I indicated, Mr. Speaker, to the member that I would be most happy to share the report with him as soon as it was available. My understanding from the Federal Government is that they are going to make the report public today. I assure the member that, to the best of our knowledge, this is the first time when the report he is alluding to has been made available to anyone other than whoever was preparing the report. However, I must add that if he had insight into a report like this six months in advance I hope he keeps it posted so we'll know now and frequently when he knows of other reports that are going to come out in the next six months.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. We really must do something about the sound system, I think that's a classic example. However, my question, Mr. Speaker, is to the Minister responsible for northern air ambulance and I'd asked the Minister if he can provide us with an update as to why we have yet to receive any word from the Minister in respect to the replacement of the MU-2 and why we are forced to suffer through inadequate and unsatisfactory service as long as we have been forced to by the government's inability to provide substitute transportation and substitute aircraft which are suitable for that type of Medi-vac service.

MR. SPEAKER: The Honourable Minister of Transportation.

MR. ORCHARD: First of all, Mr. Speaker, I think it has to be pointed out, as I have on previous occasions, when that member has questioned on northern air ambulance service that we have in fact provided replacement aircraft. There are two of them; they have been used for medical evacuation; we have upon occasion, as I understand it, used private carriers for that purpose when our aircraft were unavailable for use. The service is operating; it is not as disastrous as the Member for Churchill would have many people believe. Thirdly, Mr. Speaker, I hope to be able to advise the member about a replacement aircraft in the very near future.

MR. SPEAKER: Order please, the time for question period having expired, we will proceed with Orders of the Day.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 27?

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

MR. SAUL CHERNIACK: Mr. Speaker, I'm sorry, I'd like to raise a point of privilege.

MR. SPEAKER: The Honourable Member for St. Johns on a point of privilege.

MR. CHERNIACK: The matter having come to light to me just now, I have not prepared a resolution but if you so require it, a motion, I would try to draft one. I'm just reading Hansard and a statement by the Honourable Minister of Community Services relating to a statement which was quoted by the Member for Emerson that appeared in a New Democratic Party bulletin. The statement made by the Minister — it appears on Page 1181 — would make it appear as if the Minister is claiming that the program which is now paying \$15.60 a month to certain senior citizens is a new program of his government. I'm reading it that way based on the question and the answer; and the Minister when attacking the New Democratic Party statement, which I haven't seen, calling it untrue, and attacking the Leader of the Opposition together make it appear as if he is taking credit for his government of introducing a new program of \$15.60 which of course, Mr. Speaker, is absolutely untrue. What appears to be true is that they increased the payment from \$7.82 to \$15.60 or some increase of that nature. I think he owes it to the people of Manitoba to clarify the position that he appears to have taken which I don't think he wanted to take or which I don't think, in all integrity, he would have taken.

MR. SPEAKER: Order please. If you'll refer to Page 59 in our Rules, Orders and Forms of Proceeding of the Legislative Assembly and I will quote the last sentence in the second paragraph:

"But a dispute arising between two members as to allegations of facts does not fulfill the conditions of parliamentary privilege."

On that basis I would have to rule the matter of privilege out of order.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I'll try to keep your ruling in mind. I'm just wondering about the fact that the Minister yesterday in Hansard spoke of untruths. He says the statement is completely untrue, and he knows it's untrue. Now, Mr. Speaker, is that acceptable?

MR. SPEAKER: Order please. Order please. Having once made a ruling I think the matter is finished. Orders of the day.

The Honourable Government House Leader.

SECOND READING - GOVERNMENT BILLS BILL NO. 27 - THE HIGHWAY TRAFFIC ACT

MR. MERCIER presented Bill No. 27, an Act to amend The Highway Traffic Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, on February 3 of this year the Supreme Court of Canada in the case of the Queen versus Boggs, declared that the Parliament of

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Canada did not have jurisdiction to enact Subsection 238(3) of the Criminal Code.

That section states everyone who drives a motor vehicle in Canada while he is disqualified or prohibited from driving a motor vehicle, by reason of the legal suspension or cancellation in any province of his permit or licence or of his right to secure a permit or licence to drive a motor vehicle in that province, is guilty of an offence.

In his judgment the Supreme Court expressed concern that persons were being prosecuted under Subsection 238(3) of the Criminal Code where driving privileges had been suspended for such relatively trivial matters as failing to pay a parking ticket or in one province failure to pay a fuel oil bill. The Supreme Court ruled against the scope of the present section.

In this regard we have indicated to the Department of Justice in Ottawa that we would support legislation to replace the present Subsection 238(3) of the Code with a provision that makes it a criminal offence for a person to drive a motor vehicle where that person's driving privileges have been suspended as a result of a driving conviction pursuant to the Criminal Code.

In the meantime when Subsection 238(3) of the Code was declared ultra vires, we started to prosecute under Section 201 of The Highway Traffic Act. Unfortunately the present penalty provisions were not considered to be severe enough to deal with a type of flagrant offender who has been suspended as a result of several drinking and driving offences or for causing death or bodily harm by criminal negligence.

The present act provides for a penalty from \$50.00 to \$500 and in default from seven to 30 days incarceration. Further the present Section 201 of The Highway Traffic Act requires that where the suspended driver is driving his own vehicle, that vehicle must be impounded. The court has not given any discretion in this regard. The impoundment provisions apply unfairly in that some drivers will have their car impounded while some drivers will not have their car impounded. For example, if the suspended driver is driving a car owned by somebody else, there is no impoundment of that motor vehicle.

We have determined, Mr. Speaker, to repeal all of the provisions relating to impoundment of vehicles on conviction. We have also redrafted the provisions relating to the offences to simplify the wording and to provide a more severe penalty for the offence of driving a motor vehicle while suspended. The penalty for this most serious offence is to be a fine of not more than \$1,000 and/or imprisonment for a term not exceeding six months. For all other offences the penalty is to be a fine of up to \$500 or in default, imprisonment for up to 60 days. Subsection 2 of the Act does also provide the repeal with respect to the impoundment provisions shall deem to have been effective on, from and after February 3rd, 1981.

Thank you, Mr. Speaker.

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

MR. WILLIAM JENKINS: Mr. Speaker, I'd like to move, seconded by the Honourable Member for Elmwood that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, could you call Bill No. 8?

MR. SPEAKER: Adjourned debate on Bill No. 8. The Honourable Member for Logan. (Stand)

MR. JENKINS: Let that matter stand, Mr. Speaker.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, could you call the Motion on the second page of the Order Paper in my name?

MR. SPEAKER: Proposed Motion by the Honourable Attorney-General.
The Honourable Attorney General.

MR. MERCIER: Mr. Speaker, I move, seconded by the Honourable Minister without Portfolio that the report of the Standing Committee on the Rules of the House received by the Assembly on Monday, February 9th, 1981 be referred to the Committee of the Whole for consideration and concurrence.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: I move, Mr. Speaker, seconded by the Honourable Minister of Municipal Affairs that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider and report of the Report of the Standing Committee on the Rules of the House received by the Assembly on February 9, 1981.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to report of the Report of the Standing Committee with the Honourable Member for Crescentwood in the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN, Warren Steen (Crescentwood): I might point out to the members of the Committee that a copy of the report is in Votes and Proceedings dated Monday, February 9th and copies have been distributed to all members.

The Honourable Attorney-General.

MR. MERCIER: Well, Mr. Chairman, it might expedite matters. I have discussed this report with the Honourable Leader of the Opposition on a number of occasions and other members of the Committee, and it appears to us that there is one clear amendment that should be made in Rule 33(2)(a) and that would be in the second line of that clause after the word "given" to insert the word "prior", and then in the third line to delete the words "not later than one hour before the", and delete the fourth line, "sitting of the House at which the

member speaks in that debate", and that would then reflect the discussion which we had at our Committee which was to the effect, that the leader of the government or of the opposition or of a recognized opposition party should only be required to give prior notice. The rationale for that being, Mr. Chairman, as an example if one of those leaders were, on an afternoon, visiting outside of the City of Winnipeg and for some reason were unable to return for reason of weather or mechanical difficulties, they would only then be required to phone in and give the notice that someone would be speaking on their behalf. But if we followed the words as they are now in this report they couldn't give notice prior to the sitting and I think the consensus among the Committee, confirmed by my discussions with the Leader of the Opposition, is that we wanted to be as flexible as possible with that and not impose any restrictions.

It would then read as corrected:

33(2)(a). The Leader of the Government, the Leader of the Opposition or the leader of the recognized opposition party has given prior notice of the designation to the Speaker.

The other words would be deleted.

MR. CHAIRMAN: The Member for Kildonan.

MR. FOX: Yes, Mr. Chairman. To a great extent I concur with what the Attorney-General has said, the House Leader, but I should just like to point out that I believe the intent was that a member speaking could also give prior notice because sometimes it may not be possible for a leader to phone in and get a hold of the Speaker because communications being what they are, if he's on the road that may be one reason; but the real issue was that we wanted to make certain that the Speaker had prior notice. It may be that a particular bill that is being debated may be the forte of some other member and not necessarily that of the leader. So the only question that was raised was that there be distinct prior notice, but not necessarily by the leader.

It doesn't say in here that it has to be the leader who has to give notice. It just says that the Speaker has prior notice in respect to that extension of time and that privilege of having more time as is designated to a leader of any particular party and if that is the understanding, then we're prepared to accept the amendment. I think that is the intent of the amendment and not specifically what the Attorney-General said, that the leader would have to give the prior notice.

MR. CHAIRMAN: The Member for Inkster.

MR. GREEN: Mr. Chairman, let us assess this matter in a rational way. It does not give anybody additional time in the House, that on every motion on every resolution before the House a party leader is entitled to speak with unlimited time. Presumably the party leader could do that every time and then we'd be subjected to the same person over 40 minutes.

What this rule permits is something that is very reasonable and was never questioned until last year. It says that the leader may designate somebody else to speak for him on that particular motion. Mr. Chairman, all that was intended at the Rules Committee is that we clear it up and that all that we

intended, and I think we all agree, is that somebody shouldn't speak for 40 minutes and then as an afterthought say, well I'm going to take the leader's time and continue and that there be notice given. I would say, Mr. Chairman, that we should even be entitled to take an honourable member's word that he should be able to get up and say, which has been done and has never caused a problem, Mr. Chairman, I am giving you notice now that I have been designated by the leader of the party to speak for him on this particular motion.

Now can we avoid the problems of the leader not being here and not being able to give the notice — that might be the opportune time for somebody else to use his time and then he can't do it — because the leader is not here and we're going to argue about whether the notice was given or not. So I would urge the Attorney-General, knowing what we all intend, to make this as informal as possible that prior to speaking the member indicates that there be notice given by the member or the leader — how's that, the member or the leader because if the member gets up he can give the notice — the member or the leader that he has been designated by the leader to speak on that question. Would that solve the problem? I don't think the Attorney-General is really objecting.

