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Third Session - Thirty-Fifth Legislature  
of the  
**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

39-40 Elizabeth II

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

**Members, Constituencies and Political Affiliation**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 22, 1992

The House met at 1:30 p.m.

### PRAYERS

#### ROUTINE PROCEEDINGS

#### PRESENTING PETITIONS

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, I beg to present the petition of E.A. Sawka, Mavis Polden, Aurore Sawka and others requesting the government consider restoring the former full funding of \$700,000 to fight Dutch elm disease.

#### READING AND RECEIVING PETITIONS

**Mr. Speaker:** I have reviewed the petition of the honourable member for Wolseley (Ms. Friesen), and it complies with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the Dutch elm disease control program is of primary importance to the protection of the city's many elm trees; and

WHEREAS the Minister of Natural Resources himself stated that, "It is vital that we continue our active fight against Dutch elm disease in Manitoba," and

WHEREAS, despite that verbal commitment, the government of Manitoba has cut its funding to the city's DED control program by half of the 1990 level, a move that will jeopardize the survival of Winnipeg's elm trees.

WHEREFORE your petitioners humbly pray that the government of Manitoba may be pleased to request the Minister of Natural Resources (Mr. Enns) to consider restoring the full funding of the Dutch elm disease control program to the previous level of 1990.

As in duty bound your petitioners will ever pray.

\* \* \*

I have reviewed the petition of the honourable member for Radisson (Ms. Cerilli), and it complies with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the bail review provisions in the Criminal Code of Canada currently set out that accused offenders, including those suspected of conjugal or family violence, be released unless it can be proven that the individual is a danger to society at large or it is likely that the accused person will not reappear in court; and

The problem of conjugal and family violence is a matter of grave concern for all Canadians and requires a multifaceted approach to ensure that those at risk, particularly women and children, be protected from further harm.

WHEREFORE your petitioners humbly pray that the Legislature of the Province of Manitoba may be pleased to request that the Minister of Justice (Mr. McCrae) call upon the Parliament of Canada to amend the Criminal Code of Canada to permit the courts to prevent the release of individuals where it is shown that there is a substantial likelihood of further conjugal or family violence being perpetrated.

I have reviewed the petition of the honourable member for Transcona (Mr. Reid), and it complies with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read?

The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT the bail review provisions in the Criminal Code of Canada currently set out that accused offenders, including those suspected of conjugal or family violence, be released unless it can be proven that the individual is a danger to society at large or it is likely that the accused person will not reappear in court; and

The problem of conjugal and family violence is a matter of grave concern for all Canadians and requires a multifaceted approach to ensure that those at risk, particularly women and children, be protected from further harm.

WHEREFORE your petitioners humbly pray that the Legislature of the Province of Manitoba may be

pleased to request that the Minister of Justice (Mr. McCrae) call upon the Parliament of Canada to amend the Criminal Code of Canada to permit the courts to prevent the release of individuals where it is shown that there is a substantial likelihood of further conjugal or family violence being perpetrated.

\* (1335)

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mrs. Louise Dacquay (Chairperson of Committees):** Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for La Verendrye (Mr. Sveinson), that the report of the committee be received.

**Motion agreed to.**

\* \* \*

**Mr. Bob Rose (Chairperson of the Standing Committee on Economic Development):** Mr. Speaker, I beg to present the Third Report of the Standing Committee on Economic Development.

**Mr. Clerk (William Remnant):** Your Standing Committee on Economic Development presents the following as their Third Report.

Your committee met on Tuesday, April 21, 1992, at 10 a.m. in Room 255 of the Legislative Building to consider the Annual Reports of Venture Manitoba Tours Ltd. for the fiscal periods ending March 31, 1989, 1990 and 1991.

Mr. J. Frank Johnson, Deputy Chairperson, Mr. Herb LeGrange, Manager, Mr. Dennis Brears, Comptroller and Mr. Bill Podolsky, Executive Director, Administrative Services provided such information as was requested with respect to the Annual Reports and the business of Venture Manitoba Tours Ltd.

Your committee has considered the Annual Reports of Venture Manitoba Tours Ltd. for the fiscal periods ending March 31, 1989, 1990 and 1991 and has adopted the same as presented.

All of which is respectfully submitted.

**Mr. Rose:** Mr. Speaker, I move, seconded by the honourable member for St. Norbert (Mr. Laurendeau), that the report of the committee be received.

**Motion agreed to.**

### TABLING OF REPORTS

**Hon. Gerald Ducharme (Minister responsible for Seniors):** Mr. Speaker, I would like to table the Supplementary Information for Legislative Review, 1992-93, Seniors Directorate.

**Hon. Harry Enns (Minister of Natural Resources):** Mr. Speaker, I wish to table with the House the second Five Year Report on the Status of Forestry in the province of Manitoba.

### Introduction of Guests

**Mr. Speaker:** Avant de passer à la période des questions, je tiens à vous signaler la présence dans la galerie publique de vingt-neuf étudiants de la neuvième année de l'École Viscount-Alexander, sous la direction d'Amélie Gauthier. Cette institution est située dans la circonscription de l'honorable ministre de l'Éducation (Mme Vodrey).

#### [Translation]

Prior to Oral Questions, I wish to draw the attention of all honourable members to the public gallery, where we have with us today twenty-nine Grade 9 students from Viscount Alexander School, under the direction of Amélie Gauthier. This school is located in the constituency of the honourable Minister of Education (Mrs. Vodrey).

#### [English]

Also this afternoon, from the Garden City Collegiate, we have twenty-five Grade 9 students, and they are under the direction of Roberta Topping. This school is located in the constituency of the honourable member for Kildonan (Mr. Chomiak).

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

\* (1340)

### ORAL QUESTION PERIOD

#### CN Rail Layoffs Government Strategy

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, we have been raising questions about the employment levels at CN on previous occasions in Question Period. Unfortunately today, we have learned again that there are permanent layoffs at the Transcona shops affecting 97 positions in the shop that will result in the layoff, through seniority and bumping, of a number of people working in Manitoba whose families reside here.

During the Premier's Estimates on March 23, 1992, I asked the Premier some questions about the CN issue, and the Premier responded that he has made his views known about the cutbacks at CN all the way up to the Prime Minister and that he had met with Brian Smith, the chairman of CN on March 19, 1992. He is, quote: a relatively regular visitor to my office; he was there Thursday of last week, and I seek assurances from him about the CN situation in Manitoba.

I would ask the Premier: Did the Conservative appointment to the Board of Directors of CN, Mr. Smith, raise the issue of pending layoffs of 97 jobs? What action is the government going to take about the loss of employment at the CN Transcona shops?

**Hon. Gary Filmon (Premier):** Mr. Speaker, firstly, I am sure that question is borderline out of order since it is not under the jurisdiction of this government.

Having said that, I say to the Leader of the Opposition that we have in the past expressed our very serious concern about transfers out of here to other jurisdictions. Such is not the case here. This is a case of economics. If the Leader of the Opposition wants to look at the press release and the information that has been issued by CN, it said that the staff reductions are the result of a drop in the number of major overhauls required by CN's locomotive fleet. These have been brought about in part by better replacement parts and improved work methods and in part by the fleet being smaller and more productive.

The fact of the matter is that I do not think that anyone in this House can criticize a business that is in a highly competitive mode, that has the prospect of losing thousands of jobs if it is not preserved in an economic fashion. We as a government do not want to see CN damaged by being forced to continue uneconomic practices and therefore put in jeopardy the thousands of jobs that it has in Manitoba today. I do not think that we can criticize a firm for trying to keep competitive rather than risk the loss of thousands of jobs.

### Impact Locomotive Repairs

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, the Premier would note we lost 200 jobs last year at CN, full-time jobs. We have also lost a number of part-time jobs in the sense that the layoff has gone from one month to three months and again reannounced by CN today.

I would ask the Premier as Chair of the Economic Committee of Cabinet and with his cabinet economic committee secretariat: Did they evaluate the statements made by the Conservative Minister of Transportation, Jean Corbeil, who said last December in Manitoba that Winnipeg has no historic role to play in the CN operations and that they further evaluate the decision of the federal Mulroney government to buy new locomotives in the United States and what impact that would have on the repair of locomotives here in Winnipeg?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I am informed that there will be no impact here on that particular move. I would also let the Leader of the Opposition know what he should know, and that is that CN employs about 5,200 people in Manitoba. Of these, 4,700 are located in Winnipeg. It is the second largest concentration of employees in CN's system. In fact, Manitoba has 40 percent of CN's employment in western Canada, although the province generates only 8 percent of CN's western Canada traffic volume.

**Mr. Doer:** Mr. Speaker, I am not interested in Jean Corbeil's or Brian Smith's reasons. I think it is important that Manitoba retain its historic place as the transportation centre of Canada and the rail transportation centre of Canada. That is what we want to see from this government.

### Employment Creation Strategy

**Mr. Gary Doer (Leader of the Opposition):** A further question, Mr. Speaker. When we raised this issue before a number of times, we have been proposing that the government be involved with the CN management and the Crown corporation directors—that is the federal Minister of Transportation—in looking for alternatives.

In the early '80s, the provincial government and the federal government went ahead with an ERDA agreement to repair boxcars to employ people in this province when there was a downsizing, boxcars that were ultimately used for the transportation of grain and used for the Port of Churchill.

\* (1345)

I would ask the Premier as head of the Economic Committee of Cabinet—and Lloyd Axworthy was involved as well, another person that was involved in viable alternatives—has he been involved in any alternatives and any other plans and programs that could get the 200 people who were laid off last year employed, and to get the 97 people who have been

announced today to be laid off employed in the province of Manitoba in the very important transportation area?

**Hon. Gary Filmon (Premier):** Mr. Speaker, we know that when the previous NDP government brought in the highest taxes on diesel fuel for the railways in the country, Howard Pawley said, they cannot pull up the tracks; they cannot move out of here.

We now know that they can in fact move personnel. We know that they are in a very competitive mode. We know that they have 5,200 people in Manitoba, the second largest concentration in their entire system, and we also know that we have nine of the 13 largest trucking firms in Canada headquartered here. That is direct competition. They are headquartered here, and the concentration of their business is here. That is all part of the competitive mix. Instead of talking about the buggy-whip age, he should be talking about the new realities of the competition.

