

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 24 May, 1985.

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports By Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

INTRODUCTION OF GUESTS

MR. SPEAKER: Prior to Oral Questions may I direct the attention of honourable members to the gallery, where we have 53 students of Grades 4 and 5 standing from the Q.V. Jewett School under the direction of Mrs. Eccles. The school is in the Constituency of Kildonan.

There are 50 students of Grade 9 standing from the Harrison Junior High School under the direction of Mr. Hysak. The school is in the constituency of the Honourable Minister of Employment Services.

There are 32 students of Grade 10 standing from the Daniel McIntyre Collegiate under the direction of Miss Vonzmuda and the school is in the Constituency of the Honourable Member for Ellice.

On behalf of all of the members I welcome you here this morning.

ORAL QUESTIONS

Federal Budget - impact on provincial revenues

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Mr. Speaker.

My question is for the Premier. Now that he has had an opportunity to review yesterday's Federal Budget, I wonder if the Premier could indicate what will be the net effect of the Federal Budget on the revenues of the Province of Manitoba in the forthcoming year?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, in the forthcoming year, directly, the net effect will be some \$9 million potentially by way of reduction. Mr. Speaker, insofar as the impact that the Budget has indirectly, because of the declaration of war upon the consumers of Canada including the consumers of the Province of Manitoba, there may be a much larger indirect impact that will, during this forthcoming year, during this year that will result in a financial loss to the province as well, of course, and most important to the families, to the low and middle income earners of Canada and to the province, including our farmers that will be affected in a very significant way by the appearances of this Budget that was tabled yesterday.

MR. G. FILMON: Mr. Speaker, the Premier refers to a potential reduction of \$9 million in the forthcoming

year. I wonder if that takes into account the potential increase in revenues to the province as a result of the partial de-indexation, inflation running at over 4 percent and the de-indexation taking place only in that amount over 3 percent.

HON. H. PAWLEY: Mr. Speaker, the Minister of Finance will provide the detailed figures as to the net loss. If the Leader of the Opposition would agree, I think he could also extrapolate as to what could occur between now and the end of the decade, that also might be of interest to the Leader of the Opposition by way of the document that was tabled yesterday.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker.

It is our understanding, the \$9 million is a number which was provided to our officials in Ottawa yesterday as being the cost with respect to the income tax collection system where we have tax collection agreements with Ottawa for 1985-86.

For 1986-87, the loss is approximately \$2 million, I believe. It's not a large loss for 1986-87, but it is our understanding that that would include all changes, both positive and negative, so that the overall impact on that system would be the \$9 million for this year and several million for next year.

There could be other impacts on the province, obviously some positive and some negative. For instance, I believe the sales tax increase on liquor products will possibly provide additional revenue to the province. On the other hand, there will obviously be an increased costs to the province with respect to the sales tax increases, which we haven't worked out, but we would expect that, overall, that would net out at not a large plus or a minus.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: A supplementary question to the Minister of Finance, Mr. Speaker. From what do the losses stem in the area of personal income tax?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker.

The bulk of the losses stem from, as we understand it, stem from the elimination of the Capital Gains Tax for people. The first \$500,000 of Capital Gains on sales of shares and so on will be eliminated, and I think that is the point that we are so upset with, because you have the low income tax reductions have been eliminated. That has provided, for instance, for '86-87, which is the full year of implementation, a benefit to the Federal Treasury of \$650 million, which people with \$30,000 and less income receive. They are paying that extra \$650 million and that is offset in '86-87 by a \$780 million reduction in the capital gains elimination and

the increase in RRSP allowances for people who have incomes of more than \$50,000.00.

That also takes into account, as I understand it, the short-term surtaxes on corporations and higher income people who of course only are in effect for a maximum of 18 months, while these other benefits are growing by leaps and bounds over the next several years. So the overall impact certainly will be negative on our treasury. We think it's a very unfair way to go about looking for reductions.

MR. B. RANSOM: Mr. Speaker, I'd just like to ask the Minister whether or not he will be having his staff work out the pluses and the minuses, where the gains and the losses are to provincial revenues. If so, would he undertake to provide that information to the House?

HON. V. SCHROEDER: Mr. Speaker, I think that's a good question and we will certainly provide the information as soon as we can come up with something fairly concrete. We've had some rough estimates from people in Natural Resources and Government Services and so on, but we'd like to take a closer look at it first.

Trucking regulations - proposed changes in

MR. SPEAKER: The Honourable Member for Pembina.

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

My question is for the Minister of Highways and flows from the recently tabled study on provincial trucking regulations and the deregulation of the trucking industry. My question to the Minister of Highways is, does he anticipate the change in regulation which would essentially eliminate a lot of CT licence plating and require PSV licensing on those presently licensed by CT? Does he expect that regulation to be passed in the near future?

MR. SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: Well, Mr. Speaker, there will be some changes in the regulations that will be put in effect over the next year. We also intend to introduce legislation to effect some of the changes contained in the White Paper in this Session of the Legislature. They will, of course, come into effect on proclamation. Some will be phased in during the course of the year and, hopefully, all of them by April 1st of next year.

MR. D. ORCHARD: Mr. Speaker, in view of the fact that a regulation is not something that's debated in the House and is at the ability of the Minister of Transportation to do that within the Cabinet room walls, could the Minister indicate whether the change in regulation for licence plating will occur very shortly?

Secondly, with a large number of new vehicles now being registered as PSV at a considerably higher licence fee than they are currently paying under the CT plate, would the Minister indicate whether that regulation would see a general reduction in the PSV licence plates, or will the new CT plates be required to pay current PSV licence rates?

HON. J. PLOHMAN: Mr. Speaker, first of all, there is not a great difference between a CT registration fee

and a PSV licence fee and that is the point that the member is misrepresenting here. There is very little difference in the actual cost. So there will not be a great effect there in terms of the impact on truckers who are registering as CT as opposed to T plates previously.

I expect that those will come into effect within the next six months, but we haven't established the exact timetable for that regulation at this time, Mr. Speaker.

MR. D. ORCHARD: Mr. Speaker, could the Minister indicate how quickly he intends to make the changes to Section 169(1) which affects farm-plated trucks engaged in hauling grain products, presumably?

HON. J. PLOHMAN: Mr. Speaker, what that section does is limit the use of farm trucks for hire. There are some exemptions for farmers under F-plated trucks to haul for hire, grain and sugar beets, fruit, being some of the examples that are in the act. These have been retained, however, we're limiting it to three axles or less and that will come into effect when the legislation is proclaimed, that we intend to introduce in the House within the next couple of weeks. I expect that the proclamation of that section will take place relatively soon.

MR. D. ORCHARD: Could the Minister of Transportation indicate whether farmers who are hauling only their own produce and not engaging in "for hire" trucking services, will still be able to register a semi-trailer on farm plates and retain the use of dyed fuels?

HON. J. PLOHMAN: I can't confirm that that will be the case. There is no limitation on the size of a truck that can be registered as a farm truck. What we're talking about here is a farm truck that would be used for hire. If that's the case, the farmer would have to pay for the same registration fees and licence fees that any other for hire carrier would have when engaged in for hire transportation in the province. Except for those exemptions that are in the act, then those would be limited to three axle trucks or less.

Federal Budget - effect on Manitobans

MR. SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Mr. Speaker, I'd like to direct a general question to the Minister of Finance.

What is the expected effect as far as ordinary Manitobans are concerned of the Michael Wilson Budget?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker.

I would think that's what most Manitobans would want to know about, how does it affect us.

MR. C. MANNES: We asked about it first.

HON. V. SCHROEDER: Well, the Member for Morris says, "We asked about it first." What they asked about is government revenues, not what happens to the person on the street.

Mr. Speaker, just one aspect of it, the Budget now confirms that there is \$1.9 billion in tax cuts to the oil companies as a result of the energy accords. That's being made up for — (Interjection) — well, we'll speak about Manitobans as being part of ordinary Canadians, that \$1.9 billion is being made up for, 25 cents a pack cigarette tax, that's \$320 million, two cent a litre tax on all motive fuels with no exemptions, including agriculture, with an annual yield of \$930 million, broadened federal sales tax base to include candy, confectionery, soft drinks, energy conservation items effective January '85, that's \$500 million. Those three items, Mr. Speaker, pretty well make up for the benefits the oil companies got out of the energy accord. So it's very clearly a shift in taxation there.

There's a shift in taxation in terms of the elimination of the low income reduction of \$100 for low income Manitobans. That is, of course, more than offset by the tax holiday now being enjoyed by people with up to \$500,000 of capital gain, more than offset by that. So overall the consumer comes off very badly on this Budget.

Manfor - additional cost of modernization

MR. SPEAKER: The Honourable Member for Swan River.

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

I have a question for the Minister responsible for Manfor. The Annual Report of Manfor tabled yesterday in the House explains that the plant modernization at The Pas will end up costing some \$48.5 million. The November 9, 1983 government news release indicated that the modernization would cost \$40 million.

My question to the Minister is, does this 8.5 million increase, is that a cost overrun, or was there additional improvements made at the plant?

MR. SPEAKER: The Honourable Minister of Business Development.