MR. MERCIER: Mr. Chairman, there's no question that I think what we were attempting to do in Committee on this question is be as flexible as possible, taking into consideration that we just do not know all of the circumstances in which this situation may arise. While the Member for Inkster was talking and the House Leader of the Opposition was talking I was trying to look at the Report of the Rules Committee to work out in my own mind an appropriate amendment that would be made. I take it the situation we're trying to overcome is one in which it's impossible for the leader of a party to give prior notice, perhaps he's somewhere where he couldn't even make a phone call, and I expect then the suggestion is that we would add in some words to the effect that the member gives prior indication that he is speaking on behalf of his leader in that debate.

MR. CHAIRMAN: The Honourable Member for St. Johns.

MR. CHERNIACK: Yes, Mr. Chairman, thank you. I think probably that is where we ought to go, the suggestion made by the Attorney-General. If I can take just a moment to recall to my own memory an occasion when Mr. Molgat, the Leader of the Liberal Party, the then Leader of the Opposition was sitting in his normal chair and Mr. Campbell was sitting beside him and Mr. Campbell rose to speak and spoke for some two hours to the dismay of a number of members present who didn't know that had been the designation. It was considered unfair that Mr. Campbell hadn't started by saying, I am speaking on behalf of my leader and taking the time he would normally take, and that that was considered unfair and I assumed that is what we are trying to overcome. I'd like to suggest to the Attorney-General — I scribbled some words in — in 33(2)(a) to insert after the word "party" in the second line the words "or such member on his behalf". That would then

mean that the leader or the member who has been designated then "on his behalf shall give prior notice", which as I interpret it means that a member can rise and say, Mr. Speaker, I have been designed by my leader to speak on his behalf and then proceed to speak. I think that would take care of any of the eventualities that we would be discussing but would not catch anybody unawares who may be looking at the clock and thinking that at the end of 40 minutes he will have his opportunity and discover suddenly that it's been taken away from him. If that is the objective, as I understand it to be, then possibly the words I'm suggesting would be acceptable to the House Leader as clarifying the question.

MR. CHAIRMAN: The Member for Winnipeg Centre.

MR. J.R. (Bud) BOYCE: While the Attorney-General's is considering that suggestion I would just like to comment on the change in the rules on still photographs. I welcome this change, Mr. Chairman, because it shows the rules can be changed. I rise on that particular point because I caused a wee bit of a flap recently because the rules were being transgressed but rules can be changed and the manner in which this came about just shows that we are willing to move with the changing times. The fact that some photographer may get me in deep contemplation is of little concern. So, Mr. Chairman, just to make the point that I welcome this change and I think most members will, time will tell as to how this change effects us all. As I said at committee in recommending that such change be made that the press doubtless will be responsible

MR. MERCIER: Mr. Chairman, in consultation with Legislative Counsel, his suggestion is just a simple change in the Member for St. Johns proposed motion. It would be, instead of "such", "that" members; it would be after "party" in the second line; or "that member on his behalf"; and the reason for using "that" is because it is being used earlier on in that section in the third line; and then Legislative Counsel also suggests in (b) that you delete the words "whoever has given the notice" and substitute "on whose behalf that member is to speak".

MR. CHAIRMAN: The Member for Kildonan.

MR. FOX: Yes. I believe that would tidy up the question that was raised and which is mutually acceptable and if the Attorney-General would move the amendments, then we'd be prepared to proceed with the Rules Committee Report as it is, with those amendments; and that includes both amendments (a) and (b).

MR. MERCIER: Mr. Chairman, it would appear that if those first two amendments are agreeable then there is a third amendment that has to be made in the second last line, which says "whoever has given notice of the designation" and Legislative Counsel suggests that it should then read "on whose behalf that member has spoken". In the second last line strike out "whoever has given notice of the designation" and substitute "on whose behalf that member has spoken".

MR. CHAIRMAN: The Member for Logan.

MR. JENKINS: For clarity purposes if the Minister could read the motion, the amendment and the final thing as it will appear now so that we can get it in some context. Otherwise we're sort of operating at cross-purposes, and if the Attorney-General would read it out in its entirety as he proposes the amendment I think it would clarify it for a lot of the Members of the House.

MR. MERCIER: Mr. Chairman, then Section 33(2) from the beginning would read:

The Leader of the Government, the Leader of the Opposition or a leader of a recognized opposition party may each designate one member to speak in a debate for such time as he desires and that member may speak in that debate for such period as he desires if (a) the Leader of the Government, the Leader of the Opposition or the leader of the recognized party, or that member on his behalf, has given prior notice of the designation to the Speaker; and (b) the Leader of the Government, the Leader of the Opposition or the leader of the recognized opposition party, on whose behalf that member is to speak, has not previously spoken in the debate for more than 40 minutes; and if the member designated speaks in the debate, the Leader of the Government, the Leader of the Opposition or the leader of the recognized party, on whose behalf that member has spoken, shall not speak in that debate for more than 40 minutes.

MR. CHAIRMAN: The Member for Inkster.

MR. GREEN: Mr. Chairman, I thought I heard it properly but I want to make sure that a member can speak twice; once for 40 minutes and then once as a person designated; because the way the Attorney-General read it, if that person has not already spoken for more than 40 minutes. He may not have spoken for over 40 minutes; does that give him the right to speak for more than 40 minutes a second time? If not, I'm not worried.

MR. MERCIER: Mr. Chairman, just for the record, I think it's clear that the member can only speak once.

MR. CHAIRMAN: Any further questions?
The Honourable Attorney-General.

MR. MERCIER: Mr. Chairman, if that's agreed as I think it is, Mr. Chairman, as the Opposition House Leader suggests, I would so move that those changes in wording take place in this whole Section 33(2) as I believe the Legislative Counsel have recorded.

MR. CHAIRMAN: It's been moved by the Attorney-General, you've heard the amendments. All in favour? (Agreed). Any further discussions? If not, Committee rise and call in the Speaker.

MR. FOX: . . . with respect to some experimental development in respect to the lighting, I wonder if we can be assured that we will be given notice when it starts so that we can become aware of whether it's going to affect us and for how long it will take place.

MR. CHAIRMAN: The Attorney-General.

MR. MERCIER: I think as we discussed the other day, the Speaker is making arrangements on that

matter and as the Opposition House Leader and I suggested, it would be helpful I think, if he and I were to receive some advance notice from the Speaker and perhaps come in the House prior to the sitting of the House to observe it.

MR. CHAIRMAN: Committee rise officially now.

IN SESSION

MR. STEEN: Mr. Speaker, the Committee of the Whole has considered the report of the Standing Committee on Rules of the House and request leave to sit again.

MR. SPEAKER: The Honourable Member for Crescentwood.

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

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Minister of Finance that this House concur on the report of the Standing Committee on the Rules of the House received by the Assembly on February 9, 1981 and amended by the Committee of the Whole.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

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

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for Emerson in the Chair.

The Honourable Member for Emerson.

COMMITTEE OF SUPPLY

SUPPLY — CONSUMER AND CORPORATE AFFAIRS AND ENVIRONMENT

MR. DEPUTY CHAIRMAN, Albert Driedger (Emerson): Call the Committee to order. For consideration of the Committee, Page 31, Resolution 37, Item 2.(a) Salaries — the Member for Burrows.

MR. BEN HANUSCHAK: Mr. Chairman, in rising to this item in the Estimates, I did a quick comparison of the breakdown of the appropriations as shown in the Estimates before us with those in 1977 and there are a couple of lines which did appear in the 1977 Estimates which are no longer shown in the Estimates before us.

One is, at one time an appropriation for Research and Planning within the Consumer Affairs Branch was shown and that does not appear. It was a significant item proportionately; it was \$56,400 for

Salaries four years ago and \$15,700 for Other Expenditures. Now it may be contained within the two lines shown in Resolution No. 37 that we're dealing with now and if it is I would like the Minister to explain, to indicate the amount that he has set aside for Research and Planning within the Consumer Affairs Branch.

Another item which did appear in the Estimates four years ago and no longer does and that was under an item which we have already approved, but nevertheless it was related to Consumer Affairs as I recall it, and that was a separate item for Communications. In '77 it was in the order of \$100,000 or so, \$74,000 for Salaries and \$24,000 for Other Expenditures and again my recollection is that was for what perhaps could be called a Consumer Education Program, quite separate and apart from Information Services which we had dealt with yesterday. Under that appropriation moneys were spent for the publication of consumer information material. One that was published I think dealt with direct sellers; another dealt with information with respect to an interpretation of The Landlord and Tenant Act and that sort of thing. So with respect to that matter, Mr. Chairman, my question is, is that function still being continued by the Consumer Affairs Branch?

The third question, Mr. Chairman, and this arises out of the fact that in this session we have a new Minister of a department, very recently appointed I admit, but I would think and I would hope that he comes into this department with a certain philosophy, with certain aims, certain objectives; a certain philosophy as to what he hopes the role to be of his department. In other words, does he envisage the Consumer Affairs Branch as being merely one that reacts to situations with respect to the enforcement of legislation? In other words, if he should find some evidence of contravention of a section of The Consumer Affairs Consumer Protection Act, that the branch then steps in to remedy that situation, to enforce that particular section of the Act? Or does he envisage the role of his department as being a preventative one, a consumer education oriented one, one that would disseminate information related to issues of interest of concern to consumers and related to his branch, that he feels that consumers ought to be made aware of; and disseminate that information in whatever might be the most effective way possible in any given situation, whether it be via the print media or the electronic media or whatever other way?

I would like to hear the Minister's philosophy with respect to the role and function of his department and I ask that for another reason and that is, that Consumer Affairs, whether it's Consumer Affairs departments or Consumer Affairs branches of another department, whatever name tag they may bear, in virtually every jurisdiction within Canada if not the whole world, are relatively new legislative creatures. A decade ago or more, there were very few jurisdictions which had a Consumer Affairs department. Certainly in Canada the Consumer Affairs departments were just in the process of evolution in the late Sixties and early Seventies. So they are new and in this area governments are breaking new ground, so that is another reason why I would be very anxious to hear from the Minister what

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his thoughts and views are on the role of his department and of the direction in which he intends to take it.

I would also like the Minister to indicate what liaison he sees between his department and his counterpart at the federal level because as we know certain consumer matters fall within the jurisdiction of the Provincial Government, others within federal jurisdiction. In the event that the people in his department should become aware of some matter requiring the attention of the federal department, does his department take the initiative to communicate with their counterparts at the federal level or does the Minister prefer to leave that matter to the consumer as it were, and if he wishes to seek some particular remedy let him, the consumer, take the initiative and contact the Federal Government? Or does the Minister's staff assist the consumer in communicating the matter to the Federal Government?

I suppose what brings this to mind, Mr. Chairman, is a matter which had recently been brought to my attention — in fact, it came to my home — and I'll mention it to the Minister. I was going to raise it by way of question but I think it can be more properly and fully dealt with in the consideration of his Estimates rather than attempting to resolve the matter within the context of two or three questions.

A number of weeks ago, a firm by the name of Eat-Right Food Packers Winnipeg Limited, 811 Portage Avenue — and I will give the Minister a copy of this; in fact I'll attempt to find the original because he may wish to have it — a flyer was distributed throughout the entire city or not, I don't know, but certainly in my part of the city, which reads as follows:

"Attention Food Shoppers: Offered by one of Canada's largest freezer food supplier and growing, valuable coupon, \$20.00 value off any Eat-Right freezer food order. One coupon per customer".