We have the New Democrats who have their head in the sand, who are in old-think over and over again, who are trying to preserve a system of transportation that has changed today. I know that the New Democrats do not like to be exposed for their lack of knowledge about the transportation industry and the changes that have taken place. They base their facts and their figures on what existed decades ago, and they are unwilling to change. All they want to do is ensure that the company that employs 5,200 people will eventually go out of business. That is what they want. That is their preference, to force them to do things that are uneconomic and put them out of business.

We will not do that. We are going to encourage the continuing change, upgrading of technology, more efficiency, more effectiveness to preserve and enhance the jobs that are here in Manitoba.

### **CN Rail Layoffs Government Strategy**

**Mr. Daryl Reid (Transcona):** Mr. Speaker, it appears by the Premier's statements that he is in favour of the action that CN has shown here today and that he is unconditionally giving his support to CN by the statements that he has made here today.

The legacy of this government in transportation is one of bankruptcies and layoffs in this province. Today, we have learned another 97 jobs are going to be lost from the Transcona CN main shops.

These 97 jobs are on top of the 200 that we already lost last year in permanent job losses, on top of the 1,500 temporary layoffs last year and another 1,300 that are going to occur—

**Mr. Speaker:** Order, please. The honourable member for Transcona kindly put your question, please.

**Mr. Reid:** My question to the Premier is: Given that this Premier has accused me of false rumours and allegations—

**Mr. Speaker:** Order, please.

**Mr. Reid:** When will this Premier take the CN and the federal government to task for slowly sucking the life out of rail transportation in this province?

**Hon. Gary Filmon (Premier):** Mr. Speaker, we go from an astronaut yesterday to a space cadet today in this Legislature.

### **Point of Order**

**Mr. Steve Ashton (Opposition House Leader):** On a point of order, Mr. Speaker, the comments made by the Premier are, shall we say, not in keeping with our rules, our traditions, are unbecoming of him as Premier. I would like to ask you to have him withdraw that and withdraw the kind of comments he has made against the member for Transcona who has been fighting on behalf of his constituents and deserves respect from the Premier for doing that.

**Mr. Speaker:** Order, please. The honourable opposition House leader does not have a point of order. The remarks were not attributed to anybody at all, but I would caution all honourable members that when we refer to a member in the Chamber, we refer to them as an honourable member or the minister responsible for.

\* \* \*

**Mr. Filmon:** Mr. Speaker, I would say that the member for Transcona and all of his colleagues would do a lot more for his constituents if they would not try and force a company to remain inefficient, force them out of business and force 5,000 people out of work instead of attempting to make people more efficient, more effective and more competitive so that they can stay in this province and enhance and improve their economics and therefore employ more people in this province.

That is what this government is working on and that is what this government will continue to work on—efficient, competitive; and businesses that are in

the world economic scene so that they can attract and keep investment and job creation, not mired in old-think, not mired in a situation that represents decades-old thinking in this country. We have to be competitive. We have to be in the modern age, and the member for Transcona had better learn that or else there will be a lot more jobs to be lost as a result of it.

\* (1350)

**Mr. Reid:** Mr. Speaker, with this announced layoff of 97 permanent employees will be the closure of the Forge Shop in the Transcona CN shops, an historic part of the shop operation. This shop produced specialty steel work, some of which must now be bought in Germany.

Will the Premier call upon the Prime Minister of Canada and CN Rail to put a stop to this exporting of Manitoba jobs overseas to Germany?

**Mr. Fillmon:** Mr. Speaker, the fact of the matter is that we, through many, many of our employers in this country and this province, export goods all over the world. Where we have competitive industries, they are making sales all over the world, including in Germany.

If the member opposite is suggesting that we should promote inefficiency, that we should promote companies to be uncompetitive, then he is suggesting that we should put more workers out of work, and I will not accept that as an answer.

I know that Manitobans are competitive, hardworking and very, very productive individuals. Those are the people who will continue to work, continue to grow and continue to provide economic benefits for this province, and those are the people whom our policies will always support. They will result in growth and investment for the long term, not the kind of uncompetitiveness, not the kind of inefficiency that the member for Transcona wants to promote.

**Mr. Reid:** It is unfortunate, Mr. Speaker, that the Premier supports offshore shopping.

### **CN Rail Layoffs Labour Adjustment Program**

**Mr. Daryl Reid (Transcona):** My question is for the Minister of Labour on this subject.

A year ago I requested that the Department of Labour initiate a training program with CN employees—

**Mr. Speaker:** Question, please.

**Mr. Reid:**—and I asked the minister's department to initiate meetings between CN, the employees of CN and the Department of Labour to upgrade the skills of these employees who are now finding themselves laid off, Mr. Speaker. The Department of Labour has taken no steps to initiate such a program.

I ask the Minister of Labour: What action is he going to take now to provide these training skills for these laid-off employees?

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, I think we all appreciate that when we have a layoff or economic bad news in our constituency, it is not a good time for us, but I would remind the honourable member for Transcona that when he approached me, we arranged meetings with our staff from Apprenticeship and Training to develop a program where it would fit in with our Apprenticeship branch. Now, I understand that it has not worked as well as the member had wanted, but the first that the member had made myself aware of that difficulty was just a few weeks ago, so the member should be prepared to put true facts or accurate facts before this House.

### **Employment Training Programs Government Commitment**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, today we learned that 97 jobs would be permanently lost in this city—97 jobs. The Premier accuses the official opposition of old-think. Well, I would be delighted if we could get some new-think from the government side of the House because there is no new-think. New-think would orchestrate that this government had a training modality, a purpose for young people, 97 of whom cannot look to CN for future employment as a result of the announcement today.

Will this government finally come up with a training strategy which will ensure that young people not only graduate from high school but go on to post-secondary education in the province of Manitoba?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, we are very proud of some of the training initiatives that we have in place and that this government has not only supported in terms of money but also with the training power to support it.

I would just like to remind the honourable member that we have, in fact, added new courses in all three

of our community colleges, we have extended courses in all three of our community colleges, and we have a program called Workforce 2000 which has been extremely beneficial in this province.

\* (1355)

### **Post-Secondary Education Accessibility**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, I would like to remind the honourable minister that she has in fact cut student financial aid to young people in this province, she and her government, so that it is now less than it was in 1990-91. It was \$13.2 million in 1991. It is \$12.8 million in this budget. It is less than '90-91. At the same time, under this administration, tuition fees at the University of Manitoba have increased by 81.9 percent—81.9 percent and a cut in financial aid. What this means is that many, many young people cannot afford to access our post-secondary educational institutions.

I want to know what the minister is going to do to make sure our young people get an education.

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, I would like to correct the honourable member. For this budget year, we have in fact added \$690,000 to a student aid program in this province. In addition, our tuition fees, even with the predicted hike—and it has not been approved, but if in fact at one of our universities if there is a predicted hike, our tuition fees are still the third lowest across Canada.

### **Student Aid Emergency Assistance**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, we get more double speech. You can talk about an increase of 5.7 percent when the drop the year before was 8.2 percent. So it is not an increase over '90-91. It is a decrease. [interjection]

The Minister of Finance (Mr. Manness) yells from his seat: Our universities are so full. Our universities are becoming more and more full of part-time students who cannot afford to go full time, and they cannot afford to go full time because of the actions of this government.

Will the Minister of Education tell this House today how she is going to direct an equivalent type of dollar, that the university has recognized is needed

for emergency student aid, into her student aid program?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, I would like to say to the honourable member that we are always looking at our student aid and that, at the moment, I am very pleased to say that we have in fact increased, as I answered in my last answer, our commitment to student aid. In addition, I have met with my counterparts across Canada to press the federal government for its continued assistance in the Canada Student Loans Program. I think our commitments to university education in general have been shown by the fact that our government has increased funding to universities by 3 percent and our neighbours next door to us have in fact decreased by 1 percent.

### **Universities Tuition Fees**

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, students at the University of Manitoba are facing fee increases of 16 percent this coming year, in addition to fee increases of 20 percent last year and 10 percent for every year this government has been in office. If you talk to high school students, as I did this morning, you will know that we are clearly facing a situation where the fees, the cost of universities, is becoming a deterrent for Manitoba families, and that should be an immediate and grave concern to any Minister of Education.

Mr. Speaker, I want to table a chart which demonstrates that since 1988 the percentage of total education costs borne by students and their families has risen steadily, from the 13 percent in 1988 to 15.5 percent in 1990 to 19.5 percent in 1992, and the offloading goes on.

My question for the minister is: What is her government's policy on university fees? What proportion of expenditures should be borne by students and their families—

**Mr. Speaker:** Order, please. The question has been put.

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, we are very concerned about accessibility to university education, to post-secondary education for students in this province, but I repeat, our tuition fees, even with the proposed increase, are the third lowest across Canada.



**Ms. Friesen:** Mr. Speaker, it sounds like a vacuum of policy. There is no policy on university fees. Is it 20 percent? Is it 40 percent? Where is she going to draw the line?

**Mr. Speaker:** Order, please. I would remind the honourable member, this is not a time for debate. The honourable member for Wolseley, kindly put your question, please.

\* (1400)

### Levels of Instruction

**Ms. Jean Friesen (Wolseley):** Has the minister established any policies to help Manitoba universities maintain the levels of instruction in the light of continuing layoffs of staff and lab instructors? Is it the policy of this government to pile them high and teach them cheap?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, I am concerned about the remarks attributed to the type of university education that we offer here in this province.

I would like to remind the member again that as a government we have increased our commitment to universities by 3 percent this year. I think that is a very strong commitment, but universities are autonomous. It is up to the universities individually to then deal with their faculty associations and other associations, and they make their agreements as autonomous bodies.

### Departmental Review

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, why has the minister continued to delay and procrastinate about the university review which she promised two years ago, 18 months ago, a year ago, six months ago, three months ago? Where is that review?

**Hon. Rosemary Vodrey (Minister of Education and Training):** Mr. Speaker, when I became minister, I made a point of meeting with the four university presidents, with members of the student associations to make sure that I had some input in developing the scope and the mandate for that review, and that review will be announced as soon as possible.

