



Second Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

40 Elizabeth II

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

LIB - Liberal; ND - New Democrat; PC - Progressive Conservative

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 1, 1991

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mrs. Louise Dacquay (Chairman of Committees): Mr. Speaker, the Committee of Supply has considered certain resolutions, directs me to report progress and asks leave to sit again.

I move, seconded by the honourable member for Nlakwa (Mr. Reimer), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, I would like to table the Supplementary Estimates for the Department of Housing.

MINISTERIAL STATEMENTS

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I would like to make a ministerial statement to the House.

Mr. Speaker, it gives me extreme pleasure to rise in the House today and announce the third offering of Manitoba Hydro savings bonds to the people of Manitoba. It is an exciting initiative because of the opportunity it provides for every family and every individual to participate directly as a builder and a beneficiary in the Manitoba economy.

Over the past two years nearly 50,000 Manitobans have purchased HydroBonds resulting in over \$380 million being raised for Manitoba Hydro. In fact, Mr. Speaker, more than \$62 million in interest payments have been paid out to Manitoba HydroBond holders, money that otherwise would have left the province. That is money that is spent here buying local goods and services and ultimately generating local economic growth and employment.

As was the case last year, HydroBonds Series III will once again only be available to residents in

Manitoba. This means that all the proceeds will remain in Manitoba for the benefit of our province.

* (1335)

The bonds will be issued in denominations as low as \$100, ensuring that this investment opportunity will be accessible to every man, woman and child in the province. HydroBonds will go on sale Tuesday, May 21, with the interest rate being announced on May 17. The rate will be competitively priced with principal and interest on all bonds fully guaranteed by the Province of Manitoba.

As an added new feature this year, for the first time, the bonds, which were previously offered for three-year terms, will now be available for a five-year term. In addition, a compound interest option has been added to interest paid on a monthly or yearly basis with monthly interest only available on purchases of \$5,000 or more.

Mr. Speaker, Manitoba Hydro is a powerful public asset for the people of the province assuring all of us efficient and inexpensive electricity for our homes and workplaces now and in the future. With the issuance of HydroBonds, we can help ensure Manitoba Hydro remains strong with the full support of the people of Manitoba putting their capital to work in their own province.

Thank you very much, Mr. Speaker.

Mr. Leonard Evans (Brandon East): Mr. Speaker, the official opposition certainly supports the idea, and we do indeed wish them lots of luck. We do hope that it will be successful. Someone mentioned that in the past we seemed to be more successful when the Premier's (Mr. Filmon) picture was not on the ads than when it was.

The other concern we have, we hope that we do not have a repeat of what happened last year where we had redemptions. Last year we had \$33 million less than when we started at the close of the second campaign, so that is something that we should all be concerned about.

The third point I would make, Mr. Speaker, I believe, unlike the Minister of Finance (Mr. Manness), that there will not be upward pressure on interest rates in Canada because of the borrowing

of the Ontario government to finance the deficit because—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please.

Mr. Leonard Evans: The Minister of Finance (Mr. Manness) should want to agree with me. We should want to have lower interest rates, and the fact is that interest rates are coming down because of the current policy of the Bank of Canada. There is a downward trend which will continue, and the borrowing by the Ontario government will have no impact on it.

The other point I would make, which the Minister of Finance should be interested in and should take note of, and that is the Federal Reserve Bank in the United States has dropped its discount rate a full half of 1 percent. That is extremely significant. It is most appropriate and it will help us in Canada and in Manitoba. Thank you.

Mr. James Carr (Crescentwood): Mr. Speaker, we welcome the issuance of another HydroBond, because it is, after all, an opportunity for Manitobans to invest in their own future, a chance for dollars to stay in our own province to develop our own hydro-electricity, and for that we congratulate the government. But we see, in the minister's own announcement, that this will assure Manitobans of efficient and inexpensive electricity, and we know that we are becoming more and more efficient, thanks to the forward-looking policy of the Minister responsible for Manitoba Hydro (Mr. Neufeld).

As a matter of fact—before the Premier (Mr. Filmon) leaves his seat, Mr. Speaker—the energy conservation targets of Manitoba Hydro may be so successful that we will not have the need to build a new generating station in Conawapa. What that means is that the money that is being borrowed here for the generation of new power may be absolutely contrary to the government who thought that we needed that power for Manitoba consumers alone.

While we are glad that Manitobans are going to have a chance to invest in their own province and in their own economy, we want the government to be ever alert to our own power needs to make sure that we do not spend \$6 billion of borrowed money to export energy to the government of Ontario. Thank you, Mr. Speaker.

* (1340)

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon from the Westwood Collegiate thirty-five Grade 11 students, and they are under the direction of David McDowell. This school is located in the constituency of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson).

Also this afternoon, from the Grant Park High School, we have twenty-five Grade 9 students, and they are under the direction of Norman Roseman. This school is located in the constituency of the honourable member for Crescentwood (Mr. Carr).

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

ORAL QUESTION PERIOD

Manitoba Law Foundation Funding Formula

Mr. Gary Doer (Leader of the Opposition): Yesterday I asked the Minister of Justice (Mr. McCrae) some questions dealing with the Law Foundation formula for grants to many community groups in discretionary areas in the provincial act that was passed in 1986, Mr. Speaker.

We had confirmed that the government was indeed investigating the idea of changing the formula for those grants that would directly affect, in a very negative way, many community-based groups who are already facing the front lines of the recession in terms of the people who are most directly affected in our Manitoba society.

Mr. Speaker, I would ask whether the Premier (Mr. Filmon) has reviewed this matter and whether, in light of the questions we raised yesterday, he has, in fact, asked his minister to stop reviewing this funding formula. Groups like the Community Unemployed Help Centre, who have already been cut back by his government directly, cannot afford another cutback from the funding formula of the Law Foundation. In fact, the director today told the public that this centre may likely close if that happened.

Mr. Speaker, Manitobans unemployed cannot afford to lose another resource in the middle of the recession. I ask whether the Premier has asked that the government stop investigating the change in this formula.

Hon. James McCrae (Minister of Justice and Attorney General): These amendments to The Law Society Act, as I understand, were New Democratic Party amendments, Mr. Speaker, and Section 63 of The Law Society Act sets out the mandate of the Law Foundation. One of the mandates of the Law Foundation is to support law libraries.

Of the large amount of money that the Law Foundation grants on a discretionary basis, the list I have shows that only one law library is being supported by the Law Foundation, that being the E. K. Williams Law Library at the University of Manitoba, a grant of \$46,000.

The legal community certainly benefits from the existence of the great law library in the Manitoba Law Courts. Indeed, the Manitoba Law Courts used to be the home of the law school, and there are other law library facilities in other places in Manitoba as well that need to be supported.

As I said yesterday, the government of Manitoba benefits to the extent of about 50 percent on the running of those libraries. We are paying 85 percent, and we are asking the Law Foundation and the Law Society of Manitoba for help. I am meeting later this afternoon with Dean Penner of the Manitoba Law School, and I am meeting also with the head of the Manitoba Law Society to discuss the options that are available to us.

It would be regrettable if we had to solve this problem in a way that did not embrace consultation and agreement by everyone. There will be consultation, but we have to reach some kind of an agreement. My efforts are in that direction to solve this thing as amicably as we can with due regard for those agencies and community groups that do benefit—

Mr. Speaker: Order, please.

* (1345)

Legal Advocacy Groups Funding Criteria

Mr. Gary Doer (Leader of the Opposition): I would again ask the Premier (Mr. Filmon) whether he has investigated this situation and its impact on Manitobans, its impact on other departments in government which the government is providing services for Manitobans through.

Mr. Speaker, the Legal Aid Public Interest Law Centre is one of the other groups funded under the

discretionary funding formula of this act. That organization works with seniors' organizations, with disabled organizations, with other groups. The seniors, of course, have already been hit with the change in the 55-Plus indexing policy of this government. This group works on many advocacy projects on behalf of seniors across the province, and other groups work through this organization.

Has the Premier (Mr. Filmon) investigated what the impact on our vital advocacy groups like seniors in our society will be if that cutback takes place, and therefore their ability to advocate on behalf of their groups will be greatly eroded and our public democracy and debate will be tremendously eroded by changes for law libraries?

Hon. James McCrae (Minister of Justice and Attorney General): Our Minister of Finance (Mr. Manness) and our government, Mr. Speaker, are very well aware of the potential impacts during difficult times on community groups and others who do very valuable services in our communities.

Unfortunately, we did not get the kind of support we wanted in this place, but that is why the Minister of Finance set up the Fiscal Stabilization Fund which was there to assist—a so-called rainy day fund when revenues were low and it was necessary to protect valuable social services and to protect Manitobans from tax increases. He set up a Fiscal Stabilization Fund. In like manner, the Law Foundation of Manitoba has very wisely husbanded the resources of the Law Foundation to the extent that the foundation presently has a \$1.8 million surplus.

Now, I suppose we could say that could be used as a fund to be used in difficult times. Well, Mr. Speaker, we are in difficult times, and perhaps that \$1.8-million surplus can be used to assist in cushioning those community groups to which the honourable Leader of the Opposition refers to get us through these difficult times.

Mr. Doer: Mr. Speaker, the Minister of Justice better read the Premier's (Mr. Filmon) comments in the election, and his commitments in the election—only to use that fund for health and post-secondary education. Perhaps he should read his own Premier's promises in the last election, and he would not give us a nonanswer like he did and has been doing the last couple of days on this very important issue.

I asked the minister a question about the public legal groups, like seniors and handicapped people who are able to articulate and advocate on behalf of their memberships through this fund and the effect that his changes will mean on those groups.

Law Libraries Duplication of Services

Mr. Gary Doer (Leader of the Opposition): I would ask the Premier a final question.

Has he asked his minister to investigate the possibility of looking at the duplication in law libraries—we have one library for the Court of Queen's Bench, one library for the provincial judges' court—as a different option to take, rather than cutting back money for the absolute essential community-based groups that are dealing in the front lines of this recession and cutting back money from seniors and handicapped groups that use the public interest law grants to advocate on behalf of their members. Has he investigated those options?

Hon. James McCrae (Minister of Justice and Attorney General): Mr. Speaker, if the prosecutors of this province, the legal services of this province, if the judges of this province were conducting themselves in a way which did not please the honourable Leader of the Opposition, he would be the first person on his feet to be making complaints about perhaps the way that we are dealing with victims in our system. Perhaps sentences do not adequately reflect the gravity of offences in regard to domestic violence; the honourable Leader of the Opposition would probably be very quick to be on his feet complaining about that.

You know, I am going to be discussing with the Law Society and the Law Foundation just what value do they place on the legal library services and what value they place on assisting community groups. I place a great value on those community groups, as does the Leader of the Opposition. He does the right thing by raising these matters in the House.

I say that, but I also say that the foundation has wisely managed the resources that has been coming to it during good years. The Law Society has been wisely managing its finances to the extent that it, too, has monies at its disposal. As I say, there is a \$1.8-million reserve fund there at the Law Foundation, which could serve as a cushion for those groups that they fund on a discretionary basis,

so I would not want the honourable Leader of the Opposition to think that—I am sorry, Mr. Speaker.

* (1350)

Seniors' Housing Funding Criteria

Mr. Doug Martindale (Burrows): Mr. Speaker, Rotarians in St. James were not the only volunteers who worked hard to get seniors housing for their area. Flin Flon Rotary members worked very hard, applied twice, then were turned down and told there was no money. A Lions Club worked for four years to establish the Charleswood-Tuxedo Lions housing project.

The difference between the Lions project and the Rotary Pines is the Lions project was incorporated in 1988. They had 60 percent of the units committed, and they received a grant of \$10,000. Then they were turned down. As I was told, the minister turned his back on his constituents in order to help his friends in St. James.

Why were the Lions told there was no money, yet the former Minister of Housing invited Rotary Pines to apply for funding in November 1990?

Point of Order

Hon. Clayton Manness (Government House Leader): Mr. Speaker, it is incumbent on the member to bring forward facts of information, not hearsay. I ask you to bring him to order, because this is not the place to bring hearsay and try to substantiate it by way of questioning.

Mr. Steve Ashton (Opposition House Leader): Yes, Mr. Speaker, on the same point of order, if the government House leader had been listening to the question, he would have heard that what the member was doing was relaying to this House a statement that was made by people who had been turned down by this government. He was relaying the facts to this government, something they are obviously not aware of while they are dealing in the Rotary Pines project.

Mr. Speaker: Order, please. The honourable minister did not have a point of order.

* * *

Mr. Speaker: The honourable member for Burrows, kindly finish your question, please.

Mr. Martindale: Mr. Speaker, my question is: Why were the Lions told there was no money, yet the

former Minister of Housing invited Rotary Pines to apply for funding in November 1990?

Mr. Speaker: The question has been put.

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, with regard to the two projects that the member referred to, I might add that those events occurred prior to my becoming the Minister of Housing.

However, Mr. Speaker, I am aware of those particular projects, and let me say firstly that with respect to the housing project in Flin Flon, the organization there was unable to provide satisfactory evidence that they had a site on which to build, and if you do not have a site on which to build, then the Manitoba Housing and Renewal Corporation is not going to entertain an application for a project upon which there is no site.

Secondly, with regard to the project in Charleswood, I had, as the member for Charleswood, a number of discussions with regard to that group and attempted to assist them wherever possible in order to have that project come on stream, because there is a need in Charleswood for housing for seniors, but unfortunately, for whatever reason, that particular project could engender only interest for 50 percent of the units. Only 50 percent of the potential units were going to be committed to, and, Mr. Speaker, based on those kinds of numbers, MHRC decided not to go ahead with the project, not because there was no money, because the project could not engender sufficient support.

Pines Project Development Guidelines

Mr. Doug Martindale (Burrows): I would like to ask the minister why Rotary Pines was given conditional approval when they had not followed the development guidelines, including the requirement in the guidelines to incorporate as a nonprofit organization, and in spite of the opposition of a considerable number of residents and planners?

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, you have to understand the process, and I would like to take a minute or two to provide that information to my honourable friend. What happens is, over a long period of time, interested groups, nonprofit groups from the community approach MHRC with the idea of having a housing project. Discussions take place—what they have to do, what the requirements are—all of that detailed

information goes back and forth between the groups and the department.

What happens is, Mr. Speaker, because it costs between \$750 and \$1,000 to incorporate an organization, PDF funding, the first phase, \$10,000, is done in many cases on the basis that the organization has the legitimacy to apply for a nonprofit housing incorporation—on that basis, \$10,000 funding under PDF for these projects to bring them along to the next stage on the basis that they have a legitimate cause with respect to the fact that they are going to have a nonprofit housing corporation. The second stage of PDF funding is not advanced until they are incorporated.

* (1355)

Cancellation

Mr. Doug Martindale (Burrows): Mr. Speaker, will the Minister of Housing cancel the Rotary Pines project since its location under a flight path contradicts the minister's own letter of April 11, 1991, to City Council, which I will table, in which he commits his government to a clear, strong commitment to ensure the protection of the airport from incompatible land uses?

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, as I indicated to the House on previous occasions with respect to the airport, this government strongly supports the airport as a major economic tool for this city and this province. The Rotary Pines project and the question of the airport are two different issues.

What the letter says, that my honourable friend is going to table—the letter I sent to the mayor indicating that it was my view that they ought to include in Plan Winnipeg a review of that particular process to ensure strict guidelines take place with respect to the Winnipeg International Airport. I indicated at that time also that I would not approve any Plan Winnipeg amendments of which Rotary Pines was not one.

Mr. Speaker, it did not require a Plan Winnipeg amendment, but I said the Plan Winnipeg section on the airport is weak as far as the airport is concerned, and yet it was approved by my honourable friend, the Leader of the Opposition, when he was the Minister of Municipal Affairs in 1986.

Pines Project Environmental Benefits

Mrs. Sharon Carstairs (Leader of the Second Opposition): My question is to the Minister of Urban Affairs.

In the prospectus which the Rotary Pines had distributed to potential investors in the project, they indicate that they qualify for assisted housing under the Manitoba government's RentalStart program. They go on to say, this program provides apartment housing by nonprofit organizations, such as the Rotary Club of Winnipeg-Assiniboine, with social and environmental benefits.

In light of the fact that this project is on the flight path and in light of the fact that it is also going to be commercialized along the riverbank, would the minister now tell us, since the Minister of Environment (Mr. Cummings) will not conduct an environmental impact assessment, just what is the environmental benefit which this prospectus tells people there is going to be?

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, when senior citizens look for a place to spend their last years with us, they look for an environment that is compatible with their lifestyles.

They are looking for association with other seniors, activities associated with seniors and things of that nature. I do not pretend to interpret what the Rotary Club would put out or not put out, but certainly they do look for an environment which is compatible with their lifestyle.

Mrs. Carstairs: Noise is hardly compatible with a comfortable living environment.

Prospectus Questionnaire

Mrs. Sharon Carstairs (Leader of the Second Opposition): Can the Minister of Urban Affairs tell the House why the 28 questions and answers which are included in this particular prospectus and which are supposed to give the seniors the true facts of this project do not have a single question and answer about the airport or the potential erosion of the riverbanks of the city of Winnipeg?

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, the public meeting that was held with regard to this project which attracted over 300 people interested in an apartment in this particular project took place at the St. Paul The Apostle Church, immediately adjacent to the site.

They know full well that it is on the riverbank. They know full well it is in proximity to the airport. They know what that project is and yet 300 appeared; 104 put their cash on the line to sign up.
* (1400)

Public Consultations

Mrs. Sharon Carstairs (Leader of the Second Opposition): I have a final question to the Minister of Urban Affairs.

The Minister of Urban Affairs speaks about the 300 people who went to the meeting as an information meeting, some of whom went only for information purposes. They seem to have gotten consideration from this government. Will the government give the same consideration to the 309 people who signed a petition in opposition to the project, all of whom live in the St. James-Assiniboia community association?

Hon. Jim Ernst (Minister of Housing): Mr. Speaker, as I indicated earlier, we have a situation where 300 people came to a public meeting to find out information, not zoning information, not approval information, but accommodation information with regard to how they could involve themselves in this project.

Mr. Speaker, 104 of them decided they would put their cash on the line in order to obtain the rights to lease one of these particular units, and I think that speaks for itself.

Semen Distribution Centre Privatization

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, once again, we see this government sacrificing the needs of Manitobans to help their Tory friends.

Can the Minister of Agriculture explain why, when the Semen Distribution Centre was making money, the government has decided to privatize it to a company which is apparently owned by their Tory colleagues, a company which is not registered in Manitoba and has shown blatant disregard for government employees and facilities?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, that member puts an incredible amount of misinformation on the record.

Over the past year and a half, we have been lobbied by the farmers of Manitoba to get out of the Semen Distribution Centre, because all the centre

is doing is buying semen from the companies and selling it to the farmers. Those same companies are out in rural Manitoba selling the same semen to the same farmers at the same price.

Those companies have become very aggressive in the last two years, and they have taken more and more business away from the Semen Centre to the point where we have dropped to about 50 percent, or less than 50 percent of the semen sold is actually handled by the Semen Centre.

Mr. Speaker, then we asked those five companies that are doing business with the Semen Centre to give proposals for taking over the distribution of semen in the province of Manitoba. They have responded to those proposals, and one company, which the member is obviously referring to, brought forward the best proposal.