Now it is my recollection, Mr. Chairman, that type of advertising is a violation of a law, I think it's of a federal law and not a provincial one. I have a distinct recollection that this was taken care of a number of years ago and in fact I think that it was food-freezer operators, in Manitoba and in other parts of Canada and the manner of operation of some of them, that led to the enactment of such a law. That is to say, that if one is to offer a discount off the purchase price of any item, one has to show \$20.00 off what? \$20.00 off 100 or 50 or can I go in and buy \$20.00 worth of food and present this coupon and say, well, here's my \$20.00 coupon, give me the food for free.

Now I do believe, Mr. Chairman, that type of advertising is misleading because it doesn't indicate the quantity of food that one has to buy and in fact I'm quite certain that if one were to check with this outfit, you would find that you might have to have about an 18 or a 21-cubic foot freezer in your home to take advantage of this \$20.00 offer. In fact, I did make a very quick cursory check. There was a telephone number shown here somewhere and I telephoned the number and I said, I received your coupon in the mail and I'd like to take advantage of your \$20.00-offer. Can I drop down and pick up some meat? Well, the response was they don't operate that way. They will have to refer my name and telephone number to a food counsellor. I said,

well, what are you talking about, a food counsellor? I've never consulted with a food counsellor in buying groceries previously. I said, look, I plan to be in the west end this afternoon, can I drop in and pick up some meat? Well, we don't have a warehouse at this address. So she said, if you would leave your name and number, our food counsellor will call you. So I said, well look, I'm very busy and I'm going to be out. In fact, I do intend to go passed 811 Portage Avenue very shortly and my wife gave me a shopping list and I thought this was a darn good bargain to pick up. So he says, well, how large of a freezer have you got? I said, what difference should it make to you? You're selling meat and nobody else has ever asked me that question. Well, it depends as to whether you can advantage of our food offer. So I said I don't how large the freezer is, we don't have a separate unit in our house but we have a fair-sized refrigerator and a separate freezer unit above it, about two-and-a-half cubic feet, it might hold about 75 pounds or so if it's properly packed. He said, oh, no, no, no, you'll need at least an 18-cubic foot freezer or something. Then, of course, if you read the fine print they also sell freezers. So then he told me that it's a 9-month meat plan that I would have to buy to take advantage of the 20 bucks.

Then another offer, specials available with food order, T-bone steaks, \$1.63; oh, there's a better one, the standing rib roast, 99 cents a pound. Ten pound limit per customer. So I said, oh yes, and I also want to pick up 10 pounds of steaks at \$1.63 and a couple of standing rib roasts because we're having company for Sunday dinner at 99 cents a pounds, and I said the pork chops at a \$1.00 a pound, that's look good, I'll want 10 pounds of those. So he says, no, no, no, the 10-pound limit applies to the entire offer. If I buy five pounds of T-bone, I can only a standing rib roast of five pounds, or if I buy 10 pounds of steak, I can't buy any standing rib roasts.

This type of thing, it's a recurrence of a type of misleading advertising which had occurred I remember back in the Forties and the Fifties and legislation was passed to curb it. It appears that it's beginning to rear its head again and I would like the Minister, in fact, to assist the Minister if one of the pages would be kind enough to take this over to him and this provides him with the name of the firm. If it falls within his jurisdiction, I would like him to check that matter out; if it does not, to refer it to the federal authorities and have it checked out; and if it should be found to be in contravention of the law then I would hope that appropriate action be taken to put an end to that type of thing.

As I said, the Minister having been recently assigned this portfolio, I would also like to know whether he and his department have identified any areas presently not covered by consumer protection law that he feels his department should take a close look at and perhaps even bring in legislation or regulations governing their operations. The reason why I ask that is because the whole area of consumer protection is so unlike all other areas within which we pass laws. I suppose one could pass a law limiting the speed limit on a certain roadway to 25 miles an hour so everybody drives at 25 miles an hour and doesn't exceed that speed limit. (Interjection)— That's right and doesn't find ways and means of getting around it.

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The unfortunate thing within consumer protection is, the moment you pass a certain law immediately there are battalions of lawyers and chartered accountants and business administration types that go to work somewhere, to find ways and means of getting around the law.

I can recall a decade ago when I held the same portfolio as the Honourable Minister does now and at that time pyramid sales, pyramid selling operations were infesting and plaguing the province and we passed Legislation governing the operation of direct sales. Of course we did not want to impede the operations of church groups and schools and the fund-raising operations and having every little kid that goes out with a little box full of chocolate bars to have to go and get a direct sellers licence so we set a minimum of \$10 that anyone selling items under \$10 was not obligated to get a direct sellers licence. The figure might be wrong but I know that there was a lower limit set. It so happened that at the time that the regulation or the Legislation was passed, I've forgotten which way that was done, there was a business in operation in Manitoba — I think it was in the area of pyramid selling or something related to it — they were selling, I think it was a discount coupon or something, that you could take to a number of designated shops and get a certain discount; they were selling these cards or coupons for \$12.50 and we attempted to clamp down on them so they changed their system of operation. As I recall it they came up with a scheme where they were selling the card for \$9.50 and the case for it \$3.00. So they were selling two separate items. But the way the sale went you pretty well had to buy both and that way they obviated the law.

So, like I said every time that you pass consumer protection law there is somebody that goes to work in finding ways and means of getting around it because, particularly in the area of direct selling, it's a multimillion dollar operation, perhaps not a multimillion dollar operation from the point of view of the guy who's out there knocking on doors but certainly it is from the point of view of the people in Toronto and Montreal or New York or from wherever the company is being operated and they can afford to spend the bucks to find ways and means of getting around the law.

The reason why I raise the whole area of direct selling is because I have the impression that in recent years there has been a type of direct selling that has come into being which — well it's not new, it's been around for 30 or 40 years — but this method of organizing house parties and, you know they sell jewellery in that fashion; they sell copperware in that fashion; they sell ladies clothing; cosmetics; I discovered last night my wife was invited to a plant party, they sell plants in that fashion and God knows what else. —(Interjection)— and pottery, yes, well pottery is the grand daddy of them because selling pottery in that fashion I can remember when my wife, long before she was my wife, she was conned into buying, parting with about 200 bucks for a set of pots and pans at a time when she was earning only half of that amount a month; so that's the grand daddy. But there are others that have come into being and I'm wondering whether the Minister is keeping a surveilling eye over operations of that kind, both from a point of view of protecting

the consumer, that is the ultimate purchaser, as well as the person who might wish to become involved within this type of operation as a way of making money.

Also related to that is the other form of direct selling, well it's direct selling-related and that's the sale of franchises. I can think of the insulating business and that has become quite a big business in recent years, particular in recent years when we've become more energy conservation conscious and I would think that by reason of our geographic location, our climatic conditions, to the energy conservation enterprises, Manitoba is a very very lucrative place to operate because they know that within a province such as ours there must be many homes in need of having their insulation upgraded.

I'm wondering whether the Minister is monitoring — to use an expression often used by the government — is monitoring business operations of that kind because it has been brought to my attention by who I feel is a reputable roofing and insulation contractor, that the way some of the businesses in this area operate could raise a few questions in one's mind. No. 1 they sell franchises; that is to say they take their money off the top. If you want to get into the insulation business you've got to buy the materials to insulate X-number of homes, five, six, ten or whatever; you pay cash or you pay a substantial downpayment for it and you are told that given the energy conservation awareness of the people that there'll be no problem; by sundown you'll have your 10 customers and tomorrow you go out and insulate the 10 homes and you'll be back to us and buying materials for another 10 and you'll become a multimillionaire by the end of the year, by '82 anyway; that type of thing. This contractor told me that there are some small operators who, you know, have sort of a yen for making a dollar in the private enterprise system and they get hooked on an operation of this kind only to find that there isn't a line-up of people clamouring at the door to have their homes insulated and the chemicals, they sit around in the drums, and apparently there is a certain life expectancy on the chemical; if it's used beyond the life expectancy of the chemical that could lead to undesirable results, some of the evidence that we have found, the fumes leaking from the — I'm talking about the foam chemical — could have resulted from using old chemical.

So, what I'm saying to the Minister is that here is another example of a new type of sales operation coming into being which I think makes it necessary for the Minister, or if he doesn't have the resources to maintain the proper checks on operations of that kind, perhaps it might be environment, perhaps working in conjunction with health or whomever; but nevertheless I feel that it should be the responsibility of the government to take the necessary steps to make sure that the consumer has proper and adequate protection within this area.

Those are the questions that I wish to pose at the commencement, or near commencement, of the considering of this Resolution of the Minister's Estimates and I would think as the debate proceeds there might be other matters that I may want to raise or question him about.

MR. CHAIRMAN: The Honourable Minister.

MR. FILMON: Thank you, Mr. Chairman, I appreciate the remarks given by the Member of

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Burrows; as a former Minister in this portfolio I know he has a great deal of information to share with me and I've been taking notes but he posed a number of questions and I'll try and go through them in order but if I miss any perhaps he can remind me.

Firstly, the items under Consumer Affairs that he asked about, there isn't a breakdown but I have the breakdown of the areas that deal firstly with, he referred to as I believe Research and Planning. It's now called Program and Policy Support, has a staff of four SMYs and a Budget of \$130,000 and it continues to perform the same functions that it did in the past and perhaps has expanded to some extent because of the staff involved and their abilities and capabilities that they bring to the job. We have, for instance, one person on staff who does have technical background that allows him to deal perhaps in more scientific areas that we might not have been able to do research in before. They certainly perform all of the functions that were previously performed under the Research and Planning title that the member recalls.

Secondly, he asked about the function of, shall we say, Outreach or communication with the public on the Consumer Affairs side and certainly that continues to be a very vital part of our responsibility as we see it and this whole area of communication with the public, both to inform them of their rights under consumer legislation, as well of course the rights of those who are selling or merchandising in the field that are related to them; such things as exchange of goods and all of those things continue to be put forward. They are responsible and, in my opening remarks, I indicated that this is now under the area that we refer to as the Community Relations Branch and it's role is to foster increased public awareness, not only in the Consumer Affairs side but also for environmental concerns which are becoming more and more a part of the public's awareness. They are responsible for the production and dissemination of brochures, films, audio-visual displays, advertising and so on. The former consumer communication's office which served only Consumer Affairs and the departmental reference service which involves the library services of Consumer Affairs and environmental management are all now melded into the new program.

I'm not sure if I indicated it's six SMYs and a Budget of \$206,800.00. They are continuing to produce brochures and folders; they are continuing in their Outreach to the public to make appearances in highschools; to appear on open-line talk shows, any area of communication with the public that we can avail ourselves of they respond to and through and we believe are continuing to provide a very worthwhile service and, in fact, have an enhanced role and will continue to have an enhanced role.