### Assiniboine River Diversion Federal Environmental Assessment

**Ms. Marianne Cerilli (Radisson):** Mr. Speaker, Manitoba's list of environmental problems is

growing, and most of them are due to ill-conceived projects that this government supports. One project that should be added to this list is the Assiniboine diversion. Rural municipalities, aboriginal groups, farmers, local environment groups oppose this project, and they are lining up against the government. Today the City of Winnipeg—

**Mr. Speaker:** Order, please.

### Point of Order

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, the method of the questions of the members are starting to get out of hand. We have been listening very carefully. The rules very clearly spell out that the preamble to a question on the first question is to be one carefully drawn sentence. All questions today presented by the NDP have had at least three, four or five sentences. They are filled with fact, which is their right, but not over four or five sentences. The rules are significantly changing in Question Period today vis-a-vis other Question Periods some weeks previous. I say, if that is the new policy, then obviously the government wants to know what the rules are.

**Mr. Steve Ashton (Opposition House Leader):** On the same point of order, I must say I find it ironic that the government House leader is rising today, particularly with this question, which I thought was fairly to the point and certainly in comparison to answers we heard just a few minutes ago from the Premier (Mr. Filmon), Mr. Speaker. If the government House leader wishes to look at the question of the need for brevity, I think he should start by rising on points of order when his ministers and especially his Premier are answering extensively to our very pointed question.

**Mr. Speaker:** Order, please. The honourable government House leader does have a point of order. I would remind the honourable member for Radisson that a preamble should not exceed one carefully drawn sentence. We are lenient somewhat, but I would ask the honourable member for Radisson to kindly put your question now, please.

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**Ms. Cerilli:** I would like to ask the Minister of Environment: How can the minister justify not having a federal comprehensive nonpolitical basin-wide review for this project when it deals with

a navigable river that is also an interprovincial river which makes it come under federal environment jurisdiction?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, first of all, I do not think that the federal authorities have announced the decision at this point. Secondly, we are proceeding with our responsibilities as we see them in terms of licensing and hearing on this process. We believe that our process is very adequate. It is one of the more comprehensive processes in this country. The federal authorities will look at that, look at the interests and the issues that surround it and may well choose to screen it out.

### Treaty Land Entitlements

**Ms. Marianne Cerlill (Radisson):** How does the minister plan to deal with aboriginal land entitlement, as bands opposed to this project will be affected by it when this is definitely a federal jurisdiction?

**Hon. Glen Cummings (Minister of Environment):** Well, again, Mr. Speaker, I think the member is perhaps deliberately attempting to confuse the responsibility of the two processes.

I am sure that she does it with good intentions, Mr. Speaker, but I think it is not correct to try and put forward a case that is clearly not within the decision making that we do in accordance with our act and our responsibilities. If the member is suggesting that the project, which will withdraw something like 20 cfs downstream from any of the concerns that she has raised, somehow has a further impact, I think she should elaborate.

### Jurisdiction

**Ms. Marianne Cerlill (Radisson):** Can the minister table documents that will justify the federal government's consideration of screening out their jurisdiction?

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, I hope that the member will also direct that question towards federal authorities. It is a decision that they will have to make. If I in fact receive some documentation regarding any approach that they may choose to take, I will be glad to share it.

### Conawapa Dam Project Liberal Opinion Response

**Mr. Paul Edwards (St. James):** Mr. Speaker, my question is for the Minister responsible for Manitoba Hydro.

Today many Manitobans began participating in Earth Day related activities and will continue to do so over the course of this week. This is a time clearly when elected officials have to take extra time examining our own behaviour and the consequences of government action in all areas affecting the environment.

Mr. Speaker, I know that the minister is supportive of Earth Day activities and will be participating, as I will. I want to ask the Minister responsible for Manitoba Hydro today if he is prepared to table a response to the opinion which was given to him and to Manitoba Hydro by our caucus with respect to the \$5.7-billion Conawapa project, which has had environmental concerns raised and continues to have environmental concerns raised about it. Is the minister prepared to do that today?

**Hon. James Downey (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, I will try and gather some kind of a response that does not necessarily reflect the question but may reflect the issue appropriately.

It is our intention, as a government, to carry out a process, which has never been done before by any government, on the environmental issues raised in dealing with hydro development in the North, Mr. Speaker. I expect that process to answer the questions and to deal with the matter responsibly.

### Government Position

**Mr. Paul Edwards (St. James):** Mr. Speaker, the former minister indicated his preference that this arrangement be renegotiated.

My question for the minister again is: Why is the government unwilling to release its full opinion so that there can be the same sort of open public discussion and debate as there was when we revealed ours, Mr. Speaker? Why is he unwilling to put the government's position on the table today for all Manitobans before he commits \$5.7 billion—

**Mr. Speaker:** Order, please. The question has been put.

**Hon. James Downey (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, I am not accepting in any way the preamble of the member

for St. James as it refers to the former minister. I would accept a compliment for the work which the member carried out on behalf of the Province of Manitoba in the Energy and Mines portfolio.

As it relates to the legal opinion, Mr. Speaker, I believe it is in the interests of the Province of Manitoba to do what is responsible, and it is not responsible to table a legal document which is in the public interest.

### Public Utilities Board Review

**Mr. Paul Edwards (St. James):** Mr. Speaker, finally for the same minister, in the interests of the public and the 5.7 billion of their dollars which are proposed to be spent on this project, not to mention the environmental costs, will the minister today at least allow the deal that this government has struck to go back to the PUB for re-examination, given that the fundamental tenets, which supported the decision of the PUB in the first place, have now been questioned openly and publicly—

**Mr. Speaker:** Order, please. The question has been put.

**Hon. James Downey (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, there have been two processes established that were not established prior with the development of a hydro project: No. 1, the review by the Public Utilities Board, which is in the mutual interests of both Ontario Hydro and Manitoba Hydro and the residents of both jurisdictions; secondly, the environmental question is one which is going before a full federal-provincial review panel which will deal with the environmental concerns. The process is in place and it is working.

\* (1410)

### Department of Natural Resources Library Services

**Mr. Clif Evans (Interlake):** Mr. Speaker, my question is for the Minister of Natural Resources.

We in this House have all listened to this government's often-stated commitment to safeguarding the environment and protecting and conserving Manitoba's natural resources. Given that today is Earth Day, it is important that an example be set by governments so that the public and industry will take these commitments seriously. Mr. Speaker, given this, I would like to ask the minister why he chose to close the Natural

Resources library and lock up important technical material within it.

**Hon. Harry Enns (Minister of Natural Resources):** Mr. Speaker, I am pleased to inform the honourable member that the library is not closed. There have been some staff changes brought about by reorganization within the department. Those in fact are ongoing, and it is my hope that we will be able to reorganize our resources internally to such an extent that continued services of that library will be made available.

**Mr. Clif Evans:** Mr. Speaker, why did the minister not consult with department staff, library professionals, natural resources experts before making a decision to close the library, before the fact—

**An Honourable Member:** The library is open.

**Mr. Clif Evans:** The library is still closed. Why is it still closed?

**Mr. Enns:** I will try again, Mr. Speaker. The library is not closed. It is true that access to the library has been reduced, but that is being addressed as well.

Honourable members are well aware that particularly in my Department of Natural Resources a number of management decisions have had to be made, a number of options had to be examined as to where the resources that this Legislature hopefully will vote me in the consideration of Estimates can best be applied.

We are continuing to operate and make the information available from that library. We will attempt to do a better job than is currently being done, but it is not closed.

**Mr. Clif Evans:** Mr. Speaker, as of this morning, in contacting the department's—

**Mr. Speaker:** Order, please. Question, please.

**Mr. Clif Evans:** Mr. Speaker, my supplementary question is for the minister.

Given the fact that the minister's department had indicated that the library will be open in mid-April, as of today—

**Mr. Speaker:** Order, please. The honourable member for the Interlake, kindly put your question now, please.

**Mr. Clif Evans:** If he claims the library is still open, then will he restore the full service and full opportunity for this library to be open full time?

**Mr. Enns:** Mr. Speaker, I will do my very best to maintain a level of service that is required. The

honourable member will have to accept the fact that at least for the time being I will be making that decision.

### **Childs Lake Water Level**

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, my question is for the Minister of Natural Resources and related to activities in the Duck Mountains.

Recently, at a meeting in Swan River, the minister assured cottagers at Childs Lake that the water level would be maintained.

I want to ask the minister: Has he communicated with the cottagers to ensure that the level of the lake will be maintained?

**Hon. Harry Enns (Minister of Natural Resources):** Mr. Speaker, I have to acknowledge that I have not had any specific reference with respect to Childs Lake to my office in the last little while. I will take that question as notice and respond to her more fully tomorrow.

**Ms. Wowchuk:** Mr. Speaker, this has been an ongoing issue. I want to ask the minister if he has advised people in his department to reinforce the dam, or is his staff being advised to remove the dam. There is serious concern.

**Mr. Enns:** Mr. Speaker, my very preliminary information is that perhaps mother nature eroded part of the structure that was there, and it may well be my decision to leave mother nature do her thing.

### **Duck Mountain Co-Management Agreements**

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, at the same meeting, the minister said that he would not impose co-management of resources in the Duck Mountains if the people did not want it.

I want to ask the minister: What plans is he making? What people has he contacted relating to co-management of resources in the Duck Mountains?

**Hon. Harry Enns (Minister of Natural Resources):** Mr. Speaker, the very term implies a great deal of co-operation. Co-management is only possible if there is good will on the part of different groups of people who are prepared to enter into an agreement of co-management.

The honourable member will be aware that we have an Elk Management Board in that area that has

had its ups and downs. I have had preliminary meetings with my staff, and it is my hope that perhaps through strengthening and supporting that Elk Management Board that is in existence in that part of the province, it may lead to a broader area of bringing additional interests—

**Mr. Speaker:** Order, please.

### **Agricultural Land Taxation Clarification**

**Hon. Leonard Derkach (Minister of Rural Development):** Mr. Speaker, yesterday, my colleague the Minister of Northern Affairs (Mr. Downey) took a question as notice for me, three questions as a matter of fact. Today, I would like to respond to the member for Swan River for the questions that she put forth.

First of all, with regard to the delay in reassessment and her concerns about the fact that this was going to impact negatively on farmers, may I say first of all that as a result of Bill 79, farmers today are only paying 27 percent of the assessed value of their farm land. So indeed, as long as that portioning is in effect and as long as farmers are only paying 27 percent, it does not really impact negatively on farmers in terms of the delay in reassessment.

Mr. Speaker, the next point was the limitation of existing appeal rights to farmers. As was the case in the old Municipal Act and today in the new Municipal Act, farmers still have the right to appeal their assessment based on certain circumstances, for example, when there is a physical change to their property or damage to their property or altered new improvement to their property as well. In terms of the member's concerns about farmers, I have to say that as a government we first of all reduce the taxes on raw farm land. May I say that as a result of our amendments to The Municipal Act, farmers today are paying only 11.5 percent of the whole tax compared to 12.5 percent in 1989.

