

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

10:00 a.m., Wednesday, May 23, 1973

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 46 students of Grade 9 standing of the Earl Grey School. These students are under the direction of Mr. P. Sloan. This school is located in the constituency of the Honourable Member for Crescentwood.

And we also have 50 students of Grades 7, 8 and 9 standing of the Ste. Agathe School. These students are under the direction of Mrs. Bahuaud and Mrs. Rioux. This school is located in the constituency of the Honourable Member for Springfield, the Minister of Health and Social Development.

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

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports. The Honourable Minister of Mines and Resources.

TABLING OF REPORTS

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I'd like to make available for honourable members of the Economic Development Committee, a report which was prepared by the Receiver-Manager of The Pas relative to the Churchill Forest Industries. I explained, Mr. Speaker, that the Receiver in his statement indicates that a detailed summation for the year ending December 31, 1972, including audited financial statements, will be available at the end of May. Now this has continually been public information, Mr. Speaker, but the Receiver did prepare a report for the Committee on Economic Development and I would like to table this so it could be made available to members of that committee.

MR. SPEAKER: Any other tabling of reports or ministerial statements? Notices of Motion; Introduction of Bills; Oral Questions. The Honourable Leader of the Opposition.

ORAL QUESTION PERIOD

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, my question is to the House Leader first and it arises out of the tabling of the report. Is it not the government's intention to call the Standing Committee on Economic Development before the session is dissolved?

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I indicated about a week ago that we were proceeding in accordance with the priorities at the present time and as to what will eventually occur it would be impossible for me to say, but the present priorities are to deal with the bills that are before the Legislature, the concurrences and the legislative committees, that is, the committees that deal with legislation.

MR. SPIVAK: To the House Leader. I wonder if he can indicate whether the government does not consider the hearings to be held by the Standing Committee on Economic Development and the cost of living as being a priority item?

MR. GREEN: Mr. Indicator--Mr. Speaker,--I guess it gets to all of us--Mr. Speaker, I indicated what our priorities were.

MR. SPIVAK: Mr. Speaker, my question is to the Deputy Premier. I wonder if he would be in a position to indicate whether the government would table in the House the submissions to be made in Ottawa today in connection with the Dominion-Provincial Conference so that we'd have an opportunity of being in a position to assess the statement that Manitoba is making.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): I think it would be improper for me to do so, at least until the conference is over, Mr. Speaker. The First Minister--the caucus only started this morning and it is my understanding it will go on for a day or two, so I think it would be improper, in view of the fact that the Premier is making the presentation, to table it in the House at this time.

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MR. SPIVAK: Well, I wonder, Mr. Deputy Premier, I wonder if he would indicate whether the government would not be in a position to table this in the House at the same time that the matter is tabled in Ottawa and made public, so that we'd have the benefit of the actual submission.

MR. PAULLEY: Well, I haven't them at hand right now, Mr. Speaker, in answer to my honourable friend, but if the documents become public over the noon hour or at the start of the conference, I certainly will give consideration to the point raised by my honourable friend.

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

MR. GREEN: Yes, Mr. Speaker. Would you call Bill No. 59, Mr. Speaker.

GOVERNMENT BILLS - BILL NO. 59

MR. SPEAKER: Proposed motion of the Honourable Minister of Health. The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Well, Mr. Speaker, Bill 59 seems a fairly simple act on its first scrutiny, but some of the amendments represent important changes in the government's position. To include the retarded is of course to remedy an oversight of many years' standing. With institutional care being questioned as to its effectiveness in helping these disadvantaged people have a meaningful life according to their particular abilities and the rise in popularity of community residences, there seems to be a proper provision.

Regarding persons applying for welfare, these parents' resources, financial resources, are not applicable, and it's interesting that within this act the person who seeks further education trying to improve himself and bring himself out of the welfare situation, has his parents' financial resources taken into consideration, so that in effect this bill will discriminate against the person who is seeking further education and trying to equip himself to earn a living, and I doubt if this sort of discrimination is intended but I think it's one of the side effects of the provisions of this bill.

The special care, which is defined, applies to the dependents of a welfare recipient or applicant. I suppose that dependent could be a parent or a spouse as well as a child, and this might have some interesting connotations.

I feel it's a real victory, that the government has seen fit to consider the incomes of both partners to a common law relationship in determining their eligibility for assistance; this certainly should stop one abuse of the welfare system and one which I have brought to the attention of this House on a number of occasions. I'm glad that the government has seen the light and that this provision is being included in the bill.

I think the taxpayer particularly resented seeing a man move in with a woman who was on welfare, without his resources being taken into consideration before the assistance was continued.

The regulation by Cabinet concerning--or providing retroactivity in the cases of benefits from certain types or classes of income puzzles me. The Minister has said that this refers to the Old Age Security and the Guaranteed Income Supplement. The regulation may exclude or include these particular classes of income. I would like to hear some explanation from the Minister as to why this particular regulation is under consideration. Well, I think I would not elaborate on that point any more, but I would ask the Minister to give us some further information if he can as to the interpretation of that clause. I believe that's all I have to say at the present time, Mr. Speaker.

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

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield): Mr. Speaker, in just a few words I would like to attempt to answer the questions of the Honourable Member for Fort Rouge.

I would like to thank her for her contribution on this bill. The financial resources of parents are intended to be taken into consideration if the parent or the parents do desire to keep financial responsibility of their children. If they so indicate that they will not, say, keep on being responsible financially for their child, they will have to put this in writing to the office of the Department of Health and Social Development, and that is the intent of the clause within the act. We can't do this by regulation. We attempted and we were challenged in the court, and we lost in the court on one of those cases, so this is the reason why we included this in the act.

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(MR. TOUPIN cont'd)

As far as the financial responsibility of an individual for a common law relationship, again this was actually something attempted by regulation and was challenged, and we felt it had to be put in the act because you can't do by regulation what is not allowed to be done by the act itself. So this is the reason why we included the section in the Social Allowance Act.

The passing out of benefits that we were talking of, an increase, say, in the Old Age Assistance plan, that can be passed on by the Department of Health and Social Development. The amount will be decided by regulation because we never know the exact amount that is to be passed on by the Federal Government, and in turn we had to amend our regulations allowing this to be passed on to those affected. This could equally apply to an incentive scheme. During the estimates I detailed the intention of the government to have a work incentive scheme that will actually allow individuals to keep to an amount of 30 percent of their earnings. That could be changed by regulation and that section of the act will allow that to be done by regulation. We did not have all the authority needed within the act to allow us to do all of these things by regulations, and this is the reason why we brought it forward in Bill 59.

Mr. Speaker, I do believe sincerely that possibly other members that are not in the House this morning would have had contributions to make on Bill 59, and hopefully that some of them will be in committee when this is discussed clause by clause, where I'll attempt to answer most of their questions. Thank you.

MOTION carried.

BILL 49

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I understand that the Opposition is prepared to deal with Bill 49, although the Member for Charleswood is not here. Bill No. 49.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, the Member for Charleswood indicated to me last night that he was unable to make it here this morning and that he would be willing to allow the bill to go to a vote at this time, Sir. Since he's not here he won't of course debate it further.

MR. SPEAKER: Is it the pleasure of the House? The Honourable Leader of the Liberal Party.

MR. I. H. (Izzy) ASPER (Leader of the Liberal Party) (Wolseley): Thank you, Mr. Speaker. The Liberal Party will support Bill 49 moving into committee, but with the admonition to the government that while Bill 49 makes some step forward in putting the civil servant into a better position, vis-a-vis others in the labour force, one cannot allow the occasion to pass without commenting that the civil servant in Manitoba, and the teacher, and certain others, do not have full portability of pension rights, do not have full vesting in the sense that modern labour-management relations dictate, and we would have hoped, Mr. Speaker, and we would urge this government, having a commitment to labour in general, the working man having paraded for so many years as the protector of those who work for a living as opposed to those who live from capital and so on, and management, to have done two things, two things that are so long overdue that a government with any sense of zeal for reform, I would have thought at this particular moment would have accomplished. The first, that a more reasonable vesting provision be built into the Civil Service and government service pension scheme, so that once a person contributes, a designated portion of the government contribution is absolutely vested.

Now you appreciate, Mr. Speaker, that in most—I don't know if I'm correct in saying most, but many of the provinces, certainly the key industrial provinces in Canada - Ontario, Quebec, Saskatchewan, I believe B.C., we have legislation known as portable pension legislation, and this does not apply to the civil servant in Manitoba. So he's deprived of two things still: (1) Vesting of the employer's contribution in a real sense, not in a nominal sense but in a real sense; and (2) Genuine portability. The Manitoba civil servant, any employee, whether it's in government or in industry, should after a specified period of time of guaranteed tenure, so to speak—five years is considered normal in the trade, some companies go as high as ten years—but at that moment the portion contributed by his employer, being the government, or his private enterprise employer, becomes vested. It is his. It is his to move with him when he moves from his job to the next job. The Income Tax Act of Canada is built around this

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(MR. ASPER cont'd) . . . . . concept. Portable pension plan legislation in the other provinces of Canada is built on that concept, and we take people, the civil servant, the teacher, who makes one of the highest forms of contribution to the community by working in the public service, which I still regard and I'm sure all members do as a most significant kind of contribution to their community, and we take them and give them a standard of pension protection lower, considerably lower, than that which general employees in industry, management, executives, at the same salaries, their position is less favourable.