I think in general terms the member asked about the role that we see ourselves playing; whether it was simply reacting or responding to a situation that arises and utilizing the legislation to allow us to prosecute or bring forward some corrective action to a situation that was not acceptable; whether or not he saw us being initiators or we saw ourselves being initiators. I think, that in addition to our responsibility to be vigilant and to always protect the consumer's interest, the public interest, we certainly do look for areas in which we can be initiators of services for the

good of the public. One of the best examples in this year's program that I can call his attention to is the one that I introduced in my opening remarks. I believe that there is a press release being prepared that gives more detail on it but it's the addition to our existing program of a Credit Counselling Service. Currently in Manitoba, as the member is well aware, there are agencies offering information on money management, budgeting, borrowing, income tax rebating, etc. The Consumer's Bureau will co-ordinate now the existing work of such offices with community counselling committees to be established throughout the province and we'll also be encouraging credit grantors to actively participate in extending counselling services beyond that which is presently provided. This program will become operational in 1981, it is our intention.

So that is one of the areas of shall we shall outreach and initiation that we are involved in. I might also say that we are involved in new areas such as dealing with product warranty and product liability legislation; developing standards in legislation in those areas through our discussions and our input to a Federal-Provincial task force that is currently studying those areas and I would imagine, depending on their results, depending on what they come forward with, it may well initiate some new legislation or it may well initiate the basis of industry standards that are accepted by the industry in these areas.

I think the member also asked a question about whether or not, when we have matters brought to our attention such as this particular promotion or advertising campaign that's being done by the Eat-Right people, that the member suggests might involve false or misleading advertising whether or not we would simply just say, no, that's not our responsibility, that comes under The Combines Investigation Act and you must go to them. If something of this nature is brought to our attention and from time to time examples of false or misleading advertising are brought to our attention, the Member for Fort Rouge did so a few days ago a matter that she believed was misleading, I'd like to assure him that not only do we firstly, look at the situation to see whether or not there's a responsibility on our department's part but we do in fact refer the matter directly; our department refers it to the federal people to expedite the matter and get it to their attention and have it looked after as quickly as possible because after all whether federal or provincial, we serve the same consumer and our interests and concerns are to ensure that we are doing everything possible to protect their interests.

The member referred to house parties and that is of course, becoming a more and more common form of selling, a more and more common way of distributing products to the public and he referred to a variety of different types, whether it be for jewellery or makeup or any of those, but those come under direct sellers legislation. We are constantly ensuring that the people are licensed and that as much as possible, we are ensuring to our satisfaction that they're meeting the standards and regulations within the legislation that we have to control this type of selling. If any instances of breaches of the legislation come to our attention, then we are quick to act on it, I can assure the member.

The area of home improvement of course, is not a new area. I recall stories of people who used to

come around to sell you asphalt driveways and they just happened to be in the area and they had a half-load left on the truck and they wanted to pave your driveway for you at a great saving and so on and so forth; or the siding companies; or any of those types of promotions, awnings that were done on a door-to-door selling basis, in effect. If they are being done and for instance, insulation is being sold door-to-door, any type of home improvement, then certainly they fall under the area of direct selling and must be licensed; so in that respect our department is concerned to ensure that they are abiding by all the regulations that the legislation provides for.

All of those are certainly of concern to us. I'm not sure if the member was suggesting that there ought to be a whole new field of legislation developed for them, but certainly if they operate by virtue of newspaper advertising or normal media advertising and people come to them and make agreements, then we're not involved. If it's false or misleading advertising, certainly we turn that over to as I said, the federal people. It is direct door-to-door selling then it comes under direct selling legislation, under our control.

I'm not sure at this point in time, whether I've covered all his points. I think I have by virtue of my notes, so I'll leave it at that.

MR. JENKINS: Thank you, Mr. Chairman. I want to apologize to the Minister that I wasn't here yesterday during his opening remarks, but I had to be in another Committee. I did welcome him last night to his new portfolio. I guess time will only tell whether he is of the same bent as the former Minister, who seemed to have a laissez-faire attitude toward the whole consumer protection legislation. In other words, his idea was that the marketplace would rule. I hope that this new Minister is not going to adopt this attitude, that looking after his portfolio will be vigorous and one that will be looking after the interests of the consuming public, whom we're all trying to look after in this field.

I would like to ask the Minister just how actively the department is in monitoring advertisements that appear in newspapers, I think one has already been discussed this afternoon by flyer, that may be a little bit more difficult for the department unless these are brought in particular attention to the department, but does the department itself have a section in the Consumers Affairs Branch that looks at adverts in papers to see that the consuming public is getting exactly what is being advertised? Because we see lots of times in the newspapers that an ad will appear and a day later in the newspaper will come a correction. Now is this being done on behalf of the department or just how are these changes coming about? Because if people are advertising objects for sale and then the next day's paper comes out and says sorry, that item is not stocked, that creates a false impression with the public. The public go to that particular store and want that particular item that may be mentioned as a sale item, but only to find out when they get there, sorry, that was a misprint in the newspaper and a correction is being published. I think that if it isn't false advertising, Mr. Chairman, it's broaching very close to it. I would like to know just how actively the department, if it has a section, is looking into this matter. This has been one that I have noticed. It seems to be becoming

more common that we see corrections to a flyer that has appeared in the newspaper the following day. I would like to be assured that the department is on top of this and making sure that as humanly as possible, that what is being advertised is there for the consuming public.

I would like to raise also with this Minister, the question of the universal pricing code. I know that we passed legislation last year which gave the Minister I believe, authority by regulation to be able to deal with this problem if it became of a more general nature than what it was. I believe last year we had three or four of the supermarkets that were using the universal pricing code. Has the department any up-to-date figures on whether this type of selling to the public is on the increase and what are the regulations that have been proclaimed? Just what authority do they give the Minister under this deal? I think we all realize that our senior citizens I think over the last two or three years, have been very active in this field; the Consumers Bureau of Manitoba has been very active in this field. In fact, I introduced a Private Member's Bill which unfortunately died on the Order Paper, which would do something toward making sure, not that people could use the universal pricing code system checkout if they wanted to, but that the people that were actually purchasing things in the store, that a price would be on that object, so that when you went to the checkout, you knew exactly if you bought a can of pork and beans, it was 62 cents, that when you had the checkout and you received your bill, that it matched.

I know when we were dealing with the legislation last year, one of the people who appeared before Committees suggested that we save our bills so that we know that the next time we went to the store what that item cost, but most people are not prepared to do that, Mr. Chairman. The only way that you know what the price of anything has gone up if you bought a package of salt three months ago and it cost say, 95 cents, you know when the housewife or whoever's purchasing wants to buy another package of salt, he looks at the package what he paid previously and he goes to the store and he finds now it's up to \$1.00. I can't see people keeping checkout slips from the supermarkets for months, to make sure they can check what prices are.

With the inflation that we are suffering in this country, not only in Manitoba but all across the country and across the North American continent, people are very conscious of their buying these days because they want to know that they are getting value for their money, for what they're putting out. They want to know how much things have risen in cost. So I want to know from the Minister, just what regulations have been put in place. Has there been an increase of stores using the universal pricing code in the checkout system?

I also want to ask the Minister and his department how actively they are policing The Sunday Retail Act, because I heard within the last couple of weeks that another large store is now intending to open up on Sundays, I believe it was on Panet Road over in Elmwood off the 59 Highway, that they were going to be open for certain hours on a Sunday. Has the department checked to make sure that these people

are living within the spirit of the Act and there are no violations? Does the department have people who do this sort of checking?

I don't know what happened with the previous Minister. As I say, with his attitude, the attitude that the previous Minister had, was one of letting as little interference in the marketplace as possible. I don't think he was a great advocate of consumer protection legislation at all, but he was the Minister and we had to deal with him. I hope that this Minister is one who is very conscious of the responsibility he has as a Minister of the Crown, looking after the interests of the consuming public.

Another thing I want to ask the Minister, is that if a series of complaints of a certain product on the market are brought to the attention of the department, it may be soap powders, it may be I don't know what, it could be any product and they're multi-varied on the market today, but if there are considerable complaints being received by the department, does the department have a products testing branch in order to see that the product, as it is listed on the package, is what the people are getting? If it doesn't, does it work in conjunction with — I believe the federal department maybe have something like that and I believe that yes, it may be beyond the scope of the Provincial Government I'm not sure — but if complaints are received consistently about a bad product being on the market, I would hope that the Consumers Affairs Department and its officials would be those who would be looking actively into that complaint and seeing that the products that are being sold on the market are what they are listed on the package. There are complaints on various products. I imagine the Minister receives them, I receive them and I imagine other members of this House have. With those few remarks, Mr. Chairman, I am prepared to sit down and let the Minister answer those questions.

MR. FILMON: Thank you, Mr. Chairman. Again I'll try and follow my notes to ensure that I follow through on the various topics that the Member for Logan covered.

Firstly, the matter of advertising, whether it be newspaper, or through flyers, or direct mail, or whatever, if it's false or misleading it definitely comes under federal jurisdiction, so we do not have a staff of people who are constantly monitoring all advertising in the province because we do not have the legislation therefore to prosecute any instances which we find.

On the other hand, if in the course of looking through advertising which we do do for other reasons because we want to see whether it complies with various provincial Acts that we have, for instance, if an ad infers that there's direct selling involved in whatever product is being advertised we ensure that the people who are selling those products, on a direct sale or home sale basis, are licensed under our Act, and that they are abiding by all our regulations. So we are monitoring advertising for that reason, not for false or misleading advertising.

If on the other hand, we find or we have brought to our attention what appears to be false or misleading advertising, then we do refer it to the Federal Government under the Combines Investigation Legislation.

We also are monitoring, from time to time, advertising to see whether or not there appears to be all of the requirements being met under credit granting and in that case to make sure that the full disclosure of what the costs of credit are to the consumer. So we do some types of monitoring of the advertising but for the purposes of ensuring that they are abiding by our legislation, not the federal legislation.

With respect to the unit pricing code, it appears as though that matter is sort of in a hiatus right now. There continue to be three stores in Manitoba, two Loblaws and one other one, the Food Box it's called I think; they utilize unit pricing codes and, as the member knows, the legislation that was passed allows the government to pass regulations that would require pricing but the position of our department has been to watch what happens and to see whether or not there becomes a widespread use of this and, if there is, whether there are concerns that should be addressed by the consumer. But when it's only available in a few locations it appears as though the marketplace is going to be far more of a dictator of who's going to use that. If people are opposed to shopping in stores where there are not prices on the products then certainly those stores are going to suffer because they are very much in the minority now, there are only as I say three of them in all of Manitoba and that certainly would be to their detriment if people stopped shopping in their stores because of the UPC.

So we are looking at it very closely. We're well aware of the issues on both sides as we have had a great deal of input from various interested consumer groups, the Consumer Association of Canada and other groups who have told us what they perceive to be the negative points to the system. We've certainly listened to what are the positive sides as proposed by the industry and we've got that in a very thorough form and we are sharing it with anybody and everybody who's interested in looking at both sides and seeing what the issues are to do with the UPC. I won't go into them because I know they were debated last year in the course of the discussion in the committee when the bill was passing through committee.