### **Social Assistance Off-Reserve Status Indians**

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I have a question for the Minister of Family Services.

The City of Brandon is very concerned about the government's refusal to reimburse it for social assistance payments. It is now making \$25,000 per month to Status Indians living in the city of Brandon.

In effect the minister has placed the municipality of Brandon between a rock and a hard place.

How can the minister refuse when Section 11, subsection 7 of The Social Allowances Act of this province stipulates that the province must reimburse municipalities 100 percent for income security payments to nonresidents? How can the government discriminate between status natives and other citizens?

**Hon. Harold Gillehammer (Minister of Family Services):** Mr. Speaker, this is an issue that we spoke about yesterday, and I recall remarking that we had the support of the party opposite in dealing with the federal government. I am rather disappointed that they have changed their stance on this. This is an issue that is before the government that we are dealing with the federal government on.

We have met with officials from the City of Brandon. They have made a commitment at the City Council level, and we are going to continue with the support of the City of Brandon, and also the MAUM and UMM organization, to dialogue with the federal government to have them live up to their responsibilities.

**Mr. Leonard Evans:** Mr. Speaker, a supplementary question: Is the province prepared to engage in a court battle with the City of Brandon, which has now indicated that it intends to go to the Court of Queen's Bench to seek reimbursement from the province? It is now paying \$25,000 per month.

I do not know where the minister gets his dialogue from because the city is now preparing—

**Mr. Speaker:** Order, please. The question has been put.

**Mr. Gillehammer:** Mr. Speaker, as I indicated we have had discussions with the City of Brandon, the City of Thompson and most recently, the executive of the MAUM organization, who are prepared to join us in our dialogue, in our fight with the federal government to insist that they live up to their obligations. I am just sorry that the member for Brandon East and his party have changed their mind on this issue. We will pursue this with the federal government, and we had hoped we would do so with your support.

**Mr. Leonard Evans:** Mr. Speaker, a final question: Is this minister, is this province prepared to engage in a legal battle with the federal government, which

has told officials of the City of Brandon and others that it will sue the province, under human rights legislation, for discrimination against natives?

**Mr. Gillehammer:** Mr. Speaker, again I am disappointed that we do not have the member and the NDP party support on this initiative any more. We are prepared to enter into discussions with the federal government as we have in the past. We are prepared to explore all avenues to have them live up to their responsibilities and are in the process of doing so.

\* (1420)

**Mr. Speaker:** The time for Oral Questions has expired.

### Nonpolitical Statements

**Mr. Jack Reimer (Niakwa):** May I have leave to make a nonpolitical statement?

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

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave. It is agreed.

**Mr. Reimer:** Mr. Speaker, it gives me great pleasure to rise today to recognize the opening of Earth Day celebrations in Winnipeg and across the country.

First inaugurated in April 22, 1970, Earth Day was created when students in the United States responded to a proposition from Senator Gaylord Nelson that environmental teach-ins be carried out across the country to bring environmental issues into sharp public focus.

The celebration has now grown to be celebrated in 135 countries around the world involving 20 million people. Resurrected in Manitoba in 1990, Earth Day has seen tremendous growth with crowds of 10,000 people in the first year to anticipated crowds of 50,000 for this year.

Earth Day is a series of events recognized to promote awareness of the state of the planet Earth, and the consequences of our daily activities and the fragile nature of the ecosystem.

Ranging from community cleanups, to tree planting, to environmental presentations and workshops, Earth Day activities encompass events that attract people of all ages. Mr. Speaker, Earth Day is a reminder of the fact that the existence and the well-being of all mankind is completely dependent upon the protection of the earth's natural

resources, and that we are responsible for the preservation and the restoration of these resources.

I would encourage all members of the House and their families, their friends, and the community to join in the celebration of Earth Day and to work together to make the world a cleaner place to live. Thank you very much, Mr. Speaker.

**Ms. Marianne Cerilli (Radisson):** Mr. Speaker, may I have leave to make a nonpolitical statement?

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

**Some Honourable Members:** Leave.

**Mr. Speaker:** Leave. It is agreed.

**Ms. Cerilli:** I also wanted to recognize that today is Earth Day and say that a number of us are looking forward to the activities upcoming, particularly, the conference this weekend by the Ecology, Ethics and Religion committee.

I thought a good way to recognize Earth Day would be to review some of the recommendations or the wish list by the environmental groups put forward earlier this year. I think it was around Christmas time.

The Winnipeg Water Protection group wish that Shoal Lake become a protective sensitive area.

Links magazine wish that Winnipeg be free of dangerous pesticides.

Concerned Citizens were asking that energy without destruction and nuclear-free highways be available in Manitoba.

The Sierra Club wanted environment assessments to be completed prior to the beginning of a development.

The Green Earth Store asks for a better public transportation system and more bicycle paths in Manitoba.

The Manitoba Animal Rights Coalition encourage people to adopt the environmentally friendly diet.

And Time to Respect Earth's Ecosystems pleaded for the survival of woodland caribou in Nopiming Park.

The Institute for Sustainable Ecology asked for the introduction of solar aquatic sewage treatment in Manitoba.

Youth Planet requested that recycled paper be purchased by Manitoba school divisions, in this upcoming school year, and that environmental education be implemented in the Manitoba

curriculum. Several groups asked that Winnipeg rivers be safe enough to swim in.

I think that all of these are a good signal of what we can work towards and take these kind of symbolic days, like Earth Day, seriously, and that we all make a commitment to do our part as individuals, in this day and in this week, to recognize the unsustainability of our current practices. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Yes, Mr. Speaker, I would ask for leave to make a nonpolitical statement.

**Mr. Speaker:** Does the honourable member for Inkster have leave to make a nonpolitical statement? Leave? It is agreed.

**Mr. Lamoureux:** I too, like the member for Niakwa (Mr. Reimer) and the member for Radisson (Ms. Cerilli), would like to echo the concerns or opinions that they have expressed on the record regarding Earth Day. I know that there are a number of events that are going on throughout the week, in fact, in celebration of environmental awareness, if you will, Mr. Speaker.

In fact, I know the member for St. James (Mr. Edwards) is going to be attending a number of those events. I think, Mr. Speaker, we have to give compliments and pay tribute to all of those individuals who participate in the whole awareness campaign in regards to our environment. The Earth Day is a significant day in the sense that it brings together all sorts of individuals towards one cause. Anything that moves in that type of a direction, where we have a better society tomorrow, as a result of organizations and events such as this, we will all be better off for it.

So, having said that, Mr. Speaker, I thank you for the opportunity to put some words on the record.

## ORDERS OF THE DAY

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you firstly call, Second Reading, Bill 74, and from there we will move to Bill 45.

## SECOND READINGS

### Bill 74—The Law Society Amendment Act

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Speaker, I move, seconded by the honourable Minister of Finance

(Mr. Manness), that Bill 74, The Law Society Amendment Act (Loi modifiant la Loi sur la Société du Barreau), be now read a second time and be referred to a committee of this House.

**Motion presented.**

**Mr. McCrae:** Mr. Speaker, these amendments to The Law Society Act will make the society's disciplinary hearings open to the public for the first time.

The Law Society established a special committee to review the operations of the Judicial Committee, which is responsible for conducting hearings under The Law Society Act when a lawyer is charged with professional misconduct, conduct unbecoming a barrister or solicitor, or incompetence. We have accepted the recommendations from this committee in the form of changes to The Law Society Act requested by the society.

The changes will allow Judicial Committee hearings to be open to the public unless the committee believes exceptional circumstances warrant private or in camera sessions.

In addition, the bill includes a ban on publication of the names of lawyers who are the subject of an inquiry unless and until they are convicted of the offence for which they are charged.

We welcome this proactive step taken by the Law Society, Mr. Speaker. Most lawyers working in our justice system are professional and ethical people. However, allegations of improper conduct by a lawyer must be treated seriously and dealt with both effectively and openly.

I think a lot of people do not recognize how seriously the profession itself views allegations of improper conduct on the part of one of its members, but the proactive stance taken by the Law Society demonstrates otherwise. It demonstrates the commitment of the members of the profession to excellence and openness with the public. It is important that the public, the clients served by the justice system, know there are procedures in place to protect their interests and that the procedures are visible and open.

These changes in Law Society procedures should increase the trust that is vital for the relationship of lawyer and client and the confidence Manitobans have in their legal profession.

**Mr. Steve Ashton (Thompson):** I move, seconded by the member for Dauphin (Mr. Plohman), that debate be adjourned.

**Motion agreed to.**

**REPORT STAGE**

**Bill 45—The City of Winnipeg  
Amendment, Municipal Amendment and  
Consequential Amendments Act**

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, on behalf of the Minister of Urban Affairs (Mr. Ernst), I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 45, The City of Winnipeg Amendment, Municipal Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Ville de Winnipeg, la Loi sur les municipalités et d'autres dispositions législatives), as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

**Motion agreed to.**

**THIRD READINGS**

**Bill 45—The City of Winnipeg  
Amendment, Municipal Amendment and  
Consequential Amendments Act**

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, with leave of the House, I move, seconded by the Minister of Health (Mr. Orchard), that Bill 45, The City of Winnipeg Amendment, Municipal Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Ville de Winnipeg, la Loi sur les municipalités et d'autres dispositions législatives), be now read a third time and passed.

**Mr. Speaker:** Does the honourable government House leader have leave for third reading? Leave? It is agreed.

It has been moved by the honourable Minister of Finance (Mr. Manness), seconded by the honourable Minister of Health (Mr. Orchard), that Bill 45, The City of Winnipeg Amendment, Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg, la Loi sur les municipalités et d'autres dispositions législatives, be now read a third time and passed.

\* (1430)

**Ms. Jean Friesen (Wolseley):** Mr. Speaker, this bill went very recently to committee last week with very little notice to the general public, and there were unfortunately only a few people who were able to

present at those committee hearings. The City of Winnipeg presented; a number of people from Headingley presented, and a university researcher and representative of the Winnipeg Into the Nineties group also made a presentation. So there was some diversity of opinion on this bill.