Now, Mr. Speaker, what we would propose and we will propose in committee, that the government reconsider this legislation. What they've done is good, portability within government and so on, fine. But for heaven's sake, Mr. Speaker, we must have arrived at the time where we can say to people that work for government, the employer's contribution is vested; it's yours; it's not a case of your being a good boy and we'll look after your money. It's yours. If you leave the public service and go to an employer in private enterprise in a private sector, you take the government's contribution. Now that is the minimum one should expect in 1973. My honourable friends opposite will say, "Ah, but no government does that." That's true. No government does that. That has been the excuse of this government for every failure to progress, that either "nobody ever did it before" or "this is the way everybody else does it," or "this is what the Conservatives did when they were in office," or blame it on the Federal Government, or it's never their fault. Here is an opportunity, here is a genuine opportunity to change for Canada, and for all of this country to see, the entire concept of public service and the pension in public service.

Now, Mr. Speaker, it has become a common trend in the past decade in this country that when anyone works for an employer he can expect that after five years not less than 50 percent of the employer's contribution will vest. That's the worst kind of pension. There are many more and like kinds of pension plans. And then ten percent per year for the next five years vests, so that after a man or woman has spent ten years with an employer the employer's pension contributions should be - and this is a minimum - 100 percent vested. And after he's achieved that, Mr. Speaker, not only should it be vested but the paternalism ends at that point and should that employee move from one employer to another he actually takes his cash, and his employer's cash, and the income that's accrued on that cash. And it goes into a new pension plan. That is the minimum standard.

And when he retires the minimum standard of pension that we should be insisting on in this country, and have achieved generally in industry, is a pension of 70 percent of the best six years' minimum. Now, Mr. Speaker, that would be a - I may as well say, that should there be a Liberal Government that will be our minimum pension standard benefit act. And we call on this government, whom we have regarded as a friend of the pensioner on so many other occasions, to respond, to bring in this legislation, to improve this Bill 49, and let us show the rest of this country what pensions should be. Let us set the example in this province, not only for governments but for employers. Let us also bring in not only pension standards for government, but let us do what Ontario did a decade ago and bring in portable pension legislation for all employees. With that caveat, Mr. Speaker, with that insistence that in committee we will again appeal to government to enlighten this legislation by making it possible for a civil servant contribution of government to be vested and portable, we will pass Bill 49.

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

MR. PAULLEY: At the offset, Mr. Speaker, we note that the Honourable Leader of the Liberal Party has returned to his seat. As he entered into the House he told me that one of the reasons he was away was because he'd lost his voice. He certainly has found it in a big hurry and --(Interjection)-- yes, but I didn't have to take time off my honourable friend, I am here. I appreciate very much the remarks of the Honourable Leader of the Opposition but I wondered whether or not that his two or three days' sojourn away from him threw him off base insofar as this particular bill is concerned. I realize fully what is the ultimate desire insofar as pensions are concerned. But when I introduced this bill, Mr. Speaker, I indicated that at long last - and I don't know whether my friend the Leader of the Liberal Party will accept this or not - that at long last because of the efforts of this government, and because of the co-operation between the government and its employees, not only insofar as the Civil Service itself is concerned but the Crown agencies as well whose members are under the Civil Service Superannuation Act, that we had shown a light to private industry in the Province of Manitoba. I know full

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(MR. PAULLEY cont'd) . . . . well that part at least of what the Honourable Leader of the Liberal Party had to say about legislation in other jurisdictions for I have it in my office.

I have caused, Mr. Speaker, a task force to be set up to look into the whole area of the possibility of portability of pensions within the Province of Manitoba, and I have announced, Mr. Speaker, that that work is ongoing. And yet my honourable friend says that in Committee he is going to ask us to change in order to bring about what he calls full portability and vesting in our pension scheme.

Well I want to warn my honourable friend, or forewarn him, we are not going to accept that type of an amendment in the Committee. I think all in this House with the possible exception of four realize the tremendous steps that have been taken since this government took office in 1969 insofar as the pensions are concerned. The other night I indicated the pleasure of the Government Employees Association whose president wrote me and expressed complete confidence, and expressed thanks to us for the changes we had brought about since we became government.

When we became government one of the first tasks that was given to me by my Premier was to check in to the pension scheme that we had and as a result pensions were increased in 1970, a cost of living bonus was rewarded to our retired pensioners for the first time ever in the Province of Manitoba. There is a provision in this Act, Mr. Speaker, to continue the payment of cost of living bonuses based on the cost of living index to our retired employees. There is a provision in this Act, if the Honourable Leader of the Liberal Party has not read it, to provide changes in the pensions of those who have retired at the present time by allowing them to consider the best seven of the last 12 years of their service, even though they have retired.

Now I don't know what sort of a game is going on, Mr. Speaker, in the Liberal Party, here we had the other day the Member for Assiniboia criticizing us, and in particular the Minister of Labour who is responsible for the Civil Service, because we didn't agree that the pension should be based on the best five years of the last ten, and now we have his Leader upon his return to this House pleading for the best six. Now it seems to me, it seems to me that there's a little auction sale going on within the ranks of the four members of the Liberal Party. I only wish to heaven, Mr. Speaker, that some time they would get together and talk to each other, and of course I can appreciate the fact that due to his absence the Leader of the Liberal Party is not aware of what's been going on in this Assembly, and in his typical fashion on his return he just says, if we are elected, we'll do this.

Well we've heard so darned many promises from the Leader of the Liberal Party, but I have grave doubts, or I have no doubts, Mr. Speaker, that the Leader of the Liberal Party is capable of getting that Party out from the wilderness. I think they are going to be there for 40 long years. They had the opportunity and of course my honourable friend would say well that's typical of you isn't it to criticize and condemn the Liberal Party and the Conservative Party and say, well you had your chance and you didn't use it. Well I guess that's fair game but, Mr. Speaker, talking of elections and talking about promises, we fulfilled our promises that we made four years ago; we told our Civil Service personnel that we would increase their log; we told the retired pensioner we would aid them to help overcome the problem of inflation by awarding and giving to the retired personnel a cost of living, so that their pensions would be treated in a different manner than that suggested by the Leader of the Liberal Party, who would have a set plan for once and for all without any possible involvement or increases as we are awarding by virtue of a cost of living bonus. --(Interjection)-- I beg your pardon? --(Interjection)-- That is what we have done. My honourable friend talks about the return of funds to the employee, Mr. Speaker. Before we took office if an employee left the service he got back just exactly to the cent what he put in, or she put in. I realize that the interest rate that we allow on a refund is very small, it's three percent, but, Mr. Speaker, three percent is a heck of a lot better than nothing that prevailed before.

So I reject the criticism of my honourable friend the Leader of the Liberal Party in his criticism. But I guess, Mr. Speaker, we can expect such utterances from my honourable friend because it does look as if there may be the possibility of an election in the not too distant future and--in the not too distant future, and my honourable friends opposite may have some small part to play in the naming the date of the election, some small part. And by their actions we'll consider when the possibility of that election will arrive.

For the first time, for the first time while we don't have full portability of pensions with private industry, and it's a matter and an area that government should not go into without full

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(MR. PAULLEY cont'd) . . . . consideration, and that's going on at the present time. We are bringing about portability of pensions between employees of this government, the Government of Canada, the Government of any province or territory of Canada, this government and an agency of the Government of Canada, an agency of the government of a province or territory of Canada, or of a municipality in Canada, a school division, school area in Canada, an educational institution in Canada, of a hospital or associated health facility in Canada. Mr. Speaker, I suggest that this is a big step forward in the matter of portability of pensions, particularly in view of the criticism levied constantly at this government because of the increase in its Civil Service and the increase in those engaged in public enterprises completely.

So in conclusion, Mr. Speaker, I'm glad that the Conservative Party at least indicate to me full support for the bill, and here the Liberals, who once upon a time had an opportunity of doing something failed to do, place caveats on this progressive step we are taking in Manitoba. I appreciate and I realize it may not be enough but enough is never enough for some people, particularly where maybe confronted with going to the people of Manitoba.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion? --(Interjection)--  
The honourable member have a point of order?

MR. ASPER: No. Will the Minister yield to a question, Mr. Speaker? The question is: if an employee works for the Government of Manitoba for ten years and retires, leaves what portion of the government's contribution does he take with him on leaving?

MR. SPEAKER: The Honourable Minister.

MR. PAULLEY: At the present time, Mr. Speaker, he takes his contribution, plus three percent interest, with him. But insofar as the government apportionment, there isn't any unless after that ten years he fulfills the requirements of the Civil Service Superannuation Act, and there is provision within it insofar as a pension is concerned.