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

I suppose those questions could probably more appropriately be asked in the Standing Committee. I can indicate to the member that the \$40 million figure was a preliminary estimate based on the reports of the consultants which reviewed the matter, joint federal-provincial consultants.

The final budget, which was tabled, was in the area of \$48 million. It did include revised cost estimates of supplies and equipment that would be required. There was a time lag between the initial estimates and the final decision to proceed.

It also included some additional design features and the figure represents both increased costs and improved design and additional equipment, and so forth, that were deemed to be necessary when the final working drawings were prepared.

Seat belts and injuries report - status of analysis

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker.

I address my question to the Minister responsible for Transportation. A month ago or so, I gave to the Minister a prepared report, prepared by a constituent of mine, Mr. John Martens, with respect to some statistics dealing with seat belts and injuries. At that time the Minister undertook to have his department review and analyze that report. I think he made it clear that he would report to me or at least to my constituent. I'm wondering how that analysis is coming along at this time?

MR. SPEAKER: The Honourable Minister of Highways.

HON. J. PLOHMAN: Mr. Speaker, I did give an undertaking to respond to that question. I've just discussed it with staff and I understand the report is in the deputy's office, so I should have it in a very short time.

INTRODUCTION OF GUESTS

MR. SPEAKER: Prior to Orders of the Day, may I direct the attention of honourable members to the gallery, where there are 55 students of Grade 11 standing — (Interjection) — Order please, order please. The students are from the Teulon Collegiate. They are under the direction of Mr. Masters. The school is in the constituency of the Honourable Minister of Housing.

On behalf of all of the members, I welcome you here this morning.

ORDERS OF THE DAY

DEBATE ON SECOND READING BILL NO. 2 - THE HEALTH SERVICES INSURANCE ACT

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, could you call Bill No. 2 please, standing in the name of the Opposition House Leader?

MR. SPEAKER: On the proposed motion of the Honourable Minister of Health, Bill No. 2.

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, just a few brief comments on Bill No. 2.

A number of members that have spoken on Bill No. 2 have, I believe, indicated to the Minister some of their concerns. It's interesting to note that those concerns were expressed on both sides of the House from the New Democratic Party as well as from the bench of the Conservative Party. That is a concern that, I think, has to be taken very seriously by the Minister; a concern that we may be developing into a two-tier system of medicine health care in the province; a concern that this is not really tackling some of the root problems that the health system requires to try to bring it into a situation where down the road we can deliver the system that our citizens want and obviously deserve

and, yet be within the financial competency of our jurisdiction not only in Manitoba but in Canada to carry it out.

Mr. Speaker, our party has taken the position that a majority of physicians, doctors in the Province of Manitoba, have supported the concept within the bill and for that reason and other reasons are supporting the bill. We note, Mr. Speaker, that while having just said that, there is a significant minority of doctors in the province who have expressed some very severe reservations about the impacts of the bill. Other colleagues have expressed the concern of special medical services leaving the provinces and I won't reiterate those, but the concern about psychiatric treatment in the province, concern about other specialties have been expressed by different members, Mr. Speaker.

We would hope, Mr. Speaker, that in referring this bill to committee that those members of the medical community that have publicly and privately expressed some of these concerns will have every opportunity to appear before us as is their right to advise and to indicate to the committee in more detailed form just how real these concerns are.

Mr. Speaker, with those few comments as far as the official opposition is concerned, we are prepared to move this bill into committee.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I wanted to make a few comments on this bill before it proceeds to committee and express a number of concerns. I think, like a lot of other people in the Chamber, and perhaps in this instance, the Federal Government, there's a concern about the adverse effects of extra billing and how this could, in effect, bring about a two-tier medical system, one for those with money who can get the best services available and then a second minimal one which would only be available to the poor, the underprivileged and the lower classes of our society. So I think everybody in this Chamber is concerned about what could be and what would be and to a certain extent is now, the bad effects, the fallout, the negative side of extra billing.

Mr. Speaker, I, on the other hand, have a concern, but this seems to have been to a certain extent, determined by the doctors themselves, that we gave the medical profession the right to opt out and now we're taking that right back, but they, themselves, appear to have thrown in the towel in that measure by coming to an agreement in regard to arbitration procedures, so that was an area of concern that I had, but I guess the medical profession itself can take the credit, or the blame, for giving up a particular right or privilege that they had obtained when Medicare was first introduced.

Mr. Speaker, my main concern that I want to draw to the attention of the Minister and would like to hear some comment from him both now and throughout this debate, is the fact that when we close what may be a loophole or we make the system more consistent logically, that there may be some new end run, there may be some new loopholes, there may be determination on the part of certain members of the medical profession to take an end run around the closing of the right to extra billing option.

Just as - when we talk about economic matters and we talk about our taxation system, no matter what the government does, somebody will find a loophole and explore it, or exploit it. And then sometimes that goes on for quite awhile and the government then moves again to close it, only to find somebody has developed some other strategy for beating the rules. There are people who, of course, spend their entire life based upon attempting to do something like that.

I want to allude to a particular example that was brought to my attention only yesterday by somebody on the telephone who was acquainting me with a situation, which I'm sure the Minister himself is familiar with, of a medical specialist, highly paid, extremely well paid, with a practice in one of the hospitals and a private practice, dealing with people who are mentally ill or have mental problems, and now is telling his patients that he is either going to establish an institute for himself and/or his colleagues or staff, either he's going to go that way, or he's leaving Manitoba. Mr. Speaker, aside from the particular details here of this particular case, there may be more than one doctor; there may be more than one area of specialization where something like this is now going to be attempted. Given legal advice and given accounting and income tax advice, etc., this may be a way of beating the system. So if we cut off extra billing and we wake up the following morning, or in the next few years to discover a whole series of so-called private institutes or clinics springing up in Manitoba, then we will have been frustrated in our attempt.

I simply say to the Minister that only one such example has been drawn to my attention, but I believe he is familiar with it. I'm told that this doctor told his patients to lobby the government, to petition the government, warned them that unless the government capitulated and allowed him to set this up, he's leaving the province. These people are reliant on this medical doctor. These people depend on this particular doctor, and they're terrified and the person I spoke to was so incensed about this situation that he made parallels and comparisons with the Moonies and the Jonestown massacre and his point was that the patients are brainwashed and they will do anything but give up or lose their doctor.

So, Mr. Speaker, those are my few comments at this time. I wonder whether the Minister could comment about any signs or indications that he sees at this time, that the establishment of new clinics, new institutes, new methods and new techniques are already being explored and perhaps are already in existence whereby some members of the medical profession will beat the system, even though we are attempting to make an improvement by precluding extra billing.

MR. SPEAKER: The Honourable Minister of Health will be closing debate.

HON. L. DESJARDINS: Mr. Speaker, I want to say, first of all, that I, and members of the government, certainly recognize that The Canada Health Act, as brought in by the Federal Government, is not a cure-all for all the problems that we feel in the health care plans that we have here in Canada. I think that we should understand that.

I wish to say also that Manitoba was not satisfied and is not satisfied with the bill that was brought in by the Federal Government and by what has been said by the present Federal Government. We're far from being satisfied. What we did say at the time, it was very difficult to imagine where a government, a Federal Government, who after all started and created this Medicare and hospitalization plan for the people of Canada, as equal partners and requested the provinces to act as their partners, all of a sudden decided that they would pretty well opt out, that is as far as paying the bills, that they would cap their contribution, and I feel that this is most unfair. I can't see where they could talk about this without wanting to talk about the financing at all, it doesn't make sense to us at all.

Now, I, during the previous Federal Government, when this bill was brought in, I repeatedly asked the then Federal Minister of Health, to discuss the financing of the plan. The answer was always the same, these are different actors, I have no jurisdiction, it's the Department of Finance. Then I asked, it was a request, that if that was the case, that once and for all, then all the Ministers of Health, including the Federal Minister, should meet with all the Ministers of Finance of the different provinces and also the Federal Minister and that was ignored completely.

That same request was made of the present Minister and he promised that he would accept this, but so far we've repeated this request and nothing has been done. Now I would hope that the Minister will be true to his word and will organize this meeting. It think that it is high time to do that.

So let us understand each other, as the Member for Lakeside said, this is not the cure-all; there are a lot of other problems. I agree. This bill that I'm bringing today is not meant to cover all the problems that we have. We will come back to that and I think that we had a very good discussion during the Estimates of the Department of Health. I think it was a better part of the month and I think that we have an idea of where we're going. I've asked the Federal Minister of Health to co-operate. I've offered full co-operation from the Province of Manitoba to look at the situation. I reminded them of the promises that they made during the campaign, even as far back as when the present Prime Minister ran in a by-election in Nova Scotia where he said that he would want to go back to cost sharing - that has been forgotten now. Also, repeatedly, the commitment was made by the Prime Minister of this country and the present Minister of Health that they would take into consideration the aging population, the moral problems that we seem to have with these technologies and the question of prevention and research and so, but so far nothing has been done on that so I'd want this to be understood.

This bill is not meant to correct all these things and I think that we showed nothing but co-operation and requests of co-operation from the Federal Government so I hope that you'll hear more about that later on.