I think some of it has been reflected in the amendments which the minister chose to bring, an interesting process by which this government so frequently brings in its bills, and has the amendments in the other pocket. One wonders whether they are simply trying to get away with as much as they can to see if there is any opposition, to see if anybody is actually going to read these thin bills, and then lo and behold, out of the other pocket, they pull the amendments which should have been there in the bill in the first place.

In this case, Mr. Speaker, the Minister of Urban Affairs (Mr. Ernst) brought in a series of amendments which I think led to some improvements in the bill. First of all, he eliminated the section dealing with referendums. That was quite a long section in this bill, and it was one which permitted the cabinet, the Lieutenant-Governor-in-Council, to select from the city of Winnipeg a portion, and to decide that there could be a referendum in that portion of the city.

Not only that, the Lieutenant-Governor-in-Council, that is the cabinet, protected by cabinet secrecy, could also decide upon the electors, that is the franchise. It seemed to me, Mr. Speaker, and many members of the opposition spoke upon this, that this was absolutely wrong. It was wrong in terms of democracy, it was wrong in terms of the historical practice of Manitoba, and it was wrong in a moral sense, as well, that the Lieutenant-Governor-in-Council, the cabinet in secrecy, should have the right to select the franchise because that belongs in the Legislature.

But why did the minister give this up? Why was he so ready to make this amendment? Because it really cost him very little. He has done this before. In the Headingley referendum, without specific legislative responsibility, the minister chose the franchise; the minister chose the portion of the city which would have a referendum. So in light of past experience, the minister in fact had no need of that in the bill. He believes that he is able to do such things at will, and has done this in the past. Particularly, when he had the Headingley

referendum, he did choose a franchise which was different from that in the city of Winnipeg.

The Headingley referendum which determined whether Headingley should secede from the city of Winnipeg, was based upon a franchise which was not that of the city of Winnipeg. It included nonresident property owners in Headingley, in a similar way to which rural municipalities also vote.

It is not that there is no precedent for that type of franchise in Manitoba, it is that there is no precedent for that type of franchise under the current conditions of the city of Winnipeg. I think the minister erred in that. I think he particularly erred when he knew from the Hilderman Witty study, which was the basic document he and his department were working from, that there is a very high proportion of nonresident property owners in Headingley, a far greater proportion than there is in the city of Winnipeg as a whole.

So that in fact, I think the Minister of Urban Affairs (Mr. Ernst) who was concerned about the fairness of that particular referendum, indeed in referendums in general, should have taken that into account. In any case, he did amend the bill. I commend him for that. I do not think from his own political perspective that it was any great loss, but we do recognize that he has done it.

The second part of the amendments dealt with the elimination of the phraseology "township and village," that is meaning that the bill remains applicable to the separation of sections of Winnipeg that can form rural municipalities. There are limits now upon the kind of sections, the nature of the land use and the sections which can be siphoned off from the city of Winnipeg to the extent that those are limits upon the actions of the cabinet, the Lieutenant-Governor-in-Council, a principle which still remains throughout this bill and a principle which we will still oppose. To the extent that it puts limits upon that, we welcome it. It was, I believe, an amendment that certainly could have been there from the beginning and one that the minister chose to bring in at the end.

It does however leave two principles still which we would oppose. The first of those, as I mentioned, is the presence of the powers of regulation to the Lieutenant-Governor-in-Council and those remain throughout the bill. We believe that the boundaries of the city of Winnipeg, which are the boundaries of political division for over 60 percent of the population of this province, are so significant that they should



be within the bounds of the Legislature, not within the bounds of the cabinet secrecy. That particular principle we will still oppose.

The second principle is the application of this to the sectioning off or siphoning off of rural municipalities. The minister has limited, as I said, but it is still something which we believe should remain within the Legislature, and so that even though there are limits, that is something which we will continue to oppose. It obviously leaves the exit permit there in cabinet in secrecy for other smaller districts. The one that most obviously comes to mind at the moment, of course, is St. Germain. We believe that the separations from the city of Winnipeg deserve public debate. They deserve public consideration. They do not deserve to be done in the back rooms of the cabinet where the access to documentation, the access to debate is limited to the public.

I do not know why the government fears that. It is obvious by leaving in rural municipalities that they do prefer to do things quickly and secretly. It seems to me totally unnecessary. If they believe that right is on their side, then they should be open to public debate. We will continue to oppose that particular sectioning off and siphoning off of sections of the city of Winnipeg.

When this bill was introduced, Mr. Speaker, I spoke of the doughnut city which I believe the minister was in danger of creating, a city which has an empty hole at the centre, which has the rotting infrastructure of American cities. It seems to me that Winnipeg, with its increasing migration of poor and undereducated people to the centre of the city, with the increasing growth of a suburban and wealthier part of Winnipeg, that we are very much in danger of creating those two nations very visibly within our community.

I do not think that is something that Manitobans in general want to see. If there are ways in which the Legislature by its creation of political communities, by its creation of political boundaries can prevent that, can create collectivities with a substantial tax base to support the social services and the other recreational services which are needed, then that is what it should be doing. So we deplore, Mr. Speaker, the separation, the divisions of wealth and poverty that the government is creating by this tendency to selectively create exit permits for portions of the city of Winnipeg.

\* (1440)

So it is more as a warning I think that I will point that out, as I did in my earlier speech. We do not like the parallels to Los Angeles. We do not like the warning signs that the departure of Headingley and prospectively of St. Germain give to Winnipeg and consequently to the, I think, social health of Manitoba generally.

The minister also had two other changes to the bill at the committee stage. One of them dealt with the time on transition, and he gave some verbal assurances to the presenters from—[interjection] no, it was to the city of Winnipeg, but there is only one. He gave some assurances that there would be a time limit in the regulations which he would draw up on that transition.

Again, Mr. Speaker, it was a very broad-scale paragraph in the bill, one which need not have been there in the first place. If there had been some care in legislative drafting, it seems to me that those limitations of time, of consultation and of price in the very broadest sense should have been established in the bill, and of course they should have been Headingley-specific.

The second verbal assurance that he made was to the presenters from Headingley who were concerned about their ability to tax the golf course, which is one of the few assets which the Municipal Board has left in the Headingley jurisdiction. Again, the minister made some verbal assurances to them there that they would be able to tax that on the same basis that other assets of the City of Winnipeg are taxed in other jurisdictions. At least that was my understanding of his verbal assurance. Perhaps if I am erring in that the minister will take the opportunity to correct that in his response.

So I think all of that, Mr. Speaker, points to some of the very general concerns that we had with this bill. It was not a Headingley bill, although many people who presented from Headingley seemed to be under the misapprehension that this was a Headingley bill. They were under the extreme misapprehension that the New Democratic Party and the opposition generally were preventing passage of this bill. There seems indeed to have been some anxiety in the Headingley district about the reaction of the opposition to this bill.

Some of the people whom I spoke to on the phone from Headingley had, in fact, never read the bill. They may well have read the minister's press releases which talked about this as a Headingley

bill, but it was clearly not a Headingley bill. That was one of our major concerns.

If the minister had chosen to bring in a Headingley bill that dealt with this issue in a public manner, then we would have welcomed it and dealt with the issues that he was presenting us with, but he chose not to. He chose to present a bill which went far beyond that, which in my view showed a number of examples of very hasty drafting and had to be amended relatively quickly in the history of this bill, with some amendments also provided by the minister.

The second area that concerned us, when we go beyond the amendments, is the absence of regional planning. I have emphasized this in the speech that I gave earlier on this subject and so did our Leader, the former Minister of Urban Affairs and many of my urban and rural colleagues. What we are doing is setting Headingley off, and prospectively St. Germain and prospectively other sections of the city of Winnipeg, essentially into a policy vacuum.

There is no regional planning in the city of Winnipeg or in the surrounding regions. There have been some attempts at this, the minister assures me. I thank him for letting me see the last minutes of the Winnipeg Regional Committee; I would be interested in seeing the other minutes too, perhaps the three other meetings that have occurred over the past couple of years. It was obvious at that meeting that people do indeed discuss regional issues, but you could scarcely call it regional planning; you could scarcely call it even the first step in regional planning.

I emphasized last week when I spoke about this bill that I do not underestimate the difficulties of regional planning in a situation where you have many competing municipalities, where they are competing for industries, for a tax base, for population and for various resources, including those resources which come from governments. I do not underestimate the difficulty of it, but I do emphasize that it must be done, and that it should have been done before Headingley departed.

There are many issues, of course, which are important in regional planning. I think one of the ones that is most important, whether you are talking to people in the northern edge of the city or whether you are talking to people in Headingley, it is in fact the disposal of waste, of waste management, sewage that is most important.

Whereas people feel in those fringe municipalities that they can cope with the situation which they have now, five years down the line in the northern end of the city, 10 years down the line in the northeastern part of the city, perhaps 10 years down the line in Headingley, we are going to be in trouble with those kinds of processes, and it will be to the disadvantage of the health and social well-being of all the citizens of the regional area.

Now is the time to develop those kinds of regional plans, in advance of setting off increasing the number of jurisdictions with whom you have to deal.

First of all, I think the environmentalist issues—and I have only mentioned one of them, but there are many others that do affect regional planning and should have been dealt with in advance.

I think the secondary, of course, is regional transportation. We are looking now at some very large input of capital into transport networks across the country and also within the southeastern region of Manitoba. These are very necessary not only in terms of employment and economic renewal, but necessary also, of course, in the health of the Winnipeg region, because if you take the area from Steinbach to Selkirk, we are developing essentially one large capital region, the only part of Manitoba where any growth is taking place and where a good deal of the employment—not all of it, but a good deal of the employment—is in fact in the city of Winnipeg.

Particularly if you look at Headingley, you will find that less than 10 percent of the people of Headingley are engaged in primary productivity; that is, less than 10 percent based on the Hilderman Witty study are based in farming or in manufacturing. Those people, as they assured me at the hearing, in fact a large proportion of them, work in the city of Winnipeg.

The transport facilities, the transport networks that come from Headingley in and out to the city of Winnipeg are the ones I believe where we are going to see the greatest use, a much greater intensity of use, over the next 10 or 15 years. We need regional planning and a regional focus to develop those road networks and, of course, to pay for them. Who is going to bear the burden of those roads and those road networks?

It is an issue, Mr. Speaker, which should have been settled and should have been dealt with at least in the beginning planning stages before we expanded and accelerated the multiplicity of rural municipalities on the fringe of Winnipeg.