But I don't know, Mr. Speaker, whether my honourable friend realizes that in the proposition contained within this bill the Government of Manitoba has assured the employees that on retirement and after retirement until the next actuarial survey is made that if there is a deficiency in the equal, the pay principal between employer and employee, that the employer has guaranteed to its employees that the benefits contained in this bill will not - will not be a requirement of the employee to increase their contribution, or his contribution, in order to achieve the full benefit. We have guaranteed that the province will assure, without additional contribution, more than even if they did receive a small amount back after ten years of service.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion? The Honourable Member for Thompson have a question?

MR. JOSEPH P. BOROWSKI (Thompson): Yes, I wonder if the Minister would answer a question. Could he indicate how this pension plan and the portable features of it compare to private plans, for example, one like the miners have at Inco at Thompson.

MR. SPEAKER: Order, please. May I indicate that questions must be to clarify what has been debated, not to open up new issues of debate.

QUESTION put and carried.

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I am not trying to make a Ministerial Statement but on the Questions of the Day the Honourable Leader of the Opposition requested a copy of the statement that the Premier . . . in the House, I would like to forward the copy to him, but admonish him and the House that I'm not attempting to make a Ministerial Statement that will call for a rebuttal.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 61 please.

BILL 61

MR. SPEAKER: Proposed motion of the Honourable Minister of Finance. The Honourable Member for Fort Rouge.

MRS. TRUEMAN: Mr. Speaker, I adjourned this bill for our Leader, the Leader of the Opposition.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I'd like to if I may recite part of the history of this bill by going back to last year at the time when it was presented to the House by the government, and

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(MR. SPIVAK cont'd) . . . . at the time that we raised certain objections to the way in which the government was both overtaxing the people of Manitoba, and attempting to in a razzle-dazzle sort of manner give back some of the money to the people itself. Mr. Speaker, we basically said at the time that the proposals of the education tax rebate as presented in the Legislature indicated that the amounts that were to be given would be given in only certain limited situations and that, in effect, we believe that the effort that was to be put forward and the cost did not warrant the kind of proposition that the government was putting forward and did not realistically have anything of a major redistribution of income principle involved.

Mr. Speaker, at the time we objected to the bill because we believed, and we still believe, that the proposals that we had for reduction of taxation warranted more serious consideration by the government and were superior to the government's proposal. Our original position, Mr. Speaker, was that if in fact a tax cut was to be brought forward with respect to municipal real estate taxation, with respect to education, that it should be directly on the tax bills, that this was a cheaper and more efficient way, and could accomplish the desired result. The members opposite thought that the proposal that they had was a better proposal and were more concerned, it would appear, to try and give the benefit back to the people in a way in which they could have been assumed to be Big Brother handing out its money back to the lonely taxpayer.

Now it's interesting, Mr. Speaker, because when we look at the present income tax proposal and the procedures that the government are following, we find, Mr. Speaker, a reversal of their position. In effect, Mr. Speaker, we find that the government has altered the position they took last year. Because this year, Mr. Speaker, they are applying the first hundred dollars, which is the minimum of the proposal, directly to the municipal taxes, and in fact are going to reduce municipal taxes for everyone by a minimum of a hundred dollars. So that what we have found, Mr. Speaker, is that the original proposition last year put forward by the government that the tax rebate system which would apply to income tax, and which would apply to a procedure in which there would be an income tax form filed, an education tax rebate form filed, and then a return to the individual has in fact been altered by a direct payment to the municipalities and to the cities so that taxes can be lowered.

And, Mr. Speaker, what that supports is our original proposition. What that indicates is that notwithstanding all the colour that they would like to give to their education tax rebate program they themselves have recognized the need for immediate direct tax relief to the people in Manitoba who have been burdened with a high level of municipal taxation, a high level of provincial taxation as well.

Now if I may, Mr. Speaker, I'd like to review our tax proposals, and in the context of our tax proposals be in a position to make some assessment as to what the government is doing. We believe, Mr. Speaker, that the education tax should be removed from all senior citizens homes owned or leased by them and used as their dwellings. And we believe that should be a direct action by government directly to the municipal taxing and city taxing authorities. In doing this, Mr. Speaker, we believe where you give immediate relief you have it known to the senior citizens that they are in that position where there is going to be relief given to them, and further, Mr. Speaker, you do not have the administrative costs nor the advertising costs that were attendant with this campaign of the government. And I'm going to talk about that in a few moments.

Secondly, we believe that the education tax should be taken off producing farmlands, in a direct way to the municipality and to the cities.

We believe, Mr. Speaker, that there should be relief to the homeowner but not through any razzle-dazzle scheme but in the direct way, as the government is actually doing this year by a direct payment into the municipal and city taxing authorities.

We believe that there should be a general income tax reduction in Manitoba, and the members opposite continually suggest that that is an unwise situation, that that is something that should not happen. Mr. Speaker, we believe that the people in Manitoba have been overtaxed and that there is a need and a reason for lowering taxation. Manitoba cannot afford to continually be the highest taxed province in this country. Mr. Speaker, Manitoba cannot afford to be the highest taxed province in the country, and all one has to do is look at the income tax form to realize that this is so. --(Interjection)-- All one has to do is look at the income tax form and see that this is true.

Mr. Speaker, we believe that there are alterations that should be made to the estate

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(MR. SPIVAK cont'd) . . . . and gift tax. Mr. Speaker, we believe that the husband and wife should be recognized as one economic unit and they should be able to transfer their assets during lifetime on death without any tax consequences. And we believe, Mr. Speaker, that in the interest of the family farm and the interest of the preservation of small business in this province that there should be an ability on the part of a parent to transfer the assets during life or on death to their children who will carry on the family farm or the business without any estate or gift tax implications.

And we believe, Mr. Speaker, as well, that there must be for the education tax portion on the commercial, that is the foundation portion on the commercial rate, a sliding mill rate which will take into consideration the smaller businesses and smaller undertakings throughout the rural areas, so that in effect they are not taxed in the same level as the major corporations in the City of Winnipeg. --(Interjection)-- I'm sorry. --(Interjection)-- Well, Mr. Speaker, I want to tell you I'm not dreaming because when we form a government we're going to put in all of these positions, and we're going to change, Mr. Speaker, the Tax Act and provide for all of this relief. And, Mr. Speaker, it can be done in a context of the amount of money that is now being used by the government in connection with the income tax proposals and education tax rebate program, plus, Mr. Speaker, a reduction of government spending which will provide for the kind of tax program that we support.

And, Mr. Speaker, this is our tax proposals, this is our tax proposal. It contains several elements. We believe we are correct in this; we believe we were correct last year, and we supported our position by voting against the government's bill. --(Interjection)-- Well, you know, the Honourable Member for Ste. Rose votes again. You have changed your position. You are not talking. . . --(Interjection)-- Oh, yes you have. I want to make it very clear to the Honourable Member for Ste. Rose. You have adopted our proposal because you are now paying a minimum of a hundred dollars into every municipality in the city, and you're paying that now, which was our basic proposal, because you recognized that the proposal that you had contained within it elements that were incorrect. Well the Honourable Member for Ste. Rose can, you know, gesture all he wants, you know, and it only exhibits at this point a certain ignorance on his part because all one has to recognize is that the government by their very action has in fact adopted the system that existed before and have in fact paid the money into the municipalities and the cities, and why have they done it? Not just because there's an election, Mr. Speaker, but because, Mr. Speaker, the people of Manitoba are not fooled by the actions of the government, are not that stupid to be conned by them into believing that somehow or another they are getting a benefit from the government. Nobody in Manitoba receives anything from the government without having paid it in one way or the other. The people of Manitoba have been overtaxed, they are now being given back their money; they didn't want to be overtaxed in the first place; they wanted to keep their money when they earned it in the first place, and, Mr. Speaker, I suggest to you that they resent very much the kinds of actions that the government have undertaken and, Mr. Speaker, all the government has done is minimize the consequences to themselves by in fact allowing a hundred dollars directly to be put on the municipal and city tax bills.

Mr. Speaker, the people of Manitoba are overtaxed and the only way in which you are going to stop that overtaxation is by stopping government spending. And the only way you're going to stop government spending is by cutting down on the waste and becoming efficient, and being able to transfer moneys from programs that are redundant and have no cost benefit to both tax reductions and to the establishment of a new priority program the government undertakes. --(Interjection)-- Let's hear about those redundant programs.

Last night I had occasion to indicate to the Minister of Industry and Commerce that his budget in four years had been increased by \$2,800,000, that in fact his staff has been increased, and Mr. Speaker, without question, there is no greater productivity out of his department than existed in '69. There is less effort being put forward than in '69, yet you have a budget increase of almost \$3 million, and, Mr. Speaker, that comes right out of the taxpayers' pocket, and that is a saving that could be made. And that's one department. And we'll go through all the others.