The situation is this, that there was an act brought in. It was unanimously approved, accepted by all the parties in the Federal Government and they said there shouldn't be any more extra billing. This is the act that we're bringing in in Manitoba to make sure that there's no extra billing.

Let's go back to what I said repeatedly during the last two or three years that even before this act was

brought in, in principle this government and this party were not in favour of extra billing. We felt that there were more major problems and again, I've explained that. It was a problem; the principle was wrong to allow extra billing from the start but it wasn't the major problem. We had other problems here in Manitoba.

I should say also that at a Health Ministers' Conference a couple a years ago, it was unanimously approved that there would be very close monitoring of what was happening and, if so, steps would be taken to remedy that. I think you'll remember that one time there was a lot of talk about the then Minister, Madame Begin, who was talking about stopping this extra billing but there was a delay and there was a compromise because the province said that they would monitor it.

I think that some of the provinces asked for what they got, after saying that they would monitor, there was some allowance, and there was abuse in certain provinces, not here in Manitoba. So if I say that that wasn't a major problem in Manitoba, then I think it is equally right to say that if it wasn't a major problem because there weren't a very large number, that then this is not going to be a major disruption. You can't have it both ways, even though there's so many of them that are extra billing, it's going to disrupt all kinds of things or it isn't. So I think there could be disruptions of some kind but I think it would be minimal.

Besides that, we'll know a little better when there's a complete analysis of the Budget that came in and the reduction that we had and the cost escalating in this field of Health, that I don't think the people of Manitoba can lose approximately \$1.5 million that would be retained from Ottawa, so I make no apology for that at all.

The concern seems to be that specialists might leave the province and maybe some will, and that we can't help. There was even a mention - and I'll mention a name because it was mentioned - there was a Dr. Krolman and it was felt that it was unfortunate he would leave the province and I agree with this. But let's not try to pretend that Dr. Krolman is leaving because of this legislation of no extra billing, because he is moving to Nova Scotia, which was the first province to bring legislation outlawing any extra billing. He is going there because I think he comes from there originally; he wants to retire gradually in Nova Scotia and this is the wish that he's made. Fine, he's made a contribution to Manitoba. We'd love to keep him but he's leaving and that should not be related or this bill should not be faulted, should not be used as the reason why he's leaving.

There's a small group, and I want to make sure that we understand. This is not an attack on the medical profession - because I have said repeatedly, and I still think that we have one of the best groups of doctors in all Canada and I think that they've been very reasonable. Some have left; we've heard that many times. I think that's going to be exaggerated and I think everything is fair in politics and the Member for Elmwood talked about some of the concerns and some of the - what seemed to be - unfair methods of pressure on the government and I agree with him; but that is not the first time and it won't be the last time that this will be used.

I've already covered the point of some of the psychiatrists scaring their people and I think there's

no other thing but scaring their people, especially when you're going to see a doctor to be treated for anxiety and concern and that kind of thing, even more so that a person that might have a sore leg or something like that; and then to take advantage of that and say, here, you know you're not going to have anybody treating you and all that because I'm leaving the province - I can't stand that. I think that it is unfair.

But in that small group - and again, not all of them - there certainly has been some abuse. We saw that even the members of the MMA were very surprised when they saw that there was extra billing of up to 80 percent more than the fees, the recognized fees or the allowed fees, so that's pretty steep, extra billing 80 percent, practically doubling the fees that other doctors are getting.

We've also heard many times that, well, they weren't extra billing everybody and in all cases and that is also correct. There are some that certainly did not abuse - I'm not putting all of them in the same boat and saying that everybody that extra billed abused the system. I don't believe that they did, but we were told, well, the senior citizens are not being extra billed and we found out that is not the case, that the under-65 - I'm talking about those that were extra billing - that the under-65 were extra billed to the tune of 30.1 percent more, but the 65-and-over were extra billed to the tune of 24.2 percent so there's not that much difference on this at all.

Mr. Speaker, I want to give you some examples. I think that the following table demonstrates that we have substantial numbers of specialists who are not currently extra billing, so it is wrong to think that all the specialists are extra billing. Let's look at the areas that have been mentioned more often.

Psychiatry, there's 94 psychiatrists in the province and there are 23 that are opted out, but there are still 71 that are opted in. So it's not all of them. There are other concerns in psychiatry, again that was covered in the Estimates. We are looking at that, but the extra billing will not make the difference.

Ophthalmology. We have 32 ophthalmologists and 23 are opted in and 9 are opted out. I should also inform the committee that in 1980 we had 26 ophthalmologists and in 1985 we have 32, six more, and they're all opted in. And the total - I gave you the total of 23 opted out in psychiatry, 9 ophthalmology, 6 dermatology, and all of the physicians. There's 30 that are opted out of the others besides those that I've mentioned, especially these that I mentioned, and opted in is 1,685. So you see there are still quite a few of them.

It should be seen that we have substantial number of specialists who are currently opted in the plan. By the way, the Member for Elmwood also said that the opted out privilege has been removed. That is not the case. Opted out, the member might say, well what's the difference, but you remember, before this bill was brought in - and I'm talking about the federal bill now - it was made very clear that some of them that opted out, the big thing that they wanted to retain was the opting out. Because some of them, as a matter of principle, do not extra bill but they want to be opted out and they take their chances. That still exists. Anybody can opt out, but they can no longer extra bill. It's not the same thing. I know when that was mentioned,

they said well what's the point? Maybe they're right, but previous years they were saying, oh no, it's different, we're not that interested in extra billing but we want to opt out. So that might be - I don't know, it's not playing on words - there is a difference there anyway.

The concern was that we would have a two-tier system and that's true. I am certainly not satisfied, for instance, in the service that we are giving to the population in psychiatry and that might be an aside, but I would love to talk to them. I've invited them and after this Session or later on during the Session, I intend to meet with some of them, have requested to meet with them, and to look at the situation.

We've had now, I can talk about the situation in there. Let me give you an idea. Again to say well they need this extra billing, they can't make a living. I'll give you figures and figures don't lie. I'm not even going to comment on that. I'm going to give you two ophthalmologists - we took two from there. One of them is getting payment from the Commission of \$342,359 and he's still extra billing to the tune of \$109.6 thousand, for a total of \$451,000.00. So if he leaves the province because of that, there's not much I can do, if he can't live on that. Now there's another one who is getting \$329.5 thousand and who is extra billing to the tune of \$59.7 thousand.

Then in psychiatry there's one billing the Commission for \$168.6 thousand and still extra billing to the tune of \$90.3 thousand; and another one getting \$168.6 thousand and billing for \$90 thousand. The dermatologists that I have here is \$194.7 thousand and billing for another \$30 thousand. So you can see it's not that difficult now. We're also told that the psychiatrists then are underpaid.

But there's one thing that I want to explain, that the situation compared to others, they are not getting their fair share. The MMA repeatedly fought for the right, and they claim it is their responsibility, to assign the different fees to the different specialities. If there is a group or a specialty that is not satisfied with the fees, they could appeal to the MMA, the committee of the MMA. It is not the government that does that.

In fact we recognized that and in this year we provided half a million to shore up some of the things and some of this money - I don't remember exactly how much - went to psychiatry. And psychiatry - I hesitate in saying that but I think I have to say it anyway - it is the most difficult thing to recruit psychiatrists to the important services that we need to provide the people of Manitoba. They prefer treating, and this is certainly their right - I'm not denying that at all or debating that - this is their right, their choice, and they could go ahead and deal only with private patients. Some of them, by the way, later on I'll give you some of what I consider reviews, and unfortunately where you need it the most, in treating with adolescent or in certain areas, we can't seem to recruit them. Government after government of different parties in power have been trying to recruit in Brandon and in Selkirk and we've had nothing but trouble.

I would like to see a situation, if we can and with the co-operation of the psychiatrists, where we could say, all right, you will derive your revenue to a maximum on fee-for-service that you can bill the Commission, but then the government will work out with you very liberal sessional fees that you can give a certain amount

of time to working in different hospitals and in different areas where you are needed. Not all your time, but if we can get that type of service where you can zero in on our major problem, I think it would be very important.

You know when we talked about the abuse, even in Alberta, that has been going in favour of that, that the College of Physicians in Alberta, it was the word here that they have in brackets, was shaken, by the discovery that 800 practitioners are charging supplementary fees to patients on welfare. That's where the two-tier system comes in. If the people can't afford it, they're not going to go to the doctor, and you're not going to save any money. It's going to cost you more because eventually they'll get sick and then it'll be worse, because then they will need to be hospitalized and so on.

Now I can give you some idea here which is - these are not people - I want to make sure - these are doctors that are no longer in Manitoba, but not too long ago we had a doctor that saw seven patients and generated \$13,560 in fee-for-service claims for a cost of \$1,937 per patient.

Then we had one that generates \$141.9 thousand in fee-for-service claims, for a patient count of 37, and that is an average of \$3,837 as compared to \$332 for psychiatry as a block.

So you see that we do have some concern and we're ready to work with them to try to improve the situation, but they are not going to be treated any differently than others and no extra billing will apply to everyone, every doctor.