We dealt with their representative, Mr. Earl Scott, out of Alberta. It had nothing to do with dealing with anybody by the name of Holtmann, and she is accusing an association -(interjection)- Mr. Speaker, that member put misinformation on the record. She said the company was owned by Tory colleagues. It is not owned by a Tory colleague. It is owned by Western Breeders in Alberta who are the people we negotiated with.

Correspondence Request

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, will the minister today table in the House all the correspondence he has had with these firms that he has approached and also the agreement he has signed with Western Breeders Services so Manitobans can be assured that this company is not going to have special privileges by moving onto public property and not getting away with paying taxes and having benefits of Government Services?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I do not know where this member is coming from, what sort of innuendo she is going to put further on the record.

My department staff did the negotiation. I did not correspond with those people at all, and they have struck an agreement. Yes, they are going to rent the space that the Semen Centre was in. They have struck an agreement with Government Services, and they are going to use the same phone number, so farmers, when they phone up, will be able to have somebody answering with regard to delivering semen services. They will pay for that telephone,

and they will pay for the space and all associated services that go with that space.

Quality of Service

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, to the same minister, the minister indicates that farmers are in favour of this. What assurance can the minister give farmers, especially through the concerns being raised by the farmers union and the KAP organization, that the quality of service would go down and costs would go up as they have in Saskatchewan because when it was privatized in Saskatchewan, costs went up 20 percent?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, as I said earlier, there are already five companies offering semen services in Manitoba, all throughout rural Manitoba. Those same companies will be there. They will be selling the same semen as they were before, and they were selling it below our prices in certain instances, and they will continue to do that.

The farmers of Manitoba have lobbied us. We have consulted with them. We have responded to their concerns and their needs saying that we no longer have a useful purpose to play because we are selling less than 50 percent of the semen. The farmers will have the same semen available from the same companies they have been buying for all along.

Rural Health Care System Report Recommendations

Ms. Judy Wasylycia-Lels (St. Johns): Mr. Speaker, I would like to ask the Minister of Health about the task force on rural health services.

We have the interim report. It is a hard-hitting and very critical report talking about lack of organization and direction of the health care delivery system in rural Manitoba. It talks about overlapping services, service gaps, inability to access service and general confusion by the maze of government agencies. We understand the minister has received the final report from this group, which is part of his Health Advisory Network.

Can the minister tell us if he is prepared to table that report, and with it, will he table his plan of action dealing with the numerous and serious recommendations of that report?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I know this seems like I am picking on my

honourable friend from St. Johns, but again she does not have her facts straight. First of all, whoever indicated to her that I have received the Health Advisory Network Task Force Report on Rural Health Services gave her misleading information. This is the same process that has been followed with every task force report.

The task force holds its hearings and deliberations and writes a preliminary report. That report is then distributed to all of those who made input to the task force to assure that their suggestions, critique and innovative proposals are properly phrased in the interim report. Those responses come back to the task force which then synthesizes them into a report to the Health Advisory Network. The Health Advisory Network then provides me with a final report, and when I receive that I will be more than pleased to make that report public.

Again, my honourable friend does not have her facts straight as to the process.

Ms. Wasylycla-Lels: Mr. Speaker, the minister has had the interim report for six months. This report has 56 recommendations dealing with some very serious issues around the recruitment and retention of professionals, around the interfacility transfer of patients, on the ambulance system, and the list goes on and on.

I want to ask the minister, surely he can now give us his plan of action in response to this serious report and some idea of how he will deal with these very serious 56 recommendations.

Mr. Orchard: Mr. Speaker, as soon as I receive the Health Advisory Network report I will be pleased.

Since my honourable friend wants to know what we are doing, I want to tell my honourable friend that when I came into this government almost three years ago, the Standing Committee on Medical Manpower was woefully underfunded by the previous administration, of which she was a member. We increased the funding substantially to the Standing Committee on Medical Manpower which has allowed us to undertake a number of innovative programs for recruitment and retention of physicians and other health professionals to rural Manitoba.

Secondly, when I came into this office as Minister of Health in 1988, some three years ago, the ambulance service in the province of Manitoba, a volunteer service, was woefully underfunded by the

previous administration. This government increased that funding by more than 130 percent to provide extra funding in ambulance services. That is what we have done in rural Manitoba.

Health Advisory Board Reports Completed

Ms. Judy Wasylycla-Lels (St. Johns): Mr. Speaker, mainly all we have seen from this minister is study after study after study.

I want to ask the minister about all of the reports that he has received either on an interim basis or in final report form from his Health Advisory Network which includes the preventative house services for the elderly, the Health Advisory Network report on information services, the report on—

Mr. Speaker: Order, please. The honourable member for St. Johns, kindly put her question.

Ms. Wasylycla-Lels: When will we see action instead of all these studies and all these words?

* (1410)

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I have received one report from the Health Advisory Network. We acted upon that.

Mr. Speaker, let me tell my honourable friend what other innovative approaches and remedies to rural health care we undertook since we have come into office. We inherited a discriminatory policy of funding health care facilities from the NDP which said if you were not a unionized facility, you were not funded the same, blatant discrimination of people working in the same position.

We eliminated that discriminatory policy primarily impacting on rural Manitoba facilities because we did not believe it was fair and equitable to pay a nurse's assistant in a nonunionized facility significantly less because they did not belong to a union with dues checked off to the NDP.

Food Banks Caseload Increase

Mr. Nell Gaudry (St. Boniface): Mr. Speaker, the current recession is most devastating to the vulnerable in our society. In 1989-90, Winnipeg Harvest served 4,000 households monthly. In 1990-91, that figure increased to 6,000. In January of this year, Winnipeg Harvest handled 360 referrals for help, and in March that number almost doubled to 712 referrals.

Mr. Speaker, my question is for the Minister of Finance (Mr. Manness). Given that the amount of food distributed by Winnipeg Harvest has increased almost 6,000 percent from 247,000 pounds in 1985-86 to 1.4 million pounds in 1990-91 and that 45 percent of people dependent upon food banks are children, can the minister tell these people when his economic blueprint will decrease the demand at food banks instead of doubling the need that has occurred up to this point?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, the member raises the question of Winnipeg Harvest. I have had the opportunity to visit there and to observe their operation. A number of things that struck me there is that they do have a tremendous volunteer force and provide a service that a number of people are accessing. One of the statements that stood out in my mind is that they do not rely on government and choose to proceed in that way.

The member talks about the vulnerable people in society, and that term is used frequently in this House. Our department has seen the largest increase in government funds this year, 6.9 percent, to deal with the many vulnerable people who access our department. I speak there of the people who access the social assistance, the funding we do for the Child and Family Services agencies, the increase in funding for day care and, certainly, increased resources for the mentally handicapped who are coming into our community.

55-Plus Program Deindexing

Mr. Nell Gaudry (St. Boniface): Mr. Speaker, my supplementary question is for the Minister responsible for Seniors.

As the number of people accessing food banks increases, so does the number of seniors using food banks. Can the minister explain why he would support the deindexing of 55-Plus which is targeted at seniors at or below the poverty line when increasing numbers of seniors are being forced to rely upon food banks?

Hon. Gerald Ducharme (Minister responsible for Seniors): Mr. Speaker, it has been mentioned many times on this floor, the 55-Plus was not cut back. The 55-Plus was left at the same level it was the previous year.

Food Banks Seniors' Use

Mr. Nell Gaudry (St. Boniface): Mr. Speaker, my final question is for the same minister.

The government talks about difficult choices, and we have seen the choice they have made. Why did they choose to abandon seniors in poverty and offload them onto the food banks while, at the same time, subsidize seniors who can afford to pay for their own housing and developers who can afford to provide that housing?

Hon. Gerald Ducharme (Minister responsible for Seniors): Mr. Speaker, on speaking to the ministers of the government, the ministers are working on housing. They are working on our own department, at the Seniors, working on the abuse levels, monies and funding for abuse on and on throughout the departments. The seniors of this province are not being neglected. They are very well looked at by this minister and the other ministers of this government.

Aerospace Industry Training Program

Mr. Edward Connery (Portage la Prairie): Mr. Speaker, the aerospace industry is a very significant component of the economic activity in Manitoba. We see the forecast of many thousands of additional jobs being created in the aerospace industry both for Winnipeg and now for Portage la Prairie with the privatization of the base. This could be very significant to Portage la Prairie.

Last Tuesday, the Minister of Education (Mr. Derkach) made a very significant announcement to Portage la Prairie and all Manitobans on the training component that will take place in Manitoba. Unfortunately, Mr. Speaker, the people in Portage are not as clear as they would like to be on what this means for Portage, and I would ask the minister to clarify to this House and to the people from Portage what this does mean for them.

Hon. Leonard Derkach (Minister of Education and Training): I am very pleased to respond to that question because indeed this was a very significant announcement. Yes, Mr. Speaker, it is true that the member for Portage did an incredible amount of work in terms of preparing the groundwork for this announcement.

Mr. Speaker, I might indicate that the training announcement that was made, some \$6 million

funded jointly by the federal government, the provincial government and the industry itself, is going to mean that there are going to be significant opportunities for training in the aerospace industry in the Portage area. Indeed, as a government, it is our intention to make the Portage site a training centre for this province in the aerospace industry.

Mr. Connery: Mr. Speaker, in that same announcement, he mentioned a Red River component, and I think there are some courses going to be soon taught in Winnipeg. Is there the opportunity for Red River Community College to also participate in Portage la Prairie and maybe other rural centres?

Mr. Derkach: Yes, Mr. Speaker, indeed there is going to be an opportunity for Red River Community College to participate in the training incentive in the Portage area. I can indicate that there is a centre now, a regional centre, operating in Portage la Prairie, and therefore it will be fairly easy for us to move those courses depending on who the successful bidder is, of course, and the work that goes on with that bidder to ensure that programs can be moved very quickly and easily to the Portage area. We look forward to that kind of initiative.

Women's Programs Reductions

Ms. Becky Barrett (Wellington): Mr. Speaker, the Manitoba Advisory Council on the Status of Women recently released the Single-Parent Families Report, stating that 13 government departments with 39 programs have a very high level of participation by women and impact on women.

Many of these same programs have been cut or dismantled entirely by this budget. Why did the Minister responsible for the Status of Women toe the 19th Century patriarchal line of her cabinet colleagues and not protect the interests of Manitoba women?

Hon. Bonnie Mitchelson (Minister responsible for the Status of Women): Mr. Speaker, I think this government's record on treatment of women in this province is commendable. I just want to indicate to the House some of the very fine things that we have done as a government since we have been in office for the last three years.

One of the very significant things that we have done is increase the number of wife abuse shelters in the province of Manitoba. Mr. Speaker, under the

former administration there were three wife abuse shelters, and we have increased that number to 11. I think that is a commendable record.

Mr. Speaker, we have introduced a family violence court in the Province of Manitoba, one that is very unique in Canada, that provides an opportunity for those—

Minister for Status of Women Meeting Attendance

Ms. Becky Barrett (Wellington): Mr. Speaker, given that the Minister responsible for the Status of Women's credibility has been seriously undermined by allowing these cuts to her budget and other budgets serving women, in compliance with the Tory old-boy mentality of her cabinet colleagues, will she now at least take a symbolic stand for the women of Manitoba by not participating in tonight's event at the Winnipeg Squash Club, which is open to men only?

* (1420)

Hon. Gary Filmon (Premier): Mr. Speaker, I wish the member for Wellington would just calm down and wait for the answer.

I have a great deal of difficulty with the hypocrisy of the member for Wellington when her Leader, the member for Concordia (Mr. Doer), used to organize the Christmas parties for the Manitoba Government Employees' Association at the Squash Club—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please.

Mr. Filmon: Men and women of that organization used to find no difficulty in attending public events, attending social events at that club. Now all of a sudden there is some hypocritical reason why, for cheap publicity, the member for Wellington wants to try and make some symbolic gesture.

Women in this province do not need symbolism, they need action, and that is what they have been getting, Mr. Speaker. All they got was cheap talk and symbolism from the NDP and they are getting real action—42 percent of—

Mr. Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Mr. Speaker, on a point of order, it is interesting when it comes to matters related to squash that we

finally get something out of this First Minister in the way of an answer, and it has taken that.

I would ask, Mr. Speaker, you call him to order, because he did not deal with the question raised by this member, which is as to why they are going ahead with their actions tonight—

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

* * *

Ms. Barrett: Mr. Speaker, I find it interesting that the First Minister has to answer a question directed to the Minister responsible for the Status of Women. That is symbolism.

Budget Status of Women

Ms. Becky Barrett (Wellington): Mr. Speaker, I would like to address this question to the Minister responsible for the Status of Women and ask her why the Status of Women budget, none too large to begin with, has been decreased in this year's budget by 18 percent and how she can support these cuts in light of the enormous increase in the needs for the women of Manitoba, as reported by her own advisory committee report which she has had for over two months?

Hon. Bonnie Mitchelson (Minister responsible for the Status of Women): Mr. Speaker, I do have an answer for that question because, as a matter of fact, we held the Premier's Conference for Women last year, which was a very, very successful conference in the province of Manitoba. It was a one-time initiative with a thousand women throughout the province who attended. I know that they received a lot of value for the dollars that were spent, but that is not going to be a conference that is repeated this year.

I do want to say, Mr. Speaker, that I was elected to represent the constituency of River East because the men and the women in River East constituency felt that I was the most competent and capable person to represent them.

Fishing Industry Financial Assistance

Mr. Speaker: The honourable member for the Interlake has time for one question.

Mr. Cliff Evans (Interlake): Mr. Speaker, since budget day, the minister responsible for CEDF gave

his assurances that loan assistance for fishermen would be available from CEDF, and I quote, within a very few days. It is now 14 days, and now we understand the decision has been reversed. MACC will continue to handle these loans.

My question is for the Minister of Agriculture and good management. Can the minister tell this House if loans are available today and at the same levels as before?

Hon. James Downey (Minister responsible for and charged with the administration of The Communities Economic Development Fund Act): Mr. Speaker, I am pleased the member for the Interlake has his mind on the fishermen's business other than the personal business which he is sometimes involved in which would be contrary to what the former member's question was of which he sits in the caucus with.

Mr. Speaker: Order, please. I would remind the honourable minister to deal with the -(interjection)- Order, please. The answer to the question should deal with the matter raised.

Mr. Downey: Mr. Speaker, let me make it very clear, as a result of my colleague's interest from Gimli, the questions asked by him and by the concerns brought forward, I will repeat, CEDF will be carrying out the loan activity of the fishermen's loan over a period of time, and, yes, the fishermen can go to MACC and get loans in the interim, as is part of the program that government has put forward.

Mr. Speaker: Time for Oral Questions has expired.

Nonpolitical Statements

Ms. Becky Barrett (Wellington): Mr. Speaker, I would like to ask leave to make a nonpolitical statement?

Mr. Speaker: Does the honourable member for Wellington have leave to make a nonpolitical statement?

An Honourable Member: Leave.

Mr. Speaker: Agreed.

Ms. Barrett: Mr. Speaker, on May 1, 1890, the first May Day proclamation was undertaken by the American Federation of Labour. The purpose of the first International Day of Labour was to recognize and celebrate the many contributions of working people to our society. It is a time to contemplate fairness and equality for all members of society.

The goal of the International Day of Labour is to create an egalitarian society free of discrimination, based on economic class, gender, race, religion or political beliefs.

May 1, the International Day of Labour, is celebrated throughout the world, and I hope all members of this House will support the legitimate aspirations of workers and all members of our society today. Thank you.

Mr. Paul Edwards (St. James): Mr. Speaker, I would ask for leave to make a nonpolitical statement?

Mr. Speaker: Does the honourable member for St. James have leave to make a nonpolitical statement?

An Honourable Member: Leave.

Mr. Speaker: It is agreed.

Mr. Edwards: Mr. Speaker, I want to join with my colleague from the official opposition in recognizing the International Day of Labour, this being May 1. It is indeed an important occasion for all working people in this province to recognize, and for all of us to recognize, the contribution that they make to the economic growth and stability of our province.

We have a work force of some 500,000-plus people. Those are the people who make this province work, and we want to keep them employed, as all Manitobans do, as much as possible. These are difficult times for the labour force around the world, and we are no exception in this province.

That, in my view, heightens the significance of this day, and I want to join, on behalf of our party, with all of those in the nonorganized and organized work force in this province in recognizing May 1 as the International Day of Labour worldwide and, indeed, Mr. Speaker, this is a worldwide occasion. We join with workers from around the globe today to recognize working people in this world, and we join with all workers in Manitoba in recognizing the importance of their efforts in building this province as they have in the past.

Thank you, Mr. Speaker.

ORDERS OF THE DAY

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I would like you to call the bills in the following order: Bills 5, 6, 8, 12 and 20. If there is time remaining, after those bills have been considered, I will call the Estimates motion. If

indeed there are not enough speakers—I am just starting to notice that indeed if those are all called and dealt with today that I would then go into Estimates.

Mr. Speaker, I would also ask you to petition the House to determine as to whether or not there is a willingness to waive private members' hour?

Mr. Speaker: Is it the will of the House to waive private members' hour? No? Leave denied.

* (1430)

DEBATE ON SECOND READINGS

Bill 5—The Mental Health Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Health (Mr. Orchard), Bill 5, The Mental Health Amendment Act; Loi modifiant la Loi sur la santé mentale, standing in the name of the honourable member for St. Johns (Ms. Wasylycia-Leis) and also in the name of the honourable member for Selkirk (Mr. Dewar), who has six minutes remaining.

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I rise today to conclude my remarks on Bill 5, The Mental Health Amendment Act, and to put on the record my concerns and those of my constituents and colleagues about what actions this government has taken in this bill and of course in its recent budget, because the issue of mental health care is a sensitive and an important one, important to us in Selkirk, of course.

We have the Selkirk Mental Health Centre, and the centre of course just received its accreditation. The hospital has a staff of approximately 450 employees and a caseload of about 300 patients. The staff in the hospital, in the remarks of the accreditation, were commended in a number of areas, including their commitment to providing the highest standard of care to their patients, their effective interdisciplinary approach to planning programs, excellent quality assurance and risk management programs and the central role in the development of mental health care for their patients, mental health care for the centre and the province.

Because the issue of mental health care is a sensitive and an important one, those individuals who suffer from a mental health illness or who have suffered from a mental health illness have attached to them a terrible, terrible and persistent stigma, a stigma from society, one that is very difficult for them

to escape. No other illness carries with it this terrible scar, this terrible persistent legacy.

Although our attitude toward mental health care is changing, it is still very much misunderstood and neglected. Of course, coming from Selkirk I have heard the rumours of patient mistreatment and abuse, of individuals forgotten by friends and by society, doomed to a life of institutions and medical care. We have all heard of the cases of abuse dealing with massive drug injections or electric shock treatment used on patients without their full knowledge or of their understanding of the long-term effects these treatments would have on themselves.

One of the sections of this bill deals with the rights of patients to refuse treatment and, if consent is not given, this legislation will require detailed records of that treatment be kept. The clinical records of an individual must include the medicine used, the method of administration, the dosage administered and the frequency of administration. The bill also provides guidelines as to how a patient can be restrained if they need to be. These provisions, I feel, would help alleviate patient abuse.

Mental health care patients are the most vulnerable patients in our health care system. They require, Mr. Speaker, special treatment, and we are glad to see that this bill does address some of these issues. However, unfortunately, this government's actions of the past few weeks will negate any gains made in this bill toward treatment of those patients suffering from a mental health illness.

The closure of the School of Psychiatric Nursing in the Selkirk Mental Health Centre will hurt mental health care in this province, and it is difficult to find anyone, anyone outside the cabinet, who considers this to be a good move.