And, Mr. Speaker, the Minister of Industry and Commerce stood up yesterday and in defence of his position went back to '69, recited the business of the Summit Conference, made a few sarcastic remarks, but in no way justified an increase of 150 percent in his costs in the



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(MR. SPIVAK cont'd) . . . . last three years - four years. And, Mr. Speaker, this is typical of what has happened. The government has been allowed to grow; government has been allowed to expand; and government, Mr. Speaker, has been put in a position of being able to carry on without any kind of check and balance and control being exercised on it. And for this reason, Mr. Speaker, the people of Manitoba are paying and continue to pay through the nose.

Mr. Speaker, the government is presenting in this Income Tax Bill a measure of relief. We have not altered our position with respect to what we will do when we form government. We do not believe, Mr. Speaker, that the people want the kind of razzle-dazzle that the education tax rebate program has undertaken; and, Mr. Speaker, we know that the people of Manitoba do not want the kind of waste on government administration and advertising that this program has undertaken.

And I want to spend some time on this because we've now had an admission from the Minister of Finance that in effect this administration's advertising costs \$500,000.00. He's already admitted that. --(Interjection)-- Yes, he did. He said it cost half of what I suggested, and I suggested it was a million, which is an admission on his part that it's half a million.

Now I want to go through this very clearly. In October of last year the government by Order-in-Council, passed an Order-in-Council for \$600,000 to cover the administration of the education tax rebate program. When the First Minister was on television on 24 Hours he denied that there was any cost. Then when we produced in the Order-in-Council that was signed in October, he then said that his position had been misunderstood, and he tried to weasel out of it. But the reality is that there was \$600,000 of administrative costs for the education tax rebate. And, Mr. Speaker, that did not include, that did not include the advertising program that initially was undertaken.

We know, Mr. Speaker, that in terms of the advertising program that there were commitments for television, and there were commitments for radio, that were in excess of several hundred thousand dollars, and that can be proved, and they were placed by the NDP Advertising Agency. We know that they were to be conducted in January, February, March and April, and we know as well that as a result of the protest on the part of people, both to the nature of the advertising that was being conducted, and to the advertising itself, that the government toned that program down, and in fact cut it down. It did not cost the total amount but it was intended, they intended to spend that kind of money. And, Mr. Speaker, all of that money was a waste. All of that money was taking the taxpayers money and manipulating it in such a way as to give a gain for the New Democratic Party during an election period and a pre-election period. And the members opposite can stand up and say that it isn't so. The people of Manitoba are not fooled on that; they know that; they resent it. And, Mr. Speaker, that's another reason why they're going to be given direct tax relief by the government by the payment of a hundred dollars into the municipalities and the cities of this province. Because the government had to overcome a great deal of bad reaction, a backlash essentially, to the kind of waste and extravagance.

There's an arrogance on the part of the members opposite who seem to believe that because they have power they can exercise it in every which way, and that they can in fact promote, without any degree of responsibility to the people, their activities and their programs for this next election and essentially try to buy the people with their own money. The people of Manitoba are not stupid, Mr. Speaker, they know the government for what it is. There's no question that this has set the government back, and we'll see this when we get into an election, and we'll argue this when we'll get into an election. But, Mr. Speaker, as a result of that, that program was cut down. But by the Minister of Finance's own admission it costs \$500,000 - \$500,000 to essentially accomplish a result that we believe could be accomplished much better in the kind of direct payment so that taxes could be reduced.

So, Mr. Speaker, our position is this. We are going to support this measure; we are going to support this measure because this is a means of tax relief for the people. We support this measure because the government has altered and changed its position. Mr. Speaker, it has altered and changed its position because it is now paying \$100.00 to every person who pays education tax in the province, and it is paying it to the municipalities and the cities directly. We believe that our tax proposals are correct; we believe that our position is correct; we are not going to do anything that would jeopardize any kind of measure that will give the taxpayers of this province some relief. --(Interjection)-- Our friend, Mr. Dumbo from Radisson if he would just wait for a moment--Mr. Speaker, --(Interjection)-- Well, no we're not trying to . . .

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(MR. SPIVAK cont'd)

Well you know, Mr. Speaker, our friend from Radisson says we're riding both sides. What is he doing? Let's review what they're doing. They announced an education tax rebate program that would be involved and would be applied on the income tax. Now what have they done this year? They've announced that they're going to extend the program; they're going to offer additional relief; they're going to give back to the taxpayers some of their money; but what they're also going to do is pay directly to the municipalities and the cities a hundred dollars. Now why are they doing that? Are they doing that just because it's an election, or are they doing that because the people of Manitoba want the relief now? And I suggest to you, Mr. Speaker, that they have altered and changed their position, and I suggest as well, Mr. Speaker, that to a certain extent they've accepted the arguments we've presented.

We are not in a position, Mr. Speaker, to impress upon the government our tax proposals but we are in a position to indicate that the people of Manitoba have been overtaxed. We are not going to, you know, dispute any kind of measure that will relieve them from the excessive taxation of the present government, from its waste, and from its inability to plan properly so that the kinds of reductions can take place in the municipalities and the cities as well as in the provincial level.

But we are prepared, Mr. Speaker, to indicate that when we form a government we will eliminate the education tax from senior citizens homes owned or leased by them and used as their dwellings. We will eliminate it from producing farm land. We will provide relief directly to the homeowner without the razzle-dazzle and the administrative expense in advertising, and that will provide additional relief. We will provide for an income tax reduction which will come as a result of the savings we will make in the cut in government spending. We will provide that the wife and husband will be recognized as an economic unit and be able to transfer its assets back and forth during their lifetime and on death without any tax consequences. We are going to provide that the parent will be able, who owns a small farm and a small business, to be able to transfer during his lifetime, or on death, the small farm or the business to a child who will be prepared to carry on the family farm or the small business, and we will provide for a sliding mill rate for those too in the commercial area with respect to the education foundation programs. In this way, Mr. Speaker, we will provide the kind of tax relief that the people of Manitoba want.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion? The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I move seconded by the Honourable Member for Swan River, that debate be adjourned.

MOTION presented and passed.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: . . . call it again this afternoon, Mr. Speaker, and I think that there's an inclination not to have it adjourned again, so honourable members should be aware.

Call Bill No. 63.

BILL NO. 63

MR. SPEAKER: The proposed motion of the Honourable Minister of Health. The Honourable Member for Fort Rouge.

MRS. TRUEMAN: Mr. Speaker, I would ask that this bill be allowed to stand.

MR. GREEN: No.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. TRUEMAN: Mr. Speaker, on a point of order. This bill had second reading yesterday morning. We spent the afternoon in Law Amendments Committee. I was able to place the bill before my advisors on the way home at 1:30 in the morning.

MR. GREEN: Mr. Speaker, this is not a point of order.

MR. SPEAKER: Order please.

MR. GREEN: It's a complaint, it is not a point of order.

MR. SPEAKER: I must indicate to the House that when a member asks for indulgence, unless there is unanimous consent the bill either is proceeded with or voted on. The Honourable Member for Fort Rouge.

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MRS. TRUEMAN: Mr. Speaker, I assume that that consent was not given. Mr. Speaker, I have studied this bill, I think it is disgraceful that the bill is presented to us at such a late hour when there is so much detail in it and so much to be studied and I'm not certain that it's had the thorough study that it should on my part.

The government's intention to wipe out the premium for the Medicare of course is apparent in this legislation. I think that is a fine thing to be able to do, and it can be done simply because the government collects so much tax in so many other ways that everyone else is still paying for his medical care but it's no longer visible as one item. They no longer are able to tell what it costs or how they are paying it. The Minister in introducing this bill, on second reading rather, referred to the principle of the ability-to-pay being adhered to, but of course it's obvious that in wiping out this premium the ability-to-pay principle has been abandoned, so I don't know why the Minister still tries to say that they are following that policy. Then of course, under the Nursing Home provisions that are within the bill everyone is expected to pay \$4.50 per day which makes a deductible of \$135 a month. Now everyone pays this and yet the Minister says that they are following the principle of ability-to-pay, while obviously it is not so when everyone receives the same charge. I think that it's ridiculous to try to maintain that posture in the face of the provisions of this bill.

I note too that there is provision within this bill for the Cabinet to reinstate premiums or to require certain persons to pay them; the ability is there to change this again at the discretion of the Cabinet. The waiting period for eligibility I thought needed quite a bit of study, it was one of those things I wanted to refer back to. I trust that that provision is in respect to people who are nonresidents and that there is not a waiting period for the people of the province who live here now.

The budget review provisions for personal care homes. I presume that this refers to municipal and nonprofit agencies and that the penalties for additional charges do not apply, as they do not apply in hospitalization, to the separate, semi-private and private coverages. The penalty sounds a little forbidding. I would like the Minister to explain to us when he speaks again how all these provisions apply to the private agencies. Are they going to in effect become agents of the government; are their budgets going to be reviewed, are they going to be told what rates they can charge or are they also going to be left with an area that is still handled as a private institution? I would like some elaboration on that and perhaps by the time this bill arrives in Committee, I'll have had a chance to discuss it with my advisors.