Now my honourable friend for Elmwood talked about the private clinics, and so on. That's not going to change anything, because they will not be able to extra bill anything that is covered by the plan, that is insured by the plan. There are some people that no doubt, my honourable friend is absolutely right, will try to beat the system and we have to be on our toes and if we have to bring in corrective measures, we certainly will do that, Mr. Speaker.

I was also asked about what was the state in other provinces. I haven't got all the information and it's changing fast, but I can give you the information that I have. In Nova Scotia legislation has been introduced to eliminate extra billing. Quebec never did have any extra billing, they never had any extra billing at all. B.C. does not have extra billing but do have user charge in hospitals, and are currently being penalized by the Federal Government for that. Alberta does have extra billing and agree with it in principle - the Government of Alberta - but, again, are suffering by virtue of federal penalties. I think Alberta and B.C. were the provinces that were resisting. I understand Saskatchewan is introducing legislation fairly soon and so are the Maritimes.

Ontario - well, that's going to be an interesting situation. I don't have to spell it out for you. We know that there's a minority government and we know that if they want to stay in power, they have to have the help of at least one of the other parties, and I suspect that to prevent another election they would have to put a little water in their wine and it might be that they will go ahead and pass this legislation for no extra billing.

I was asked also what does Manitoba intend to do, when do they intend to proclaim this legislation. The answer is, as soon as possible, because we're losing

money at the time. I would hope that we can discuss this with the two House Leaders and maybe by next week, we will have finished with the committee and give an opportunity for those who want to appear, of course, to come in. There is a possibility, I would hope - I will certainly press the House Leader to proclaim the legislation as soon as possible.

I think I gave some idea already of how the people were making out. I have now just the psychiatrists because that would single out. I have an example of what they were getting in fee and salary income, not counting extra billing. These are: \$197,000; \$222,000; \$163,000 and \$209,000, so those people are not really starving.

The chiropractors - and I'm not going to start the debate all over again - it is absolutely true that the act doesn't cover the chiropractors, that is, that we would not be penalized if we did not bring them under the same regulation and prevent them from extra billing. But does it make any sense? These people want to be recognized and they are always complaining that they're not recognized like other members of the medical profession and they want to be treated the same - and we're going to say to certain people, you can extra bill - the system is not right, we're against that principle, but we're going to allow the chiropractors to extra bill.

Definitely, they will be covered like any others, dentists and so on, but let's remember, only where they are insured. So the chiropractors now, the people are allowed - I think it's 16, I don't remember - X number of visits. Until they have exhausted their numbers of visits, they will all pay the same. Now if you want to use the argument that it's not covered in the act, why is that done? The reasoning is that they shouldn't be insured at all because there is no money that comes from the Federal Government at all for this province, and there are half of the provinces that are not recognizing anything at all; there is no benefit for chiropractors.

To say that they were not advised of that is not true. As early as the summer of 1984, the chiropractors were advised by the staff of the Manitoba Health Services Commission that if extra billing was indeed done away with in this province, it would impact on the chiropractors also.

With regard to the question relating to extra billing for services provided in doctors' offices versus hospitals, this is something we're looking at but there is not going to be a change. I can say to the Member for Elmwood that we will be very vigilant and there is not going to be any scheme to say that this is not covered, and if somebody wants to use something, the cost for a tray or that kind of thing, if that was provided at no cost before, they won't be allowed to extra bill or have an extra charge on that.

I think that I've tried to cover most of it. I was pleased to finally hear from the last speaker of the official opposition say that they will be supporting it. It seems to me that that is done reluctantly - (Interjection) - you had a chance to speak and if you wanted to speak, fine. Mr. Speaker, the other speaker did not indicate what they were going to do, but the House Leader, as I said, announced that they would support, and I welcome that. I think that it is something that should be unanimous if it's done unanimously in the Federal Government. But as I say, it was the first indication I had that this will be supported.

So, with this, Mr. Speaker, if there are any other questions during the clause-by-clause consideration of the bill, I will try to have the answers and staff there. Thank you very much.

QUESTION put, MOTION carried.

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

MR. SPEAKER: Call in the members.

Order please, order please.

The question before the House, moved by the Honourable Minister of Health that Bill No. 2 be now read a second time.

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

YEAS

Adam, Anstett, Ashton, Banman, Birt, Blake, Brown, Bucklaschuk, Corrin, Cowan, Desjardins, Dodick, Doern, Downey, Enns, Evans, Eyley, Filmon, Fox, Graham, Hammond, Harapiak, Harper, Hemphill, Johnston, Kostyra, Kovnats, Lecuyer, Mackling, Malinowski, Manness, McKenzie, Oleson, Orchard, Pawley, Penner, Phillips, Plohman, Ransom, Santos, Schroeder, Scott, Smith, Storie, Uruski, Uskiw.

MR. CLERK, W. Remnant: Yeas, 46; Nays, 0.

MR. SPEAKER: The motion is accordingly carried.

BUSINESS OF THE HOUSE

MR. SPEAKER: Order please.

The Honourable Government House Leader.

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

Mr. Speaker, I would like to announce a meeting of the Standing Committee on Law Amendments for next Tuesday morning at 10:00 a.m. to consider all bills referred to date. I would ask the Clerk's Office to notify anyone who has indicated a desire to make representation on those bills, today if possible, so that they will have adequate notice for Tuesday's meeting.

Mr. Speaker, I move, seconded by the Honourable Minister of Finance that the House do now resolve itself into a Committee of the Whole to consider and report on the matters referred to on the Order Paper.

It would be our intention, Sir, to commence consideration in Committee of the Whole of Bill No. 21, An Act to amend The Financial Administration Act.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to consider Bill No. 21 with the Honourable Member for River East in the Chair.

COMMITTEE OF THE WHOLE HOUSE

BILL 21 - THE FINANCIAL ADMINISTRATION ACT

MR. CHAIRMAN, P. Eyley: Committee come to order.

We are considering Bill No. 21, An Act to amend The Financial Administration Act. What is the will of the Committee on how to proceed - Page-by-page? Clause-by-clause?

Clause 1—pass; Clause 2—pass; Clause 3—pass; Clause 4—pass; Clause 5 - the Member for Turtle Mountain.

MR. B. RANSOM: I'd like the Minister to explain why he wants to be able to destroy the records.

MR. CHAIRMAN: The Minister of Finance.

HON. V. SCHROEDER: Mr. Chairman, it has to do with The Legislative Library Act. In fact, I'm waiting for information on just that issue at this very moment. I'm glad the member asked that question.

MR. B. RANSOM: Well, Mr. Chairman, I guess we'd better wait for the answer because what this section says is that "... notwithstanding The Legislative Library Act respecting the retention or destruction or both of any books, records, documents or accounts required to be kept under the act or the regulations . . ." "We know that this Minister has had a somewhat cavalier attitude toward the views of the Provincial Auditor in respect to keeping the books, so we're interested in just why it is that he would want to make it easier to destroy the records of government.

HON. V. SCHROEDER: Actually, I want to assure the member I haven't spent any specific time rummaging through the library to determine which books or records or documents or accounts required to be kept under that act ought to be destroyed. I'm sure that there must be a pile of them that are just waiting for the torch and I hope to be able to expand on that momentarily.

Let's just go over the whole of Section 84 so we get the whole context for the purpose of carrying out the provisions of the act according to their intent: "The Lieutenant Governor-in-Council may make regulations, ancillary thereto and not inconsistent therewith. That is, The Financial Administration Act, as opposed to The Library Act, and every regulation made under and in accordance with the authority granted by this section, has the force of law without restricting the generality of the foregoing, the Lieutenant Governor-in-Council may make regulations not inconsistent with any other provision of this act."

Then there are, in the act, a number of specific sections giving a variety of authorities, that we want the particular authority under The Financial Administration Act so that although the Bill 21 indicates that documents can be destroyed, notwithstanding The Legislative Library Act, they can't be destroyed, notwithstanding the act we're dealing with here. The library arrangements will be consistent with anything in The Financial Administration Act, which is the bottom line.

MR. B. RANSOM: I want to know why we need this. What is it, what records does the Minister want the authority to destroy, the authority which is presently denied by The Library Act?

HON. V. SCHROEDER: I'll ask my staff to come in.

Mr. Chairman, the only justification this morning is there was a review carried out in conjunction with the Provincial Audit Office of all documents held by the Department of Finance, including those covered by the act. The objective of the review was to determine what documents should be retained for specific periods of time before disposal, based on the requirements of the Statute of Limitations Revenue Canada Guidelines and internal government needs. Of course, there are a variety of those kinds of documents covered by a variety of acts.

As the act currently includes time limits for certain documents and records it would be necessary to prepare an amending bill for submission to the Legislature each time a change in terms was proposed. No other jurisdiction in Canada includes prescribed periods for records retention in its act and, accordingly, the request is being made to add Section 84 to provide for the issue of regulations governing retention and destruction of documents.

There is no existing difficulty. There is nothing there that is of urgency. It is a housekeeping matter that is viewed as being useful. It's complying with similar regulatory provisions in other provinces.