On the other hand, the member has referred to the product testing and we don't have a branch that deals with product testing. On the other hand, if we were to find a product that was defective or hazardous we would certainly take it to the Federal Government for testing to prove whether or not that was the case because they do have the facilities and the lab availability to test that. On the other hand, if we find something, the member referred to certain food products, grocery products that might not be what they're supposed to be, there we're equipped to test that kind of thing through the laboratory setup that we have under the Environmental Management Branch of the department and we would be more than happy to do that testing to prove whether or not the product was not what it should be, or was what it should be. I think I've covered the points that the member has raised.

MR. JENKINS: Thank you, Mr. Chairman. I have another question for the Minister. Does the department monitor the legislation that it is responsible for in order to see that the legislation is

current. In other words, I believe the Member for Burrows raised an issue that is one that I think merits a bit of discussion is that legislation, in order to be current, has to be reviewed periodically because we may think that we pass a perfect piece of legislation that plugs all loopholes but, lo and behold, there are people out there in the general public whose job it is to find and pick loopholes in legislation and to circumvent the law as it is set up. I just wonder if the department does monitor its legislation to see that it is working properly, if there are areas where the department is having problems. I don't expect the Minister to be able to answer today that he may have some legislation that he might be wanting to make some amendments to and I realize that's a matter of policy and would be announced in due course, but what I am interested in is whether the department actively monitors its legislation to see that it's trying to do the job that it was set out to do.

MR. FILMON: Yes, Mr. Chairman, we definitely do do that through the department. Last year certain adjustments were made to legislation that were specifically to bring them in line with the requirements of the time. One that I recall was raising the limit of the purchase from \$7,500 to \$25,000 of items that were now to come under the credit granting legislation that the province has so we are always in that situation. As well those task forces, those federal-provincial task forces that I referred to, we have input too on product warranties and product liabilities; looking at all aspects of consumer protection legislation along with those specifics to ensure that we are bringing our legislation into line with what's required today and also being able to share with other provinces what they have brought forth in their legislation that perhaps we can make use of in updating our legislation from time to time; so that's definitely an ongoing responsibility of the department.

MR. CHAIRMAN: The Member for Wellington.

MR. BRIAN CORRIN: Yes, I want to go back in the few short moments we have left this afternoon, Mr. Chairman, talk a bit about unit pricing. I guess to do that we first of all have to review what has happened in the food marketplace in the past year. As I'm sure most members are aware, anybody who does weekly shopping, food prices are continuing to escalate and appreciate dramatically. Many months they lead the way in terms of cost of living inflation passed on to consumers. Last year this Assembly considered, during the course of Private Members' debate, a resolution that was introduced by this side calling for a food prices review board. Mr. Chairman, I continue to be very concerned about this issue and I'm sure I can correctly suggest that virtually all the people I represent, all the people of Wellington constituency, are equally concerned about this particular issue. In my opinion this particular matter has not been addressed by this government; they saw fit to leave the resolution die on the Order Paper; they did not follow the lead of the Ontario government who in 1979 called into being a Commission of Inquiry into food pricing practices in that province. Mr. Chairman, as was indicated in the course of extensive debate, there were many dramatic findings,

revelations that flowed from that particular Commission of Inquiry.

So, Mr. Chairman, we confront a situation today where food prices continue to dramatically escalate, leading the way along the inflationary spiral. We have a Minister who as successor to the now Minister of Government Services seems to be taking very much the same approach to this particular aspect of his responsibility. The Honourable Member for Logan asked the Minister whether or not he was going to be taking any more assertive or affirmative position respecting unit pricing — the move to computerize through the universal product code, all supermarket commercial activity throughout the commercialized western world I suppose, because this trend is now extensive and prevailing right through the United States and most parts of Canada and Europe. So he's asking whether or not there will be any affirmative action taken to resist this trend which many consumers are concerned will lead to even greater price increases in this particular area of commerce, vital area of commerce, and I'm concerned, Mr. Chairman, to hear the member saying virtually in the same words as his predecessor that the department was monitoring.

Last year on Wednesday, June 18th in the course of a debate on Bill No. 76, which was the bill that in fact brought into being the enabling amendment that my honourable friend was referring to, the then Minister said that he wasn't considering bringing into play the enabling legislation because, and I quote "There are only three such stores operating in the City of Winnipeg at the present time, there is still considerable option provided for customers if they are unhappy or dissatisfied with item pricing as in the stores that do have the scanning equipment". And that's not grammatical but I'm reading from the record. "But I suppose" and I'm quoting again, "But I suppose that ultimately it will be the intention of major supermarkets to extend the universal product code in scanning to their operations". He says, "We'd like to be in a position to be able to deal with that matter if the occasion does arise". Actually, Mr. Chairman, I discredited the former Minister, he was more affirmative in his position because he said that he wasn't going to leave it to the market, he seemed to indicate an evincive desire to intervene if the product code was extended within the marketplace.

Mr. Chairman, I say and I'll put it on record, because I think it's important that some matters be recorded. I say that if the government continues to follow this do nothing approach, what will happen is bingo, one Monday morning the Minister will wake up probably to a telephone call from the Canadian Consumers Association President in Manitoba and be advised that one or more of these large conglomerate chains have completely converted their operations to the product code, so that the scanner system has been implemented throughout the spectrum of their operations in the city or the province. He's smiling and he's saying, oh no, it couldn't happen. Well I tell you that's how it happened in many states in the United States — that's how many other things that have been adverse to the consumer interest have taken place; that is how the large monopoly interest tend to act; that is the methodology usually employed and practised when they take initiatives, because unlike

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government they don't sit back and say we're monitoring, we're watching, we'll look, we'll see what's happening tomorrow, we'll let the marketplace determine; they take affirmative action. They say we're going to influence the marketplace; we're going to make more profit next month and next year and the next decade; we're going to dominate; we're going to compete with the Momma and Poppa stores and we're going to put them out of business in the next three or four or five years, and we're going to net another 5 percent or 7 percent chunk of the market. They designate, they target and they rationally program and administer programs that are designed to enhance their competitive position. Governments that take a passive approach to this sort of very aggressive marketing strategy simply get consumed and they don't represent the interests of the consumers that send them to office.

So, Mr. Chairman, I'm suggesting that if the Minister doesn't do something more assertive he's going to be facing a real problem. I would like to see, because we all know that the material that was brought out in the course of Bill No. 76 debate and the other extensive material that we have on this subject matter which comes from a congressional study in the United States, from the State Legislature of California which did I think about a 200-page report which we can share with the Minister if his department wishes and doesn't have access to it, there have been extensive research studies done by concerned legislators who by the way were in most cases Republicans, not even more liberally inclined Democrats, so that the matter has been polled and extensively reviewed and all of them are coming to grips with the problem.

The State of Massachusetts has implemented legislation which requires unit pricing on merchandise. They have legislation on the books and it goes into some detail, Mr. Chairman, it doesn't just say that there is going to be a requirement that there's unit pricing. It talks about the actual methodology and I suppose this is done primarily by regulation, by which the stores must meet the requirements set out in their legislation and it talks about all sorts of very fundamental consumer oriented issues.

So, Mr. Chairman, the Minister is very wrong if he thinks that he's going to be able to stand in his place the morning after 27 or 30 chain stores have implemented the universal product code and tell them to unit price, because their comeback is going to be that he, by virtue of his passive approach, by virtue of his previous inactivity, misled them into believing that it was acceptable to affect the conversions. They are going to remind him that it cost \$200,000 to convert every store and that's not such an irrational argument. I mean when a merchant has, through no fault of his or her own, gone out and spent almost a quarter-of-a-million dollars converting his premises in order to take advantage of this new technology, I think that it's somewhat questionable that a government should be able to turn around and say it's all valueless and worthless and I don't think this government, I don't think any government would be able to do that easily.

It would be highly irresponsible to suggest to somebody who had made that sort of capital

investment that they should simply rescind their decision and capitulate with government and pull out all the hardware. The hardware is essentially almost redundant if they have to do the unit pricing approach. I mean it does have some benefits. I suppose we could get into the pros and cons and we might in the course of this debate because I hope that many members will participate and that many different points of view will be shared, but I suppose it can be argued that it makes for better inventory control, that it helps the merchant's schedule, it makes for more productivity in the storeplace, I suppose the accumulation of statistical data would be of some benefit but by and large, Mr. Chairman, when you get right down to it, the nuts and bolts are that it is supposed to enhance the competitive position of the merchant.

Mr. Chairman, the evidence is not in. The argument that the large agglomerates or conglomerates are going to pass on the price benefits of this sort of technology to the consumer, has not been substantiated by any of the studies that have been done anywhere else, there is no evidence to sustain that. There is every reason to believe that initially there will be some competitive position taken. Certainly if Safeway does a wholesale conversion next Monday morning I would expect that they're going to compete with Loblaws and Dominion for a sustained period of time and they are certainly going to try and drive out the Mama and Papa stores. They're going to try and isolate them and they're going to try and work them into the ground but after they've dominated their market sector, I think it's naive to think that there will be any of the small stores left.

I think the reality, Mr. Chairman, is that the big conglomerates, the monopolies, will all make the conversion as they've done in California, in Massachusetts, New York and so on; they will all make the conversion wholesale and they will all do it quickly because they can afford to do it. Once one jumps in they'll all get in and, Mr. Chairman, what will happen is the Mama and Papas will be liquidated, they'll be wiped out because they can't afford the \$200,000-odd investment so they're put in an invidious position, they can't compete and the small business person goes down the drain. Quite literally, they're not allowed the privilege of competing.

So what I'm suggesting, and we already have a crisis in this respect, in the the Member for Fort Rouge's constituency we have a situation where there's a very large population that is not being presently even served by —(Interjection)— I don't know who whistled. It's uncalled for and unспорт conduct on the part of the member. I don't mind being heckled but I won't stand being whistled at, Mr. Chairman.

Mr. Chairman, I say we already have a crisis in this regard, it's evidenced by the situation in Fort Rouge. There is nobody moving in to pick up that market. The government has a responsibility which we will deal with I think at a different time and place to do something but I'm suggesting that this is opening the door, an avenue which by the large monopoly interest in the food retailing industry — and those are integrated interests and not just in retailing, Mr. Chairman — can run roughshod over the small Mama and Papa operations in the city.

Mr. Chairman, I would like to know why the government is refusing and resisting to take some more positive approach to this problem. I agree with the Member for Logan; I supported his private member's initiative last year. I'm sure that although the matter didn't come to a vote, as a matter of conscience I'm sure that many members on both sides of the House were supporting the position he took and agreed with him. I think that they recognized that it was not only protective of the interests of the consumer but also of the small business person. They realized that it was a balanced, rational approach to a problem and a problem that was eminent and one that should be dealt with by government. Mr. Chairman, I would like to know whether the government intends to do anything about this at all.

MR. DEPUTY CHAIRMAN: The Honourable Minister.