MR. SPEAKER: The Honourable Minister of Mines and Resources.

MR. GREEN: Mr. Speaker, I don't intend to speak to the entire Bill. The honourable member has raised one question which I originally had hand in and I think that it should be explained to the House what is intended here. There is a section in the Bill which indicates that the Lieutenant-Governor-in-Council could impose a premium and could remit a premium, and when this type of section was originally proposed in 1969 in the summer, I advised the House that the reason that section was there was because the government was of the opinion that certain firms, whether for jurisdictional reasons or otherwise, would attempt to not pass the premium savings on to their employees; and I indicated frankly that that might be the posture that is taken by companies under federal jurisdictions. And as a matter of fact it was. The CNR, the CPR said that that law could not apply to them and there was protracted negotiations as a result of which it was settled and no premium was ever imposed. But we indicated to the House, and I know that the Minister is prepared to give his undertaking although he is acquiescing and - making the explanation because it was originally brought in that way by myself, that we undertook that no premiums would be imposed except to deal with that type of situation. Now if we don't have that in the bill, then there is no position for these people to argue in connection with a dispute, as I repeat, whether it is jurisdiction or otherwise. Now I know that the federal companies under federal jurisdiction will say that even if it's there it is invalid because it is an attempt to interfere with federal jurisdiction. Mr. Speaker, we have never ever accepted their position, we argued it out last time and we would like to be in a position to argue it out this time on the part of the employees, but the section is necessary.

All that we can say is that we asked you to trust us last time. It is a very difficult thing I know for a government to take a power to do something by Order-in-Council and then depart from the legislature, and I have spoken against that type of legislation myself; but it is sometimes necessary, and if it is misused, then we will have to answer to the people of Manitoba

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(MR. GREEN cont'd) . . . . for it. We have no intention that certain people in Manitoba will pay premiums and other people will not pay premiums, but we do hope that our legislation will work equitably for all of the people of Manitoba; and in some cases it may be necessary to have this equity achieved by getting the money from the employer who is presently paying and then giving it back to the employee.

Now we hope that will never occur. In 1969 we hoped it wouldn't occur, but for the honourable member to say that we should ignore it or that this is being done for the purpose of reimposing a premium is very, very unfair. It is not being done for that purpose. It is being done so that we can use every legal means that are available to see that everybody gets that premium reduction.

We told you that in 1969; that is the reason the section is there now. The government undertakes insofar as the government can make an undertaking, that it is not intended that certain people will pay premiums and certain people will not pay premiums.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I move, seconded by the Honourable Member for Arthur the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: I heard one yes and one nay. The Chair is in doubt.

MR. SPEAKER put the question and declared the motion lost.

MR. SPIVAK: Ayes and Nays, Mr. Speaker. We're going to be here all night.

MR. SPEAKER: Call in the Members. The question before the House is adjournment of Bill 63.

A standing vote was taken, the result being as follows:

YEAS

Messrs. Asper	McGill
Bilton	McGregor
Blake	McKellar
Borowski	McKenzie
Einarson	Patrick
Graham	Sherman
Henderson	Spivak
G. Johnston	Watt
F. Johnston	Jorgenson
Mrs. Trueman	

NAYS

Messrs. Adam	Barrow
Mackling	Boyce
Malinowski	Burtniak
Paulley	Desjardins
Petursson	Doern
Shafransky	Evans
Toupin	Gonick
Turnbull	Gottfried
Uruski	Green
Walding	Hanuschak
Jenkins	Johannson
McBryde	

MR. CLERK: Yeas 19; Nays 23.

MR. SPEAKER: The negative must be 20, --(Interjection)-- one didn't vote? I'm sorry. In my opinion the Nays have it, I declare the motion lost. The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): I was paired with the Honourable First Minister. Had I voted I would have voted in favour of.

MR. SPEAKER: I must inform the honourable member since his vote has been negated

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(MR. SPEAKER cont'd) . . . . he cannot speak on the original motion. (Beauchesne 165. 8) The Honourable Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, on a point of order. I think the precedents of the House will show on previous votes taken like this the person who has asked for the adjournment has been able to speak; and I cite my own situation approximately a week ago where in fact the House did permit me and was in fact the precedent that was followed then and I believe has been followed in others.

MR. SPEAKER: Not on a negative vote. The Honourable House Leader.

MR. GREEN: Mr. Speaker, the honourable member asked leave to have the matter stand; leave was denied and then he spoke, but not when there was a negative vote, and the statute order is quite clear. "A member who has moved or seconded the adjournment of the debate which has been negatived cannot speak to the original motion."

Now, Mr. Speaker, perhaps it is a bolt out of the blue to my honourable friend and perhaps people should be aware of it, and perhaps in the light of that, that honourable members would want to give the honourable member leave to speak, but not as a precedent which supercedes the rule. The rule is such--the honourable member is wrong when he says last week that's what occurred. When he moved adjournment last week he was granted adjournment; got up in the House the next day after moving adjournment, asked for leave to have the matter stand, that was refused, that wasn't a motion. And therefore, Mr. Speaker, if honourable members wish to give consent to the Leader of the Opposition to speak that is quite satisfactory; and perhaps it should be only satisfactory in view of the fact that the rule has not been invoked or people did not have recollection of it, but certainly not to change the rule. Therefore if the honourable member wishes to speak, go ahead.

MR. SPEAKER: Does the Honourable Leader of the Opposition have leave? (Agreed) The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, there are many who believe that television should be introduced into this Legislature, and who believe, Mr. Speaker, that by doing this we would convey to the public the true way in which democracy works. And, Mr. Speaker, I am sorry that we were not in a position to have television in this Legislature during this past hour.

Mr. Speaker, the critic for the Progressive Conservative Party on health and social matters - one of the critics - is the Honourable Member for Fort Rouge. She is one who I think has carried on her functions in a fair and proper manner.

MR. GREEN: Mr. Speaker, I rise on a point of order.

MR. SPEAKER: Order please. The Honourable Minister state his matter of order.

MR. GREEN: Yes, Mr. Speaker. I rise on a point of order. I know that last week this type of occasion was used not to discuss the bill but to discuss the way various members have used the rules of the House, and the honourable member has been given leave to speak on the bill. That doesn't put him in any other position than he would normally be in. But normally the rules of relevance are that he speak to the bill, and if he is going to use the next 40 minutes which is his allotted time, or indeed longer than that since he is the Leader of the Opposition, to talk about the manner in which this House is being conducted then I object now, Mr. Speaker, because that is irrelevant to consideration of the principle of the bill.

MR. SPEAKER: The point of order is well taken. I should also indicate to the Honourable Leader of the Opposition that in respect to that point of order the House operates by its rules and I try to adjudicate them as fairly as possible, by consensus and by co-operation of the members, and I do believe that a reflection upon what has occurred in the past would be a reflection upon the House which is not according to our procedure. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I am talking about the bill, I am talking about the concerns of the Honourable Member for Fort Rouge who is not in a position to express. She has expressed to me and which I am going to convey to the House, the reason why in her opinion she required the time for study, and I suggest the honourable members opposite may very well want that additional time to be in a position to study the bill.

Mr. Speaker, I have only had the opportunity of examining the bill during the time of the ringing of the bells and I have been in consultation with the Honourable Member from Fort Rouge who has indicated to me that one of the concerns and one of the reasons why she felt that the Bill required further study before commentary be made in this House because it was

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(MR. SPIVAK cont'd) . . . . introduced at 10:15 yesterday morning, it was dealt with in this House for second reading at 10:15 yesterday morning--was the fact that there are 25 sections of the present Act that are repealed and, Mr. Speaker, those 25 sections require a legal interpretation as to the significance and meaning. It is very difficult, Mr. Speaker, for anyone who does not have legal training to be in a position to understand the wording and the drafting that is presented with respect to amendments so that they are in a position to understand the full significance. But, Mr. Speaker, there are a number of sections in this particular bill that warrant consideration.

There is the provision, Mr. Speaker, for the reinstatement of premiums which the Honourable House Leader immediately jumped up and suggested that they would be fair on. But, Mr. Speaker, what that really means is that they can in fact reinstate premiums even for hospital care. Realistically, Mr. Speaker, the Bill contains sections almost entirely which are permissive, giving the government the ultimate authority to determine and make whatever decision they want. And I want it to be clearly understood that this Bill would provide for the imposition of any kind of premium to be introduced by the government even for hospital care, even for hospital care.

Now, Mr. Speaker, you know the government has prided itself on ability to pay; they have prided themselves on the principle that they have been able to bring in a tax system which would in fact provide ability to pay. Yet with respect to the question of the amount to be paid for nursing home and personal care they are providing a flat regressive amount to be paid by everyone. They are providing for \$4.50 a day by everyone regardless of their income level. They in fact are going against the very principle that they've tried to enunciate in their tax proposals throughout the last four years. It seems to me, Mr. Speaker, and I'm quite sure of this, like so many of the bills that have been presented and rushed into this session, they did not caucus with it, they did not caucus on it, they did not understand the impact, and the result is the Minister has introduced a principle which many of them fundamentally disagree with. In effect what they are saying, Mr. Speaker, is that the government by regulation will determine the amount which will be a flat premium to be paid by everyone regardless of their income position, unless they of course are indigents and unless they are being paid, Mr. Speaker, are being paid for by the state under the present programs that will be continued for those who do not have any income support or income on their own.