The Town of Selkirk recently passed a resolution condemning this move. The Selkirk Chamber of Commerce has expressed to me its regrets and the loss to our town and to our community this closure would cause.

Health care professionals such as the Registered Psychiatric Nurses Association of Manitoba called the closure devastating to the profession. They also continued in their remarks, that if this is the way that they intend to plan the reform in mental health, the people of Manitoba had better be prepared for some rough times ahead.

Unfortunately, Mr. Speaker, the people of Selkirk were not prepared for this betrayal by this

government. The Town of Selkirk unanimously passed a resolution which condemned the government decision and implored them to reconsider. The resolution noted that for over 70 years the school has enjoyed a Canada-wide reputation for excellence and has contributed greatly to the community of Selkirk, not only in human resources but also as a significant employer.

It is inconceivable that this government acted without prior consultation with either the town or professional groups. In fact, the Town Council only found out about this closure through the media.

It is difficult to understand why this government would cut education opportunities, especially in a program where the employment rate is 98 percent. Why cut a program that is fundamental to mental health care reform? The lost positions, plus the contributions of 60 students, generate over a million dollars annually into the Selkirk economy.

In closing, Mr. Speaker, I again urge the Minister of Health (Mr. Orchard), along with the Town Council, Chamber of Commerce and many other professional groups, to reconsider the closure of the school, or at least postpone it for a year. Do not close the school. Mental health care in this province will be worse off for it.

Thank you.

Mr. Speaker: On the proposed motion of the honourable Minister of Health (Mr. Orchard), Bill 5, The Mental Health Amendment Act; Loi modifiant la Loi sur la santé mentale, also standing in the name of the honourable member for St. Johns (Ms. Wasylycia-Leis).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? Leave? Agreed.

Bill 6—The Mines and Minerals and Consequential Amendments Act

Mr. Speaker: On the proposed motion of the honourable Minister of Energy and Mines (Mr. Neufeld), Bill 6, The Mines and Minerals and Consequential Amendments Act; Loi sur les mines et les minéraux et modifiant diverses dispositions législatives, standing in the name of the honourable member for Point Douglas (Mr. Hickes).

An Honourable Member: Stand.

Mr. Speaker: Is there leave that this matter remain standing? Leave? It is agreed.

Bill 8—The Vital Statistics Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Family Services (Mr. Gillieshammer), Bill 8, The Vital Statistics Amendment Act; Loi modifiant la Loi sur les statistiques de l'état civil, standing in the name of the honourable member for Burrows (Mr. Martindale).

An Honourable Member: Stand.

Mr. Speaker: Is there leave that this matter remain standing? Leave? Agreed.

Mr. Jerry Storle (Flin Flon): Mr. Speaker, I am pleased to be able to rise to add my comments to the record with regard to Bill 8. As has been noted by other members in the Chamber, this is a vital bill and that fact was referenced by the minister himself when he introduced this legislation.

I would like to begin my remarks by complimenting the minister for bringing forward this harmonization, as he has suggested it is. I think it is important and timely and it will add to the accuracy, if you will, of the issuance of death certificates in the province of Manitoba.

It will also help the department of Vital Statistics and the staff there ensure that the work that they do is accurately reflected, that the information that they provide to the people of Manitoba, to individual Manitobans who come forward requesting statistics or information of a personal nature. That information is accurate and recorded accurately.

Mr. Speaker, I would like as well to comment, I guess, on the minister's reflection on the staff in the department of Vital Statistics. I think the minister was quite generous and quite magnanimous in his comments with respect to the staff. He notes, I think quite accurately, that the staff in the Vital Statistics branch are a professional group of people, that they perform work that often goes unnoticed, important work that has repercussions much beyond what the average Manitoban would believe possible.

The people in the Vital Statistics branch are often viewed by the public, Mr. Speaker, as functionaries, as people who simply provide birth certificates and death certificates, provide other forms to the public on an as-needed basis. I think what most people do not understand is that the "vital statistics" that are dealt with in the Vital Statistics branch serve many, many other purposes. In fact, those statistics are

compiled and used by researchers, by medical facilities, by Statistics Canada and by others to perform research of one sort and another.

Mr. Speaker, we need to know what kinds of trends are out there that affect society, whether it is births or deaths or the causes of deaths. Those kinds of statistics can be used by a multitude of organizations and individuals to improve our understanding of our society generally and, in effect, to help us perhaps prevent deaths of one sort or another by providing some insight into what is happening in our society.

Mr. Speaker, these people are extremely important and no one should forget that they do more than simply hand out birth and death certificates and track simple numbers. Those numbers translate into a statistical image, if you will, of Manitoba's society. I think that is an accurate way to put it, a statistical image of what the society looks like in terms of people entering through births and people who leave via deaths.

* (1440)

Obviously, there are many other people leaving Manitoba for other reasons, about 28,000 of them last year, Mr. Speaker, but the Vital Statistics branch does not deal with those.

Mr. Gregory Dewar (Selkirk): Nor does this government.

Mr. Storle: Mr. Speaker, as my colleague for Selkirk (Mr. Dewar) suggests, nor does the government deal with those people leaving the province because there are no opportunities, no jobs and no hope.

I want to say that the people who do these jobs deserve some credit and some recognition. Unfortunately, this government has not recognized the true value of the people in the Vital Statistics branch and, in fact, have treated that branch quite callously. Most members in the Chamber will remember that this government decided unilaterally, without consultation, to move the Vital Statistics branch to the community of Dauphin.

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

I want to make it very clear that the work of the people in Vital Statistics could have been done in Dauphin, that the people involved in the branch could have worked out of the Dauphin area, and I am sure would have come to enjoy and love

Dauphin and the area as much as anyone else who currently lives there. It is a beautiful part of the province, but the government, Mr. Acting Speaker, chose to unilaterally move this branch without due consideration of the professionals that the minister talked about in the branch. They moved it without considering how that move would impact on the families, the friends, the relatives of those individuals, or, in fact, how it would impact on their work.

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

The fact is, as we came to know somewhat later, that much of the work of the Vital Statistics branch relates to births and deaths and other statistical matters from the City of Winnipeg. The vast majority of public dealings in that branch were with the people of the City of Winnipeg. So while the government dealt with its people callously, I think it also neglected to understand the reality of the nature of the work at the Vital Statistics branch.

So Madam Deputy Speaker, I simply wanted to put that on the record because the minister, in his remarks on April 4 when this bill was introduced for second reading, at least implied somehow that the government had some respect for the people who worked in this branch.

Madam Deputy Speaker, I am not certain that the government's actions reflected any great level of concern for the people of the Vital Statistics branch or, in fact, for the work that the people in that branch do.

So Madam Deputy Speaker, I wanted to add that to the record and perhaps some other member on the government side is going to stand and address those comments which are somewhat critical of the government's motives and the government's actions. I would certainly enjoy listening to some sort of defence of the government's incompetence when it came to the treatment of the Vital Statistics branch and the treatment of the people who have provided this important service to the people of Manitoba.

Now, Madam Deputy Speaker, I want to go back for a minute to talk about the work of the Vital Statistics branch. In the act itself, in Bill 8, Section 14(6) outlines that no burial certificate should be provided where a person died as a result of an accident, as a result of an act of suicide, negligence or homicide, as a result of poisoning.

Madam Deputy Speaker, in general, the bill lists a number of circumstances in which a burial certificate cannot be provided until the medical examiner has issued, in effect, the death certificate.

So what this means, and why this is important—and I relate this to the job that is being done by the people in the Vital Statistics branch—is because these are the statistics that I talked about earlier that will be used by researchers, from automakers to pharmaceutical manufacturers to design engineers to improve products, to improve the safety of our workplace, our homes and our society in general.

For example, the reporting of accidental deaths, the careful reporting of how an individual died is important not only to the families of those involved, not only to the loved ones of an individual deceased person, but it is important to society as a whole. Not that one individual report, not that one report of a suicide or a death by ingesting poison or ingesting a chemical is of statistical significance in society as a whole, but that, Madam Deputy Speaker, is how we come to understand what is happening in the larger picture within Manitoba society or within Canadian society.

So, Madam Deputy Speaker, for example, Vital Statistics records how many women died during pregnancy or during birth or the giving of birth, important statistics, statistics that can tell us a great deal about the state of health of people in the province of Manitoba. If vital statistics had not been kept, we would not know with any degree of certainty that Native people, aboriginal people, have a very high infant mortality rate, that Native people, Native women, die disproportionately in giving birth to children.

We would not know that an inordinate number of young people between the ages of 16 and 25 die in traffic accidents. Now the significance of that, Madam Deputy Speaker, cannot be overlooked, because those are the statistics that are used by car manufacturers in an effort, in an attempt to make vehicles safer. Arguments are always used by legislators across the country, around the world. The accidental death statistics are used to encourage the safer design and manufacture of automobiles.

Madam Deputy Speaker, the list is endless, and the examples are likewise endless. The number of suicides, for example, in our society continues to

increase. A disproportionate number of suicides occur amongst males. In that category, a disproportionate number of aboriginal people and youth are recorded in our suicides.

* (1450)

Madam Deputy Speaker, it is the kind of information that this act is talking about that will allow us to understand in a more thorough way what is happening to our young people, to our aboriginal people, to people within our society, what is causing their death. What factors are contributing to that, of course, cannot be dealt with by Vital Statistics, but the numbers in and of themselves paint a very graphic picture of what is happening to our society.

So, Madam Deputy Speaker, I wanted just simply to say that the work that is being done should be valued not only for its accuracy, for its precision which we all want to see happen, but it should be valued as well for the contribution it makes to the improvement of society generally, to the improvement it makes to our understanding of how our lives are impacted by the things we do and the things we use.

Madam Deputy Speaker, this particular act is not a very extensive act. In fact, in introducing the amendments, the minister responsible, the Minister of Family Services (Mr. Gilleshammer), suggests that there are three essential purposes behind the act.

Number 1 is, of course, an increase in the cases that have to be reported to the medical examiner. Now this is a seemingly fairly innocuous kind of amendment, but it is important for two reasons, I guess. Number 1 is that it harmonizes the requirements under The Fatality Inquiries Act and The Vital Statistics Act, but it is also important because it puts a greater onus on the kinds of deaths that have to be reported.

Although it is not absolutely clear, I gather that this harmonization occurs not only because of a desire in the Department of Family Services and the Vital Statistics branch to harmonize what is going on with The Fatality Inquiries Act and The Vital Statistics Act, but, Madam Deputy Speaker, somewhere in the minister's remarks he references some sort of standardized reporting mechanism.

I am at a loss right now to find those specific remarks. It is referenced somewhere in either the background paper or in the minister's remarks that somehow the reporting of deaths and the

circumstances surrounding deaths is being harmonized in a much larger way, not only with The Fatality Inquiries Act, but with the reporting that is used in other jurisdictions as well.

The minister notes as well in his opening remarks that the number of cases where these requirements are now obligatory rises from nine to 22 and that they include all children's deaths. I again, referring back to the importance in societal terms of these vital statistics, the understanding we have of how our children, as we like to say our most important natural resource, are dying, their health, their well-being should be a prime concern, so the reporting of all children's deaths are important.

The deaths as a result of poisoning clearly in a society where the number of chemicals that are being used in our homes, the number of chemicals we ingest as medicines are increasing on a daily basis. The accurate recording of deaths that are occurring due to these chemicals is extremely important.

Madam Deputy Speaker, I think there are very recent examples of the medical examiners reporting of deaths due to overdoses, deaths due to the reaction of different medicines that people are taking causing death. Certainly the medical examiners, the coroners have no simple task in identifying causes of death, but nowhere is it more difficult than when chemicals are involved.

What we are seeing increasingly, Madam Deputy Speaker, is the interaction of different chemicals, apparently benign and harmless chemicals, causing death. So an individual may be on a psychogeriatric drug and ingest something as simple as a Tylenol. We can have people on over-the-counter, nonprescription medicines involved in drinking alcohol, so that the interaction of drugs is causing death.

The reporting of these, the defining of the cause of death and its reporting become more and more important as our society becomes more complex and as we depend, in some cases, on chemicals and synthetic drugs to provide us with medical relief from various illnesses and afflictions.

Madam Deputy Speaker, so we also are now going to see reported deaths from contagious diseases and deaths related to employment and pregnancy. Contagious diseases may be even more important in the next decade than they are today. Of course, we have the prime example of the

1980s of deaths due to AIDS, the Acquired Immune Deficiency Syndrome. Here is a disease that until the late 1970s, until 1979, essentially was unknown, that until the early 1980s we had very little understanding of how this disease was transmitted.

If you think about it, the work that the Vital Statistics branch does is helpful in identifying syndromes that are not immediately recognizable. The medical term syndrome is used because it identifies a series of symptoms that cannot always be related to one specific illness. AIDS is perhaps the best example, because I would be willing to bet that in North America, if not in many parts of Europe, we have deaths being reported in vital statistics branches around the world as being as a result of pneumonia. Pneumonia is often the final symptom which results in death of AIDS patients.

So now where we have better reporting mechanisms, people and individual countries, individual jurisdictions like Manitoba will be better able to track that illness. Now, Madam Deputy Speaker, if we achieve nothing more by these amendments than simply being able to track the deaths that are caused by the AIDS virus, we will have achieved something significant, because right now I can assure you that there are many, many people in Manitoba who have underlying fears about what kind of devastation the AIDS virus is going to do to our society.

There are very few people who feel secure with the statistics that we have at hand. We do not know to any definitive degree how prevalent the AIDS virus is in Manitoba, either HIV virus or full-blown cases. They may be more significant than we currently know. So if the provisions in this act require a more detailed accounting of the cause of death, the types of contagious diseases that are causing death, we may in fact all benefit in the long run.

Madam Deputy Speaker, of course, we just the other day in this Legislature expressed our concern over deaths in the workplace. We have now in Canada an official Day of Mourning for people injured and killed in the workplace. We know that in Manitoba, for example, there were seven fatalities in the transportation industry last year. So reporting and the cataloguing, if you will, of deaths in the workplace, as is suggested in the bill, is extremely important.

Like other areas of human endeavour, unless we understand what is happening, what is causing the death, we cannot require or ask employers or employees, for that matter, to protect themselves. If we do not know that people are dying as a result of the working hours of most heavy transport drivers, then we cannot regulate that or we cannot ask for more common sense to apply in the allocation of hours for transport drivers.

* (1500)

In industries like mining, which I am more familiar with, deaths occur on an all too regular basis. In Flin Flon virtually every year in one mine or another in northern Manitoba, someone is killed. Only a few months ago, a young man, someone I knew, was killed by a many-ton piece of "loose" falling on the individual, a fatality which obviously is extremely distressing. It was and is distressing for the family and for the friends of that individual, but it should also be distressing to us. Understanding the cause of death and having that reported as an industrial accident and the cause of death reflected in our statistics is important to us.

Certainly if the Minister of Energy and Mines (Mr. Neufeld) or the minister of workplace safety and health has access to that kind of information, perhaps, just perhaps, somewhere down the line we will be able to operate mines in a way that does not result in the death of innocent people doing a job trying to support their families and their communities.

Madam Deputy Speaker, the final area mentioned by the minister in his remarks was the area of pregnancy. I assume that this is a recognition of the continuing need to improve the level of infant mortality. There are, I think, indications from many quarters that while we have perhaps the best medical care in the world, our infant mortality rate, for whatever reasons, is unduly high. In fact, there are other countries in the world, developed countries albeit, where the infant mortality rate is not as high. Perhaps the better recording of information related to deaths at birth or during pregnancy will help us improve our health procedures, the prenatal treatment of women or, in fact, the procedures that we use at birth.

The second significant amendment that the minister references in his speech deals with the issuance of medical certificates of death where the body has not been recovered.

Madam Deputy Speaker, this is a somewhat more difficult area for both the minister, I am sure, and the Vital Statistics branch and for us as legislators, because this gets into an area where, although I am not a lawyer, I am sure that there are repercussions in the judicial system that the reporting of deaths, where there is no body, this area may in fact complicate the judicial system from two perspectives.

One, obviously we know that where there is no body there can be no examination by a medical examiner of the causes of death, we can only assume. Now in the case, for example, of an air crash we can fairly clearly assume what the cause of death was. Obviously, Madam Deputy Speaker, we do not need necessarily to recover a body in those kinds of instances. There are other more suspicious surroundings where there is no body to recover and no examination can take place, where it may be more problematic for the department and for not only those who act under the auspices of The Fatality Inquiries Act, but who act under The Vital Statistics Act.

Madam Deputy Speaker, the minister in his remarks did not, in my opinion, adequately address what the repercussions of this amendment might be to those investigating suspicious deaths where there is no body. In Manitoba we had the circumstances only recently of a young woman believed to be murdered by her husband where there was no body recovered.

I recognize what the minister is trying to do in this act. The minister, in this act, is attempting to alleviate the problems faced by a family who may require a death certificate, who want to proceed with a ceremonial funeral, a memorial service, who want to get on with their lives. The amendments in this act apparently, Madam Deputy Speaker, are attempting to alleviate that problem.

That is legitimate, and certainly members on this side—although I will let some of my colleagues perhaps speak for themselves—I do not believe that we have any immediate problem with what appears to be the motive behind this amendment.

The question that I think we want to ask is: What does this do in circumstances where there is a suspicious death? How does giving the medical examiner—or allowing for the issuance of a burial permit and the issuance of a death certificate under these circumstances affect the potential trial of a

suspect at some point in the future? If in fact we have issued a death certificate which says that the causes are unknown and the judicial system decides to bring someone to court to try them for a specific act, even though there still may be no body, what are the repercussions or are there any?

I am just trying to understand whether we are creating a legal problem for ourselves in passing this amendment without due reference to those kinds of circumstances. I may be off base here and the minister may want to respond at another time about the implications.

Madam Deputy Speaker, I think it is important to note that, I think the overt intention is quite good and will simplify things for the relatives of deceased persons. I should say that the minister did reference that there are currently avenues for relatives of deceased persons where the cause of death is unknown, but the recourse for those people is simply recourse through the courts pursuant to The Presumption of Death Act which, if there was ever an obscure act, The Presumption of Death Act has to be it, but there is recourse. The minister I think will acknowledge that what he is doing by amending this act is simply making it a little easier for families and expediting the process, if you will.

Finally, the other change that was referenced by the minister was the harmonization between The Fatality Inquiries Act and The Vital Statistics Act requiring a physician to complete the medical certificate of death within 48 hours. I understand that the Vital Statistics had no time provision, and so there is now a consistency between the two acts and that 48 hours is I guess the recommended time.

I had another question. The minister in his remarks did not perhaps deal with the substance of the amendment here sufficiently, at least for me, because I am not as familiar with The Fatality Inquiries Act as I should be. But the question was, does this time frame apply rigidly? What happens, for example, in the circumstance where someone in the remote part of the province, someone who is not attended to by a physician—and this is partly covered by the act—but who also does not have access or the family would not have access to a medical examiner when the individual was deceased under one of the conditions listed in the act, if the 48 hour requirement could not be met?

What is there in the act which would allow, or what discretion is there in the act, to allow for

circumstances where, for example, someone died in a small community—it could be Tadoule Lake, it could be anywhere—where it simply was not possible for a medical examiner or anyone else for that matter—attending physician—to determine the cause of death, to provide the details that are required by this act, either for The Fatality Inquiries Act or The Vital Statistics Act.