MR. B. RANSOM: Mr. Chairman, I want the record to show that we have been sitting for some 15 minutes now waiting for the Minister to get this answer. The printed record, of course, will not show that, but that's a fact, that we have been waiting here, because what this Minister expected us to do is simply to pass a piece of legislation, simply on his assurance that it's housekeeping. When asked to justify it, the Minister couldn't do it and had to have his staff called in to give him an explanation of why he is presenting a bill to the Legislature and asking us, as legislators, to pass it into law.

I don't think that is a proper way for government to be run, however so-called minor a piece of legislation is, that the Minister should at the very least provide some sort of written justification to the opposition as is occasionally done when it is assumed or stated that a piece of legislation is routine, that at least a Minister, if he's not familiar with it himself, provides documentation to satisfy the opposition that indeed it is routine. This is just one more example of how this Minister treats the Legislature in a cavalier fashion, that during his Estimates he couldn't answer very many questions and now he brings a piece of legislation and asks us if we're prepared to handle it through Committee this morning, and the Minister isn't prepared to handle it.

MR. CHAIRMAN: The Minister of Co-operative Affairs.

HON. J. COWAN: Thank you, Mr. Chairman.

Well, I think if the record is going to show that which the Member for Turtle Mountain has suggested, then it should show some other things as well. The Member for Turtle Mountain has been in these Chambers long enough to know that this is not an unusual circumstance.

MR. B. RANSOM: It is unusual.

HON. J. COWAN: That in the past we — (Interjection) — Well, they say not for us. How soon they forget what

happened during their own tenure. They waited 15 minutes for some answers to some questions. We're still waiting for some answers to some questions that we put to them when they were in government and they know that's a fact.

So, for the Member for Turtle Mountain to stand up and try to distract the discussion on what is a legitimate bill and appears to be a legitimate purpose for that clause and to deride for causing a slight delay so that they can have the fullest information possible to them, I think is a misrepresentation of what this entire process is all about.

Certainly he's entitled to facts, certainly he's entitled to the full information, certainly sometimes it's going to take time to get that information to him. Had he been so concerned - let us put the question somewhat differently - could he not have stated when he saw the bill, that I have a concern about this to the Minister responsible, and can you please have the information provided to me because that has happened in the past as well. — (Interjection) — Well, they say, oh come on, but that indeed has happened in the past where someone has indicated, and giving notice in this House is not an unusual practice, that they have a specific concern with a specific item and can they be — (Interjection) — Well, doublespeak from Pembina.

MR. CHAIRMAN: Order please, order please.

I would like to remind the members of our Rule 64.2, "Speeches in a Committee of the Whole House must be strictly relevant to the item or clause under discussion."

The section under discussion is Section 5 in Bill 21. The Minister of Co-operative Affairs.

HON. J. COWAN: I appreciate that admonition, I just wish that perhaps it might have been brought to the attention of the individual who initiated this particular discussion, because that, in fact, is what provoked a response from myself, and I think fairly so. The fact is that the bill under discussion and the clause under discussion, if it created those sorts of concerns for the members opposite, it would have been a matter of courtesy for them to advise us that they had a specific concern about that particular item, intended to bring it up and to have the information provided to them in a much more speedy manner.

The issue is not that the information wasn't provided, because indeed it was. They wanted to make the issue how long it took to get the information and the slight delay, which was necessary to provide full information rather than the specific clause itself.

Certainly, I accept the fact that we probably should be directing our comments specifically to the intent of the clause. I do want the record to be clear that there is nothing unusual that happened here this morning and that there are ways by which the opposition if they didn't want to play these sorts of games in the House, could have identified that concern previously and the answer could have been brought to their attention much quicker.

MR. B. RANSOM: Mr. Chairman, perhaps the Minister in charge of the Treasury Board is not extremely familiar with the legislative process. When a Minister brings a

piece of legislation to the House, he is expected to explain it in principle, and when we come to Committee he is expected to be able to talk about the details of the bill.

If the Minister has a clause in the bill, such as the one that we're dealing with now and that he wants it passed, all he need do is stand and provide a little justification as to why it's routine. I cannot accept the Minister's word that it's simply routine. I need to know why he says it's routine. Surely, that's not asking too much of a Minister, bringing a piece of legislation into the House, to be able to explain it, and if he doesn't wish to stand and explain it clause-by-clause, at least to answer the question. That is not unusual for that to happen, and it has never been practiced that the Minister is advised before hand of each clause that he might be questioned on.

When a Minister brings a piece of legislation in here and wants it passed, he should be prepared to answer questions clause-by-clause. If he can't answer them, then he should have the staff prepared to answer them. I would hope that in the future that the Minister would be better prepared when he brings legislation to the House and he will have our co-operation in moving it through. We moved it through the earlier stage in quick fashion, and we're prepared to do it here if the Minister would co-operate by providing a little bit of information.

MR. CHAIRMAN: The Minister of Finance.

HON. V. SCHROEDER: Well, Mr. Chairman, if that great speech is in order, then I suppose an answer would be in order. I don't know what that speech had to do with Clause 5.

Mr. Chairman, let the record show that the staff was here within about 15 minutes or so, that we never suggested that . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Order please.

HON. V. SCHROEDER: . . . it should be passed before there was an explanation, and that I was quite prepared to wait until we had an adequate explanation to give to members. If people expect that I'm going to have an explanation for every single piece of legislation coming through in the back of my mind, although I know that at one time it was justified to me, you know, they find the most obscure kinds of questions to ask. They have the right to, they have every right to. The Member for Turtle Mountain has the right to ask that, but he can then also expect that we will take the time to get the very specific answer. I don't apologize for that.

This morning, unfortunately, we did have our signals crossed with the House Leader. He tells me that he told me on Wednesday that this would be happening today. I don't recall that. My staff was at a meeting which I was intending to be at at 11 o'clock this morning. — (Interjection) — That's true. I'm explaining what happened.

You don't have to get so sanctimonious about a slight delay in getting an answer to a question. When we have "Sanctimonious Sam" over there expecting that we're

going to have everything working all the time tickety-boo for him, well, that's not the way the real world works. My staff did interrupt their meeting, came down here, got the answer. Hopefully, we can get on with the relevance - do you agree with the amendment or don't you?

MR. CHAIRMAN: The Member for Lakeside.

MR. H. ENNS: Well, Mr. Chairman, I feel that I have to add a few comments to the discussion of this bill at this time.

The bill is being discussed at this time at the request of the government, the Government House Leader. Now whether or not were there some signals mixed up or didn't get sent and weren't received between the Minister the Government House Leader, that's again not our problem, Mr. Chairman.

I was requested yesterday whether or not we would be prepared to deal with this piece of legislation. I asked my colleague, the Member for Turtle Mountain, if he would be prepared to deal with the legislation. We are ready to deal with the legislation. It seems that everybody else is ready to deal with the legislation, other than the Minister who is responsible for bringing the legislation into the Chamber.

Mr. Chairman, it's not as though that we are burdened with 100, 150 or 200 bills by this once active group of proactive government. We have a very light legislative load before us.

You know, Mr. Chairman, I'm prompted more so, because of the fact that just 20 minutes ago I had occasion, as many of us do from time-to-time, to address and speak to school students, children that come and watch us from time-to-time. I was asked by one, and this was a senior class of Grade 11 students, and he asked a very serious question. "What precisely is the role of the opposition?" And I was able to tell them, well, the role of the opposition is of course to hold the government accountable, to ask the appropriate questions, to make sure that the public affairs are being carried out in a public way, and that the government at all times is accountable.

I went on, Mr. Chairman, to make one other little point, because I do regret that the role of the opposition is far often seen as always opposing, as always rejecting everything that the government proposes. I was able to point out to the students that this morning was a very fine example where the one major piece of a legislation that we were dealing with in this Session so far, Bill No. 2, with respect to health and Medicare problems, problems of extra billing, that different members of the opposition, indeed members of the government, expressed some concern about the bill, but the bill would likely receive unanimous support in this Chamber, as indeed it did. As indeed 80 percent, 85 percent of the bills introduced by government usually get the support of the opposition; as this little Financial Administration Act would receive our support, Mr. Chairman, but surely it's not too much to ask for the Minister responsible to be able to, on a one-clause item, provide the answers.

MR. CHAIRMAN: The Member for Virден.

MR. H. GRAHAM: Thank you, Mr. Chairman.

Mr. Chairman, from time-to-time we have seen changes in legislation brought into this House and some of them are deserving and some of them aren't. I want to address myself to the very particular Clause 5, where we are going to add an amendment to Section 84 of the Act.

What we are doing here is something that does cause me some concern. If we want to change the act to give the act the power to destroy or retain records, that's fine, but let us know what it is that you want to change, what it is you want to destroy, and put it in the act. But here we are not doing that; we are putting it in regulation, and I say that that is always a dangerous thing, to put it in regulation. If you want that right, put it in the act, so that everybody knows what is going to be destroyed and what is going to be retained. But when you put it in regulation, it can be changed at the arbitrary whim of the Lieutenant-Governor-in-Council.