Mr. Speaker, we have to question the government in its judgment. And we have to suggest that they themselves have actually varied the basic principle which has been the linchpin of their taxation policies. Mr. Speaker, we live at a time when there is such a thing as the middle income poor in this province and in effect to a large extent the premiums to be paid, the amounts to be paid are going to affect them. So, Mr. Speaker, we are in this position: the desirability of nursing home care coming under Medicare is not one that can be quarreled with or one that would be objected to by this side. But, Mr. Speaker, the application of this and the obvious problems that are going to arise indicate that so much of what has happened has really followed the pattern that the government has undertaken in the last four years. They like to trade off on the rhetoric of reform; they like to be able to publicize and promote the reform; they like to be able to talk about it without having the slightest concept of how they're going to administer it and how they're going to deal with it or how the practical problems are going to have to be solved. And they trade off on this, talk about it and then when they get into the final application of trying to execute the policy they find extreme difficulty, and they find that in many respects they have had to alter some of the basic positions they've taken. That's been true of the issue on Community Clinics, that's been true on the issue of Corrections, and that also at this point essentially is true with respect to nursing home care, because it is not exactly as has been advertised; and it is not at this point being proposed in the same way as it was originally intended and it does not contain the kind of elements that in effect were suggested would be forthcoming.

So, Mr. Speaker, we're in this position; we have to deal with this bill without the opportunity realistically of being able to have the professional advice and opinion that would assist us in dealing with it intelligently both here and in the committee; we are then going to have to put ourselves in the position of being very strict in committee as to how we deal with the various sections and understanding the implications of how they're going to operate; and I believe, Mr. Speaker, that that exercise will be an important one and a very revealing one for the people in

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(MR. SPIVAK cont'd) . . . . this province as we go section by section and ask for direct indication from them of how it is to operate. And we have to suggest, Mr. Speaker, that in effect there must be a reason for the rush by the government on this particular bill as opposed to others; and we suggest that the rush on this is so that there will not be an expose of the sheer administrative problems that are going to arise because the government did not plan, did not adequately prepare, and in effect is providing a regressive tax in their terms for a program which was announced as being universal but in reality is not universal because there are many who are in that lower middle income poor position who are going to have to pay, and pay higher amounts depending on the degree of care that they are going to have to receive, and this goes against the very statements that the Minister made in this House and that the Premier made in the Budget Speech.

MR. SPEAKER: The Honourable Minister will be closing debate. The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I would just like to say a few words on this Bill and I've just been looking over it during the last 15 minutes. I think it's an excellent idea that they do consider personal care homes under the Health Services Plan. The problem as I see it is just wondering about all the regulations that are going to be set up under this bill. We really won't know what it all means until we see the regulations and the election will likely be over before the regulations come in.

Another factor that disturbs me is the man Dr. Tulchinsky. Dr. Tulchinsky's got more power than the Deputy Minister I understand at the present time. He's the one that's going around the province telling each local board how many beds they will get in a personal care home. I want to ask the Minister; does Dr. Tulchinsky, was he given that kind of power by you to go to a town in my area and tell them, we'll tell you how many beds you're going to get in your personal care home and if you don't like it you won't get any? And this is what he's telling them. Now I don't know whether that's the right approach to government or not. I don't think it is. I was always told that government should, should be a little bit of bargaining going on, but there's no bargaining in my area, Mr. Speaker, no bargaining at all. Maybe this is the new approach: We'll give you 15 beds, you take it or leave it. That's not looking after the health care of the Province of Manitoba as I see it.

So I want to ask you again, Mr. Minister, what kind of power has this man got? Because that three-man team do not seem to be in any contact with the Health Services Commission. There is no contact between the two groups and I want to find out, is there any problem why they can't negotiate or contact each other. The Board came in from my area, met with the Health Services Commission trying to explain to the people why they shouldn't get more beds in their personal care home, new personal care home in our town. They didn't know a thing about it. The Chairman of that Health Services Commission Board is the Deputy Minister. For the life of me I can't see why they can't get together and talk things over to kind of at least let each other know what each other is doing. But that isn't the way it's done.

Mr. Speaker, until we see the regulations that are going to be adopted, passed under this bill we'll really never know what we're buying on this bill. We know for one thing that the people are only going to pay \$4.50 a day. It was mentioned by my Leader a few minutes ago that applies to everyone; it applies whether you're a millionaire or a pauper, the same rate to pay, it doesn't really matter, you get the same benefit.

Mr. Speaker, I don't want to hold up debate, I know the House Leader has told us in no uncertain terms a few minutes ago he wouldn't adjourn debate. I didn't really have time to give the bill the full scrutiny it deserves so I'll sit down and deal with this bill when we go into Law Amendments Committee and deal with it then section by section as it should be dealt with at that time.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Thank you, Mr. Speaker. The Liberal Party will vote to move the bill into Committee but we cannot allow the occasion to pass without making three observations and making our position very clear on them.

First is it is deplorable that here again we have a commendable principle, a principle which has been acceptable to the Liberal Party, which has been spoken on by myself for over two and a half years as being an essential ingredient of a fair deal for senior citizens. I'm speaking of the personal care homes - and something that ought to have been done a long time

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(MR. ASPER cont'd) . . . . ago. But on the other hand we have in conflict with that principle, which as I say, Mr. Speaker, I might point out was brought into this House I believe at least twice by the Liberal Party in the era of this administration and rejected.

So, Mr. Speaker, it should come as no surprise to the government that the principle of including nursing home care under the Medicare package as contained in the bill is quite acceptable, but what is deplorable and stands out in contrast is that once again we are called on to write a blank cheque, we are called upon in this House to delegate the legislative power of this House through regulation to the government side, which is 50 percent of this House, Mr. Speaker. And it is wrong for us to do this. Our responsibility as legislators is to pass laws. Our responsibility is delegated not to the government, it is delegated by the people to us. And the nub, the essence and the heart of this legislation is simply permissive, nothing else; and it will then be in the hands of Her Majesty's Government to in fact enact the actual legislation.

Mr. Speaker, I don't deny the need for regulations attached to legislation but never have we seen so much going through a Legislature as we have in the Legislature of Manitoba where no heart, no substance is in the bill and all the power, all the law that affects the people that we represent will be passed by regulation. And, Mr. Speaker, I must record that I deeply resent the robbing of this Legislature, consistently, of its responsibility, its duty and its power to participate in the making of laws in this province. And this is what this bill does.

Mr. Speaker, I don't want my position to be confused or distorted as the government members so often attempt, as being opposed to a bill that has a motherhood principle, because I reiterate that the principle of this bill originated in this House with the Liberal Party. The first time introduced in this House for debate, the extension of senior citizens' nursing home care was by the Liberal Party.

MR. SPEAKER: Order please.

MR. ASPER: So, Mr. Speaker, the principle of the bill is then distorted by government spokesmen, as the Minister of Labour did this morning in the discussion on Bill 49, as being a position contrary to what we take. The position is this: that there is a bill and the bill does not say what we are going to do. The bill simply says we are going to allow the government to pass all sorts of laws respecting nursing home care for senior citizens.

Now it gets worse than that, Mr. Speaker, because nowhere are we assured as to what the character of this inclusion under Medicare will be. For example, the Liberal Party position has always been that nursing home care for senior citizens should be covered by Medicare - when there is a doctor's diagnosis or recommendation that nursing home care is required. Not that it is desirable, but required. That is where we part company from the government, because it is the view of the Liberal Party that the costs of Medicare - and I go back to 1965 on this debate - the costs of Medicare have skyrocketed and are going to continue to skyrocket unless we drop our mania for universality and become selective in our approach.

Now, if you have a senior citizen who it would be convenient for the children with whom that senior citizen lives, it would be convenient as opposed to required or mandatory that the senior citizen be placed in nursing home care or personal care homes, then you don't have a situation which we envision. You have government making it possible for children of aged parents to escape their responsibility, moral and familial, by saying, ah we have our out. We can simply move the aged parent into a nursing home and not be required to discharge any familial responsibility for that parent.

Mr. Speaker, we have laws in this province, and it's very strange, we have laws in this province that make it mandatory that a parent look after his children; it's very strange, Mr. Speaker, that we have no such laws that make it mandatory that children look after their parents.

MR. SPEAKER: Order. Order please. The Honourable Minister of Labour state his point of order.

MR. GREEN: Mr. Speaker, I believe that the Honourable Member is not cognizant or not recalling to his mind the Parents Maintenance Act which exists in the Province of Manitoba.

MR. ASPER: Mr. Speaker, that was no point of order, that is no point of order. --(Interjection)-- Beg pardon?