So we do have some concerns about Headingley. We wish them well as I said many times in my earlier speech. We wish them well. There have been a lot of difficulties with the taxation system in Headingley. We wish that it could have been settled between the province and the city. We did not believe that all avenues had been exhausted, but the government and the people of Headingley and the City of Winnipeg in the end decided that they had, and they chose this kind of exit permit, this exit route out.

We have some very serious concerns about the pressures that are going to be there on the municipality of Headingley over the next five or 10 years. We have in Headingley a very high proportion of absentee landlords. We have one extremely large development, or at least land, a glomeration which has already been made. The conditions for urban development, whether it is of a commercial or of a residential category, are there—the physical conditions. The economic conditions in terms are there also. When we look at the recessionary times that we have at the moment, it seems to me that it is very difficult for any new municipality to create the kind of infrastructure on a very immediate basis which should be necessary.

We are concerned that the conditions exist, that the economic times are difficult and that there will be pressures on the new municipality of Headingley to accept a kind of commercial development of a variety of types which they might perhaps under other circumstances not have wanted to take. They see their commercial taxation base as very limited. They had anticipated I believe having Assiniboia Downs assigned to Headingley. They did not get it. They only got the golf course. The possibilities for raising taxes on the golf course are relatively limited and so the taxation base is going to fall upon the individual homeowner.

Now we know that in the district of Headingley we do in fact have a very high proportion of homeowners, very few renters, a very different kind of situation than we see in the city of Winnipeg generally. We do also have a higher income level, again, considerably higher income level than we see in the city of Winnipeg generally.

So it seems to me, Mr. Speaker, that any new municipal government is going to be looking to raise its taxes from that individual and somewhat wealthier tax base than the city of Winnipeg has. These are the very people who find themselves in difficult straits, either because they cannot sell their

land or their house in the recessionary times or because of other commercial considerations, that the decline of revenues in commercial and retail activities in the city of Winnipeg.

\* (1450)

The pressure for development, we believe, is strong. The conditions are ripe for it. I questioned a number of the people who presented from Headingley about this. They claim that they want to maintain a rural lifestyle and I have no reason not to believe that. I believe that they do expect and anticipate a different kind of lifestyle in Headingley just as people do in St. Andrews, for example, another area of very rapid residential and commercial growth.

As we bid them well, as we bid them good-bye from the City of Winnipeg we do hope that they will be able to maintain that lifestyle that they say they want, but we have our doubts. We fear that the economic pressures, the land pressures and the taxation pressures in recessionary times and in difficult times, particularly for the province of Manitoba, will be too great.

We also are concerned for the city of Winnipeg. We are concerned about the opportunity that the minister has now to siphon off different sections of the city. This makes it extremely difficult for any city government which believes in planning to have any kind of security about its boundaries. It makes it difficult to plan for waste management. It makes it more difficult to plan in a number of areas, particularly in the areas of recreational services and library services, areas which I do not believe were touched in the Hilderman Witty report on which the minister based his acceptance of the Headingley referendum.

The City of Winnipeg loses some of its taxation base, not a large part, but it loses and it stands the prospect of losing more. That does concern us. Winnipeg, as I have said many times, is the main engine of economic recovery for Manitoba, and what we do to reduce the tax base and the economic power of Winnipeg I think is very shortsighted. I think the government's policy in this toward the City of Winnipeg has been extremely shortsighted but one that is not unexpected coming from the many members on the other side who so ran up the debts of the City of Winnipeg that they are finding it increasingly difficult now to face the severe economic times that Tory policies across this country have brought.

The decline of the city of Winnipeg I think is also to be seen in the absence of a new Core Area Agreement, in the absence of an urban aboriginal strategy, which should be so obvious to any government which is dealing with a city in the situation that Winnipeg has found itself in in the last five years.

I would like to have seen in this bill some recognition of the consequences for Winnipeg. I would like to have seen some elements of regional planning. I would like to have seen particularly a bill which dealt only with Headingley and with the concerns raised by the Headingley people over the last few years.

With that, Mr. Speaker, I have indicated the areas I think where we welcome the minister's amendments but indicated the very basic principles of this bill with which we are still in disagreement.

**Hon. Jim Ernst (Minister of Urban Affairs):** I will be closing debate, Mr. Speaker, if there are no other speakers.

Firstly, I believe, Mr. Speaker, I did not get to close debate during second reading of the bill because it occurred at a time when I was not able to be present in the House. I was looking after Her Majesty's business elsewhere in the country.

We have heard an awful lot of rhetoric, Mr. Speaker, with regard to this bill, what it means, the great doom and gloom, the great collapse of society in Winnipeg is going to occur because of this bill. I must suggest, I heard the Leader of the Opposition (Mr. Doer), as I said in my opening remarks to this bill earlier this spring, the man who launched the ship of independence for Headingley stood up and suggested that it was going to be wall-to-wall asphalt, that there was going to be holus-bolus development take place in Headingley; it was going to happen overnight; developers were going to be rich and it was going to cause all kinds of problems for the city of Winnipeg.

If that is what he thought, he should have thought of that before he started off in this whole process. He should have thought of that, Mr. Speaker, before he employed Hilderman Witty to conduct the study in the first place, to suggest to the people of Headingley, to hold out the hope to the people of Headingley that they could have this study and try and determine their future course of action. He should have said no, it is not on. That is what he should have said if that was his concern.

Mr. Speaker, let us look at what happened in Headingley over the past 20 years since Unicity came along. What has really happened? Well, anybody who knows the community at all knows that nothing has happened; very, very little in terms of development has happened. In fact, the purveyors of development for the community of Headingley are the City of Winnipeg.

The very people who, all of a sudden, now complain that they will have lack of planning were the ones who wanted to force the major subdivision on the people of Headingley in the first place. Who stopped that, Mr. Speaker? It was the former Minister of Urban Affairs, my colleague from Riel (Mr. Ducharme). He was the one who stopped it. It was not the City of Winnipeg. They would have had the thing built by now.

When we hear comments from members opposite about how concerned the City of Winnipeg should be about their planning, they should have thought about things that have occurred up to now because the City of Winnipeg were the ones who were forcing the issue in terms of development, not the people of Headingley, not the citizens who have come forward and expressed their concerns in this regard.

I have to chuckle, Mr. Speaker, because each time I listen to my colleague from Wolseley (Ms. Friesen) talk about how secret events like this are going to happen under this new legislation, that cabinet will somehow secretly lop off a piece of Winnipeg and let it go on its own, and nobody will know. Nobody will know—unbelievable. For five years the community of Headingley has been in the newspaper and on television, almost monthly for five years. It is going to be done in secret; it is going to be secret; nobody will know; it will just slip away like the phantom of the opera.

Mr. Speaker, it is actually unbelievable that anyone would think that any discussion related to any change as significant as these kinds of changes would ever not be public, I think does not understand the political process, does not understand the dynamic of activity in the city of Winnipeg. Five years the community of Headingley dealt with this issue, the city of Winnipeg dealt with this issue. It was back and forth looking for alternatives, looking for ways to not have this occur, and looking at ways of meeting the concerns of the residents of that community.

The final legal document, the final legal activity that will actually sever Headingley from the city of Winnipeg will be done by cabinet in secret, but Mr. Speaker, let me tell you that it has not been a secret, the whole process has not been a secret, nor would it ever be a secret in the years to come should any other activity of this type occur.

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

My colleague from Wolseley (Ms. Friesen) as well suggested that I told the people at the public hearing that they would have an opportunity to tax Blumberg Golf Course. What I did tell the people that occurred there was that under the existing City of Winnipeg Act, under existing sections, there is no opportunity for them to tax the Blumberg Golf Course. However, I said that we were discussing with the City of Winnipeg the question of taxation on their assets in all municipalities outside of Winnipeg.

There are concerns being expressed by the Rural Municipality of Rockwood, the town of Stony Mountain, the Rural Municipality of Springfield and a number of others who indicate that they are concerned that City of Winnipeg assets located in their respective municipalities pay no tax either, or pay limited tax under some statutory provision that is quite old.

Madam Deputy Speaker, we are going to have some discussions with the City of Winnipeg with regard to that. No doubt the question of Blumberg will also arise, and no doubt services will be required by Blumberg that may well be able to be provided less expensively by the Municipality of Headingley than could be provided by the City of Winnipeg themselves. In those kinds of circumstances, it makes sense to try and negotiate some kind of arrangement.

\* (1500)

Madam Deputy Speaker, the question of regional planning was raised by my colleague the member for Wolseley (Ms. Friesen) as well. I did provide not the last minutes of the Winnipeg Regional Committee, but the second last. The reason for that was that the last minutes have not yet been approved by the Winnipeg Regional Committee at their next meeting and will not be available until after they have been approved by the members of the Winnipeg Regional Committee.

I think if she saw those last minutes, she would have a lot greater comfort level in terms of the regional planning issues that were being addressed

at that meeting than were addressed at the earlier. Madam Deputy Speaker, she is right. The question of regional planning, the question of trying to encompass now 15 municipalities surrounding Winnipeg, many of whom have a very, very different bent, and look at their future as something quite different than other municipalities also surrounding Winnipeg—and I can give an example, two examples perhaps: The Rural Municipality of Rosser which has about 1,500 or so residents and which wants to remain principally a rural farming community. Then you look at the Rural Municipality of West St. Paul or East St. Paul, who look primarily at themselves as a suburb of Winnipeg and who look at themselves as basically providing bedroom communities for the city of Winnipeg.

Now there are two municipalities in almost direct conflict with each other, and in some part, in conflict with the City of Winnipeg. To try and build an understanding amongst the political representatives of those municipalities surrounding Winnipeg with Winnipeg, Madam Deputy Speaker, plus trying to find some common ground amongst everyone there is a very, very difficult process. It is time consuming. It requires the building of trust, because what has in fact happened in the past is that that trust has been broken on many, many occasions.

Madam Deputy Speaker, I do not think I want to prolong the issue of debate on Bill 45 very much longer except to say that I have enjoyed the process. I have enjoyed the comments, in part at least, made by members of the opposition in trying to improve the bill. I appreciate their comments in that regard.

Thank you.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is third reading of Bill 45. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** No.

**Madam Deputy Speaker:** No? All those in favour, please say yea.

**Some Honourable Members:** Yea.

**Madam Deputy Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Deputy Speaker:** In my opinion the Yeas have it.

**Mr. Steve Ashton (Opposition House Leader):** On division, Madam Deputy Speaker.

**Madam Deputy Speaker:** On division.

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**Hon. Clayton Manness (Government House Leader):** Madam Deputy Speaker, will you call the bills in the following order: Bills 64, 12, 14, 21, 48 and 68.