So, Mr. Chairman, I would like to see this section put in the act, rather than the regulation. I think that if the Minister is going to be responsible and do the proper thing, he would want that in the act rather than the regulation.

MR. CHAIRMAN: Pass? Clause 6—pass; Title—pass; Preamble—pass.

Bill be reported.

REPORT ON THE STANDING COMMITTEE ON RULES OF THE HOUSE

GUARANTEED DEBATING TIME FOR CONSTITUTIONAL MATTERS

MR. CHAIRMAN: The Government House Leader.

HON. A. ANSTETT: Mr. Chairman, can we please renew consideration then of the Report of the Standing Committee on the Rules of the House received by the Assembly on April 10, 1985.

MR. CHAIRMAN: Referring to the Votes and Proceedings of April 10, 1985, on Page 72, Paragraph 3 - the Honourable Government House Leader.

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

Mr. Chairman, last night we had an unfortunate example in this House of what can happen when members agree to rules changes and assume that those changes will come into effect, and then a change which, in last night's instance, would have allowed two members to request a formal vote in the Committee of the Whole House in Estimates. The change that is in these proposed rules had not been implemented, Sir, and that opportunity was denied to members of the opposition.

MR. CHAIRMAN: Order please. The clause under consideration refers to a guaranteed minimum debating time for constitutional amendments.

HON. A. ANSTETT: Yes, by way of introduction, Mr. Chairman, I am going to suggest the removal of this particular sentence in the report, looking forward to unanimous consent from members on both sides, since

I don't think members thought it was of any consequence to report that they decided not to do something at the present time.

I think members viewed it at the time in the Rules Committee, unanimously, as an inconsequential statement which was seized upon by one member of the House and blown into a debate, into which members on both sides then joined. I don't know why that happened. I think it's unfortunate. I think members on both sides of the House would just as soon deal with the Rules Committee Report without having the albatross of that debate hung upon the balance of the changes in the rules which all of us want to see proceed.

So, Mr. Chairman, I would then move that Paragraph 3 on Page 72 of the Votes and Proceedings of Wednesday, April 10, 1985, which outlines the Report of the Committee, be struck out.

MR. CHAIRMAN: Is that agreed?

The Honourable Member for Virden.

MR. H. GRAHAM: Mr. Chairman, I want to speak to the proposal that is put forward by the Honourable Government Leader. What the Government House Leader is suggesting that a recommendation of the committee and we have to look very carefully at the wording. That particular clause says, "Your committee considered the matter of a guaranteed minimum debating time for constitutional matters, and recommends that the consideration of this matter be deferred."

Mr. Chairman, if we're going to remove that from the Rules Report then we had better deal with the matter now because this is what the Government House Leader is recommending, that we do not defer it, that we make the decision now. That is what he is removing from the report, that this matter be deferred, so we'd better start to deal with the matter now.

HON. A. ANSTETT: Let's have a Rules Committee meeting next week then. You're the ones who asked that it be deferred.

MR. H. GRAHAM: Mr. Chairman, we have the Rules Report before us at the present time. Does the Government House Leader want to stop dealing with the report now and call the Rules Committee again so we can deal with the matter there? Is that what he's suggesting, that we hold up the passage of this report or is he suggesting that we go ahead and deal with the matter of the constitutional debate? I suggest that maybe we should deal with the matter of a guaranteed minimum time for constitutional debate.

Mr. Chairman, once again I want to go back to the very logical proposal that was put forward by my friend and colleague here when he put forward a suggestion and at that time you were not prepared to deal with it. You wanted it deferred, so now you're removing that.

MR. CHAIRMAN: Order please. The Government House Leader on a point of order.

HON. A. ANSTETT: On a point of order, the Member for Virden both misrepresents, in his remarks prior to his last statement, what I said in moving the deletion

of this item because it had obstructed the whole Rules Committee Report and suggested that the Rules Committee could deal with that. Now he's suggesting that I deferred this item, when that motion in committee, of which he is a member, was made by the Member for St. Norbert. That's not only misrepresenting, that's irresponsible.

MR. CHAIRMAN: Order please. I appreciate the clarification of the member. It is not a point of order. The Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Chairman. No, we're down to the very suggestion that he's making, that we remove that paragraph which asks that we defer making a decision on a guaranteed minimum time to debate constitutional matters. I happen to agree with him. I think we should remove that but, at the same time, we have to put in some provision for dealing with constitutional matters.

HON. A. ANSTETT: Did you change your mind again?

MR. H. GRAHAM: Not at all. We have to deal with that because that was the subject matter that was of prime importance to the Rules Committee and we spent a great deal of time. Now the Government House Leader doesn't want to defer making that decision, so we had better make that decision now.

Mr. Chairman, once again I ask the members of this Chamber to consider very seriously the proposal of my colleagues in that matter. And what was that proposal? Well, basically, Mr. Chairman, the proposal was that after the sixth day of debate that there would be then time for public hearings and that was where there was a great deal of consternation in committee, whether it should be at that time or earlier and that was where we had the great trouble. But I think the proposal of my colleague was one that was very forthright and honest.

He said, let us bring any constitutional matter forward. We will go through a debate. We're going to guarantee a minimum debating time but let's have that debate start and reach a certain point, and then we will hear the public representation. Not before or not afterwards, because afterwards is too late, but it should be done some time during the time that matter has already started to be debated in the House and before we have reached the final conclusion.

So I would urge all members to support my colleague's recommendation in that respect and I thank you, Mr. Chairman, for the opportunity of making those few remarks.

MR. CHAIRMAN: The Member for St. Norbert.

MR. G. MERCIER: Mr. Chairman, we have now before us, by the Government House Leader and a member of the Rules Committee, an extraordinary motion that a section of the report of the Rules Committee be struck out so as to rule out any further debate with respect to this matter in the Rules Report.

HON. A. ANSTETT: No, you can debate it right now.

MR. G. MERCIER: Exactly what we're going to do.

HON. A. ANSTETT: But you can also put it on the Rules Committee agenda again. You guys took it off.

MR. G. MERCIER: Mr. Chairman, the Government House Leader says that we took it off the agenda. I acknowledge, sir, that I made a suggestion that, in view of the government's position, which was in opposition to the motion that I had suggested with respect to public hearings, and the Government House Leader

HON. A. ANSTETT: Tell the truth.

MR. G. MERCIER: I will tell the truth, through you, sir, to the Government House Leader. The Government House Leader did not agree with my amendment with respect to public hearings. The Government House Leader indicated that, in his opinion, he wanted an amendment that would allow public hearings to be held when the House was not in Session.

As an example of that, I indicated that what could happen with the Government House Leader's proposal was that public hearings could be called on a constitutional amendment, for example, during the summer months of July and August, in the event that a decision was made by the Supreme Court on the matter before it with respect to the government's proposed amendment to the constitution on language rights, those public hearings could be held while members of the public were away on summer vacation and otherwise occupied during the summer months and that could be this government's version of all of the input the public could have with respect to any proposed constitutional amendment. Then, a Session of the Legislature could be called in September for 10 days debating time and with the government's rules with respect to limitations on bell ringing, the government's proposed amendment could be passed in the month of September.

We indicated, Mr. Chairman, that that was not the procedure that we wanted to follow with respect to any amendments to the Constitution - amendments of any kind. We felt strongly that public hearings should be held at some point in the middle of the debate on the proposed constitutional amendment just as is done with respect to bills, because as the Government House Leader indicated in committee, the government might present one form of an amendment to the Constitution at the beginning of public hearings held while the House was out of Session, and then after the public hearings introduce another form of that amendment into the House, which might be quite different from the form of the amendment that the public was asked to comment on during the summer months and then the public would have no right under their version of the proposed rule change to comment on the revised form of the constitutional amendment during the limited ten-day debate on constitutional amendments as proposed by the government.

That's why, Mr. Chairman, we had serious reservations about that procedure and that process and I indicated that we would not agree to that process and if that's what the government wish to follow, obviously, there was a question of trust and confidence of the people of Manitoba in this government and that any decision

on the matter should be deferred until after the next election.

I believe - I stand to be corrected and I'll accept the Minister's word - the Government House Leader made the actual motion to defer consideration of this matter. Now, this paragraph, my suggestion and I believe the Government House Leader's indicating from his seat that he did make the motion? — (Interjection) — He's indicating there is no motion. It was simply agreed as an agreement with the suggestion I made in committee.

Now, we have, Mr. Chairman, the report of the Rules Committee before the House with this paragraph that has caused a certain amount of debate in the House on this committee's report, and justifiably so, and I believe that two or three times when the Government House Leader has called the Rules Report, there has been debate with respect to this particular item. Now, we have again, Mr. Chairman, this extraordinary motion by the Government House Leader to strike out a paragraph of the Rules Committee Report, so as to rule out any further debate by members of the House on this important matter.

Now, I guess, Mr. Chairman, that's — (Interjection) — I believe the Government House Leader indicated he wished not to have this matter discussed any further and that's the reason why he is moving that this paragraph be struck out.