*(1510)

Now I see the Minister of Finance (Mr. Manness) shaking his head, but these kinds of questions, Madam Deputy Speaker, have perplexed many of us in the North for a long time. I think that if the minister is going to amend the act, we need to have an assurance that the people in northern Manitoba and other parts of the province where there is not a coroner or a medical examiner or necessarily a physician immediately available—what is the impact of the new requirements under this act to those people? I mean, are we going to be doing this by telephone? Who is going to be responsible if the conditions of the act cannot be met?

Now, Madam Deputy Speaker, there may be other sections in The Vital Statistics Act where this is covered. It is not evident by the minister's remarks, or from the minister's remarks, nor is it apparent anywhere else in the bill that I can see, and I have read the act thoroughly. -(interjection)- I have read this act thoroughly, and I can find no reference to the kind of situation I just raised with the minister. I will acknowledge that I have not referenced all of the amendments back to The Vital Statistics Act itself, but I had thought that when the minister was introducing his amendments, if there was any background information that would have made these amendments clearer, then they would have been provided at that time.

(Mr. Speaker in the Chair)

Mr. Speaker, those were the three areas that the minister intended to deal with in this piece of legislation, and I wanted to say that while I have raised some questions generally about the changes that the minister is proposing, I think in general we agree that the amendments are supportable. Having said that, I always remind people that when we are amending legislation, we can never assume that due diligence was exercised by the people who drafted the bill or by the department who is proposing it or the minister who introduced it, that all

eventualities have been covered. That is why I am raising some of these questions at this time.

It seems to me that we have an obligation as legislators to make sure that the legislation we pass is as consistent and as applicable as possible. That is why I raised, for example, the question about the 48-hour requirements and the harmonization between these two acts. There may be circumstances where it is not simply possible and, if it is not, then let us make sure that there are provisions in the act or discretion provided either to the medical examiner or some other official to the necessary discretion so that the lives of other people are not inconvenienced by what we hope will be improvements to The Vital Statistics Act.

Mr. Speaker, the other areas that are amended I think are also important and will not only be useful to the province but, as I have said, perhaps useful to other groups who use these vital statistics for research and development of policy and product and so forth.

Mr. Speaker, I had a couple of other questions relating to the introduction of this bill. The minister, in his opening remarks, did not address in any specific way who else might be affected by the amendments in this act, and it is customary, at least in my experience, for the minister to address who was consulted when this legislation was being drafted.

I think I have identified a number of groups who might be interested in these amendments. -(interjection)- The dufus from Portage—I am sorry, Mr. Speaker—the member for Portage (Mr. Connery) from his seat indicates that he has not read the bill, nor is he interested in this bill, probably not interested in the need for better information in the province, because he has never been interested in the truth nor, in fact, in my experience.

The other question I had related to which group this minister had consulted with. I assume that, for example, the medical examiners who will share the responsibility of this act with others in the Vital Statistics branch have been consulted.. What about physicians, particularly in rural Manitoba, who have to provide, or may have to provide, burial permits and death certificates?

Finally, do the new requirements require any additional fees to be charged? I think everyone in the Chamber recalls that last year, and I am not sure but perhaps even this year, there have been

significant fee changes applied to people who use the services of the Vital Statistics department. I am wondering whether these new requirements, for example the 48-hour requirement, is going to cause any additional charge. Is there going to be an additional charge because of any improved service?

Are the fees that are charged for individuals looking for vital statistics going to increase? Is the charge on birth certificates or death certificates or any other certificates provided by this branch going to increase as a direct result of any of the requirements in this legislation?

Another question that should be addressed, perhaps before we finally conclude the amendments, approve the amendments to this piece of legislation—Mr. Speaker, how much time do I have remaining?

Mr. Speaker: Fifteen seconds.

Mr. Storle: Mr. Speaker, 15 seconds hardly gives me time to put all of my remaining thoughts on the record, but let me just say in conclusion that we, in fact, will be supporting the main amendments in the bill and that we will probably have additional questions. I hope the minister will take under advisement my remarks and some of the concerns I have raised, that it is possible we will have additional amendments to this legislation if we feel they are warranted, if we think they are required, so the minister may anticipate that.

Thank you, Mr. Speaker, for allowing me to put my remarks on the record.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Burrows (Mr. Martindale).

Mr. Doug Martindale (Burrows): I would like to speak on this bill, Mr. Speaker. Where is my Whip? I think we need you, Whip, the member for Point Douglas (Mr. Hickey).

In speaking on Bill 8, The Vital Statistics Amendment Act, I would like to do three things. I would like to address some comments to the contents of the act, I would like to talk a little bit about the significance of vital statistics, and thirdly, I would like to talk about vital statistics as it applies to me. I guess, in a sense, you could say I am regulated by this act so I will talk a little bit about some of the licences to marry people and some of my experiences as being someone who has been authorized to conduct marriages in the province of Manitoba. -(interjection)- I am going to address that.

At the end of my speech I will tell you about my success ratio.

* (1520)

The amendments proposed will make The Vital Statistics Act consistent with the new Fatality Inquiries Act proclaimed in 1990, and there will be three main areas which will be harmonized. First of all, the Chief Medical Examiner will investigate additional types of deaths and the numbers of types of deaths will increase from nine to 22, including all children's deaths, deaths by poisoning, contagious diseases, employment and pregnancy. A second change is that the time for the medical examiner to issue burial permits will be changed from 14 days to 48 hours.

Thirdly, the medical examiner will be able to issue a medical certificate of death in some cases where the body has not been recovered such as drownings, plane crashes or others where the relatives would have to go to court to get proof of death for legal purposes.

There are good reasons for all of these changes. Therefore, our party will be supporting these changes. There are reasons for supporting these changes. The first reason is that the two acts will be harmonized. We support the harmonization of The Vital Statistics and The Fatality Inquiries Acts.

Secondly, the process will be humanized. We are interested in doing anything which humanizes legislation, which makes it easier for the public to deal with the requirements of legislation. I think one of those has to do with being humane in dealing with people who are bereaved. I know, for example, of a young person who drowned while sailing in the South Pacific and the body was not recovered. It was very difficult for the family to deal with. From time to time those things happen, and the sooner and the more easily that a death certificate can be obtained, the better it is for the surviving family and relatives.

Thirdly, the increase in the types of cases to be investigated will add to our body of knowledge. By adding additional types of deaths to be investigated, perhaps we can help in finding a cure or in determining the social aspects of certain types of deaths. So if this aids in medical research, then that is a good reason for amending the act.

Vital statistics have been and continue to be important for a number of reasons, for recording births, marriages and deaths. They are also

important for providing proof of age. From time to time people need that to get an old age pension, for example. So if they have lost their birth certificate, they can go to the department of Vital Statistics and get that information in order to get old age security or other benefits to which they are entitled.

People use vital statistics for genealogical research. Sometimes that is not available in government sources, so they go to the church and they look for baptism records, death records and marriage records. I have been involved in helping people to do genealogical research and also to find information that is not in government records. Basically, in our church we just refer them to the archives. -(interjection)- Yes, that is right. The honourable member says from his seat, we are providing a community service. I would be happy to say that our church does that at no cost. Some churches have a fee for doing searches, but ours does not, at least in Manitoba Conference at the present time.

So we would refer people to the United Church archives to have a search done for baptism records or whatever kind of records people need, and then a certificate is made out. Usually that is considered adequate proof by whomever is requiring the information that what happened actually did happen on a certain date and a certain place and a certain time, but sometimes those records are not available, because they have been lost or because a church burned down or records were destroyed in some way. Then people are out of luck, and they have a much more difficult time finding the kind of proof that they need, and probably at greater expense, because probably then they are looking at getting affidavits sworn and legal fees would be involved.

The third area I wanted to address is that of those people who are authorized to officiate marriages under The Vital Statistics Act. I am one of those people, and I think it is an interesting process. I would like to just outline how it works and some of the things that happen.

Normally a person needs to be ordained in their church or tradition, and then what the church does is, they supply a list to the department of Vital Statistics, who then issue a certificate authorizing that person to officiate marriages. Every year they automatically send out a new certificate to officiate marriages, but they keep the same number. I think my number is 8710 from the Province of Manitoba.

It is not always ordained clergy who are authorized. Sometimes it is lay people, depending on their tradition. For example, I was recently at the Unitarian Church, and the particular Sunday that I was there they designated two lay people, two lay women, who had been chosen by that congregation to officiate marriages for people in their congregation, and they were authorized by the Province of Manitoba to officiate marriages.

If you meet the requirements of your church, then the church sends a list to Vital Statistics, and they mail out a certificate with a number on it, and then the minister or lay person is authorized to officiate marriage.

At the time of marriage, the clergy person or lay person becomes an unpaid civil servant and has to collect certain documents and forward them to the government. After the wedding is over and the documents have been signed by the minister and the bride and groom, it is normal to collect the marriage licence, but it is not required. Many people do not know that, but you can get married in the province of Manitoba without a marriage licence. It is something that not many people take advantage of, and instead they go and they fork out \$10 or \$20 or whatever the fee is these days, and they buy a marriage licence. There is an alternative. The alternative is a proclamation of banns, and that used to be quite common.

I can remember when I was growing up, when I was in high school, the banns would be read from the church pulpit on Sunday morning. It had to be read three Sundays in a row in the church that the bride and groom attended, but there were requirements and there still are requirements for the reading of banns. The requirement is that both the bride and groom must be in regular attendance at church. If you were in regular attendance, the minister or priest can read the banns of marriage three Sundays in a row from the pulpit, which is just a public declaration that these people intend to get married on such and such a date, such and such a place. Then they do not have to buy a marriage licence—save a little money, save the minister some hassle, save the rigmarole and get married the same as anyone else, but without some of the paperwork.

Unfortunately it is becoming very uncommon. I have been licenced to officiate marriages for 16 years, almost 17 years, and have not been able to read banns even once in those years, because I

have never officiated for two people who are regular in attendance who wanted to have banns read.

In fact, you could get a lot of very interesting information from Vital Statistics. For example, on the registration of marriage form that the minister must fill out, they have the left column for the groom and the right column is for the bride. You have to list their name and address and their parents and the mother's maiden name and all of that sort of thing. So if you look at the address, if the people are honest, you know where they live. I would say that within the last two or three years, 100 percent of the people I have officiated marriage for are already, according to the addresses they are giving me, living together at the same address.

An Honourable Member: One hundred percent?

Mr. Martindale: The member opposite asked me if it is 100 percent. I am sure that in the last two or three years, and I have only done maybe a half a dozen, maybe eight marriages, all of the people had listed the same address, the bride and the groom. So you can find some very interesting social trends in registration of marriage forms, because I am sure if you go back 50 years, you would not find quite so many people living at the same address before marriage.

Since I have pointed out that I am one of the people who are licensed to officiate marriage, I should also say that I am following a tradition of people who have worked in the same place who have also been authorized to officiate marriage. My immediate predecessor, Reverend Bill Blaikie, is authorized to officiate marriages in the province of Manitoba.

Before he was elected as the member for Winnipeg-Bird's Hill, originally he was the minister on the staff of North End Community Ministry. The Honourable Bill Blaikie, the now member for Winnipeg-Transcona—and Reverend Bill has kept his status as a minister authorized to conduct marriages. In fact, the other day he asked me if I would fill in for him and I said no, but he and I are still retained on the roll of Winnipeg Presbytery as ministers, bona fide ministers in the United Church of Canada. Our names are therefore on the list of ministers authorized to conduct marriages in the province of Manitoba. From time to time, we get asked to do so.

An Honourable Member: This is all very interesting, but why do you not get down to the guts?

* (1530)

Mr. Martindale: The honourable member was not listening. I have been talking about the bill the whole time. There is another person who also represented part of what is now Burrows constituency, the Honourable Stanley Knowles, who was and still is a United Church minister. I saw him just a few weeks ago at Lions Place and he is still on the retained list of Winnipeg Presbytery, even though he resides in Ottawa, and over the decades that he was a member of Parliament from 1942 to 1984, with the exception of one term, he continued from time to time to officiate weddings.

Another person who worked out of the same building that the Honourable Bill Blaikie and I worked was the Reverend J. S. Woodsworth. At the time that he worked at All Peoples Mission, also known as Stella Mission, from 1907 to 1913, he was a Methodist minister and authorized to conduct marriages on behalf of the Methodist Church.

So we have a tradition going here, begun by Reverend J. S. Woodsworth and continued by Stanley Knowles, who was the minister of McLean Mission on Alexander Avenue, which is now in Burrows constituency, and then the Reverend Bill Blaikie, now the Honourable Bill Blaikie, and continued by myself, formerly employed by North End Community Ministry and now the member for Burrows, but still authorized to conduct marriages in the province of Manitoba.

Manitoba is not the only province that I have been authorized to conduct marriages in. I had a licence in the province of Saskatchewan for four years and had five congregations. I was much, much busier in Saskatchewan because I was in pastoral ministry.

I have co-officiated two weddings in the province of Ontario on a temporary one-day licence. If you are authorized in one province you can ask the church to write to another province and they will give you a one-day temporary permit. So I am pleased to say that because of The Vital Statistics Act of Manitoba authorizing me to conduct marriages here, I was able to co-officiate the wedding of my brother Bob in Ontario and my sister Bev in Ontario, as well. I could only do that because of The Vital Statistics Act of Manitoba.

When I first moved to Manitoba I thought, I am not sure that I want to be authorized by The Vital Statistics Act to conduct marriages in Manitoba because I was afraid that my wife's relatives and

maybe political friends and others would ask me to conduct marriage -(interjection)- well, they did ask me. So for the first couple of years I was not on the list. Then when somebody would ask me and I wanted to make an exception I would have to get on the United Church list. Then they would have to write to Vital Statistics. Then Vital Statistics would have to send me a certificate to officiate marriages.

Once it happened for a wedding in Ontario and the secretarial staff said, Doug, this is a real hassle, please do not do this to us. Why do you not just get on the permanent list and then we will be saved the trouble. So out of consideration for the secretarial staff I said, okay, put me on the permanent list. Since about 1982 or 1983 I have been on the United Church permanent list in Manitoba. -(interjection)-

The honourable member for Portage la Prairie (Mr. Connery) said my wife's relatives are good people. Yes, one of them did ask me to officiate a wedding. It was up in the constituency of Dauphin last summer and we enjoyed ourselves very much. It was a wonderful wedding ceremony.

From time to time interesting things happen when you are officiating marriage. The first wedding that I had in Eatonia, Saskatchewan, I was rather nervous. I was holding the wedding book and you could probably see the pages moving because I was shaking so much. I was so nervous that I actually missed two pages in the ceremony when I was flipping pages -(interjection)- well, at least I had the right part of the book -(interjection)- that is right.

It was a bad omen because one of the members asked me what my rate of success was. Now, as far as I know, everyone I have officiated for is still married, with one exception. That is the first couple that I married in Saskatchewan, and that is the one where I skipped a page in the wedding book by mistake. So it did turn out to be a bad omen. -(interjection)-

Well, I do not personally take responsibility for that, because I did not do the premarital counselling. In all the other cases I did the premarital counselling, and all those couples are still together to the best of my knowledge.

Some day I want to go back to Eatonia, Marengo, Flaxcombe, Alsask and Mantario, Saskatchewan and find out if those couples are still married so I can talk about my success or lack of success in officiating marriages.

An Honourable Member: Alsask, I know where Alsask, Saskatchewan, is.

Mr. Martindale: I am glad that one of the members recognizes Alsask. It is one of the few places that people know about who are out of province because it is on the border. It is where our radar station used to be, right? Until they closed it down.

I was actually asked to be the Protestant, civilian, officiating chaplain at Canadian Forces Station Alsask, and they would have paid me \$325 a month from the Canadian Armed Forces for doing absolutely nothing, and I am happy to say that I turned it down and saved the taxpayers some money, and they hired somebody else probably. They needed someone because there were people stationed there. The problem was, the civilian chaplain would go to the chapel on Sunday afternoon about two o'clock and the only person who would show up would be the Lieutenant-Colonel and maybe one other person, and they felt it was not worth going ahead with the service for us.

They would go to the Lieutenant-Colonel's house for coffee, and the minister would get paid nonetheless and he would be available for emergencies and would be able to provide counselling if that was necessary, but I do not think it happened very often. It is very hard to get referrals from people when you are never around and do not get to know them on a personal basis as I did the good people in Alsask, Saskatchewan.

On another occasion, I had a wedding in Saskatoon and I was kind of late and I forgot my shoes, so I had to buy a new pair of shoes in Saskatoon. It might have been the same wedding, I am not sure, but I forgot my clerical collar. Well, there are ways of getting around these predicaments. I suppose I could have borrowed one, but we were running short on time, so we had to find a piece of white cardboard. Now I cannot remember whether it was a piece of white cardboard from a cigarette package or from some other kind of packaging, but we did make a white collar out of cardboard and stuck it in my collar and got through the wedding okay. I did tease the couple. I said I was not sure that this was official or not, because I did not have my real collar, but they nonetheless are still together as far as I know.

Some day I would like to go to Vital Statistics in Regina and look up my own marriage registration,

because the requirements, at least in Manitoba under The Vital Statistics Act, are very precise. There are good reasons for having precise regulations under The Vital Statistics Act. For example, if someone is born in a rural area, Vital Statistics wants to know on the registration of marriage form what the corridor and the section and the township and range are of the birthplace, and quite often people do not know that, so you have to ask them, and they ask their parents or grandparents, or if they do not know where their parents were born, they have to go and ask: Where were you born, what was the quarter, the section, the township, the range that you were born?

So when I was getting married, in the summer of 1973, I was actually living in a manse beside Foote-Copeland United Church near Dafoe, Saskatchewan, but the minister was a little sloppy in filling out the forms, and so he put down that I lived in Toronto, and I had never lived in Toronto until that time. There were other things that Vital Statistics might consider to be errors in the registration of marriage form.

My wife tells me that I promised her the moon and she promised me nothing. I tell her that it is probably not a legal registration of marriage, but we have survived 17 years in spite of those very minor problems and, as the member for Transcona (Mr. Reid) says, 17 very good years. I would second that thought, and I think my wife would as well.

I think I have come to the end of my speaking notes, and so I am going to conclude now. I was given some notes to help me to speak, but maybe I will just pass these little notes on to my colleagues, and they can continue and add the remarks that I was not able to get on the record this afternoon.

I believe that vital statistics are important. It is for that reason that in our church, for example, we require people like myself who do not have a congregation, to covenant with a congregation so that records are duly recorded, and that records get put in the archives so that when people are doing searches for vital statistics information, they can find those vital statistics, either in the church archives or in the Vital Statistics department of the government.

Sometimes people do not do that and that causes problems, maybe not today or tomorrow, but it might cause a problem when someone turns 65, for example, and they need proof of their birth. If that

is not readily available, then they are going to be looking for proof of baptism.

So with those few remarks, Mr. Speaker, I will conclude and yield the floor to someone else. Thank you.

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, this is the great assembly of debate.

* (1540)

Hon. Harold Neufeld (Minister of Energy and Mines): What are we doing here?

Mr. Doer: Well, the member for Rossmere (Mr. Neufeld) from his seat may not understand this, but this is not the mother of Parliament. This is one of the sons and daughters of Parliament, being in Manitoba. The mother of Parliament, of course, is Britain. They debate these issues in a parliamentary democracy. It is rather fitting that we are debating vital statistics today in this Chamber, dealing with democracy in a democratic form.