MR. FILMON: Thank you, Mr. Chairman, I'm not sure that I have much time to reply to that lengthy dissertation. In fact, I'll say this though to the member that I'm not sure whether he has spent much time in evaluating the situation personally or if he has merely been reading peoples' opinions of what might happen under the circumstances. In the past while I've made it a point even though it's a great deal out of the way to shop at a particular store that uses the UPC and to try and follow through the arguments on each side and how they would affect me as a consumer. I think that I have a much better understanding of it and I'm prepared to debate the whole issue with him but I'll just leave him with one thought.

The first store that introduced it in Winnipeg and I repeat that it's in competition with many other stores who don't have the UPC has had to double in size in the past six months so consumers are certainly not staying away from the . . .

MR. DEPUTY CHAIRMAN: The hour being 4:30, Private Members' Hour.

Committee rise. Call in the Speaker.

The Deputy Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Emerson.

MR. DRIEDGER: Mr. Speaker, I move, seconded by the Member for Crescentwood, that Report of Committee be received.

MOTION presented and carried.

PRIVATE MEMBERS' HOUR

RES. NO. 8 — CARE FOR THE ELDERLY

MR. SPEAKER: We are now in Private Members' Hour dealing with resolutions.

Resolution No. 8. The Honourable Member for Fort Rouge has eight minutes remaining.

MS. WESTBURY: Thank you, Mr. Speaker, in concluding my remarks on this resolution referring to abuse of the elderly, I want to say that I was surprised at the attitude of the Member for St. Matthews in responding to my proposal and surprised that he took such an antagonistic manner in responding to something that shouldn't be a partisan motion. I wondered why the government chooses to be so defensive on this, Mr. Speaker. It sounds like excuses, excuses, excuses. When I ran out of time on the previous occasion I was referring to the Health Minister's use of the words "simplistic, premature, superficial" when any one comments or brings in a motion on anything to do with health or the elderly. I just quoted some words from the Chief Medical Officer of the City of Winnipeg and also of the President of the Manitoba Health Organizations with whom I was agreeing in my resolution. I wonder if the Minister or his spokesman for St. Matthews, neither of whom unfortunately can hear my words apparently today, whether they concerned these informed men as simplistic, or hysterical, or superficial in their comments, Mr. Speaker.

To quote from a few more of the experts in the field of elderly health care, I wanted to refer to a statement in February, 1980, by the President of the Canadian Medical Association who was quoted as saying that more than 70 percent of people, 65 and over, suffer from one or more chronic illnesses. He said society must not fall into the trap of dealing with the elderly in the very expensive medical framework. Is that superficial, Mr. Speaker, or jumping to conclusion? May, 1980, two of Winnipeg's leading geriatric specialists, to quote the Tribune of May 27 said, "There is depression and despair among old people forced to stay in unsuitable accommodation waiting for nursing home beds." They said there is a lack of proper assessment, the selection of only the fittest for proper rehabilitation and there should be an inquiry into the present system of elderly care and a full program drawn up and that's what my resolution is calling for. In December, 1979, Dr. Skelton, who when he came here was much talented, much referred to, as an expert in geriatric care, somebody who many of us met in the years he was at St. Boniface. He left Manitoba and went to Alberta and he said what is depressing is that in 1974 we met as a government-sponsored committee at which we proposed the need for assessment of the elderly for active rehabilitation and appropriate placement. Now the present government is looking at this matter. "How many times must we reinvent the wheel?" Dr. Skelton asked.

Mr. Speaker, the head of geriatric medicine at the University of Saskatchewan, a Dr. Duncan Robertson, was commenting. He said we see elderly patients who have a history of wandering, tied to their chairs and the chairs tied to radiators. He said the childlike dependency of the senile elderly is a stress on families who must be alert and vigilant 24 hours a day. The Member for St. Matthews denied that there was any stress on families. He called for self-help groups and day care centres for the elderly with doors rigged with loud alarms to prevent wandering and so on. I haven't time to read it all. But are these people superficial, jumping to conclusion, hysterical; words that were applied to either to my statements in reply to this Throne Speech or to this resolution, Mr. Speaker?

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In December, 1979, there was an article in the Rupertsland News that had a quote from Psalms, Chapter 71, "Do not reject me now I am old." But it was about a conference on the problems of aging and quoted the head nurse in the geriatric unit at the Health Sciences Centre who said, "You lose status because you are no longer the hostess or the provider. You lose your role, your material possessions and your loved ones. You lose your health, your sensory perception, often you lose control over your physical control; that is, someone tells you where to go, when to go, where, when, and what to eat. Of course, you often lose control of your bodily functions," she said. The elderly have a sense of helplessness and depression is one of their primary problems, Mr. Speaker. Surely not superficial comments, Mr. Speaker.

Now I've never tried to pretend that the suggestions I made in the resolution or any time in this Chamber are mine alone. The Minister referred legitimately to my recent arrival in this Chamber, Mr. Speaker, but in my 10 years as a member and chairperson of the Municipal Hospital Boards and also on the City Health Committee and as a Board Member of MHO and Age and Opportunity, I've worked with health professionals, especially in the area of geriatric care. And so, perhaps in drawing together their concerns I have the benefit of their expert knowledge, Mr. Speaker.

I want to refer to one more authority. Four months ago one Manitoba health authority said, I have a copy of the speech, "Geriatric specialists are needed and geriatric teams are needed to address the geriatric aspect of medicine with the same zeal that we approach cancer treatment and heart surgery so that our elderly may be maintained happily in their homes. We need a fresh infusion of medical participation and expertise. Something that has too long been subordinated and frustrated, both by the structure of our system and by the historic emphasis of repair medicine. Our problems repose in part in historic and time worn attitude held by health professionals and much of the public. These barriers in attitude must be breached." Mr. Speaker, is that simplistic, superficial or uninformed? I have to say that those remarks were made by the present Minister of Health, himself. And they simply bear out the material that I have presented in bringing forward this resolution.

On December 19th the Minister of Health, said on Page 175 of Hansard, "I would welcome constructive comment or proposals from the Member for Fort Rouge." I have accepted his invitation in bringing forward this resolution and I appreciated the invitation and I work towards complying with the invitation.

I would suggest also, that he have a look at the Evergreen Program in Saskatoon, funded in part by the Provincial Government.

Mr. Speaker, in closing I have to say that we must all wake up to reality as far as the problems of aging are concerned; talking is not enough. The government took a major step with the Council on Aging and their recommendations came down after my resolution had been filed or I would have recognized the value of their work and their recommendations, that perhaps, if this government in replying to my resolution had been more sensitive to

the well-being of Manitoba elderly people than they were in making mine political points and partisan points they could have accepted the proposals as those of a caring person, Mr. Speaker. And with that I will conclude my remarks and I'm glad of the opportunity to have brought to this chamber some of the problems of the elderly people, many of whom live in the constituencies which all of us represent here.

MR. SPEAKER: The Honourable Member for Roblin.

MR. MCKENZIE: Yes, Mr. Speaker, I just have a few remarks to the add to the . . .

MR. SPEAKER: Order please, I apologize. The Honourable Member for Fort Rouge closed debate.

QUESTION put MOTION carried.

RES. NO. 10 — CHILD CARE PROGRAM WITHIN PUBLIC SCHOOL SYSTEM

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I wish to move, seconded by the Honourable Member for Burrows that,

WHEREAS availability of child care services for parents participating in the work force should move in the direction of universal accessibility; and,

WHEREAS present systems of day care have danger of developing into an over-professionalized service whose trust will militate against universal accessibility; and,

WHEREAS overprofessionalization of child care services unnecessary and counterproductive; and,

WHEREAS our existing public school system if properly utilized could readily facilitate a low-cost effective and readily accessible childcare system;

THEREFORE BE IT RESOLVED that the government consider the advisability of starting a pilot project child care program within the public school system which would involve supervision by trained personnel but whose major child-companion function would be performed by students voluntarily enrolled in a practical child care addition to the school curriculum.

MOTION presented.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, we are fortunate in discussing this matter, that we are dealing with it relatively in its relative — and I don't want to make much of that, but nevertheless it is still the case — in it's relative infancy, the concept that working parents would add to the work force and thereby potentially add to the wealth of society and that this would apply either to one parent or both parents or if there is a single parent household to the single parent of that household is, something which has occurred certainly for many years, but has not been a feature of our society.

It is not unusual, Mr. Speaker, and as a matter of fact it is trendy for the very well-to-do and the upper

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classes to have their children looked after either by governesses or outside of the home. As a matter of fact when it is done by upper classes it is considered to be elegant. When it is demanded by people in lower income groups it is criticized as neglecting the children and this, Mr. Speaker, this attitude on the part of society is well reflected by the fact that in other, in more mature years, the notion of sending a child to a boarding school was well accepted and considered to be some of the most elegant form of children upbringing.

But if in a lower income family the parents felt that from time-to-time they would like to have their children be able to participate in cultural and other activities outside of the school system so that their time would be well utilized, then there has been a certain snobbism on the part of people to suggest that they are not attending to the responsibilities of the home and that they are not looking after their children. But the most dramatic expression of this particular attitude in the past several years in any event has been the desire of single parent families, usually the mother, to enter the work force and see to it that her infant children are looked after during the time of her absence, his or her absence, but generally her absence, and the notion of child care became very very important.

MR. DESJARDINS: Very important.

MR. GREEN: I thank my friend from St. Boniface for giving me the words. There have always been child care institutions but in earlier years they were institutions which required sufficient moneys to make them only available to people in upper middle class groups.

The demand for child care institutions has now been recognized by virtually all levels of society and what occurred is that the notion of a child care institution, namely a premises, where children are cared for by people who sell their services on a particular basis, namely the care of those children during the day to be left there by the parent and picked up in the evening after the working day was finished, is something that has not in my respectful submission, Mr. Speaker, insofar as the position of the Progressive Members of this House has not kept pace with the need and the ultimate realization of a concept which makes such care available not only to selected groups but universally accessible, in the same way, Mr. Speaker, as our school system is universally accessible and nobody any more, although originally, people were horrified at the cost of society educating on a full-time basis every child over the age of six and then kindergarten, every child five years of age or over. These used to be considered to be horrendous expenses which society could never absorb. Gradually it came to be understood that society could not afford to do otherwise, that society could not afford ignorance, that society gained from the education of every one on a universal basis and the concept of universality in the school system is so readily accepted that there isn't a peep heard against it at the present time and nobody says, Mr. Speaker — at least I haven't heard it said in recent years or since I've come into the House — that society should pay only for the education of those people who cannot afford it.