Now, Mr. Chairman, I suppose once again this type of action by the Government House Leader is in keeping with the September 15, 1983 decision of Cabinet to defer any discussion of any controversial nature wherever possible and it has been 18, 19, 20 months along and is still a practice being followed by the government. If there's anything controversial which does not affect a key constituent group, then defer it, defer any discussion, certainly, Mr. Chairman, until after the next election. Now, we have the Government House Leader following carefully, Mr. Chairman, that procedure by making this extraordinary motion of standing up to strike out a paragraph of a report of the committee so as to rule out further debate.

Mr. Chairman, I think this motion should certainly be defeated. Members of the House should be given every opportunity to continue to speak to this important matter. The members of this House want to discuss this item. Members of the government obviously do not. They want to put it on the back burner as they do other controversial issues that their hordes of political aides and communicators can't adequately deal with and communicate to the public of Manitoba until after the next election. The members of this side of the House, Mr. Chairman, are not going to agree to that. I want to tell the Government House Leader that we will continue to debate, Mr. Chairman, his motion to strike out this paragraph of this report. We'll continue to debate it for a long, long time. We on this side of the House will simply not agree to this type of action by the Government House Leader that attempts to defer any discussion of this matter until after the next election.

INTRODUCTION OF GUESTS

MR. CHAIRMAN: Before proceeding, I would like to draw the attention of members to the gallery where we have a group of 40 students of Grade 5 standing

from the New Era School under the direction of Miss Poppy Smeltz and Mr. Gilles Tardiff. The school is in the constituency of the Honourable Minister of Employment Services.

On behalf of all members, I would like to welcome you here today.

The Honourable Government House Leader.

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

Mr. Chairman, I am both amused and saddened. We have heard a regurgitated harangue from the Member for St. Norbert. I expect that we will hear the same thing from other members opposite if this debate continues.

Mr. Chairman, I have to tell you the debate's not going to continue. — (Interjection) — I don't intend to call this motion again after today until the end of the Session. In fact, it can die on the Order Paper. Mr. Chairman, members opposite — (Interjection) — with the exception of the Member for Sturgeon Creek . . .

MR. CHAIRMAN: Order please.

HON. A. ANSTETT: . . . can't have it both ways.

MR. CHAIRMAN: Order please.

HON. A. ANSTETT: Only the Member for Sturgeon Creek can have it both ways. The Member for Pembina can't have it any way.

Mr. Chairman, it's a question of integrity here; that's why I'm saddened. I'm amused . . .

MR. CHAIRMAN: Order please.

HON. A. ANSTETT: . . . that members opposite think they can play these kinds of games with this Legislature and with the Rules Committee. I'm amazed.

Sir, the very integrity of the role members of the opposition played on the Rules Committee has to be called into question in terms of the games they're playing today and that they've played with this report. They wanted some of these changes made. They wanted a great number of these changes made. We worked together. We hammered out a report that runs - we know at this point - more than half a dozen pages long, eight or ten pages long, deals with petitions for private bills, deals with an issue which certainly the Opposition House Leader and I are not completely pleased about, the question of limiting smoking in committees, Committees of the Whole. Certainly, we recognized, as did other members of the Rules Committee, the fact that there is a broader public interest at operation there. We agreed to that.

We recognized the need that the opposition has a limited opportunity when we have two committees sitting to call for formal votes or proposed to reduce the requirement in that regard - a whole series of changes for the benefit of members on both sides of the House; not an imbalanced set of rules changes designed to provide power in the hands of government. In fact, there's nothing in there that enhances government power. Every single rules change designed in these rules changes was specifically designed to make the House run more efficiently and guaranteed the whole intent

of the rules, which is to ensure that the majority is not in a position to govern and to make changes in the House without respecting the full rights of participation in debate by the minority. That's the intent of the rules, that's the intent of changes in the rules. Members opposite know that.

Members opposite agreed unanimously to this Rules Committee Report and then came in here and started playing games so that under the leadership, not of the Member for St. Norbert, not of the Member for Lakeside, not of the Leader of the Official Opposition, but under the leadership - the true leader on this issue of members opposite, of all people, the Member for Elmwood, who speaks for members opposite on the third paragraph on Page 2 of the Rules Committee Report. No one over there except the Member for Elmwood. What nonsense!

Let's deal with some of the remarks that have been by members opposite on this subject, and I think I have a bit of time. Mr. Chairman, the motion I moved was an attempt not to wipe out the debate, not to limit debate. In fact the very motion provides a second vehicle for debate and the Member for St. Norbert knows that. Not only can you debate the amendment, but you can then debate the actual clause once again after the amendment and continue that debate.

There is also no limit on debate in committee because any member can speak any number of times he wants. The Member for St. Norbert knows that. He knows that point of his argument has no merit and is nonsense. I'm surprised he would make it and that's why I question the integrity of him, as a member of the Rules Committee, coming into the House and to play that kind of game. I say, Sir, that he has not approached this issue in this House in the same way he approached it in the Rules Committee.

MR. CHAIRMAN: Order please, order please. It is not appropriate to question the integrity of any member of the House. All members are honourable members. The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Chairman, I believe the Honourable Member for St. Norbert has integrity and I cannot impute motives to him. I therefore have some difficulty understanding how that integrity can change for the Rules Committee, 50 feet that way into this Chamber, with a complete reversal on his position on this issue, to the point where the rules which this House wanted and which the committee wanted and passed unanimously, are now being denied to this House. And we've been threatened. We've been told this is going to be debated and debated and debated, every time it's called. Well my response to that is why bother calling it? If all the members don't want the changes that they all agreed to unanimously, I would not be the one who wanted to impose it on them, not by a long shot.

But what's even more illogical, first I don't understand how the rationale changed from a committee room to the Chamber, but what's even more illogical is that the member now says and the member for - this is really funny - the Member for Virden, a former Speaker in this Chamber, whose understanding of the rules and the Rules Committee role has obviously been dissipated by something over the last three years.

Mr. Chairman, the Rules Committee still has this item on its agenda. It was placed there by whom, Mr. Chairman? Not the Member for St. Norbert, not the Member for Elmwood, not the Opposition House Leader, but by myself, the Government House Leader over a year ago, or about a year ago, when we were discussing the whole question of certain rules changes regarding the limiting on division bells.

There was a discussion here, a proposed amendment in Committee of the Whole; that amendment died in Committee of the Whole. I made an offer and kept that offer and placed the whole question that the Member for St. Norbert and others had raised, and with which I agreed in principle, and the whole of our government caucus agreed in principle, and that's the matter referred to in Paragraph 3, to which an amendment is proposed.

We discussed that in committee; we discussed it at great length in committee.

MR. CHAIRMAN: Order please.

The Member for St. Norbert on a point of order?

MR. G. MERCIER: On a point of order, Mr. Chairman. The Government House Leader has indicated that I have argued a different position in committee than I have argued in the House. My position in committee, Mr. Chairman, was in support of the amendment that I had proposed in the House and was referred to the committee. My position is still the same.

The Government House Leader did not agree with that position in committee and that's why the matter was deferred, and I've continued to argue the rightness of that position that I took in committee.

MR. CHAIRMAN: Order please. A difference of opinion is not a point of order.

The Government House Leader.

HON. A. ANSTETT: Mr. Chairman, I am saddened that the honourable member can't take his licking and sit. If he wants to use a point of order and abuse the rules of this House to get up on a spurious rule of order and play some kind of game in here, then he shouldn't even be on the Rules Committee. As the former Government House Leader in this House, he shouldn't even be on the committee. Let's talk about what he said in that committee.

MR. CHAIRMAN: Order please.

HON. A. ANSTETT: Let's talk about what he said in that committee.

MR. CHAIRMAN: Order please, order please.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Order please, order please. Order. Are the members ready to proceed?
The Government House Leader.

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

Mr. Chairman, whether the Member for St. Norbert likes it or not, the transcript of the Rules Committee

refutes what he just interjected in debate as a point of order. The transcript of that committee very clearly states that he suggested the matter be deferred.

MR. G. MERCIER: Because you wouldn't agree with

HON. A. ANSTETT: Yes, because he couldn't have his way. The Honourable Member for St. Norbert couldn't have his way so he said, "Let's defer the item." Well that's not the way the Rules Committee works. We work out, we hammer out compromises, we've done that in the past; because the honourable member wanted it deferred, in fact he didn't even want it left on the agenda. He said he wanted it deferred until after the next election.

We suggested it could be left on the agenda and brought forward at any time. In fact, and I'm sure the Honourable Member for St. Norbert knows this, when we discussed - the Opposition House Leader and myself in the middle of April - the scheduling of the next meeting of the Legislative Assembly Management Commission and the next meeting of the Rules Committee, I was advised that there was no urgency for a further meeting of the Rules Committee, which is fair comment.

If members opposite really want to debate the item referred in this third paragraph, they'd want to have a meeting of the Rules Committee but there's no urgency. Why is there no urgency? Because they want it their way or no way.

MR. H. ENNS: That's right.

HON. A. ANSTETT: And the Member for Lakeside now says, "That's right." Mr. Chairman, that's not the way the Rules Committee operates and members know that, and the Member for St. Norbert wasn't prepared to compromise one bit from a fixed position he proposed in this Chamber almost a year ago. There was no modification whatsoever.