It is important, Mr. Speaker, that bills of this nature get our full and complete discussion and debate. Yes, at times it may appear—and I am reacting to the member for Rossmere's comments—to be a slow and laborious process, but we could go to the system of dictatorships in other countries that many of our forefathers and foremothers fled from, where they have a very quick way to pass laws. You do not have debate. You do not have Parliaments. You do not have oppositions. You do not have other parties. You do not have people dissenting.

You could pass bills like this with a stamp. You could pass them as quickly as the Minister of Urban Affairs (Mr. Ernst) passed the project that we are questioning in this House. -(interjection)- Oh, I am sorry. I want to speak on the principles of the bill. In this democracy, bills take a couple of months of debate, discussion, to ensure that democracy and the public interests are served in the debate and, hopefully, ultimately in the decisions that are made. -(interjection)- Well, the member raises a point about Bill 88. I thought it was rather curious in speaking to the principles of Bill 8 that we would talk about the principles of Bill 88, because I remember at that point the Liberal Justice critic criticizing—

Hon. James McCrae (Minister of Justice and Attorney General): No, I did not.

Mr. Doer: —criticizing the amendments that were made by the Minister of Justice (Mr. McCrae) on the drinking and driving bill. That is fair debate in a

democracy, but then I found it rather ironic that when the Liberals brought a bill forward, it was 75 amendments to about a 12-page bill. That was Bill 88, I believe.

Mr. Kevin Lamoureux (Inkster): The government screwed up bad.

Mr. Doer: Mr. Speaker, I think the member for Inkster (Mr. Lamoureux) commented that the government -(interjection)- Yes, I do not want to follow the advice of the Liberal House leader, but the government did not practise good parliamentary drafting. I was surprised the member for Inkster would point that out, because he should recall that was the former Liberal member for Seven Oaks, the one Mark Minenko, allegedly a lawyer, who prepared the first bill and then prepared the 75 or 80 amendments to Bill 88. So I was surprised that the member for Inkster would criticize his old colleague. I think they even sat pretty close to each other at one point. Did you not sit—

An Honourable Member: Side by side.

Mr. Doer: Side by side, I thought so. I am just trying to go by memory. There were about 75 amendments, as the government Transportation minister has pointed out, to that bill, which is a good indication to all of us why we have to be so careful and so thoughtful in legislation that is before this Chamber. I know that the Minister of Family Services (Mr. Gilleshammer), in the introduction of this bill, would want us to practise that same procedure.

Now I have some former government attachment to the Vital Statistics area, because I was the Minister of Urban Affairs and I was at the opening ceremony for a branch of government that was located in the same area where the Urban Affairs division of the government was located in, a building called the A. A. Heaps Building, a beautiful and magnificent building. I think the former Minister of Government Services will recall that it was a beautiful old bank building around the turn of the century that was built in our province, which was renovated to allow for Vital Statistics, particularly on the main floor, to be located in that building.

(Mr. Bob Rose, Acting Speaker, in the Chair)

It was renovated, I believe, to ensure that the public had access to their records, to their vital statistics, that the public had access to those records in a storefront operation, Mr. Acting

Speaker, in a way that would allow full public access to those documents.

I was therefore very surprised when the government made an announcement to move those records and those people to an area outside of the downtown area of the city of Winnipeg, given the demographics and statistics of our own province. That is not to say that areas outside of Winnipeg need and should not have employment and positions moved to them, but it seems to me that there should be a logic behind the decisions. They should not just trickle down through departments, you know, and sort of have a decision-making process that looks more as if it is out of an Edward G. Robinson movie than it is out of intelligent government decision making.

Let me say why I thought that looked like an Edward G. Robinson movie, because when we analyzed last year—and some of the members, it was before their election—where the statistical deployment of employees was going, we found a high correlation between the muscle and power that we perceive to be in cabinet, rather than the statistical analysis and statistics that would be used to analyze decisions for the economic performance of the province in the movement of positions in our economy.

The member for Pembina, the Minister of Health (Mr. Orchard), is considered by us to be a strong member with very high elbows in the Conservative caucus. Lo and behold, when we analyzed how many positions were moved to the member for Pembina's constituency, we found, in an area that was 7 percent unemployment rate at the time the decision was made, and a growing constituency, we are talking about statistics, a growing constituency in terms of population and in spite of depopulation in rural Manitoba, we found 50 or 60 jobs to that area.

Then we looked to some adjacent seats. In fact the minister responsible for decentralization seemed to do pretty well under our calculations, again an area that had about 7 percent unemployment, southwest Manitoba. Then we looked at areas such as the Interlake, and not just NDP areas, we looked at areas such as Lac du Bonnet, we looked at areas such as Swan River, at that point which was held by the former member, Mr. Parker Burrell, and we found again there was no relationship between economic statistics and the demographic decisions of the government. For

example, the unemployment rate was much higher in northeast Manitoba than it was in southwest Manitoba or southcentral Manitoba. There were four or five positions moved by the government of the day to the Beausejour and Lac du Bonnet area, in spite of its higher unemployment rate, than the 70 or 80 positions that were moved to the member for Pembina's constituency.

Then we looked at the member who was responsible for decentralization and we looked at the Interlake area represented by both the New Democratic member at the time and a member from the government bench, the government Whip. We found an unemployment rate of 12 percent at the time the decision was made. The statistics showed a 12 percent unemployment rate, and yet very few jobs were moved to the Interlake.

Then when we looked at the member for Swan River's community, a 14 percent unemployment rate in the Parkland region, we found only five jobs moved to the Swan River area of the province. So we came to the conclusion—

An Honourable Member: No Repap.

Mr. Doer: Well, I will stay tuned, that is all I will say.

An Honourable Member: Are you speaking for the bill?

Mr. Doer: I beg your pardon?

An Honourable Member: Do you favour the bill?

Mr. Doer: I will get to that in my summation. I would not expect the member opposite to bring a bad bill forward here in his first piece of—*is this your first piece of legislation?* *-(interjection)-* I will have to check my notes and see if I contradicted myself.

So we looked at Swan River and a 14 percent unemployment rate had four or five jobs moved to it, compared to the member for Pembina (Mr. Orchard) getting 60, 70 jobs. So we came to the conclusion that it was really the muscle, the verbal skills and power in the Tory cabinet, Conservative cabinet, that determined what jobs were moved outside of the city of Winnipeg and what jobs were kept inside the city of Winnipeg. It did not have anything to do with logic.

* (1550)

Now why, for example, were we moving the area of Vital Statistics outside of the city of Winnipeg when I think you could have been looking at, before this last budget, decisions to move, say, Natural Resources to Dauphin. I always believed the

Parkland area is an excellent place for Natural Resources' positions.

An Honourable Member: Well, it is pretty good in Neepawa.

Mr. Doer: Mr. Acting Speaker, the member says it is pretty good in Neepawa. He has not heard yet from his constituents who will be coming forward who traditionally kept their farm going because they had a seasonal job in Highways and Natural Resources. There are a lot of farmers out there who traditionally relied on 14 or 12 weeks of work from the provincial government. They relied on 12 or 13 or 14 weeks of work to keep themselves and their farms going in tough agricultural crises.

When the government talks specifically about 950 job positions being lost, it is a lot more people, Mr. Acting Speaker, than those numbers of 950. If you take one seasonal staff year, that employs three seasonal employees through the 12 and 14 week period in Highways and Natural Resources. The minister knows this.

He is probably getting calls now: I have been called back for the last 20 years to do maintenance, what is happening this year? Oh, you were cut from the government budget, sorry. Well, who is going to do the highway maintenance? We contracted that out. How is that going to save the city money? Well, it really is not, but we had to look like we were saving money on the budget on the one end. How is this going to work in terms of my Highways? Well, it is not because they are going to start getting worse and worse and worse.

Mr. Acting Speaker, those jobs that the minister just talked about from his seat, the member from Neepawa—not Neepawa, Ste. Rose, I am sorry. I am biased toward Neepawa. My grandparents were from there and I have to confess a certain amount of emotional attachment to the community of Neepawa. *-(interjection)-*

Well, it does have something to do with the statistics that I am coming to because statistics are a very, very key and important point of everything I am raising, because everything I am raising is tied to statistics. The unemployment rate in certain areas of the province, the decisions of the government which are statistical decisions *-(interjection)-*

Mr. Acting Speaker, we will see over time. The member for Portage—I wish Portage la Prairie was as successful. Quite frankly, notwithstanding who

is in government, I wish we were more successful on the Portage base. I wish we had closed the Downsview base in mid-downtown Toronto instead of the base in Portage la Prairie and the Kapyong barracks in Winnipeg. Notwithstanding partisan politics, let us face it, we are all Manitobans first.

When we look at the statistical decisions of the government, we find there is no economic analysis at all. Surely the government, if anybody, should be using statistics to make decisions.

I asked the Premier in his own Estimates about whether the government—it ties into the comment from the seat of the member for Ste. Rose (Mr. Cummings)—I asked the Premier in his Estimates whether statistics were used to make the decisions in terms of the cutbacks in the provincial public service. Did he use any economic modeling at all? Could he table in the House statistics that would back up the decisions that they made in the departments on the basis of the economic statistical realities in the areas of the province?

He baffle-gabbed and baffle-gabbed and pulled out old newspaper articles and did not answer the question. I asked him the question five different times in five different ways, and he used statistics.

An Honourable Member: Vital statistics.

Mr. Doer: Well, I think they are vital. They are vital to people who lost their jobs. Did he use the statistics available to him and his cabinet to make the decisions of cutbacks in various regions?—because these regional jobs, these Highways and Natural Resources jobs are not—they are one staff year, all right. The Minister of Finance (Mr. Manness) knows that is three people, often three farmers. They were keeping their livelihood and their family and their family farm together with that little bump of money. Now you are going to contract that out to companies, some of them in Manitoba, some of them outside this province.

Well, some of those same people—we will see, because we are getting lots of calls from people outside of the Perimeter Highway that are saying that they cannot believe that they did not consider the economic realities of my region when they made these decisions. I cannot believe that I cannot get back onto my seasonal job of highway maintenance in Minnedosa after working for the provincial government for 25 years. I cannot even believe—I never thought this government would do that to rural

Manitoba. I never thought this government would do this to farmers that are on the edge. Do they not understand that after seeding I always work on the highways and hope to finish working on the highways or finish working in the parks in time for harvest? That is the difference between keeping my farm and not keeping my farm. People are just finding that out now.

I am sure the members opposite now know that. I do not know whether they discussed it in cabinet. I do not know whether they care. Because it is three people statistically for every one of those staff years in Highways, or many of the jobs in Highways and many of the jobs in Natural Resources—parks, highways have been the bridge for many farmers and many rural communities.

An Honourable Member: Why did the union leadership in MGEA not recognize that?

Mr. Doer: Why did the union leadership of the MGEA not recognize that? -(interjection)- Why? Did you offer them another alternative? You did not sit down and negotiate with them. -(interjection)- Beg your pardon? -(interjection)- Well, I know as a former minister and a former negotiator the other way that when job security was guaranteed, the wages were kept very low, in fact zero.

Mr. Edward Connery (Portage la Prairie): Yes, you gave them another week holidays which we are paying for forever, forever and ever, an extra week holidays.

Mr. Doer: If the member for Portage (Mr. Connery) would cost that, and he should cost it, it will work out at a benefit of about 2 percent per employee, and it will work out to a cost to the government of about 1.1 percent. -(interjection)-

Mr. Acting Speaker, the minister cannot ask, do we not need the work after he lays off 950 people, I suggest. It looks a little bit hypocritical. I would suggest the government should do some economic modelling after it concludes its disastrous state of negotiations and look at what happens at the end of the day. We are going to have the worst of both possible situations in this economy, and the minister mentioned that he had discretion over those decisions. He did. He lost it, and now we are going to have high layoffs which we cannot afford in a recession and a depression in this province, and we are going, I would suggest to you, have settlements that are higher than what the government expects. We have already seen that with doctors and

lawyers, and I spoke against the judges bill. Wait till we see that fiasco come out.

Mr. Acting Speaker, you have got to start using statistics to make decisions. You cannot just make them on your right-wing ideology that does not make any sense in this province. There are economic vital statistics that are necessary to make the decisions that are important for the people of this province. Those statistics are very important. I do not think this government ever uses facts when it makes decisions. I believe that facts are just devoid to the decision-making process of this government, and I just mentioned seven examples where statistics could have made more intelligent decisions on the decentralization process. I do not think one statistic was used, because if one statistic was used, every one of those decentralization decisions would have been changed.

* (1600)

They would not have been sending people out to Morden and Winkler when the unemployment rate was 7.2 percent—nothing wrong with those communities. They would have been sending those people and those vacant jobs, if they wanted to save money, out to places like Swan River, Lac du Bonnet, Interlake.

An Honourable Member: Swan River was represented by the NDP for a long time.

Mr. Doer: Well, that is what I mean when people do not make statements on the basis of facts.

Now the former member was part of the decentralization decisions, and of course the former member for Swan River, I could tell the member for Portage la Prairie -(interjection)- that is right, the former member. He will know that Doug Gourlay represented that riding for a number of years. The last time I looked, Doug Gourlay did not have a New Democratic membership, and then Leonard Harapiak, one of the finest people to ever sit in this Chamber.

It was very close. I knew it would come down to the wire. I knew it would. -(interjection)- Well, I love revisionist history, but Leonard Harapiak did represent that area for two short years, and he was replaced by somebody in the Tory experiment of '88, and that person was soon replaced.

The people in Swan River will never experiment with the Tories again. They have found good representation and solid representation and

representation that uses statistics and facts, not ideological rhetoric of the members opposite.

An Honourable Member: If you are the party for the average person, how come you people said he was not capable of representing the province because he was born in a cabin?

An Honourable Member: We did not say that.

An Honourable Member: How come he said that?

Mr. Doer: That is what I meant by facts. Here again the member for Portage is using Fred Cleverley again. Now, Fred Cleverley does not use statistics very often. Well, I should not say this, because I am going to get another one of these editorials and a CKRC story and everything else, but what the heck. I may as well get it anyways.

Fred Cleverley is a great political predictor. He is the one who said that we would have a tough time winning Churchill the next election. Fred Cleverley, this great political analyzer, the friend of the Conservative Party, said that Flin Flon would turn on the farmers' votes in 1981, and Fred of course said that we would have a tough time winning the election in Churchill.

Now the fact that we had no seat in Churchill left after the redistribution, or Rupertsland, is probably a good reason why we would have a tough time. Now, Fred Cleverley did put in a column that Gary Doer had said that somebody had made some very negative comments about Parker Burrell.

I did phone. I have apologized in this House. I have phoned his family. I could not get through to Parker, but I did phone to explain I did not say it. One member of our party did say it in Dauphin, and it was a mistake. I apologize for the second time, because it was a real unfair thing to say about Parker Burrell.

It is an unfair thing to say about anybody that any background should deter people from being elected. That is a really rotten thing to say about somebody, and I really resented the fact that Fred, with all his inaccuracies, stuck my name on that quote because that is wrong and I never said it. The person who did say it, who was an overzealous campaign worker, made a mistake and we have apologized in this House for that comment.

That is what I mean about vital statistics. It is important to get facts straight.

An Honourable Member: He is right on topic, Mr. Acting Speaker.

Mr. Doer: I am, of course, because I was talking about the statistics that were lacking in the decentralization.

Now let us look at the statistics that were lacking in the budget because I have asked the Premier (Mr. Filmon) five or six times, and I think they have the information. I happen to believe they maybe got it retroactively, with some of their damage control people, to find out how many people outside of the city of Winnipeg, how many positions outside of the city of Winnipeg were affected in those seasonal jobs, statistically, and how many of those positions will have how many people, statistics, because we are getting the warm phone calls, we are getting the human phone calls from those people.

The member for Lakeside knows this, the Minister of Natural Resources (Mr. Enns), he knows that the seasonal employees who work in the parks, when he has a staff year, a seasonal staff year that could be three people who are not called back this year, he knows that. The former Minister of Government Services and present Minister of Highways and Transportation (Mr. Driedger) knows that people outside of the city of Winnipeg are not getting called back to work.

An Honourable Member: A lot of those were not even staff years.

Mr. Doer: Well, do we have more than 950 staff years then?

An Honourable Member: Why not?

Mr. Doer: Do we have more than 950 staff years? -(interjection)-

Well, maybe the Minister of Finance (Mr. Manness) is getting the phone calls now, right? Maybe you are getting the phone calls. Maybe you went and chopped a bunch of the people that -(interjection)- what, maybe you, sir, chopped a bunch of people who normally keep their farms going with those seasonal jobs and now you are sort of reacting.

You have been in government for four budgets, and you should have known who you were denying livelihood to in the decisions you made. You did not. You are getting the calls now, I know that. I am even getting a -(interjection)- Rationale? You did not use any statistics. You did not use any facts or figures.

An Honourable Member: Rationale with dollars, not cents.

Mr. Doer: I beg your pardon?

An Honourable Member: You must think we are pretty stupid.

Mr. Doer: Do you call the decentralization exercise an exercise in matching economic potential with economic growth in jobs? You call that any match? -(interjection)- I beg your pardon? -(interjection)- Well, why did the member for Pembina (Mr. Orchard) get 24 times the number of jobs than the member for Swan River, with a 7 percent unemployment rate versus a 14 percent unemployment rate?

Now, I would suggest to the Minister of Finance (Mr. Manness) that his good friend from Pembina had more muscle and higher elbows and was more successful in the Edward G. Robinson exercise that went on in their cabinet than the former member from Swan River, and I do not think I am far wrong from that. I will bet you he was just in there and every time there was a chance to trickle down a job to his constituency, his elbows went up and he got those jobs and then Parker Burrell just was left with the crumbs off the table in terms of economic potential. -(interjection)-

How about the Textbook Bureau? Now, how do you put the Textbook Bureau out in Roblin-Russell? Now that we have the Minister of Finance (Mr. Manness) talking about the statistical reality, what was the rationale? Can he please give me one reason for the Textbook Bureau going to—where was the statistical information that went into the decision to send the Textbook Bureau? Where did they go to, Russell? Russell. Is there any good reason there? Soil? Unemployment rate?

An Honourable Member: There will be more on that one.

Mr. Doer: Oh, there will be more on that one and many good statistical reasons for the Vital Statistics branch to go to Dauphin instead of the Natural Resources jobs. Any good reason there? Well, there will be more on that one too, will there not? -(interjection)- I know. We already know.

It has been run by the Deputy Premier (Mr. Downey). This whole statistical program that lacks any statistics is being run by the Deputy Premier. This man is a heartbeat away, to use the old quote from Lyndon Johnston, from running this province, and he cannot even decide who can run after—

An Honourable Member: He cannot decide who should look after the fishermen.

Mr. Doer: That is exactly right. There is another beautiful decision. There is another one of these decisions where they had a lot of thought—right, Ed?—before the decision was made. You do not use statistics, so that is why it is so ironic today that we are debating Bill 8. It is so ironic that we are debating Bill 8 today because “statistics” is a word that is foreign to the Conservative Party.

An Honourable Member: Thinking is pretty much foreign.

* (1610)

Mr. Doer: I guess that is right, too. -(interjection)- Ten minutes? God, I have a lot more to say. I am sorry. I wonder if I should use my unlimited time on this speech?

Let us talk about some more statistics, because it is very important. We have established the fact that the Conservatives do not use statistics in any decisions they make. They do not use any thought, any rationale. High elbows is the criteria in this government, in this caucus, illegal hockey elbows.