## DEBATE ON SECOND READINGS

### Bill 64—The Child and Family Services Amendment Act

**Madam Deputy Speaker:** To resume debate on second reading of Bill 64 (The Child and Family Services Amendment Act; Loi modifiant la Loi sur les services à l'enfant et à la famille), on the proposed motion of the honourable Minister of Family Services (Mr. Gilleshammer), standing in the name of the honourable member for Wellington.

**Ms. Becky Barrett (Wellington):** Madam Deputy Speaker, it is my understanding the Leader of the Official Opposition (Mr. Doer) has assigned me as having unlimited—

**Madam Deputy Speaker:** Order, please. I apologize. I have been advised that the member for Wellington has been designated as unlimited speaker on Bill 64, The Child and Family Services Amendment Act.

**Ms. Barrett:** Thank you, Madam Deputy Speaker.

**An Honourable Member:** Pretend it is Estimates, Becky.

**Ms. Barrett:** I think not. Having just concluded the Estimates process for the Department of Family Services, I am in no mood to start that process over again.

Madam Deputy Speaker, it is with a great deal of mixed feelings that I rise to speak on Bill 64, what I will call the Children's Advocate act, although I know that is not its official title—mixed feelings because I wish that I and my caucus colleagues could support this bill in its present format, but I am afraid that we will not be able to support this bill in its present format for several important reasons, which I will outline in my notes and my comments today.

The issue of a Children's Advocate, or a position in the government to respond to the needs and the problems that children in our society face, is not a new issue, Madam Deputy Speaker. It, I am sure, has been raised in one form or another over many years in this province and in this House, but specifically I would like to refer to the last decade in this province and in this House, the last decade

because it is the time that the governments in Manitoba have received very clear, very straightforward, very pointed recommendations from four very different reports and committees and individuals on the role of what in this legislation is termed a Children's Advocate.

In 1983, Judge Kimelman issued a report on child welfare. In 1987 Reid and Sigurdson issued a review on child abuse. In 1991 the Aboriginal Justice Inquiry, as part of its over 1000 pages of history, review and recommendations, discussed the issue of a Child Advocate, and this year the as yet officially unpublished report by Ms. Colleen Suche on the children's residential care facilities and the problems that are well known by all of the members in this House facing children not only in residential care facilities but throughout the province of Manitoba, Ms. Suche in her report also dealt with the specific issue of a Children's Advocate.

Madam Deputy Speaker, these four reports, and I am sure there are others that we could speak about as well, both official and unofficial, in the past years in Manitoba, but these four reports come at the issue of a Children's Advocate from four different although related ways. Judge Kimelman was reporting on child welfare. Reid-Sigurdson was reviewing child abuse. The Aboriginal Justice Inquiry, as I have stated, issued a far ranging, excellent report on a range of justice and social issues that had as part of its component the issue of a Children's Advocate, of children's justice, and support for children in our society from the aboriginal perspective. Ms. Suche, as I have stated earlier, looked at this issue and reflected on the need of a Children's Advocate specifically from the role of children who are in care in our facilities that are licensed and operated under the statutes and laws of the Province of Manitoba.

These four recommendations, different though they were in their genesis and in many of the issues that they did discuss, when they talk about the issue we are talking about here, the Children's Advocate concept, had the same message. They all said in one way or another that the children of Manitoba had a need for a voice to advocate for them, to speak out on behalf of them, to advise those who are in authority over them, to review the actions of those who have authority and control over them, to investigate the actions and the policies and the issues surrounding those who have control and authority over them, and to represent them.

The children in our society, by definition, have less powers than adults do, and I will not go into major discussion of that concept.

\* (1510)

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

I think we all agree that in our western society, children, for a range of cultural and physiological reasons, have less power, less authority than adults in our society.

Many children have even less power and authority and influence than others in our society. Those are the children that we are referring to when we are discussing the role of the Children's Advocate. The children who are in need of someone such as the Children's Advocate are those children who through a variety of reasons have lost or do not have their natural advocates.

In the best of all possible worlds children would be part of a loving family, would be part of a loving, supportive community, would be part of a loving, supportive, caring society. We all, no matter what our ethnic background or cultural background, our terms of reference, believe that those are the ideals that we would hold for ourselves, our children and our children's children.

But, Mr. Acting Speaker, they remain simply ideals. In many cases those ideals are very far from being met. As the minister himself has stated, in an average year there are approximately 4,000 children in the province of Manitoba who are in care, and by that I am assuming the minister means under the general responsibility of the Minister of Family Services (Mr. Gilleshammer), the services and agencies of the government and the services and agencies funded partially or wholly by the government.

That is 4,000 children who are in one way or another lacking in the natural advocates of family, extended family, friends and community. I would like to revert just a moment to make very clear that my definition of family is a very broadly based one. It does not mean simply traditional western, middle-class definition of family, which is a father and a mother, usually biological, and one or more biological siblings.

That is not the definition of family that we are or should be operating under. Family should be defined much more broadly than that.

**An Honourable Member:** For example?

**Ms. Barrett:** Well, for example, the single largest type of growing family unit in this province and in this country is the single parent family unit headed by the mother. Now that is not the historically typical myth of the typical family that we often think of.

Mr. Acting Speaker, it may be seen by many that the traditional family unit of two biological parents and their biological children living together is the best way. That is not the issue here. As a matter of fact, because that does not in reality often work out for a variety of reasons, the need for someone like the Children's Advocate is even more imperative.

Mr. Acting Speaker, I would like again parenthetically to remark that not all children who come under the role and supervision of the Province of Manitoba come from atypical family units. Many of them come from family units that, on the surface, would be seen as the best way: a biological father and a biological mother who are married to each other and who have one or more children of that union. Many of those families are also very dysfunctional. Many of those families produce children who are at one point or another under the supervision and care of the Province of Manitoba.

Four thousand, on average, children in one year are under the supervision and care of the Province of Manitoba. These are children who are the direct responsibility while they are in care of the Province of Manitoba. These are the children that the Children's Advocate is directly referring to, or the concept of the Children's Advocate is directly talking about in the attempt to provide the care and the nurturing and the advocacy, the representation that is missing from these children's lives.

So the state in this context, the Department of Family Services and the Minister of Family Services (Mr. Gilleshammer), and the apparatus of the almost 2,000 employees of the Department of Family Services, and the agencies that the Family Services department funds and has some control over is the apparatus that acts in loco parentis, if you will, for these children.

Now, in an ideal world, No. 1, we would not need a Department of Family Services, and even in an "un-ideal" world, if the Department of Family Services worked ideally, we would not need to be standing here talking about the concept of a Children's Advocate, because every single person who worked with, or on behalf of children in need in this province would understand fully and

completely, and agree fully and completely, one with another, as to the best care to provide for each of these children.

There would be no internal squabbles; there would be no need for case conferences where one social worker says one thing and another social worker says another. There would be no need for mediation to be ongoing between the parents of a child who has been taken into care and the grandparents of that child, between various agencies. There would be no need for this to happen, because everyone who would be involved in this process would understand, would be coming from the same place and would have the same view and vision of how to best work with and on behalf of these children.

But, Mr. Acting Speaker, we know full well that we are in a far from ideal world. We are in a far from ideal world in the external world; we are in a far from ideal world when we are talking in terms of any government department if for no other reason than far from ideal human beings are the people who are making the decisions and the determinations in these very difficult cases.

The children who come before and who will be under the authority, if you will, of the Children's Advocate are, as the minister and I have discussed in the past, in many ways the most disadvantaged children in our society. By disadvantaged I do not mean economically disadvantaged; I mean disadvantaged, as I have stated earlier, in their family units being able to function effectively.

These children come from every part of the province, they come from every socioeconomic strata of our province. They come, as I have stated earlier, from every conceivable family unit. The one thing they have in common is that their interpersonal network is not functioning properly. The impact of that is that our society makes the determination that these children need to be removed from that dysfunctional network for a period of time for their protection and benefit, with the end result, hopefully, of the children being able to either be reunited with their network which has, in the meantime, become functional, or if that is not possible, for the children to be placed in a loving, caring family network so that they can have the advantages of as close to an ideal family bonding as possible.

\* (1520)

Again, that often does not happen. Not through any covert actions on the part of the people who are working with these children, but through the fact that we are operating in an un-ideal world with less than adequate resources. We are also working, Mr. Acting Speaker, with children who are, in many cases, severely disadvantaged and who have multiple problems that are not easy to identify and certainly not easy to rectify.

Mr. Acting Speaker, I think we in this House will all agree that there is a need for something such as the Children's Advocate because we do not live in an ideal world, we do not live in an ideal society, we certainly do not operate in an ideal legislative environment, and we understand that no matter how positive and how good our intentions as members of the Legislature and as members of the Department of Family Services, we will on occasion fail. We have, as I stated earlier, this background before us. The Minister of Family Services (Mr. Gilleshammer) has brought a bill before us, Bill 64, which attempts to rectify one area of the problem that we have identified.

That is the area of the need for there to be some individual or some segment of our society that is able to step back from the situation, that is able to review and investigate in an independent manner the situation, the problem that brings itself to this individual and this Child's Advocate.

We all agree on the need for an individual, with support for that individual, to perform that function. We all agree that because in this context the children who are being discussed are the responsibility at one point in their lives of the Department of Family Services, which is a department of the government of the Province of Manitoba, that this Children's Advocate needs to be connected with the government of the Province of Manitoba.

We are here with this bill, with this piece of legislation, I believe all agreeing on the framework, but we do not all agree on the way that the government has presented the role of the Children's Advocate.

Mr. Acting Speaker, I frankly would not be speaking this afternoon to this bill with the conviction that I am showing, or hope I am showing, to the government and the rest of the Legislature if it were only my personal view that the reporting responsibility in Bill 64 is fatally flawed.



If it were only my sense based on my personal subjective view that there is something not quite right about the Children's Advocate reporting to the Minister of Family Services, then I would not be speaking here before you this afternoon, but I am not alone. I am in very good company, the quality of which is beyond reproach. I am referring specifically to the four reports that I talked about earlier, the Kimelman Report, the Reid-Sigurdson review, the Aboriginal Justice Inquiry, and the Suche report.