MR. SPEAKER: Order please. The Honourable Member for Wolseley proceed.

MR. ASPER: Mr. Speaker, the Honourable House Leader makes the point that we have a Parents Maintenance Act and I certainly am quite cognizant and familiar with the contents.



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(MR. ASPER cont'd) . . . . I am speaking of the Bill in front of us. In this bill - Mr. Speaker, I am only addressing myself to this bill - there is no, there are two aspects.

MR. GREEN: Mr. Speaker, on a point of order. The honourable member made the statement, I believe it is a point of order. When there is either by inadvertence or otherwise, a misstatement of the law that is put by an honourable member I would think that he would want it corrected. He said that there is a law requiring parents to take care of their children, there is no law requiring children to take care of their parents. The law requiring parents to take care of their children is not in that bill, nor is the other law in that bill, but both exist on our statute books.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: If the House Leader is now assuring us that the regulations under this bill-- now he's shaking his head Mr. Speaker, and that makes my point, my point is this, that this bill unless we know what the regulations are, may make it possible - may make it possible, as a matter of fact will likely make it possible for well-to-do children to move aged parents into a nursing home situation and thereby escape the cost and escape the responsibility.

Mr. Speaker, I believe in nursing home care for senior citizens but I am also very cognizant of the burgeoning costs and there are circumstances under which the family of the senior citizen are very easily in a position to look after that particular problem. Mr. Speaker, I speak from very intensive and long-term personal experience in my own family in this area, and I am fully cognizant of the horrendous cost. But on the other hand, Mr. Speaker, there are those who can shoulder that cost and that is one of the issues that should be discussed and debated and we'll have no opportunity to do it.

Universality is the second point. The fact that we have gotten ourselves in this country into the most incredible quagmire through our slavish adherence, supported by NDP parties throughout the country to universality in government programs. Mr. Speaker, it is universality which puts a noose around the neck of the taxpayer of this country.

Mr. Speaker, let me give you a small example. I don't know how many years ago we brought in Family Allowance - it may have been after the war, during the war perhaps - and it was about \$100 million; a few years ago it had skyrocketed to \$600 million. I believe today it is about \$800 million, that's with a zero population growth. And, Mr. Speaker, the reason we have an \$800 million national budget, which will now go up as I'll mention in a minute, is because we began with a universal program. We never said "need", we said everyone gets. Mr. Speaker, that's where again I suppose we part company from the New Democratic Party, because it is our view, the Liberal Party view of Manitoba, and I concede that the Liberal Party in another province or in another jurisdiction may take a different view, but it has always been and remains our view that governments exist to help those who need help; governments do not exist for the purpose of helping those who don't need help. We've got ourselves into a position on so many programs that because we slavishly followed universality instead of selectivity, and Mr. Speaker, at some point we are going to have to stop. There are two circumstances certainly that have to be looked at. This government talks about the principle of ability to pay. This is an incredible hypocrisy because where is the ability to pay in this legislation?

Senior citizen A has a million dollars, and it would be nice, not essential Mr. Speaker, it would be nice if his children didn't have to particularly look after him, so we move him into the senior citizens centre, which is now covered for Medicare, and he enjoys his dividends of \$100,000 a year on his million dollars. And senior citizen B who through the accidents of life and economics, perhaps having been a veteran of wars, having been a victim of depression or for whatever reason, has no money, and they are treated identically. Mr. Speaker, that is an obsolete economic doctrine; that is a doctrine which will bankrupt a country; that is a doctrine which has led us into programs that we can't get out of. Passing example; what do we need family allowance for? It's a long time obsolete, but try to take that away from the people, try to take that away; and no government has the courage, no government has the political audacity to try to remove it; try to remove family allowance from somebody making 15, 20,000 dollars a year. So instead of removing it, Mr. Speaker, we go through the--I don't blame the Federal Government for what they're doing, there is no other way out. They are going to have to increase family allowance and tax it and through the back door achieve what should never have happened in the first place through the universality program. And here we are again.

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(MR. ASPER cont'd)

So, Mr. Speaker, for three reasons: The fact that the heart of this legislation isn't in the legislation and the legislature has been deprived of its opportunity to debate the real law, which will come through the regulations; and because there is no guarantee that nursing home care will only be available when a doctor certifies it to be required as opposed to expedient. And third, because there is no fiscal philosophy built into the bill other than the New Democratic Party's universal approach, we will pass the bill, we will pass it for second reading, and because of the frame of the bill we have no alternative but to vote for it. But it is incumbent upon us in the opposition, Mr. Speaker, to record our deep concerns and our deep dissatisfaction with the way in which the government seeks to govern; and that is government by executive decree and not government by the Legislature of Manitoba.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, my main concern with respect to the bill in front of us at this point in time is concern arising out of expressions of anxiety on the part of many people in the health services field where the government's desire to meet the June 1st, 1973 deadline on this legislation is concerned. The people that I have spoken to in the health care field in medicine and paramedical fields and in the nursing home field itself, Sir, have almost to a man or to a woman expressed the same concern that I now voice, and that is that the attempt to incorporate personal care homes and nursing home facilities in the Medicare program in the brief period of time allotted to handle that administrative job has been far too severe a responsibility.

I don't think anyone here argues with the principle of bringing nursing homes under the Medicare program. In fact I salute that principle and that concept. But the expressions of concern as I say in the field have aroused my anxiety and I would request of the Minister some assurance or reassurance that we're not moving into a jungle of administrative difficulty, in effect a kind of an administrative horror show, Mr. Speaker, where the incorporation of this service under the Medicare program is concerned. Had a year been allowed for the phase-in period then doubtless many of the fears expressed would never have surfaced, and had there been communication between all the groups involved in this kind of a program then no doubt many of the fears expressed up to now would never have surfaced. But once again we're in a position where I fear, Sir, there has been a lack of the kind of communication between government and the people and the professions of Manitoba to which we've referred in other debates and other arguments.

The nursing home operators in the province to whom I've spoken express deep reservations over the kind of communication and kind of consultation they've had with the government on this point. They feel it has not been thoroughgoing enough, it has not been meaningful and it has not been sufficient to allow this kind of massive new program to be incorporated in the time span permitted by the government's legislative plans. Among those who've expressed this concern have been members of the medical profession itself; it's not merely the nursing home operators and persons in that field who have expressed that concern but the medical profession itself, Sir, has indicated its anxiety and its unhappiness over a lack of thoroughgoing consultation and communication with the government involving everybody in the health care field on this subject.

So my basic worry at the moment on this matter, Mr. Speaker, is that the June 1st deadline is too soon, it's too early, and the difficulties and the complications that have already arisen are likely to affect the services that are hopefully going to be offered. I think that the difficulties and complications encountered already are probably minimum, probably insignificant compared to those that will ensue as a consequence of this headlong rush into the program. The rush is too great, Mr. Speaker, in my opinion and in the opinion of spokesmen for those fields and disciplines to which I have referred, and I think the history of this government in large part has been a history of rushing into programs too hastily and then having to cope with the administrative and fiscal and political agonies of the tangle and the jungle that results. There have been examples of that in the life of this government, in the life of this Legislature, and I would suggest, Mr. Speaker, that the government take heed that this Medicare program involving and incorporating nursing homes stands in severe danger of meeting the same kind of fate.

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(MR. SHERMAN cont'd)

The services that nursing homes offer ailing and failing Manitobans are of course of paramount concern but also the services that Manitobans pay for in terms of government administrative services are involved in this question. What kind of administrative tangle at the government level itself is going to ensue as a consequence of this rush.

So these are the primary concerns that I would express at this time, Mr. Speaker. I'm no happier than anybody else who has spoken up to this point over the abandonment of the ability-to-pay principle where this program is concerned. I made reference two or three days ago on Saturday in consideration of Bill 61 to the fact that I did not think this government for all its proud protestations was meeting the ability-to-pay principle in the manner that it claimed to be. I think here is a classic example of its failure to do more than pay lip service to that principle. But others have spoken on that aspect of the legislation, Mr. Speaker, and I don't wish to belabour the point other than to say that I concur in those criticisms and those reservations that have been expressed where ability to pay is concerned in connection with this program.

I'm concerned, as others obviously are, over the lack of time that's been made available not only to the opposition but to consultants and experts in the field and in allied fields in order to assess the legislation properly. We haven't had the time and we haven't been able to go to people in the nursing care field and the Medicare and medical health care fields to obtain the expert advice that we need on this legislation. But that too is a reservation and a dissatisfaction already expressed by several members during the course of this debate and I won't prolong that point other than to say that I share their unhappiness over the haste with which the legislation appears to be at a point of being rammed through by the government now.

My main concerns are as I said, Sir, that the haste over all in trying to meet a June 1st deadline has aroused a deep worry in the minds of the operators in the nursing homes and others in the field and the possible effect that that will have on services in the nursing home field, in the Medicare field and in government administration itself I think pose serious problems for Manitobans, both those who take advantage of nursing home facilities and those who simply pay the taxes to support this government or any government in office administering programs such as this.