Mr. Acting Speaker, nowhere is it more evident in the budget when you juxtapose those budget decisions in terms of vital statistics with the population numbers, because it should be a major concern to the Conservatives as they whistle past the economic graveyard of this province. It should be a major concern to the Conservatives of the province that the rural population is going down.

Now the Premier (Mr. Filmon), in an answer to the question from the member for Brandon East (Mr. Leonard Evans)—I guess he never took a first-year statistics course, not that that should deter him from being able to read statistical information. I have not taken a statistical course either, so I want to be—

An Honourable Member: We lost 4,100 people.

Mr. Doer: Have lost 4,000 people from rural Manitoba, net population. So what did the Premier answer in his question in the House? Winnipeg has more seats than rural Manitoba, not recognizing, of course, that the whole province’s population had gone up. Rural population had gone up. Urban population had gone up, but the rural population had gone up in the ’80s slower than the population rate for the city of Winnipeg, so the proportion of population had changed.

(Mr. Speaker in the Chair)

Never in the ’80s did we see a situation where the net population, i.e., real people, had gone down. In

absolute terms, it dropped 4,000 people. Now, why did that happen through vital statistics? Well, you have to take the birth rate, the death rate, the out-migration and the in-migration, and that eventually gives you net population.

An Honourable Member: Do not forget the foreigners as well.

Mr. Doer: Well, immigration being net foreign and interprovincial immigration, two types. Mr. Speaker, that means that the Conservative economic policies for rural Manitoba are statistically and humanly failing.

There are less people buying groceries in rural Manitoba; there are less people doing their banking in rural Manitoba; there are less people purchasing their value-added products in rural Manitoba. There are less people buying cars in rural Manitoba; in fact, car dealers are going down in rural Manitoba. There are less people in real terms operating in rural Manitoba.

Even with those statistics, what does the government do about it? It lays off hundreds and hundreds of people. I hope the government explained this to their own members from rural Manitoba before they laid that bomb on the people of Manitoba.

I hope they broke down on how many people would be lost in Turtle Mountain in terms of jobs, how many people would be lost in Gimli in terms of jobs, how many people would be lost in La Verendrye because of the job loss with seasonal employees from Highways, and Natural Resources, because it was not the 500 that the government stated, it was hundreds more because three people are hired for every one staff year in many of those jobs.

I say that this government is using statistics and is not using vital statistics in any way, shape or form, totally devoid of statistics and comprehensive thinking and comprehensive decision making.

Mr. Speaker, what do they do? They compound those statistical problems with other statistical problems. They are allowing schools to close in Cartwright, Manitoba. The government is using a technical definition to get around the statistical reality.

They are using the term “transference” to get around a statistical problem. They are using transferring of students to get around a statistical problem in terms of the criteria under the act. Now

if I was the member from Turtle Mountain (Mr. Rose), I would be demanding that my minister stand up and take a leadership position instead of ducking behind the school board statistically.

Mr. Speaker: Order, please. I hesitate to interrupt the honourable Leader of the Opposition, but I must remind the honourable member that it is the principle of Bill 8 which we are debating here today. The principle of Bill 8, The Vital Statistics Amendment Act deals with the issuing of death certificates. I would ask the honourable Leader of the Opposition to keep his remarks relevant to the business before the House.

Mr. Doer: I thank the Speaker for that point. I was coming to the point that statistics are used in terms of births, deaths, causes of death, and certainly there is no sense in keeping statistics if the government does not use them. That is one of the points that I think is consistent with the principle of this bill, because as we harmonize and maximize the utilization and gathering of statistics that is required in this bill, I think it is important to point out in principle the government should practise in principle what they are preaching in the principles of this bill.

Mr. Leonard Evans (Brandon East): One of the reasons we have rural depopulation, we have more death certificates being issued than birth certificates.

Mr. Doer: As the member for Brandon East points out, one of the reasons that we have so many problems of depopulation is the death and birth rate factors. The other reason why we have depopulation in rural Manitoba is the disastrous economic policies of the Conservative government that is aiding and abetting the depopulation in real terms and in real numbers in rural Manitoba.

Mr. Speaker, I do not want to go over my limit. Can you please tell me how much time? Four more minutes? Thank you very much.

Mr. Speaker, the member for Pembina (Mr. Orchard) should be very aware, very concerned because as he skates around the question from the member for St. Johns (Ms. Wasylycia-Leis) about medical services, he should recognize there are 37 statistical reasons why he should be doing better in rural health care by his own interim committee. Now, he may be bafflegabbing and denying the obvious, but—

An Honourable Member: He has never seen it.

Mr. Doer: Yes, that is right. Mr. Speaker, the member for Pembina should recognize that he is aiding and abetting the problems that he argued that he should—

An Honourable Member: They are not even relevant

Mr. Doer: I do not blame the member for being a little sensitive today. It is pretty bad when you are a member from rural Manitoba in the health department and you have 37 condemnations of your own health care policy by your own health care committee.

Mr. Speaker, we support in principle this bill, and we support the principles contained within the bill to harmonize the types of statistics in The Vital Statistics Amendment Act. As our critic has said before, there are three reasons to support this bill. One is the harmonization of Vital Statistics and The Fatality Inquiries Act. Two, it hopefully will humanize the process particularly if the government practises a human approach to their own employees in Vital Statistics and practises a human approach to using statistics in their own human decision making. Thirdly, we believe that it will increase the types of cases to be investigated and it will add to our body of knowledge on a personal level and also as a society. By adding additional types of deaths to be investigated, we can perhaps help in finding a cure or in determining social aspects of certain types of deaths, and we hope that will help us in terms of many of the reasons for death.

In conclusion, Mr. Speaker -(interjection)- The member for Pembina is a little animated, and I am sorry he missed some of my comments earlier about his statistical decision making that went on in his own constituency, the Edward G. Robinson approach to his ministry.

Having said that, Mr. Speaker, we do support the principles of this bill, and our caucus looks forward to the ongoing debate that will take place on this bill. We indeed look forward to the debate that may take place eventually in the public arena when the Legislature has moved it on at an appropriate time to the public of Manitoba.

I thank members for giving me the opportunity to make my few brief comments about vital statistics and the importance they should be having in the decision making of this province. Thank you very, very much.

Mr. Daryl Reid (Transcona): Mr. Speaker, I move, seconded by the member for Radisson (Ms. Cerilli), that debate be now adjourned.

Motion agreed to.

*(1620)

Bill 12—The Court of Queen's Bench Small Claims Practices Amendment Act

***Mr. Speaker:** On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 12, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the honourable member for Kildonan (Mr. Chomiak).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? Leave? Agreed.

Mr. Conrad Santos (Broadway): Mr. Speaker, the principle behind Bill 12, The Court of Queen's Bench Small Claims Practices Amendment Act, is to make accessible to the people who are least able to pay for the service of a lawyer to be able to secure and achieve fairness and justice in our society.

It is a basic, fundamental goal and objective of every government to see to it that justice is observed among all segments of the population and that there should be no distinction at all between people who can and those who cannot afford the more expensive litigations.

It has been said that justice is blind, but sometimes justice is too blind to not recognize the person who is with lots of rolls of bills in his pocket as against the guy who is broke. Justice is exactly what we get, we feel, when the judgment is given in our favour, but when it is given to the other party's favour, we always speak of it as injustice.

In order to achieve justice in our society, we must have people who sit in our courts, in our benches, who are judges or people who try to secure equity and fairness to everyone. Every judge has a duty to hear courteously all the claims being presented in his court, with an open heart and an open mind. The judge should be able to answer wisely all the inquires and questions, especially about factual controversies.

The usual thing that happens in a typical courtroom is not controversy about that the law is, because the law is there for everyone to be read and

to be applied; it is always available. What is usually controverted in front of a court or a judge is, what are the facts of this case? What are the witnesses saying? How are the witnesses testifying to what happened?

Usually it is a question of factual veracity of what actually transpired, and if what happened is relatively clear to everyone, it will be very easy for the judge to apply the law, and when the judge considers all the factual evidence before him, all the documentary and testimonial proof of witnesses, he must be able to deliberate on them soberly and then, weighing all the claims of the various litigants and various contestants in the battle in the arena before his forum, the judge must decide impartially and fairly.

There is justice for all available to everyone, and yet it seems that it is not equally distributed among all the members of society. In most industrialized countries, including our own, you can achieve justice if you have lots of money to pay lawyers and to pursue appeals to the higher courts. Sometimes you spend thousands and thousands of dollars if you are fighting a real cause that you believe in. You have to be willing and ready to spend thousands and thousands of dollars if the courts specially appeal to the highest court in the land. What happens if you do not have any money? How can you appeal? How can you pay the lawyer? So there is some kind of distribution here which is not even at all. The poor have no justice, but the rich can pursue justice up to the highest court of the land.

If our system of society is to be a fair and a just society, then we must make justice easily accessible and available to any ordinary citizen. It should be a universal right of every citizen to have his grievances remedied in a proper court of law. Of all the institutions in our society, only the courts enjoy much prestige and status in the eyes of our citizens. The mere fact that the judges are not elected at all is no barrier to their achieving respect and status in our society.

Because of these conflicts among individuals and groups in our society, it is inevitable, unavoidable that there will be conflicting claims among or between individuals, among or between groups of individuals in our society. Unless we have a certain set of rules of law or a set of rules of practices or customs that are accepted by everyone and recognized by everyone to be applied impartially

and fairly, there will be no peace, no order in our society.

So society, by its own evolution throughout the ages in history, has evolved certain rules of conduct that are accepted by everyone, and among these rules is the impartiality and independence of our judges. Our judges should be free from all kinds of insinuations, all kinds of influences coming from even among those who are enjoying positions of political power in our society.

We have heard and we have seen what happened in the past when a former member in the cabinet of the Prime Minister of this country made a phone call to a judge, and he had to give up his seat in cabinet simply because of such indiscretion. It is a good thing now to hear that honourable member is back to the cabinet, but let not anyone interfere with the judicial function, because the judicial function is conceived to be an independent, impartial and fair one.

In judging, however, so many judges are simply sometimes bound by the technical rules of evidence. It should be the case that all the facts of the case should be properly inquired into. Not only should people be judged by what they said or what they said they did, people should be judged more on the question of why they say what they said and why they did what they did. There should be no objection at all bringing into the court all kinds of auxiliary help and services that our society can afford.

If the judge cannot understand the workings of the inner mind of a person who is mentally questionable in making judgment, then the judge should be able to hear expert witnesses like psychiatrists, psychologists and sociologists, who specialize in human behaviour. All kinds of evidence, from whatever source, should be placed in front of the judge so that the judge can decide the matter in a sober way, taking as many facts as possible into account and not neglecting the very reason why the defendant behaved the way he did.

In our Bill 12, one of the salient and important features of the bill is to make the claimants able to litigate his claim without the need for hiring our expensive lawyers. He can himself appear before the Small Claims Court and pursue his claim. -(interjection)- The question of the member for Lakeside (Mr. Enns), is it just for lawyers?

Hon. Harry Enns (Minister of Natural Resources): No, no. Is it giving justice to lawyers?

Mr. Santos: Is it giving justice to lawyers?

Mr. Enns: How are the lawyers going to make their daily bread?

Mr. Santos: How will the lawyers make their daily bread? That is the question. Is it fair for a lawyer to charge \$400 for writing a letter to a client? Is it fair for a lawyer to charge \$150 for answering a phone call? Indeed, we have too many things that could have been done properly without the intervention of a lawyer and yet the rules of our society impose as intervention.

* (1630)

For example, the other day I had a constituent who wanted to know if certain words are protected words in the sense of being trade names or trademarks. He was wondering whether he could be exposed to some kind of trouble if he used such words, and so I had to inquire and make a phone call to the trademark office in Ottawa. I did not do it, I gave him the number, so he could inquire himself. What happened?—he called me this morning and said they referred the matter to some private outfit, which is a private company, that is willing to do the search. They are going to charge him \$50 for just answering one little question, whether this word is a protected trade name or not.

Is that fair? All they can do if the information is already in the computer system is push a little button and it will show whether it is a protected name or not. Then they can reply to the inquiry as a matter of service to the citizen, because this constituent of mine is already on the welfare roll and he cannot afford \$50. That is the reason why he wanted me to make inquiries for him rather than hire a lawyer.

He can probably go to the Legal Aid office and qualify for some help, but then the Legal Aid lawyers again are being paid for by the government through the taxpayers' money. So the objective of the act is to provide for little claims and, in our case, the claim should not be more than \$5,000, to be within the monetary jurisdiction of the Small Claims Court. If it exceeds \$5,000, you have to bring it to some higher court. If you bring it to some higher court, you cannot be required by the requirement of the rules of court to hire lawyers. If you have no money to pay a lawyer, and if you do not qualify for Legal Aid, you will not be able to pursue your claim.

In British Columbia, by the way, the maximum limit I understand is \$10,000. Money is becoming inflated. The amount no longer counts, it is the value that money can buy. It is the equivalent value. So \$10,000 seems large on its face, but properly speaking, probably it might well be we might as well follow British Columbia and set the maximum limit in Small Claims Court a little bit higher than the present \$5,000 which, by the way, may include \$1,000 for general damages.

It has been said that if you cannot get a lawyer who knows the law, you might as well spend your time looking for a lawyer who knows the judge. That is a cynical way of putting it, because if it happens that way, that is our system, then there is no no fairness at all.

Indeed, the position of a judge is a position of honour and respect. They enjoy great respect in our society, and yet there are many of our judges who have become so notorious in making judgment, in making snide remarks, and they become sometimes demeaning some women in our society, and they become subject to some trouble in their seat, and what they will do is, they will suspend the judge with pay. Suspend a judge, he will not be able to perform judicial function, and yet he gets his pay. Is that fairness in our society?

In our judicial system we should be careful that everything should be done properly. Justice should be blind. It should not look into the eyes of the defendant, but into his heart.

Acta exteriora indicant interiora: What we see outside merely is evidence of what is inside of a person. If a person will make certain claims in court in such an absurd way, then the judge, whoever is sitting on the bench, can easily tell whether or not this plaintiff is acting in good faith or not.

Sometimes the appeal has been abused by people who do not pay a hoot in the Small Claims Court. In the past they will not even have the courtesy to appear in the hearing before the Small Claims Court, and because they can pay their lawyers, they want the case to be elevated to a higher court, where lawyers will be required, because they are the only ones who can pay lawyers. They will not even appear in the lower court, and when the judgment is given against their interest, they will appeal the judgment even if they did not take the time and trouble to appear in the lower court of claim. The reason? Because they

want the higher court to make a decision and because they want the controversy to be settled in the higher court, where a lawyer is required, and they know that the other party cannot afford a lawyer. Therefore they are hedging that they will win the case in the higher court.

So the good point in this legislation is that they change the rules now. Unless you appear in the Small Claims Court and make your claim there in person, you will not have the right to appeal unless you get the leave of the judge who heard your case, meaning, unless he gave you permission to appeal. So it will not be taken advantage of by people who are relatively well off than others who are not.

In a sense this is really opening up the access to our judicial system to those less able to afford them in our society. It should be as it should be. Justice should not be very costly to anyone. If any person feels that he is aggrieved or that his rights have been violated as an individual or his property rights have been invaded, it is his right as a citizen to make sure that he gets the appropriate remedy. If the paying of a lawyer is a hindrance in order for him to get a remedy, how can we speak about a fair and just society in this province? It is essential that everyone has a proper access to the remedy that he is seeking in case of a violation of his personal or legal rights.

Take the case in point in the past. For example, in the past there had been a controversy about a group of enterprisers in this province who formed an extension of some people who made their business by fighting vehicle traffic violation rules—points, I am thinking about that incident there. The lawyers in this province used to say, you cannot do that. That will be practising without a licence, fighting a—you cannot do that, they say. These are ex-policemen. These are ex-traffic cops, these people who engage in this kind of enterprise in helping some drivers fight their case.

So it is a good thing I observed what this government had done. It had given the permission to this group to fight a small claims kind of a case that is too trivial for any lawyer to spend his time on. In a way, that is opening up. Sometimes you cannot even pursue any kind of legitimate business without intervention of a lawyer.

One time I was trying to pay some kind of a mortgage that was about to mature. I said, I am going to deal with you. You are the holder of the

credit, I am the debtor, I want to pay you. He said, you must have a lawyer. What kind of a situation is that? When you can do what you can do for yourself, why do you need someone to be an intervener between you and the other party.

It is just like somebody who wants to sell his house. If you want to sell your house, you want to deal directly with the one who wants to buy it. Yet in our institutions you have to go through some kind of an agency, some kind of a broker. Then they will charge and extract some kind of a commission or a fee. What happens? The price is escalated. He must have his share. He must have his cut. He must have his commission. So there is no direct dealing between buyers and sellers. There should be no such interference any more in those simple transactions where the parties themselves know best how to protect their own respective rights.

The trouble with our society is that it is becoming too materialistic—

* (1640)

Mr. Enns: And too specialized.

Mr. Santos: And too specialized, added the honourable member for Lakeside (Mr. Enns). I agree. Even in this House there is too much hot air being blown here, too many speeches like mine. What I observe is that people are so concerned about material things, and they fight tooth and nail when it comes to money.

Let me read to you a statement that was uttered several thousand years ago by someone named Jeremiah. From the least to the greatest of them, everyone is greedy for unjust gain. Is that a good description of our present society? Things have not changed much. We have been so engrossed with the material things of the world, we forgot those shared values that make up our society. We forget that there are such things as mutual help, there are such things as friendship, there are such things as loyalty, there are such things as fairness and co-operation among human beings. If people only can settle their differences through negotiations and talking and compromises, there will be fewer litigations, and when there are fewer litigations, there will be less expenses for everyone.

An Honourable Member: And there would be fewer lawyers.

Mr. Santos: There would be no need, probably—fewer lawyers, but lawyers are good, because without the lawyers, how can you know

your rights? How can you know whether you will be exposed to some liabilities later on for what you do out of ignorance? So you have to consult a lawyer, even in starting a business. Even in getting a name for your business, you have to be aware whether that name has already been appropriated as a registered name or a registered trademark. You have to hire lawyers for that.

An Honourable Member: Ask Fred Brick.

Mr. Santos: Yes, look at this controversy about the use of certain names like Brick. Brick is a brick. It is a common name. It is even a common word. As I understand it, brick is some kind of a hard stone or something. Why should anybody have an exclusive right to the use of a single word in our grammar, like brick? It should be available to everyone, but you see there are certain laws in our society. When you register the use of a certain name, you are the only one who can exclusively make yourself that name. You expropriated it, so to speak, out of the public domain. It becomes your property, in a sense, and no one should be able to use it without your consent.

You see, there are certain words that are very common words, like supposing I—you heard about the word “safeway”? I have seen such a name that sounds like it and seems to be trying to piggyback on the popularity of Safeway, so I read sometime, “Saveway.” It sounds like Safeway at the first glance, you see.

Is this a violation, is this a breach of a trade name? Who knows? Only a judge can say, only when the case is brought to court will it be properly litigated. That means you have to spend money in order to settle a simple controversy like this.

Inevitably, claims and counterclaims and appeals are very expensive activities, as anybody can attest to the fact. There was a case I know a long time ago of how expensive it could be and how pathetic the outcome can be.

There is a case I remember of a woman who was single and who lived common-law with a gentleman, and together they built up some kind of a business. They built up a bee business. They raised bees and they sold honey and they acquired farm lands and eventually they became stable and established, but it is all in the name of the man. The woman had labour, she worked on the farm, she spent her time, her energy, her talents, building up the business, all in the name of the man. Eventually she wants to

claim her share, but the man refused because everything is legally in his name, all the business.