We had an extensive background paper done by House staff with regard to some of the other matters that members opposite raised, which totally repudiated some of the nonsense they were suggesting on this very issue, the questions of something more than a simple majority vote, including legal opinions from constitutional experts. But, Mr. Chairman, they persisted in their nonsense.

Finally we agreed that to expedite getting these rules before the House, so the House business could be expedited in Private Members' Hour, with regard to private bills and petitions, with regard to Committee of Supply, with regard to a variety of other smaller and more minor items, we would defer that item. We said, "We'll defer it till the next meeting. We'll leave it on the agenda." What did they say? "Forget about it till after the next election."

A MEMBER: You're kidding!

HON. A. ANSTETT: Well that was a presumptuous arrogance but that doesn't surprise me. I'm getting used to it. Why would they want to delay it till then? I don't know. I think they were getting caught on a

hook by their Leader, the Member for Elmwood. I think they were worried that if they didn't continue to defer this item, the Member for Elmwood would blow it out of all proportion on them, and he's done it again. And today they had to continue that battle that he started as their surrogate. Well, when it comes to choice of surrogates I thought the Member for St. Norbert had a little more sense. I can't give him that credit now. Any faith I had in his was lost when he followed that surrogate leader.

Mr. Chairman, now — (Interjection) — the Member for St. Norbert is suggesting that somehow my motion is an attempt to dodge debate, when what I said in my remarks was that I understood that this paragraph was an obstruction to passing the report; and to accommodate the concerns of honourable members I was prepared to call a meeting of the Rules Committee, prepared to ensure that it came up on the agenda if they'd changed their mind. Now, I don't know if they've changed their mind. Do they want it deferred forever? Do they want it deferred one year, one month or one week? You tell me. We'll call a meeting of the Rules Committee. Do you really want to discuss that item or do you want a regurgitated harangue of what's gone on the last year and a half?

I suspect the latter. I suspect there's no intention on the part of members opposite to seriously discuss the issue, because it hasn't been discussed in the House, in Committee of the Whole stage, the three or four times this item has been called. There's been no attempt to try and rationalize or compromise on the very minor differences that existed at the committee stage, very minor differences.

Mr. Chairman, members opposite have been hung up on this whole question. But what they did was they obstructed the passage of a report with a non-statement, a statement that said, we discussed something, couldn't agree and deferred it. That's what the report says. Is it the intent of honourable members opposite to then decide the matter at Committee of the Whole? Are members opposite telling the House that those people they sent to the Rules Committee didn't have a clear enough mandate and couldn't do the job so they need all 23 of them plus the Member for Elmwood, to solve something they couldn't solve in committee? That's a terrible admission for the Member for St. Norbert, if that's his rationale.

A MEMBER: I think that's his rationale.

HON. A. ANSTETT: I can't believe that. It's got to be just that he wants to regurgitate the old 18-month harangue. Mr. Chairman, I think that's irresponsible.

A MEMBER: Not much integrity either.

HON. A. ANSTETT: Mr. Chairman, I think it's irresponsible, very clearly, because it denies the House the work of nine members on that committee. Mr. Chairman, that's a shame. It denies the House the benefits of some positive changes that were suggested by the Member for Turtle Mountain. The most significant changes in this Rules Committee Report came out of suggestions made in this House at the last Session by the Member for Turtle Mountain for the reform of Private

Members' Hour; and we only went one step on that. We didn't go nearly as far as he would have liked because members in Rules Committee weren't completely positive as to how far we could go.

We propose in this report a trial period to last - what? - for the balance of this Session.

A MEMBER: Reasonable.

HON. A. ANSTETT: Very unreasonable, if this report doesn't get considered again this Session or gets passed the very last day of the Session.

A MEMBER: Wipe the tears from your eyes, Andy.

HON. A. ANSTETT: I wouldn't take the chance. There's probably chloroform on the Kleenex.

A MEMBER: You can't knock out something without a brain.

HON. A. ANSTETT: That's why you've never been hit with a baseball bat.

Mr. Chairman, the sad part about what's happening here is that the Honourable Member for St. Norbert and some of his colleagues - I don't know how many, certainly the Member for Viriden, although even members on the other side are never sure where he's coming from so I don't know exactly where he stands on this issue, except to buy the Honourable Member for St. Norbert 10 minutes so he could consult the report; but certainly the Member for Elmwood - have no desire, in my opinion, to see this report obstructed. I would never impute that motive to them. Their desire is to have a good debate on that third paragraph, and if they had a mechanism for that debate, outside of this report, we could pass this report this afternoon. It would pass - bang! - no questions asked.

- The balance of the report, I believe all members agree, is good. If you don't like it, bring in a Private Member's Resolution and we can have that debate and you can have your regurgitated harangue, but don't obstruct this report for that purpose.

Mr. Chairman, if honourable members want to have that debate, every member on the other side can come to Rules Committee and speak and debate and regurgitate the harangue. They don't have to do it here, and there's a transcript too, so they can send it to their constituents and all those people who want to read those nice words; but they don't have to obstruct the Rules reform in this Chamber and they don't have to follow the leadership of a surrogate who's going to do nothing but get them into trouble.

I'm surprised. In fact, maybe I'm not surprised. The Member for Tuxedo, the Leader of the Official Opposition, obviously has not participated in this debate for the very obvious reason that his leadership on this issue has been usurped by someone who, as far as we know, is not yet a member of the opposition caucus.

Mr. Chairman, it's a very sad day when an offer to get through the House a Rules Committee Report receives a response which is an attempt to continue an obstruction when members on both sides want the report. My offer, Mr. Chairman, was purely an offer to get the rest of the Rules Committee Report through

this Chamber. That was its intent, not to kill it, not to see it die - but to get it through the Chamber. Mr. Chairman, I wanted to accommodate the concerns of members of the opposition.

They had concerns about one paragraph, but now they want to kill the whole report. Mr. Chairman, they're the ones who are hung up; they're the ones who have a problem with that one paragraph. The offer to take it out was to accommodate their concern. They don't want that concern accommodated, Mr. Chairman. They want to regurgitate the harangue. What a disaster. They have all kinds of ways of doing that. They can bring in Private Members' Resolutions. They don't want to do that; they don't want to expose those wounds; they don't want to play that game. The only person who benefits from that is the Member for Elmwood and they know that as well and they've been running from it as fast as anyone. They've been running from it fast ever since last September 4th and the Member for Lakeside knows whereof I speak, as does the Member for Morris, who had to look at someone breathing down the neck of his Federal MP last September 4th, someone who was coming from a corner they never expected.

Mr. Chairman, that's why they don't want to play this, but that's why they had to respond to that surrogate leader who usurped the Member for Tuxedo. That's their problem. Mr. Chairman, I have no desire to force anything on members. Rules Committee Reports, under every circumstance, with very rare exception, should be passed by consensus. I've always believed that. I regretted last year we didn't have complete consensus on one change and I still regret that; but there is absolutely, Mr. Chairman, no question that these rules, all of them, including the paragraph that is a compromise I'm proposing to remove.

All of these changes had the unanimous consent of the members of the committee and had the unanimous consent of their caucuses, because those reports in draft form, went back to the caucuses in the hands of the members of that committee to ensure that that report had the unanimous consent of the members of both caucuses, and it did.

So, Mr. Chairman, what's the hangup? The hangup is that members opposite have a problem and because they can't resolve their problem, the whole House is going to be denied an opportunity to have some very positive but non-substantive changes in the rules. They're not going to totally revolutionize the way we deal with House business, but there will be some changes that mean something in terms of the way things get done in this House and the way private citizens of our province are able to deal with the Rule Book for the passage of private bills. All of that's going to be denied, because members opposite have changed their minds. They no longer agree that something should be deferred. They want to fight it out on the floor of the House. They agreed it should go to the Standing Committee on the Rules, but when they couldn't win their battle there, when they couldn't get their act together there, when members who weren't on the committee for some reason forgot that they had the right to come and speak in debate and they all could have come.

Mr. Chairman, all of those members were so concerned that they're now prepared to deny themselves the right to split the formal vote requirement

in Estimates Committee. Mr. Chairman, it's a pretty sad day for members in this House when the bottom line in this Rules Committee Report was consensus, when members opposite, under the leadership of the Member for Elmwood, deny that consensus, disrupt it, change it and then want to do something which was completely anathema to them, Sir, in the Rules Committee. They did not want to deal with this issue. They said they wanted it postponed and now they've changed their minds. They now want to deal with it.

I'm appalled, Mr. Chairman, and I'm saddened.

MR. CHAIRMAN: Order please.

The hour is 12:30. Time for Private Members' Hour. Committee rise. Call in the Speaker.

IN SESSION

The Committee of the Whole has met and considered Bill No. 21, An Act to amend The Financial Administration Act and reports the same without amendment; and the Report of the Rules Committee, reports progress and begs leave to sit again.

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, I move, seconded by the Member for Inkster, that the Report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The time being 12:30 and Private Members' Hour, the Honourable Government House Leader.

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

I beg to move, seconded by the Honourable Opposition House Leader, that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:00 p.m. (Monday).