We say, and say quite correctly, that every child will enter the public school system on the same basis

and it will be a social responsibility which we all accept and all pay for, no matter what the income of that particular child is. And, Mr. Speaker, that is probably the most positive and progressive feature of the system in which we live insofar as making us equal citizens is concerned and that is our growing up amongst our neighbors without being categorized as either rich or poor, but all attending the same school system, and that school system is made available to everybody. Some people choose to leave it —(Interjection)— My friend says it's not compulsory and that's true. Some people choose to leave this system and have their children enrolled in a private school, and I don't want to get into that discussion; they choose to do that. But everybody who wants to can attend the system and those people who leave it cannot refuse responsibility for it. They have to pay for it the same as everybody else —(Interjection)—

Mr. Speaker, my friend always wants me to engage in another debate. The concept that is now being discussed is a day care system, a child care system, which would be available, which would differ from the public school system, in that the public school system is compulsory, whereas a day care system such as we are discussing would be available and he wanted that made clear and I will make that clear for him. The fortunate thing in dealing with this thing in its infancy, Mr. Speaker, is that there is still time in my respectful submission and in the respectful submission of the Progressives in the House, that we can see the child care system move in the direction of professionalism and wind up possibly, and I'm not certain but I know the possibility, in the same position as we were yesterday when some one said that the professionals delivering health care are demanding 49 percent increase over what they are getting now. And I ask, is there an alternative system, and there is no alternative system. The people desiring medical services are virtually locked into a fee-for-service basis and that's what we have to pay and that's why when the New Democratic Party was in power they tried to make a start on a community clinic concept so that there would be available an optional form of service, not a compulsory form of service but an optional form of service.

The danger of professionalization of the child care service institutions, Mr. Speaker, is that they will not be accessible, they will be terribly expensive, society will not be able to afford them and little by little they will be available again only to those people who are in middle class or upper middle class; I'll even go down from upper middle class and go down to middle class, but they will not be available to the people who most them in our society even on a subsidy basis, Mr. Speaker. Once you get to the subsidy basis you are dealing with a poverty syndrome and you are asking people to classify themselves as poor and you are immediately setting up a psychological barrier to the healthy delivery of the service.

So, Mr. Speaker, what we are suggesting is that the institutions, the physical structures are now there. We don't have to build day care institutions, day care institutions exist throughout the Province of Manitoba and exist fortunately in close proximity to the people who need to use them. There are day

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care institutions potentially throughout the Province of Manitoba within walking distance, virtually within walking distance, or if not walking distance very close to the homes of the people who need them. There are rooms in those institutions that are available. But more important, Mr. Speaker, there is in those institutions the best possible child companions and I have some knowledge in this area, Mr. Speaker. You will have your day care workers who now get training and who say that the training should be more intensified and who will gradually be asking for certificate courses and then your graduate courses and doctorate courses, who will say that these institutions should be manned on a fairly extensive basis by professional people. I'm not suggesting that there shouldn't be any professional people, Mr. Speaker, but I can say without fear of great contradiction on the part of people who have worked with children that the best possible companions for children in their infancy, children of two years old, three years old, a year-and-a-half, the kind that are going to day care institutions, are 14 and 15-year old people. These people are in the schools, Mr. Speaker. These people would welcome, in my view, as part of the school curriculum, again on a voluntary basis, a course in child care similar to the courses in Home Economics, similar to the courses in Industrial Arts, and what could be more important to our society and which could be a legitimate part of any educational institution, but a child care course. Those people, Mr. Speaker, who enrolled in the child care course, could on a practical basis and on a staggered basis, and I am certain that it would not amount to more than a half day a week, one morning a week or one afternoon a week are being advocated to them, is one which apparently is now no longer in great dispute. Now the beauty of this system, Mr. Speaker, is that it would be universal, that it would not be one which depends on income, not be one which depends on subsidy, not be one which depends on going into a social worker and telling him that I earned this much money, and this is the amount that I've got left for day care or what have you. It would be done just as the public school system is done. Those parents on a . . . and if there needed to be categories, and I'm not sure that there would have to be, but certainly it would have to be parents who could demonstrate that they are in the work force, either one or both, and that they therefore would like to avail themselves of child care services, and I wouldn't, Mr. Speaker, ask them how much money they earned before I would take their child into the system, in the same way as we in the public school system do not ask the parent how much money they earned before we take them into the school system.

Now, Mr. Speaker, what I am talking about at the moment is a concept, it's an idea and I am aware of the fact that sometimes things either look good in sound or on paper but don't necessarily materialize. So what I am suggesting that the government do is consider the advisability of setting up such a system on a pilot program basis within certain areas of the city and I would have it reflect different areas. I wouldn't have it reflect only the core area or only the area with the working poor; I would have it in areas reflecting various levels of society to see just how it was utilized and how it worked.

Now it's not entirely experimental. I happened to be, Mr. Speaker, in The Pas approximately a year-and-a-half ago and at the school in The Pas they did have a day care program for children with problems. Now it was specialized but in other respects the idea was virtually the same. They didn't use the students as child companions, which I think would be the most positive asset of the program, but they used the school; they used the physical asset; they had the supervisors; and they had the children coming and the parents leaving them and picking them up. I believe, Mr. Speaker, that unless we do this, we are going to price day care out of the range of those who most need it — that if we do do it we can have a day care service which would be comparable in its egalitarianism to that service which society now provides through the public school system and I would accordingly, Mr. . . .

MR. SPEAKER: The Honourable Member has five minutes.

MR. GREEN: Yes, Mr. Speaker. I would accordingly urge the government not to be playing games with this Resolution. I tell the Honourable Minister that when I was on that side I did not speak differently. I said to the government, and we can find it in Hansard, if the Conservatives present a resolution which has some interest, and all that they asking is that we consider the advisability of doing it, that we respond by saying it has some interest, we will consider the advisability but our consideration of the advisability neither declares it to be a . . . in principle, as a matter of fact my friend, the Member for St. Boniface and I used to argue about it because he thought that that was agreement in principle with the program, but it has been accepted that it is not an agreement in principle with the program; it is merely a willingness to consider the advisability of doing it, it doesn't require the doing of anything. All it does is gets it from us in this House out to the bureaucracy in the Department of Education and in the department which is responsible for the child care services to see whether there is any merit in considering such a program.

I believe, Mr. Speaker, the members of this group believe that there is merit and I would accordingly urge the government to pass this resolution and report on its development at the next Session of the Legislature.

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

MR. DESJARDINS: Mr. Speaker, this is not the first time that this thought, this Resolution, this idea has been brought to the House and I might say that I have no hesitation in supporting this Resolution at all. I think it has a lot of advantages. First of all it is a pilot project.

MR. MERCIER: You're very progressive.

MR. DESJARDINS: I don't know I guess, I don't think you have to call yourself a progressive to be progressive. If that was it I guess maybe we should call ourself the honest people and maybe call others the free loaders, I don't know, but I think that I'm not afraid to look at new ideas. It is an idea that is

somewhat pretty well the same that I shared with my friend from Inkster over the period of years and I think that it has a lot of merit. It has merit — I'd like to cover some of these things.

First of all, it is universal. I don't know if I was interfering with the Member for Inkster when he was speaking, but I wanted to make sure that it wasn't something that would be compulsory, it would be universal and I wasn't talking about, I wasn't referring to private schools. Every time I talk about schools my friend thinks I'm talking about private schools.

MR. GREEN: Because you do.

MR. DESJARDINS: Yes. I think that it should be universal, but I think of course that it shouldn't be compulsory; somewhat like some of the kindergartens that they have in different classes.

The beauty of this, I think that it would be in an area which already has been deemed to be as close as possible to the majority of people that it serves, because you have these elementary schools that are . . . You try to have them in centres where they will have this need. In fact that is not something that is very difficult for me to accept because I remember that I discussed for years that we should use the schools much more than we do now and I still think so, but I think it's unfortunate — I think there has been some improvement on that but I think that we could move in that direction, especially in the city. In the urban area where the real property is so expensive I would like to see eventually maybe very few community centres. I think that the community centres should be built around the schools. I think that if you have this property that it not used after 3:30 or 4:00, it's not used on weekends and oftentimes it's not used during the summer or during any holidays. I think it could be built with certain things, with certain fire walls, a certain area where the people could come and change, put on their skates, and have skating rinks or use those gyms; I think then it would be well served, because it is the same people that are paying for that, it is duplication of everything, duplication all the way, even of reducing the speed limit in these areas. I think that this can be done.

I've seen in France and I've seen in, I think it was Germany, I've seen a place where they build a whole community around the school. They had a library at the school, they had a theatre, they had the gym, they had sports facilities and the whole . . . not just the students, everybody would come in. I think that in fact it might be something that might help, it might be that some of these kids might take advantage of some transportation that might exist for other students if it is in these schools.

So I have no problem with this at all. It is true I am concerned with the direction that we're going in day care, although I have a resolution suggesting that we should have a day care act and we should set standards. I don't see that this should be contrary to this at all, to the resolution that we are discussing.

(Interjection)— No, I'm not talking about the numbers. I do. I think my friend from Inkster, he'll speak for himself, I think he did say that he feels that they should be some people that are there, because they are in effect teaching a class also, they are teaching those other students. The thing that he

doesn't want to see everybody being professionalized and you start another group, because then it would make it very, very costly. If this is the idea, if you do that, it is no longer the concept of just keeping kids — babysitting — it is more than that. If that is the case then it should be universal. There is no reason — you're trying to help people in society and I don't begrudge and I'm all for helping somebody, let's say a single parent person that wants to go back to school to get an education or has to work, I want to help that person; but if her child or his child is offered a certain kind of a schooling, in other words, you're starting the school process, the teaching earlier, then it should be available for my children also. I think that this is something, that if it's going to be universal, if the taxpayer is going to pay for it, that that should be offered. I think this is what we're getting here.

It would serve as another thing also. I think that we all agree that we're trying to close some of these institutions that take care of the retarded people and handicapped people. This would be an education to the students; you could start gradually with some of these children and it would be also an education for the older students that would serve as volunteers and even the teachers and it would be an education to the community, because that is the mistake that has been done in so many jurisdictions, that you said, "Well, we've got to close places like Portage and Selkirk and so on", but then you thought of that but you didn't think what would happen at the other end. You saw the resistance of the parents, the teachers and people like this to accept these handicapped people in the community and I think this would go in that direction.

Now I can't see anyone at all worrying when it talks about a pilot project especially. It's not something that's going to hurt him. I would not want this to be limited to these kind of facilities. For instance, I had another idea at the time that I was about to start a pilot project, but then there was an election and that took care of that. I, and some members that were here prior to '77, might remember that I had suggested also that we might try some of these things in senior citizen homes and use some of the senior citizens also. I think that's a good idea. I think that if this works, we can start this as the main thing and then, you know, you don't have to be too rigid. For instance, if it is going to help, and I think that this is another thing where older people that are patient are helping the children, but not only that, doing that kind of voluntary work would help them an awful lot.

You know, we're talking about forced retirement at 65 and so on, and I think there's more people that are interested in taking care of older citizens, especially when we know that the baby boom is past and around the turn of the century, there will be a much larger percentage of people that'll be senior citizens than we have now and maybe less children also. I think that this is something that could be done.

There might be volunteers. There might be people that have time. There might be housewives or somebody that have no children that want to volunteer. I think there should be enough flexibility to do that. I don't think that anybody, even those people that might want to professionalize this, I don't

think they can object to such a resolution, because if they are sure of the points that they bring in, of the points that they're trying to make that this is what's needed, then they should welcome a chance to see what this will do. I think that society in general would also be very interested to see if this can work.