So there was litigation from the lower court. Then there was a decision; then there was an appeal to an appeal court. Then there was a decision; then there was an appeal to the highest court. The litigation all in all took more than 10 years, and the legal fees involved more than \$100,000, just equivalent to the amount they are fighting over against each other, just the value of the estate.

So ultimately she won the case, she won \$100,000, but she owed the lawyer \$90,000. What was left? Ten thousand dollars. After all this heartache, after all this trouble, after all this fight, after ten years, what did she do? She committed suicide. That was the outcome of that case I remember. Could there be a system as unjust, a system like that, where the lawyer takes the lion's share of whatever value is being litigated upon, and the one who had worked and laboured for it all her life have nothing? That is the outcome of so much litigation in our society.

I remember again, the love of money is the root of all evil. It is not the money itself, it is your love for it. Money is good. It is the only thing that can satisfy your needs as a human being, material needs, if you like. But do not love your money as if it were your master. It is merely a slave to be used. The only trouble with this money thing is that this is the only kind of value that you can enjoy only if you are willing to part with it. If you are willing to part with it, then you can enjoy it, but if you are not willing to part with it, you cannot enjoy it. You cannot even sleep on it. It is too small, the bill; money is too small to lie on.

So do not love it. Use it for your purposes, and if you happen to be a steward of this value in your life, you will get so much of it, more than you can use for yourself. You might as well do some good turns to those people who are in need and help them, because then your act of good deed will outlive you more than your money. Your money will only come to those hands who never labour for it, and they will squander it around, but the act of duty that you have done by using that money for those people who need it most will be remembered all eternity.

The removal of the appeal is good in the sense that those who are well-off litigants in the Small Claims Court will not be able to take advantage and make a mockery out of the system by not appearing at all in the level of the hearing, not contesting the

evidence of the claimant and then later on fighting the easy way in a higher court where only he can afford a lawyer. The other litigant obviously cannot and obviously he will win the case in the higher court. That should not be the case.

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

If litigation is to be decided fairly and justly and impartially, both sides must be heard at the initial hearing, and that initial hearing takes place in the Small Claims Court. There are so many of these complaints of people who cannot afford to pay lawyers. I had a constituent one time who called me. He said the will of his uncle had already been probated. I asked him: What about your lawyer? Can he not just proceed with it immediately? And he said, he is delaying it; he is accusing, the lawyer is delaying everything. And he said: What can I do? What shall I tell him?

So I told him: If you think that your case should proceed right away and the assets should be distributed right away, then you should tell your lawyer that it is needed. They are saying they are delaying it, postponing it, and the other lawyer is appealing it, and then they are prolonging all this litigation. I said: Well, did you sense that pretty soon the estate itself will be diminished by all these fights in the court?

So what did I advise him? I said—

* (1650)

An Honourable Member: Old lawyer's game.

Mr. Santos: Well, I do not know about that. I am not making any accusation against anybody. But this thing I know; there is a limerick I heard one time, and may I secure the privilege of this House to state it?

An Honourable Member: Go ahead.

Mr. Santos: Without malice on my part, I am just quoting a limerick: Lawyers live by lying and when they die they lie still.

An Honourable Member: That is not a limerick; that is a haiku.

Mr. Santos: It is a limerick. There is a twofold meaning of the word "lie": one is lying by not telling the truth; the other is lying straight on the ground.

But lawyers are important in our society, because without the advice of lawyers we would be always in the dark as to our rights and our liabilities, as to our responsibilities. We need their services. We

need to consult with them. Every time we have to undertake a business enterprise or a proposition, when we want to get into a partnership, when we have to buy a franchise, you need the proper legal advice. If you do not, you will be risking too much of your assets. You do not know what will happen to you.

This is the best advice I could give to all people who are contemplating a civil litigation or a suit is not to proceed with it. He should talk with the other fellow. They should agree on what is a reasonable settlement, a reasonable satisfaction, and they should settle out of court, not even proceed to court.

If I own a business college and if I sell that business college, do I know or do I not know that I will rearrange all the curricula in the Red River Community College? -(interjection)- That is right. Who knows what kind of an agreement there is between me and my vendee? It is my obligation and moral duty as a public official to lay bare the facts and produce all the documents in the contract of sale. I will put it on record.

An Honourable Member: I want to see an accusation.

Mr. Santos: I am not accusing anybody. -(interjection)- Yeah, what about?

We should be able to—indeed, it should be a project of the majority government to increase the maximum limit in the Small Claims Court. In that way, they will really make access to justice reasonably affordable and accessible to all income levels in our society.

Indeed, British Columbia has already done this. In British Columbia, the maximum limit is \$10,000. If your claim against any debtor is \$10,000 or less, you can fight it out yourself without hiring anybody to fight the case in court. You can go to the British Columbia Small Claims Court and then present your evidence, present your case, present all the papers that will prove your claim. If you can prove it there, why do you have to pay a lawyer who charges you \$150 or \$250 per hour, if your claim is a minimal claim?

Anybody with a little understanding of how things work, with a little ability to persuade the adjudicator in the small claims court, will be able to voice his claim and be able to satisfy his claim for a violation of his rights, whether it is personal rights or property rights.

It has been said that a jury is a body of 12 persons who decide among themselves which party has the best lawyer. Sometimes litigation can really depend on the ability of the lawyer you get on your side.

(Mr. Speaker in the Chair)

There are some lawyers who have established reputations in society, in our community, and once you are able to hire them, then the very fact that you are able to hire such a big-name lawyer already influences the judge in a sense, because that lawyer has established a reputation in that particular area or field of litigation. The price you pay is the fee that he will charge you. He can tell you off the bat whether there is any hope of winning or not, because he knows the law, being a very specialized lawyer. This means that the probability of you winning a case really depends upon your ability to pay, the kind of lawyer that you get.

I received here some assistance and you have been asking for a limerick. Let me read this assistance that was given to me:

There once was a man named Enns
Who regularly sold departmental pens
He went to Small Claims Court
To avoid paying Smith, Snookum and Schwartz
And now he is making amends.

No malice there, Harry. It is just for the sake of a little fun.

Even those people who are supposed to be helping us perform our civic duties, for example, if I am a little small businessman with a little enterprise and I want to do my income tax correctly and right, then I will have to go and hire someone to prepare the income tax papers so that I can file them properly.

The trouble with going to certain enterprises like that, they charge too much. It is scary and since it seems to me that most of the forms that have to be filled up should be so simplified that any ordinary citizen should be able to comply and fulfill his obligation. If tax rules and other regulations are so complicated and couched in a language that few people can understand except a legally trained mind, then it becomes very difficult for the ordinary citizen to comply with all his obligations and duties as a citizen.

An Honourable Member: Can you have a mind and be legally trained?

Mr. Santos: Yes. There should be a move in our society to simplify all procedures. I therefore commend this bill insofar as changes are concerned, but would urge that the limit be raised to 10,000 for the sake of uniformity across this country since it has already been started in British Columbia and perhaps in other provinces.

Thank you, Mr. Speaker.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Kildonan (Mr. Chomiak).

PRIVATE MEMBERS' BUSINESS

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

PROPOSED RESOLUTIONS

Res. 7—Minors and Smoking

Mr. Speaker: Resolution of the honourable member for St. Boniface (Mr. Gaudry), Resolution 7, Minors and Smoking.

* (1700)

Mr. Neil Gaudry (St. Boniface): I move, seconded by the member for Inkster (Mr. Lamoureux),

WHEREAS smoking will be the leading cause of death by the year 2000; and

WHEREAS the average starting age of smokers has dropped from 16 years to 12 years of age; and

WHEREAS research suggests there is little onset on smoking after the age of 18; and

WHEREAS awareness among young people of the dangers of smoking is very low; and

WHEREAS restricted access to cigarettes and tobacco products may curb use of these products; and

WHEREAS vending machines containing cigarettes and located in public places give ease of access to tobacco products; and

WHEREAS the laws governing tobacco sales and advertising fall within federal jurisdiction; and

WHEREAS regulation of vending machines falls within municipal jurisdiction.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Minister of Health to communicate to the federal Minister of Health the need for more stringent legislation

prohibiting the sale and advertising of cigarettes and tobacco products to youth; and

BE IT FURTHER RESOLVED that this Assembly urge the Minister of Health recommend to all municipal governments that they restrict licensing of cigarette vending machines to the areas which where they are not accessible to persons under the age of 18; and

BE IT FURTHER RESOLVED that this Assembly urge the Minister of Health to prioritize an anti-smoking campaign for youth as an element of all health promotion and disease prevention programs.

Motion presented.

Mr. Gaudry: Mr. Speaker, it gives me great pleasure to rise on this resolution and to add my comments.

The latest survey of tobacco consumption shows that smoking in Canada has reached an all-time low, but what is most alarming about this survey is that it also shows that children are starting to smoke at an earlier age, as early as 12 years of age. The 1908 federal law forbidding the sale of tobacco to minors is in my opinion outdated. I realize that the federal government has passed legislation to phase out all forms of tobacco advertising over the next few years. However, I would like to stress that further measures are needed.

I applaud the Minister of Health (Mr. Orchard) for having proclaimed recently an act to protect the health of nonsmokers. However, I would also like to emphasize the need for legislation which would ensure the restriction of licensing vending machines to areas where they are not accessible to persons under the age of 18. The Minister of Health announced on March 5 that the program entitled Smoke Free Grads 2000 was expanded to Grades 2 and 4 this year. The main goal of this program is to encourage school-age children to remain smoke free. The essence of this program, in my opinion, only strengthens the many reasons why today's resolution should be passed.

This resolution, Mr. Speaker, deals with the need for more stringent legislation forbidding the sale and advertising of cigarettes and tobacco products to our youth. Tobacco smoking is hazardous to one's health, and if our health is not our most precious resource, then what is?

While it is the responsibility of each individual, be it young or old, to maintain their health, governments

both provincially and federally have a responsibility to ensure that there are programs and means to educate and protect our youth from the hazards and effects of smoking and to make informed decisions.

Many Manitoba teens and pre-teens are not receiving the message. They are unaware that smoking is an addictive, potentially lethal, not to mention, expensive decision. It is incumbent upon government to actively discourage smoking among young people.

Mr. Speaker, smoking is known to be the major cause of certain diseases, specifically chronic bronchitis, emphysema and lung cancer. Meanwhile, second-hand smoke is the main cause of bladder cancer. These diseases are forever increasing in numbers and therefore increase the health costs of this province.

The Province of Manitoba health care budget is out of control and we, as a province, cannot afford these increased health costs. We have to find means of avoiding, and protecting our youth from one day contracting, these diseases. This can only be done by education and prevention.

Mr. Speaker, that is why I would ask the Minister of Health (Mr. Orchard) to consider giving an anti-smoking campaign for youth priority, as an element of all health promotion and disease prevention programs.

Rights and freedoms are sacred in Canada; unfortunately, that which makes us strong also has a potential to make us weak. We live in a free society, and each member of society can choose to do what he or she wants within the bounds of law. People have the right to choose to smoke. However, when this personal choice becomes a public menace, when it inflicts certain discomforts, dangers and health risks to the people surrounding them, the collective good must prevail.

There have been studies and research to prove that second-hand smoke is hazardous to the health of nonsmokers. Dr. Stanwick of the Council for a Tobacco-Free Manitoba said, the U.S. Surgeon General has warned that second-hand smoke is as dangerous as asbestos.

Mr. Speaker, I applaud the 30 of Manitoba's 225 pharmacies that have butted tobacco products out of their inventories in the recent years. I consider this step a progressive one and one that should be encouraged. I realize that even though these pharmacies knew that such a move would be

somewhat costly, they nonetheless decided that selling tobacco was inconsistent for a health facility. This initiative, in my opinion, is to be commended.

The brochure entitled, Kids Decide but Parents Can Tip the Scales, produced by Health and Welfare Canada, holds many truths but none truer than the fact that we, as legislators, can also tip the scales and make an important difference for our youth by supporting this resolution.

In conclusion, Mr. Speaker, as legislators it is our duty to be practical as well as logical when we adopt or pass new laws to enhance the life of our citizens. Therefore, if the wish of the people is to restrict the use of tobacco products to persons 18 years of age and older, it is our responsibility to ensure that those under the age of 18 are unable to purchase the tobacco products, as it is obvious the vending machines will not ask for a person's identification.

Therefore, I would urge all members of this House to support this resolution that we would be united on this and move towards a smoke-free environment for the benefit of all, but especially for the benefit of our youth who deserve the best our society has to offer.

I have an example here of what this is, and that is an extra nail to a coffin to anybody who takes this. In conclusion, thank you very much.

Hon. Donald Orchard (Minister of Health): It is with a great deal of pleasure that I have to rise to speak to this resolution by my honourable friend, the MLA for St. Boniface. Mon ami de St. Boniface, c'est un bonhomme. (My friend from St. Boniface, this is a good man.)

* (1710)

Mr. Speaker, a number of the initiatives that my honourable friend has included in his remarks to his resolution were, of course, part of Bill 16, an act to protect the health of nonsmokers which was passed, I believe, in the 1990 legislative session, and I had the privilege of proclaiming on behalf of all MLAs in the Legislature and all political parties on Monday last week.

One of the provisions of that Bill 16 was the prohibition of sale of tobacco products to those under 18 years of age, and that replaced the current legislative requirement of prohibition of sale to those 16 and under, so it raised the age of prohibition of sale of tobacco products. It also undertook a number of other initiatives which will be enforced via regulations, which hopefully are ready at the end of

this month, to add guidance to the legislative provisions of that bill.

Mr. Speaker, there is no question that smoking and tobacco use is one of the most major health risks that individuals can willingly take, because tobacco consumption is a choice. It is a personal choice of an individual. Successive governments, both federal and provincial, and successive municipal governments have undertaken attempts to make smoking an unattractive personal lifestyle choice to individuals, focusing in on youth. I have to say that, in my limited experience, I think this nation of Canada probably leads all other nations in reduction of tobacco consumption amongst its general population. We are well ahead of many other countries. We are, in fact, envied by a lot of countries in terms of the ability to curtail the habit of smoking addiction. You know, it is very important because the costs to our publicly funded health care system are enormous. Very, very significant contributor to heart disease. Cancers and other circulatory and medical problems are attributed directly back to the incidence of smoking and tobacco product consumption.

When you have, in a publicly funded health care system, a no-inhibition-to-access service, if you have a cancer, regardless of its cause, our publicly funded health care system will provide you medical services at everyone's expense. That is why, I think, we have taken some leadership in this issue as a nation in terms of attempting to identify the major health risks which are personal life style choices, and certainly tobacco consumption is one of them.

In making it a public effort—and I think an apolitical public effort, because I do not know of any political party in Canada that is against the tobacco consumption reduction measures that are taken by municipal, provincial or federal governments—we do it because we recognize that, as taxpayers and as protectors of the taxpayer, wherever possible, we ought to remove life style induced disease incidence. That is why we run very aggressive nutrition and fitness programs, because improper nutritional habits, inactivity are all contributors to diseases of the cardiovascular system, et cetera. Within the smoking curtailment we have attempted very, very diligently as government to assure that we have a population that does not choose smoking as a life style choice.

Now, Mr. Speaker, I want to tell my honourable friend the member for St. Boniface (Mr. Gaudry) that the highest new smoking group, or new group consuming tobacco products, are adolescent women, and that is maybe something to do with life style drive that it is cool to smoke. I think that is changing and changing rather rapidly, and it is changing because of a number of efforts that have been undertaken by previous administrations in this province, the federal government, and a great coalition of community support groups, from Canadian Cancer Society to the Manitoba Lung Association, to the coalition of groups who are against smoking, and they have made the habit of smoking, the consumption of tobacco products, unattractive. There is one group that still is taking up the habit of tobacco consumption faster than any other group, and that is of course the adolescent women.

I want to tell my honourable friend the member for St. Boniface (Mr. Gaudry) that in my estimation, in my humble opinion, I have undertaken a number of initiatives in the Ministry of Health in the last three years, preventative, educational-wise, attempted to target some of our limited resources. I want to tell you that I believe one of the most effective programs for the curtailment of smoking that this province has ever undertaken is the Smoke Free Grads 2000 program.

That is an initiative that I would love to honestly be able to take personal credit for the idea, but I did not. It was individuals within my Health Promotion unit, and I have to give credit to Anne Skuba, who really led this initiative. She just recently retired from the ministry, but her drive and her initiative in this focus was really key to bringing on the Smoke Free Grads 2000 program.

I missed the first kickoff of that last year, which was the first year we did it, because it targets all Grade 2 students in the province. They sign a pledge with government which says that they shall not smoke, and I know there was some controversy last year in the Health Estimates where some honourable members of the official opposition took offence to having their child maybe sign a pledge that they would not become smokers—no, the official opposition, not the second opposition party.

I think maybe they did not quite understand the program, because it is one of the best programs I have ever seen, and the enthusiasm of Grade 2 students when they sign up for that program is

overwhelming. You just know, Mr. Speaker, that those Grade 2 students are not going to start smoking for their entire time that they spend in the elementary and high school education and the secondary education system. It is a wonderful program.

I missed the kickoff last year because I was recuperating from my Paul Bunyan experience, but I was at the grade school this year where the students participated in the production of the video that is out now, the seal or the polar bear, representing the clean arctic air and the greatest, cleanest environment possible. It is quite an interesting video, and the students participated in the production of this video.

We were at the elementary school kicking off the Smoke Free Grads 2000 program again for its second year, and the enthusiasm of those children is just overwhelming. I mean, it was one of the most rewarding events I have been at as Minister of Health in three years, because you could just feel the commitment that those Grades 2, 3 and 4 children had to not starting smoking, and that is targeting the groups soon enough that when they make a commitment they mean business. I will venture to say that we are going to have almost 100 percent success with that program.

As I say, I wish I would have had the original idea, because I think it is one that will be emulated right across this country by other jurisdictions because it is just the right thing to do. Now, Mr. Speaker, it is because of that that I think my honourable friend, in proposing the resolution, maybe missed a couple of very important additions to his resolution which would certainly make his resolution a much more progressive resolution, much more recognizing of the initiatives, not of government, but of a number of individuals outside of government who are supporting, promoting and urging government to undertake new efforts and renewed efforts in terms of curtailment of smoking through education, and through the use of information and all of the other tools at our disposal in a modern world of communication.

* (1720)

I would like to propose to my honourable friend the member from St. Boniface (Mr. Gaudry) a slight amendment, Mr. Speaker, to his resolution, which I think will strengthen the intent and will genuinely make this a resolution that we could immediately,

upon acceptance of this amendment, curtail debate and pass unanimously in this House. It does make this resolution very, very appropriate; it updates it, and makes it very, very meaningful for all Manitobans.

In the spirit of co-operation, Mr. Speaker, I would move, seconded by the Minister of Education (Mr. Derkach),

THAT the resolution be amended by removing the words "very low; and" after the word "is" in the fourth "WHEREAS" and replacing those words with the words "enhanced by such new initiatives as 'Smoke Free Grads 2000' program"; and

THAT the resolution be further amended by removing all words after the word "Assembly" in the first THEREFORE BE IT RESOLVED and replacing them with "do congratulate the members of the Thirty-fourth Legislature at its second sitting for its all-party passage of Bill 16, An Act to Protect the Health of Non-Smokers; and

BE IT FURTHER RESOLVED that this Assembly do urge this government to continue with the very innovative and successful "Smoke Free Grads 2000" program; and

BE IT FURTHER RESOLVED that this Assembly do continue to support efforts by that broad partnership of government, health professionals and community groups dedicated to the reduction of tobacco use in their efforts to improve the health status of Manitobans by lowering tobacco consumption by Manitobans of all ages.