MR. SPEAKER: The Honourable Minister shall be closing debate. The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I just have a couple of questions I'd like to draw to the attention of Honourable Minister. Some of the questions that have been asked of me is what's the services. Maybe the Minister in his reply can spell out some of the services that are covered under the Act and if in fact - maybe the regulations, the drafting of the regulations he could indicate from them, like say how far we're going with the program. I, like the member that spoke previously am in complete support of the philosophy of the amendments to The Health Services Insurance Act that we're dealing with and I'm wondering about the admission requirements and the waiting periods that might be involved at the present time. That is a problem in some areas.

The other fact that has been drawn to my attention from time to time, Mr. Speaker, is the one of the overload of the nursing home, the personal care homes where it's quite evident that they have to take in people that are in reasonably good health to cut down the load factor from the heavy patient care problems that the nursing homes that I've been in contact with seem to be facing.

The other thing that I would like to draw and ask the Honourable Minister, if in fact that the records of these people will be held in the strictest of confidence, their personal affairs and how the government is prepared to deal with that. I certainly hope that we've seen the end of people like Mr. Hofford gaining access to people's personal records in the Department of Health which I think is most unfair. So I hope that in reply the Minister will give me some assurance that people's personal records and things like that will be held in the strictest of confidence. Those are a few of the questions that I would like some answers for, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Mr. Speaker, I would like to deal in the few minutes that I have before me with some of the questions posed of me by some of the members that are in the House and others that have left.

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(MR. TOUPIN cont'd)

The Member for Fort Rouge was again coming forward with the question of cost and how this will be related to the people of Manitoba. The cost will be related as it is for hospitals, as it is for expenditures that occur through the Department of Health and Social Development. To be more specific regarding per diems payable to nursing homes, to hostels, to any level of care in the Province of Manitoba, the information will be related to the public by Gazette, the same as it is for any information. Regulations that are passed by the government will be made public through the Order-in-Council that is passed, so there is always members of the press, there is always members of the Opposition that are able and willing to look at Orders-in-Council, to look at regulations therein and make that known to the people; and there's always press releases that are submitted by myself as Minister responsible to make sure that the people of Manitoba are kept informed, well informed of what is happening pertaining to costs and the coverages pertaining to different programs that we initiate.

The honourable member again made reference - not only the Member for Fort Rouge but the Leader of the Official Opposition made reference to the ability to pay and us not being sincere with ourselves in charging \$4.50 a day. Mr. Speaker, I have a lot of difficulty containing myself when I hear remarks like this really, I really get out of myself and I'd like to bang on the desk and jump up and down and hit the ceiling if it was possible, but it is a little high, when you talk . . .

MR. SPEAKER: Order please.

MR. TOUPIN . . . when you talk of the policy that was followed by the previous administration for ten years and more pertaining to programs dealing with health and welfare in the Province of Manitoba and when we decide to pick up the bulk of the cost pertaining to all levels of care in the Province of Manitoba, all levels of care, which is unique in North America, and we charge a board and room cost of \$4.50 per day, \$135.00 a month for those who can afford it. We said that. Those who haven't got the \$4.50 a day this will be paid for by the Department of Health and Social Development and/or the municipality that's kept responsible for that person. That's clear. That's just. But we're picking up all the health costs at any level of care, at all six levels of care that we have in the Province of Manitoba. We said that. I said that at least ten times.

When we talk of acute care within a hospital setting you're not only talking of one level of care within that facility; you're talking of at least two levels of care. That's now paid for. What incentive is there now with the policy adopted by the Conservatives for the last ten years that they were in power? If a person was in an acute care bed there was no incentive on the part of the doctor, on the part of the individual for that person to be transferred at the level of care that was meant for him, that he needed, because he had to pay the total cost of that, the total cost of it. Sixteen dollars a day? How much does that come to a month in a personal care home? At either level 3 or level 4. What is the cost? What is the cost that was payable by individuals, still is payable? And for the information of the Member for Fort Garry, the deadline is not June 1st, the deadline is July 1st. So that gives us a little more time. That was the date that was announced. Sixteen dollars a day? Four hundred and ninety-six dollars a month. Four hundred and ninety-six dollars a month. And that's at \$16.00 a day payable by the individual whether he's able or not. If you're in a hospital setting, an acute care bed, it can vary from \$35.00 to \$80.00 a day, but they accepted to take that cost out. But if the doctor or the admission committee decided to care for a patient within another level of care not provided for within the hospital setting the individual had to pay for it. Now that was a fine policy wasn't it?

The Leader of the Liberal Party made reference to having universal programs tie a noose around people. That's completely ridiculous, especially when his party in Ottawa, when the Conservatives in Manitoba and the Liberal Party in Manitoba initiated universal programs. They did. Did it tie a noose around people when their counterpart in Ottawa decided that as of January 1st, 1974, that the family allowances would be increased to \$20.00 per child in Canada? What is that going to bring Manitoba? An additional approximately \$50 million, of which we'll pay back \$20 million. Twenty million dollars - most of that will go back to the Federal Government; 14 million of the \$20 million will go back to the Federal Government in taxes. Six million to the Province of Manitoba. That's on the ability to pay. That's a universal program, that's coming back. Since it is taxable, since you don't need that additional

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(MR. TOUPIN cont'd) . . . . revenue you'll pay it back in taxes. But we're saying that universal programs like nursing homes, like hostels, like home care services should be universal and that we should tax you on the ability to pay. When we increased the personal and corporate income taxes in the Province of Manitoba those who are able today, have a salary in excess say of \$12,000 a year, and say less than three children are paying more today for Medicare than they were when the Conservatives applied the negative tax of \$204.00 a year for the premium of medical and hospital insurance. That today is based on the ability to pay. If a person makes \$25,000 a year he'll pay more. But all the services that are offered for health and social development, any other services are based on the ability to pay; apart from still a few negative taxes that we have in the Province of Manitoba.

I can't remember what member made reference to a lot of power given to regulations. I think it was the Leader of the Liberal Party. Does the Leader of the Liberal Party want this government to come back to this Legislature every time there's a change in per diem in the amount of nursing homes, hostels that we have in the Province of Manitoba? That's completely ridiculous. If you're going to set the per diems for nursing homes whether they be propriety or non-propriety nursing homes they'll be set by regulation, but this gives you the power to do so. You have to do certain things by regulation. All governments do. But this will allow you to have regulations that conform with the Act. You can't pass regulations that are not in conformity with the Act. We tried that in the last few years pertaining to certain social allowance cases. We were challenged in court and the decision was reversed.

I think the Minister of Mines, Resources and Environmental Management dealt effectively with the clause that deals with the possibility of imposing some premiums and the Minister indicated that it was not the intention of this government to reimpose that type of taxes to the individuals of Manitoba. We have no intention of reintroducing a premium tax, not at all. But when there is reluctance, refusal on the part of individuals, whether they be citizens or corporations on the provincial or national level, to give back to the individuals what belongs to them, this section of the Act will allow us to enforce this. That's all.

Mr. Speaker, we only have a few minutes and I'm anxious that we get to committee so that we can deal with the different sections of this bill, the withdrawal of 25 sections like the Leader of the Opposition was mentioning of the existing Act, he mentioned 25 sections had been withdrawn, but in those 25 certain sections were reintroduced with certain amendments; and we can help clarify some of the reasons why this was done.

Our policy, Mr. Speaker, I think has been made very clear over the last four years. Although the Leader of the Liberal Party was attempting to take credit for what is happening today, he cannot take credit for this bill. His party was in power in Manitoba for many many many years, much longer than the Conservatives were. Nothing happened. The Conservatives were in power and nothing happened pertaining to insurance of all levels of care in the Province of Manitoba. Let they not attempt to take credit for what is happening today.

Just look at the platform of our party at the last election and see what we talked about; see what we've talked about in this House and in public for the last four years. What will happen today will happen for the people that are in need in the Province of Manitoba whether they're able or not to pay for that service. And this is the intent of the bill. I'm sure, Mr. Speaker, once I sit down that all members of the House will vote for this bill, and you can be sure that I for one as the MLA for Springfield will make that fact known across the province.

MR. SPEAKER: The pleasure of the House to adopt the motion? Agreed? The Honourable Member for Thompson.

MR. BOROWSKI: Yes, Mr. Speaker. There's only a couple of minutes and there was something I'd like to say on the bill but there certainly seems to be no time.

MR. SPEAKER: Order please. Order please. The debate has been adjourned because the Honourable Minister spoke on it. Is it agreed that the bill be adopted for second reading? (Agreed) So ordered.

The Honourable House Leader.

MR. GREEN: Yes, Mr. Speaker, I think it's opportune to call it 12:30. I would indicate to the honourable members we'll be back in the House again at 2:30 and to committee to do whatever we can there and then back again into the House.

MR. SPEAKER: The hour being of adjournment the House is now adjourned and stands adjourned until 2:30 this afternoon. (Wednesday)