It is not like where you know, you say you're going to try a system of hospitals where you're going to, where the resolution is suggesting that all kinds of buildings will be built. We're talking about facilities that are there now, especially now when there is such a reduction in the enrollment of the children in schools. I think that there could be some flexibility to work with the schools. It might be that some of the regular teachers also might have a certain few hours work in there also.

So, Mr. Chairman, I would hope that it's not that the government will not feel obligated to say, "No, we can't have that, it comes from the Opposition, we can't have that, we've got a system, we're not going to do that at all". If this government that talks so much about restraint, this government who also realize now the cost of day care, because of the money that they had to spend, they suggest spending over the last year, if they're interested in taking care of these people, meeting the needs of our people and then doing that; in other words spending the money wisely, I think that they would be very wrong and they would guilty of being very, very partisan if they are not ready to at least look at the possibility of making something like this work. I have no hesitation in supporting this Resolution.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, I just want to add a few comments to the resolution proposed by my honourable colleague, the Leader of the Progressive Party.

Firstly, Mr. Speaker, I wish to indicate that I do believe that the majority of family situations up to four years of age, it may be that the best place for the child to grow up, mature and develop is in the parents' home, but I also realize the fact that there are many homes where this may not be practical, may not be possible, in fact it may even be that offering the child an opportunity to grow and develop in a group situation may be to the child's advantage, for all or a portion of the time.

One cannot disagree with the fact, or overlook the fact Mr. Speaker, that at the present time there is a surplus of vacant space within our school plants, but that is not my main reason for wanting to support this resolution, because it's not just a question of putting vacant classrooms to some particular use; but I do believe, Mr. Speaker, that what is proposed in this Resolution is of benefit, of value, not only to the child but to the community at large and including the students that would be involved in the conduct of such a program.

Now, I'd like to point out to you, Mr. Speaker, that what is being proposed in this Resolution isn't really all that new. In some form or another, even in our Province of Manitoba, this has or is being done. I can recall many years ago, Mr. Speaker, and I don't know whether this is still done today or not, but in the Faculty of Home Economics at the University of Manitoba, there was a home, the building is still

there, whether it's still used for that purpose or not I don't know; but there was a home wherein they brought in young children, I think they were children of faculty members, and the Home Ec students who took Child Care as one of their optional courses, used to spend some time living in that home looking after the — I don't know how many children they would have in their charge, two or three or four — for a period of time. They did this on a rotational basis. Now that was at the university level.

My colleague, my Leader, mentioned a program at The Pas. There is also another program which has an educational component tied in with it, which I'm sure is still being conducted at the Selkirk Comprehensive High School in the Town of Selkirk, which is designed to serve a dual purpose, provide a day care facility for young children and at the same time make the education program in child care more meaningful by injecting this practical component into it. Mr. Speaker, at the present time in the Home Economics Program at the junior and senior high school level, a portion of it does deal with child care. The unfortunate thing is that because of the manner in which the program is set up, the topic is dealt with in a sort of vacuum in an abstract manner. The students read about it, discuss it, talk about it, but that's as far as it goes, but within the conduct of the program the students do not see a real live child to deal with. This, Mr. Speaker, would make such a program more meaningful and will give the students, either those who are enrolled in a home ec course, or those who are enrolled in a child care course that might be set up specifically as such, as I mentioned to you had been done or is done, at the high school in Selkirk. It'll give more meaning to the entire course pursued by the students.

In addition to that, the other benefits, of course, would be to the parent, who might need, might want that type of service, that type of assistance and then, of course, there would be the benefit to the child from living in that type of environment. The benefits would accrue, Mr. Speaker, not only to handicapped children, not only to retarded children, but what would be regarded, or is regarded as the normal child, but it might be an only child in the family and the parents are working. There are benefits that would accrue to that type of child from spending a portion of the day in a group situation, where the child has to learn to get along with others, to share, to cooperate and so forth; the type of learning experiences which the child might not have the opportunity to attain in his or her own home.

So with those few comments, Mr. Speaker, I wish to indicate my support for the Resolution and I would sincerely hope that it would receive the unanimous support of the House.

MR. SPEAKER: The Honourable Minister of Community Services.

HON. GEORGE MINAKER (St. James): Thank you, Mr. Speaker.

Mr. Speaker, we recognize some of the objectives of the Honourable Member for Inkster in his Resolution. We concur with some of them. We question again, some other objectives that he may have in the resolution. We have really no objections to his objective of providing affordable day care. I believe this is one of the objectives that the

honourable member has in his Resolution, and we have no objection to the idea of utilizing volunteer assistance in day care centres.

We are concerned though, however, with regard to a suggestion of universal accessibility. At the start, when I read the Resolution, Mr. Speaker, I wasn't too sure what the honourable member meant with regard to universal accessibility. Now it is more clear. My one concern with regard to the approach that the honourable member has, is that it would appear the only criteria that would be required in order to utilize the day care program that he is proposing is that the parents have to be working. It would concern me, Mr. Speaker, that if the program was available as the honourable member suggests, that we would encourage parents to give up possibly their main responsibility, and that is caring for their children. We would concern ourselves that if there was a proposed universal program as the member suggests, that parents would say, "The program is available. I'm going to go out to work and I'll take my child there because I know that I have the right to use that system". Mr. Speaker, that, in my opinion, would break up the family unit that we feel is very important in this day and life and that we would provide the day care program now for those particular parents who have to work for either economic reasons, or are the sole supporter of the family. Mr. Speaker, the honourable member tries to indicate that only the rich can afford to use our day care program, or that if a single parent who happens to earn over \$12,500 has to pay toward the use of the facility.

I suggest, Mr. Speaker, that we have the best day care program in all of Canada. It is affordable and it's affordable to the taxpayer. I think, Mr. Speaker, that we have to look at what in fact is affordable and that's what the objective was of the honourable member as well, to have a service available that people can afford to use.

Well, Mr. Speaker, the idea of putting our day care program into schools, I suggest to the honourable member, has the same threat of becoming over-professionalized and institutionalized more so than the day care program that we presently have, because I suggest to the Honourable Member for Inkster that teachers cost money; there will still be required supervision of the children and that the idea of just having volunteer school children looking after our children would not be acceptable, I would say to the majority of parents. Because, Mr. Speaker, by law under The Child Welfare Act it is unlawful to leave a child under the age of 12 unattended. Now is the honourable member suggesting that only students that can look after the children would have to be over 12 years old? Then I suggest, Mr. Speaker, that the idea of a universal accessibility then becomes diminished because what he is saying is, that we can only have these day care programs in high schools.

So, Mr. Speaker, I suggest that if we have become part of the curricula of schools which it eventually would become, that it will become over-professionalized and institutionalized by the teaching profession and by the suggestion of the Honourable Member for St. Boniface that maybe the teachers would volunteer to provide some of these services, I might remind him that is one of the reasons why we

have the Noon and After School Program is because of the problems that the schools had with getting teachers to volunteer their time to supervise students during lunch-time. So, Mr. Speaker, the major costs in the day care program is not the facility itself, it is more so the supervision and the care of the children by people.

Mr. Speaker, I might remind the honourable members that one of the regulations we presently have relating to the operation of our day care centres is the fact that the non-profit centres that we presently fund, the board membership of that corporation has to be made up of 80 percent of the parents of children attending that facility, with the remainder 20 percent maximum of any of the staff that serve that facility, so that particular regulation exists for the very reason that we don't want the particular program to become institutionalized, we don't want it to become over-professionalized and we give the power to the parents who are running that facility the decision of what level of care they want for their children, whether they want a different program and how much they pay their staff.

I might say, Mr. Speaker, that in meeting with the coalition for day care people two weeks ago, I asked 10 of the members that were present who run day care centres and they advised that they had good programs, they could afford to run the programs and they had enough money, because I asked them that specifically. I said, are you having good programs in your day care centres and they said yes, we have them. And can you afford to pay your staff and they said yes we can.

So, Mr. Speaker, I would suggest that the program we presently have where the parents decide on what programs, decide on what level of care their children will receive is a good one and I am concerned, Mr. Speaker, that if we turn over a major portion of this responsibility into our school system and it becomes sort of a sideline curriculum for high schools, that we will develop it into an educational program — an early childhood development program. Mr. Speaker, I suggest to you that maybe our parents do not want that. I believe our parents still want the choice of how their children are cared for and how they're brought up. I would suggest, Mr. Speaker, that if we end up being dependent on schools and school students and the teachers that might get involved in the teaching of the course and the supervision, that we will lose what we have now and we will get into what the honourable member himself is afraid might happen under our present system. I would be very cautious in supporting the complete operation based on attachment to a curricula in school.

Mr. Speaker, I have no objections to the use of school facilities if the space is available because we have that happening now. I know in our own area that there are some schoolrooms that are being used by the Noon and After School Program as well as the early pre-school day care program. I have no objections to the idea of students volunteering and coming to assist, none whatsoever, because I know it happens at the present time as well.

What we lose sight of sometimes, Mr. Speaker, is that we're not just talking about the City of Winnipeg when we're talking about the child care program. About 45 percent of our spaces that we have are provided for in the rural area and I've taken the

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opportunity when I'm out of town on different trips to visit these day care centres. I've been in the ones in Steinbach, I've been in the ones in Portage la Prairie, and I've been in the ones in Swan River, and it's amazing how they vary. They vary based on the parents of the children who are attending those day care centres. They decide on the level of care. In one centre that I was in, there's a couple of mothers that are providing the service and then they have a full-time staff member, but they all pitch in and they all do it to the level of care that they want and it becomes affordable. Mr. Speaker, I suggest that it's not the most perfect system but I believe it is a good system at the present time. There are safeguards in there in my opinion to protect the system from becoming over-professionalized, more so than I would think would be the case if we accepted the honourable member's suggestion that it become part of the school curricula and utilizing the schools only.

So, Mr. Speaker, I would suggest that we can support part of the honourable member's proposal but not to the idea of a universal type of program. We can accept a reasonable accessibility which we believe there is and will continue to be.

The Honourable Member for Burrows indicated a concern about the physically handicapped and mentally handicapped children with that particular situation. I can remind the honourable member that our new program recognizes certain needs for these children and recognizes that they need a little bit extra care, and we have the additional fee of \$6.00 per day per child that is either physically or mentally handicapped; in addition that we do recognize that the parents may have additional costs and have expanded the qualification, the salary qualification for subsidy by an additional \$1,000 a year. I might say, Mr. Speaker, that our standards have expanded far beyond what the Federal Government recognizes as standards for child care to the point now that we fund the Province of Manitoba, the taxpayers of Manitoba, fund the new program in excess of 70 percent with the remainder of less than 30 percent from the Federal Government. Initially when it was started it was 50-50 cost shared.

So, Mr. Speaker, there have been, I think, good moves forward in providing good child care in our province. It's not the most perfect system but we believe it's the best system in Canada at the present time, and we think that the objectives that we are seeking out, that the parents of children are . . . the main responsibility still is the care of those children.

MR. SPEAKER: Order please. When this subject next comes up the Honourable Minister will have eight minutes.

The hour being 5:30, the House is adjourned and stands adjourned until 2:00 tomorrow (Thursday).