Mr. Speaker, I genuinely believe that this amendment is exactly what my honourable friend the member for St. Boniface (Mr. Gaudry) would want to see as an improvement and a significant advancement of his resolution so that we can pass it unanimously today in the House. Thank you, Mr. Speaker.

Motion agreed to.

Mr. Jerry Storie (Flin Flin): Mr. Speaker, first of all I want to commend the Minister of Health (Mr. Orchard) for what I believe was truly intended to be a friendly amendment to the resolution introduced by my colleague from St. Boniface.

However, I am a little surprised that in amending this very interesting resolution he has left out one part that I think perhaps maybe in retrospect the minister would like to have included, and that is asking the federal government, the federal Minister

of Health to encourage more stringent legislation against the advertising and particularly the directing of advertising at young people. I think that is a very sensible proposition.

The fact is that the Minister of Health has recognized as every other Manitoban has recognized that there is a concerted effort on behalf of tobacco producers, cigarette manufacturers, to target advertising, the advertising of lifestyles to young people. I think that is tragic, I think it is lamentable and I also think that it is preventable. If governments, federal and provincial, had the will, we could ban tobacco advertising and cigarette advertising entirely. I think if we were sincere about our proclamations of concern we would ban cigarette advertising completely—completely ban it. I can see no legitimate reason for allowing the advertising of tobacco.

Mr. Speaker, there are two aspects of cigarette smoking that are tragic. The Minister of Health (Mr. Orchard) talked about them a little bit. The first is, of course, the impact that smoking has on the health of the individual. It is quite sad, it is frustrating, it is ironic that in 1991 there are still people who want to believe that there is no relationship between smoking and health. There are people who still do not want to believe that smoking causes cancer, that smoking causes heart disease, that smoking causes emphysema. It is even perhaps more tragic that there are people who do not believe that smoking in public places, in this Legislature, in the offices in this Legislature, in the halls and the malls of Manitoba, infringes on the rights of nonsmokers.

Mr. Speaker, I always use an argument, I have many friends—not many friends any more—who continue to smoke. I still have many friends but not many who continue to smoke, Mr. Speaker. I confess to being a one-time smoker. In some of my misspent youth I did smoke. I smoked for approximately five years. When the price of cigarettes went to 65 cents, I said that is enough. Who can afford this? Who would have thought that 20 years later it would be 10 times as expensive?

In arguing with people who smoke about the relative rights of smokers versus the rights of nonsmokers, I always point out that what we are talking about is a substance that is known to be toxic. In fact, in any given cigarette there are 137 different toxic elements and combinations of elements. The fact is that when someone smokes they infringe on my right to clean air. Unlike many

other human "sins"—if you would put that cigarette away I would feel a lot better, Mr. Speaker—unlike other, I guess, human foibles like drinking which does affect others, cigarette smoking singularly impacts on other people, innocent people, around the smoker. -(interjection)-

The member for Lakeside (Mr. Enns) reminds me that, of course, the people who imbibe and drive vehicles are endangering the public. We have very stringent laws against drinking and driving, and we should have very stringent laws against people smoking when that smoke endangers the lives of the public. -(interjection)- Well, Mr. Speaker, the member for Lakeside wants to talk about the carbon dioxide. He and I would agree that we should be doing a lot more walking and a lot less driving.

* (1730)

However, I want to commend the Minister of Health (Mr. Orchard) and his colleagues for the support of Bill 16 which was introduced by the New Democratic Party some time ago. All members of the Legislature, including the Minister of Health, I think deserve to pat themselves on the back, perhaps only momentarily, but it was certainly genuinely gratifying to see that legislation receive the support of everyone in the Legislature.

I want to get back, Mr. Speaker, to the problem that nonsmokers face, because it is a myth that in—for example, the City of Winnipeg has a bylaw that requires, and now the province has legislation which requires public places and restaurants to make accommodation for nonsmokers. The fact is, in most restaurants the air of the smokers is the air of nonsmokers, and the pollution caused by the smokers is the pollution breathed by the nonsmokers.

Mr. Speaker, I want to point out a situation that would be termed ludicrous by everyone in this Chamber, and I have used this analogy many times. If I attended a public meeting and there were a couple of people smoking in that meeting, and I pulled from my pocket an aerosol canister, and on that canister was printed in large yellow letters, radioactive gas, and I sprayed it around the room, people would say, stop, you are killing me, and I would say, no, but I like it.

Mr. Speaker, it would not take people in that meeting more than a fraction of a second to be on the phone, have the Department of the Environment and the police down here to remove this kook who

is polluting the atmosphere, fouling the air of this committee room. But we let people smoke, doing exactly the same thing, and the smokers expect us to be tolerant. They say, well, that is okay. That is not right. There is something fundamentally wrong with that logic.

That is why this resolution deserves the support of all people, because it is not simply a question of the smoker's right to smoke, and I think there is a hierarchy of rights and the right of people to enjoy clean air and not be subjected to toxic and potentially carcinogenic substances in public places. It is a much more important right than so-called denying smokers the right to smoke. We put limits on all kinds of rights and limiting the rights of smokers is something that is, I think, legitimate from many different perspectives, including the moral perspective.

The Minister of Health (Mr. Orchard) I think talked quite rightly about the need to impress upon young people the necessity of avoiding smoking. Clearly nicotine is an addictive substance, and anything that we can do to prevent or dissuade young people from becoming addicted to nicotine, should be done. If that requires, you know, additional spending by the government, and I know that we cannot do that by private members' resolution, but if it is required, then I say we should do it. We should do it for the health of those individuals and for the protection of the health of thousands of other individuals who will be unwitting victims of the people who smoke.

Mr. Speaker, I do not have a lot of sympathy left in my heart for smokers. I have friends and relatives who continue to smoke, but I am convinced—

An Honourable Member: Good friends, good colleagues.

Mr. Storle: Well, they may not be good friends any longer after they read my remarks. My former colleague from the Interlake may be amongst—my former friend, I should say. However, I asked my former friends and my former colleagues, my former relatives who are amongst those who smoke, to not simply consider their own particular needs and their own particular addictions, but to consider the general well-being of those with whom they have to share the air we breathe.

The amendments that were introduced by the Minister of Health were friendly amendments, and it is unfortunate that they have eliminated some of the whereases and some of the resolves of the

resolution introduced by my colleague from St. Boniface, because I think it ignores the real fact that governments do have a role to play in preventing smoking, and it starts not only with the Minister of Health and Welfare Canada or this Minister of Health (Mr. Orchard). In fact, the federal government is involved in supporting the tobacco industry in a much more concrete way. In fact, the Ontario tobacco industry in Canada which is primarily in Ontario, not solely but primarily, receives tremendous financial support from the federal government, from Agriculture Canada. We have the ludicrous situation of one arm of the federal government supporting the growing of tobacco, when another arm of the government is saying, we have got to stop smoking, we have got to stop encouraging young people to smoke, costing us, in effect, both ways.

Then, of course, we have the ultimate cost, which is borne by all of the taxpayers of Canada, when it comes to the care of people who suffer from emphysema and lung disease and diseases like cancer. We pay for cigarette smoking in literally dozens of ways. The financial cost to our society is staggering.

Mr. Speaker, I for one am prepared to forgo, and I hope the Minister of Finance (Mr. Manness) is prepared to forgo the revenue that is collected in the province of Manitoba of some \$120 million, something like that, which is collected from cigarette taxes. I think we all should be prepared to forgo that because if we were not collecting any of that tax, it would mean that we not only had a smoke-free grad in the year 2000. It would mean we would have a smoke-free province in the year 2000, and that would mean tremendous savings to the Minister of Health, to Family Services, tremendous savings to the government of Manitoba, far in excess of anything we could ever hope to collect by way of taxes on cigarettes.

Mr. Speaker, I want to say that I certainly support the resolution, although I have not seen in print form the amendments introduced by the Minister of Health. I believe that those amendments are in and of themselves supportable. I would like to have seen and perhaps we will see additional amendments, if that is possible, to include some form of obligation on the part of government to actively work to prevent additional people from becoming smokers and to prevent the encouragement of the tobacco industry generally.

I know that we are always going to be faced with the dilemma of the fact that industries like the tobacco industry contribute to our economy, but I think if we were to be honest and we balanced the cost of the tobacco industry to Canadians by way of health care and medicines and so forth, we would undoubtedly come to the conclusion that there is no net benefit for governments or for the people in supporting the tobacco industry or the cigarette manufacturing industry. I think we would come to that conclusion very quickly, and it would be not only an appropriate, a logical decision, it would be a financially correct decision as well.

The question, I guess, of whether people, the smokers are going to have any impact through lobby groups like the Smokers Choice group—there are a number of different smokers lobby groups. However, I think the logic of the argument of nonsmokers is going to eventually win the day.

I think we in this Legislature have taken significant steps already to send the message out to the people of Manitoba that the government and the Legislature is quite serious at least in its efforts to combat smoking, to prevent deaths. What we do need to see, however, is a larger commitment, I think, on the part of the federal government, that has responsibility for, as I say, the tobacco industry more generally and also greater responsibility for the advertising industry which contributes significantly to the predilection of young people in particular to smoke. I think there is something we can do there to prevent young people from starting smoking, and I would like to see a further amendment to include the federal government in a proactive way in preventing smoking across Canada.

Thank you, Mr. Speaker.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, as a seconder of the motion, it gives me great pleasure to be able to speak on this particular resolution that the member for St. Boniface (Mr. Gaudry) has brought before us today.

* (1740)

Mr. Speaker, I must admit right from the onset that the Minister of Health (Mr. Orchard) has somewhat surprised me with the amendment that he has put forward to this resolution. In most part I could concur with it. I do have some problems in the sense that the minister, in moving this amendment, has deleted some resolutions or therefore be it resolveds from the member for St. Boniface's

original resolution. That gives me reason to have great concern. The minister commented about the Smoke Free Grads 2000 program, and I do not think there is any member in this Chamber that would say anything negative about a program of that nature.

I think it is a very positive step, and my hat is off to him in terms of acknowledging Anne Skuba as the individual who thought of that particular idea. There is no doubt in my mind that in fact we will see other jurisdictions pick up on that idea, because as in the resolution, it states that the average age has dropped from 16 to 12 amongst smokers. That is somewhat worrisome, Mr. Speaker, because the amount of peer pressure and the young people that are getting involved. Things that we can do to prevent that from happening, or things that we can do, we should be moving towards. The Smoke Free program is one of those things, I believe, that will go to stamp out cigarette smoking amongst our youth.

Mr. Speaker, I can recall when I was in grade 8, which was not that long ago, just a few years. There was a little hangout just outside the school compound in front of a store where everyone would sit around or stand up against the wall and have their cigarettes. There was, what I would classify as, a phenomenal amount of peer pressure to take one of those cigarettes and to in fact smoke. Because if you did not take a cigarette, you were not perceived as being "cool," if I can say, that to be "with it" you had to have a cigarette. That is the type of pressure that kids have to attempt to overcome, and programs such as the Smoke Free program, I believe, is one of the ways we can take off some of that peer pressure.

More recently—a few years back—I was walking in the Weston area, an area that I used to represent, and a couple approached me. They were complaining about a local store in the area, they were saying that children would go up to the store, and they would purchase cigarettes. Mr. Speaker, this was not a package of cigarettes. In fact, what it was, was one of the individuals selling individual cigarettes to the students at 25 cents a piece. This is to children. that I would suggest, of relatively young age because once again it is around elementary schools, that being Sisler—not Sisler, I am sorry—Cecil Rhodes and Weston School.

The whole question of accessibility—the government, through Bill 16 of the two sessions ago and in an all-party fashion where we supported Bill 16, has alleviated a number of our concerns in the

sense that it has raised that age from 16 to 18. In part of the resolution that the Minister of Health (Mr. Orchard) has decided to leave out in his amendment, we are talking about the restricting licencing of cigarette vending machines in areas that have public access, where you get a large number of children.

Where there is no supervision at all close to a cigarette vending machine, if you are 14 or 12 or 18 or 21, whatever your age might be, you are able to acquire those cigarettes. This is something that was ignored in the amendment that the minister has brought forward.

That is why I say in all seriousness, Mr. Speaker, had the Minister of Health moved an amendment that would have taken into account those concerns that the member for St. Boniface (Mr. Gaudry) has brought up, I would suggest to you that, in fact, this would definitely be an amendment that we should be allowing to come to a vote today.

The member for Flin Flon (Mr. Storie) pointed out other aspects in terms of the federal government, and what the federal government's role is. In fact, they too have a role, and maybe what we should have done is included something of that nature.

Had we known that the Minister of Health (Mr. Orchard) was going to be introducing an amendment of this sort, I am sure that we could have worked something out between all three political parties in the same manner in which we worked something out on Bill 16 which would have allowed us, at the very least, to vote on the resolution and no doubt, in fact, it would have passed.

Every year, every budget that seems to come out, we always see an increase in the tobacco tax. I see nothing wrong with that per se, but I would suggest to you that one of things that we should consider is that, if we are going to increase maybe one or two cents a cigarette as a special tax, that would go towards the education of our young people so that money that is raised by that two cents a cigarette goes towards educational programs that will bring out the awareness of smoking and the disadvantages of smoking to all of the high school and elementary students. I think that would be a very positive tax, and I do not believe you would find too many people, especially nonsmokers, opposing a tax of that nature.

I mention the word "nonsmokers," and I think this is a group of people who have been left out of the

debate in many cases previously. They are affected through second-hand smoke. I know myself, whenever I have to go into the Members' Lounge, as the member for Flin Flon (Mr. Storie) has pointed out on many different occasions, you have to wave your hands and get the smoke out of your way to be able to sit down because at times it can get fairly thick in terms of concentration of smoke.

It can be somewhat disturbing to those people who do not smoke, and it is something that I believe there is will, through LAMC and a majority of the members here, that that particular problem be addressed.

Mr. Speaker, I do believe that there is support, or there could be support, for legislation that would prevent vending machines from being accessible to children in certain locations, and this is something that I trust the government is looking at.

* (1750)

Ideally, it would have been best brought forward when we brought in Bill 16, so that in fact when the minister proclaimed Bill 16 just a short while ago we would have had something in place right now for that.

I wanted to comment somewhat briefly on other things that we can do that I feel are important. Resolutions of this nature do send a message to the public, especially for those ones that do pass with the support from all three political parties.

I believe that this is an issue which crosses all three political parties, whether you are Liberal, NDP, or Conservative, that a resolution of this nature does deserve to pass this Chamber, and that is why I find it somewhat unfortunate that more of the BE IT RESOLVEDs were not included in the minister's amendment.

We have seen some companies, as the member for St. Boniface (Mr. Gaudry) has pointed out, some pharmaceutical companies, that have in fact taken the lead in stopping the sales of tobacco products, of cigarettes, in their own stores.

I believe that is a positive signal, Mr. Speaker, especially from a pharmaceutical store, in the sense that they are there for the betterment of our health, and cigarettes have been proven time after time to be bad for our health, whether in fact you are the smoker or if you are receiving secondhand smoke. So I think it is a positive gesture from those stores that take that extra step. I believe in time we will likely see more stores moving in that direction as,

hopefully, we will see a greater number of people saying no to cigarettes.

I know it seems every year I hear of more people who are quitting smoking for one reason or another, whether it is health or the most recent budget, be it federal or provincial, that is brought down, as I had mentioned, that the tax continues to go up on it. Personally, I do not see anything wrong with that, but for those who smoke I can appreciate their concern. That, in itself, does act as a disincentive once you start hitting, I believe it is around \$5 a pack or in and around that depending on where you go. I guess you can get some deals at some gas stations. If you go to a vending machine, then you are paying a fairly hefty price, and the Speaker knows all about that.

Mr. Speaker, the more the cost of cigarettes, the less likelihood of people starting up, and I believe it was the Minister of Health, Mr. Epp, at the time, had commented once on a federal budget that one of the best things the federal government can do is hike cigarettes up a couple of dollars a package, and that is one of the ways of getting people to stop smoking in a very abrupt way.

Mr. Speaker, I know every year around New Year's what is probably the No. 1 resolution is—well, it could be a tossup actually. It is either, I am going to lose so much weight or it is going to be quit smoking. Usually, or at least I only hear through hearsay, those who make the resolution of giving up smoking end up gaining weight as a direct result—some do, I should say. I should not say all people do that. I know, in fact, my sister had made that resolution two years ago, and she has since then picked up or continued smoking as a direct result of extra weight, she says, that she put on.

I believe there is hope in the future through programs such as Anne Skuba had come up with, good initiatives. The government can be commended for some of the things that they have been doing. In fact, all three political parties can be commended on their approach when it comes to smoking, and on that I would like to conclude my remarks.

Mr. Speaker: Six o'clock. Is the House ready for the question? There appear to be no more speakers.

Mr. Conrad Santos (Broadway): If we limit this rule to minors only and prohibit minors only from

smoking, is there not discrimination here on account of age?

An Honourable Member: Where are you coming from? Do you want kids to smoke, Conrad?

Mr. Santos: No. I am just saying that any rule—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please. The honourable member for Broadway has the floor.

Mr. Santos: If there is to be a rule, everybody should be subject to the rule, whether you are a minor or you are an adult or you are a man or a woman. Then you should not smoke because it is bad for you.

If every smoker can only see the picture of a lung of a smoker in the quality—how dark it is. If they only witness some people who have no lungs or half a lung, or if they have seen people who have no voice box in how they live their lives, then I have every confidence they will think hard and they will, themselves, like to stop smoking.

This is a matter of discipline. Usually in matters of discipline, we do not want anybody to impose any rule from the outside. We resent any kind of discipline that is from the outside trying to control our behavior, trying to control how we decide things for our own self.

From the point of view of individual freedom, the freedom to choose includes the freedom not only to choose that which is good but also the freedom to choose that which is bad. If any individual had chosen this kind of lifestyle for himself, who are we to tell him what to do with his life?

I am speaking in favour of the right of those smokers who want to make this lifestyle their own because of pure, freer kind of choice, individual choice.

An Honourable Member: You do not have to choke on the smoke.

Mr. Santos: I have never smoked a cigarette in my life, not even in my youth. I do not want anybody to smoke at all. If I were the Minister of Finance (Mr. Manness), I would charge a dollar for every cigarette because every cigarette you light removes three minutes of your life. Can you imagine how many cigarettes you smoke in a year?

There is this freedom to do not only that which is right but also the freedom to do that which is not right. People who are smoking realize that, they know that. Their mind accepts the fact that it is bad

for their health. They know they will agree with you that it will lead to lung cancer, to emphysema to all kinds of disease and illness.

They will agree with you but they say, what can I do, I still want to smoke. What does this show? It shows that they have lost control of themselves. They are no longer the masters of themselves because they are addicted. They are a slave to the smoke, slaves to the nicotine. Mr. Speaker, those are the people who have surrendered their right to make a choice. They have surrendered it to the

chemical nicotine. The leader of the Mormons when he was leading his group across the United States—he was a smoker—and then he looked at his cigarette and—

Mr. Speaker: Order, please. When this matter is again before the House, the honourable member for Broadway will have 11 minutes remaining.

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

Legislative Assembly of Manitoba

Wednesday, May 1, 1991

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