Mr. Acting Speaker, I would like to read into the record a few comments from the Aboriginal Justice Inquiry and the Suche report, the partial Suche report that has been made public, just to put on record their specific recommendations regarding the role of a Children's Advocate.

I am putting these two on the record because these are two reports that have come out in the last year and a half. These are not reports that are 10 years old, they are reports that have come out as a direct result of issues and discussions that have been ongoing and have begun and continue to be operational in the life of this government.

First, Mr. Acting Speaker, is the Aboriginal Justice Inquiry recommendation that the provincial government establish the office of child protector responsible to the Legislature as recommended in the Kimelman Report. This office's responsibilities would be, among other things, to ensure that children involved with the child welfare system have their interests and rights protected and to receive and investigate complaints about the manner of treatment of children by child welfare agencies—simple, straightforward recommendation stating that the office of child protector or Children's Advocate, as we are discussing now, be responsible to the Legislature to ensure that children involved with the child welfare system have their interests and rights protected, and to ensure that investigations about complaints concerning child welfare agencies are handled in an independent manner.

Mr. Acting Speaker, the Suche report also has a recommendation dealing with the office of Child Advocate, and this report the minister has had very recently. I would like to read first the recommendation and then some background comments that Ms. Suche makes in regards to her recommendation on the Children's Advocate.

She recommends that the Children's Advocate report directly to the Legislature as recommended in the report of the Aboriginal Justice Inquiry, and further that the mandate of the Children's Advocate include individual and systemic advocacy.

Now, she does not make this recommendation in isolation. She just does not pull out the Aboriginal Justice Inquiry and say, this sounded like a good recommendation so I will make it, too. She very clearly, at least in the portions of the Suche report that we have available to us, has backed this up with much documentation.

I would like to further quote from the Suche report: It is becoming widely recognized, however, that child welfare professionals cannot perform an independent advocacy role due to their vested interest in the service system. Pure advocacy can only be performed by a person who is objective and external to the service system.

She also states: If the advocate is to be effective in protecting children's rights, it is important that the office be completely external to the Child and Family Services system, and that the mandate include individual and systemic advocacy.

Now Ms. Suche and the Aboriginal Justice Inquiry and the Kimelman Report and the Reid-Sigurdson report are stating that the reason for the Child Advocate to report not to the minister or to any other department or minister of the Crown, but to the Legislature as a whole, is to ensure independence and objectivity.

The reason why you need independence and objectivity in a position such as the Children's Advocate is, to my mind, largely because of the inherent complexity of every single issue that will come before the Children's Advocate. By definition, the children and the issues that they bring to the system are complex. They are not objective in any way, shape or form.

\* (1530)

You take what looks to be a very clear objective case presentation, and you ask the various people that are involved in that case, from the child welfare service personnel to the families, to the friends, to the school, people who are involved, to the child care system that is involved, to the justice system that could be involved, all in one case, and you will come out with as many different responses to that case as there are individuals and groups that you are dealing with. By definition, by the very nature of the work of the child and family component of Family

Services, you are not going to be dealing with objective situations.

Even the best and the easiest cases that come before this department are complex. Frankly, Mr. Acting Speaker, the cases that would come before the Children's Advocate are not the "easy ones." The cases that will be coming before the Children's Advocate are the most complex and thorny and nonobjective cases that can be imagined—situations and issues not unlike those that have led to the Aboriginal Justice Inquiry, the Suche report and others. They all come out of complex, very intricate, multilayered, multidisciplinary issues. Therefore, it is essential that the person and the role of Children's Advocate is not only independent, but is seen to be independent.

What I stated earlier was probably very unclear. What I should have said is very subjective, the same thing as nonobjective.

Mr. Acting Speaker, I do not think that I need to go any further into that. The case has been made by all of these individuals that it is absolutely essential that there be a Children's Advocate or an office of the child protector as has been recommended, but it is also very clear to those of us on this side of the House that this person and this role must be independent of the minister and the department that they are responding to.

As I have begun to state, the reason for the need for an independent Children's Advocate is that, by definition, anything that happens in the Legislature, anything that happens as a result of actions by members of the government in particular, but members of the opposition as well, is political. By definition, we are all political creatures. We were elected as a result of the political process. We are responsive to the political process, and I am not for a moment saying this is a negative thing. I know there are many in our society today who see the political process as being tainted, and who see all people who choose to participate in the political process to be public servants as tainted and as a result of a very nonresponsive process.

I am stating that I do not believe that of any of the members of this House. I do not believe that of any of the ministers. I certainly do not believe that of the Minister of Family Services (Mr. Gilleshammer). But, by definition, because we are political, we must in the context of a situation such as the Children's Advocate be not only independent, but be seen to be independent.

Mr. Acting Speaker, I do not think that it is necessary to be as pointed, if you will, as the critic for the second opposition party was in his earlier statements in Estimates when he said, and I quote, in his discussion with the minister on the concept of the Children's Advocate: "But as long as the minister chooses to include this office in the administrative complement of his department and have it report directly to him, then I am afraid I take exactly the position I have already taken, that this is nothing other than another attempt to quell dissent and to prevent critical comment rather than to advocate on behalf of the interests of children which is something that we desperately need."

I do not usually make it a habit of providing even 10 seconds for the second opposition party on my time, but I did think that it was important to briefly discuss this, because I think this—and while I do not agree with the tone, and I do not think I agree with the underlying statement made by the Liberal critic, this is not—[interjection] He is certainly Liberal critic for something.

But, Mr. Acting Speaker, I do believe that the comments that were made by the acting Liberal critic of Family Services in discussions in the Estimates period are not comments that are out of line with what many people will think, rightly or wrongly. There is a perception in our society today based on a whole bunch of reasons and personal examples throughout our political process that I will not go into, that lead the general public at large to be a bit cynical about the role of the public official.

**An Honourable Member:** I would say it was Mulroney that did it, would you not? That was the crucial one.

**An Honourable Member:** I think it was Mulroney too, but Filmon is not helping.

**Ms. Barrett:** There are a number of potential individuals and groups that could be referred to in this context, and some of my caucus colleagues are assisting me in this endeavour.

However, I did want to make the point that, in the current context, the public at large is very likely to take a jaundiced view of the Children's Advocate reporting directly to the Minister of Family Services (Mr. Gilleshammer).

But, Mr. Acting Speaker, I would suggest—and this is only a suggestion, because I have not officially talked to individuals who are currently involved in the child welfare system. I want to put that carefully on record, that I am not referring to any specific

individual or groups of individuals at this point who will be, potentially, a part of this Children's Advocate process.

But another potential problem is that, by having the Children's Advocate report to the minister rather than to the Legislature, those groups and individuals and agencies that are going to be needing to work with the Children's Advocate are potentially going to see the Children's Advocate as yet another arm of the Family Services department, another arm of the minister, another arm of the directorate, another level of potential policing, and I use that word very carefully.

There is definitely that possibility, I would suggest, that the very people who need to be part of this system, to be part of the Children's Advocate system in order for it to function and work, are likely to be the very people who will be turned off by the Children's Advocate simply because that position reports to the Minister of Family Services, not to the Legislature. So I would raise those two major concerns.

Another issue that is a potential for concern, in the placement of the Children's Advocate in the Department of Family Services—as opposed to placing it separate and apart from the Department of Family Services, as the Ombudsman is separate and apart—is the fact that that organization, that agency, that advocate will have to compete with all of the other elements in the Family Services budget for funds. Now, before the Minister of Family Services or any of the government colleagues talk about, well, all you are saying is, more money, more money, more money, I am not stating that at all.

I am saying that whether the pot is big enough or too small or just right, the Children's Advocate is going to have to fight it out, if you will, with all of the other Department of Family Services services.

\* (1540)

That also, by definition—because we are dealing with fallible human beings—is potentially going to mean that the Children's Advocate could say to himself or herself: Well, there is a major issue here, but am I really going to report it to the Minister of Family Services, because the Minister of Family Services is ultimately responsible for making sure that my line in the budget is adequate or does not get cut or gets additional funding that I think is needed? That may not be even thought of consciously, but it is going to be there unconsciously, subconsciously. Anyone who has

the power of the purse over an individual or an organization or a group has an enormous influence, whether it is direct or indirect.

I am raising that as another potential problem that the Children's Advocate would not need to deal with if a simple adjustment or amendment were made to this act which would have the Children's Advocate report to the Legislature, as does the Ombudsman, rather than report directly to the Minister of Family Services.

**Hon. Albert Driedger (Minister of Highways and Transportation):** Trust us.

**Ms. Barrett:** The Minister of Highways and Transportation (Mr. Driedger) states from his chair "trust us." Mr. Acting Speaker, I will not take advantage of that comment and carry on any further with that line, much as I would like to give example, chapter and verse, of where the minister and his cabinet colleagues have stated "trust us" before, and we know where that has gotten us.

On the issue of independence, Mr. Acting Speaker, the minister himself, on April 11, at a panel on child abuse at which he was a participant, and at which I was a very interested observer, stated that one of the reasons for introducing the Children's Advocate was that the director of Child and Family Services may be perceived as lacking independence necessary to advocate for children.

The minister also stated at that time, that because the Children's Advocate would have no direct responsibility for service delivery there would be no real or perceived conflict of interest. I found that very interesting when I heard the minister say it, and I think it is very important to bring it up in this debate in the House, because I agree with the minister, in the sense that he is raising the issues of real or perceived conflict of interest. He is raising the issues of the director of Child and Family Services lacking independence necessary to advocate for children.

I posit, Mr. Acting Speaker, and my caucus colleagues agree with me, that the very statement that the Minister of the Family Services (Mr. Gilleshammer) made last week regarding the director of Child and Family Services will be said legitimately of the Children's Advocate as long as it reports to the Minister of Family Services. The Children's Advocate may have absolutely no direct service responsibility, may report to no one but the Minister of Family Services, himself or herself. That does not matter.

By definition, that reporting mechanism is political. It has the potential for being very "un-independent." It has the potential for political interference of a direct or an indirect nature, heavy emphasis on "potential" here. It also has the financial connection that I have stated earlier was a very important one. In a sense the financial parallel, with what happens with children, is not a bad one I think in this regard, that children, until they become financially independent, are the responsibility of their parents or the people who act in loco parentis to see that they have sufficient resources to live.

Sometimes parents give them a very generous allowance. Sometimes parents give their children a great deal of worldly goods. Other times the parents can legitimately in their eyes say: I am sorry, times are tough, choices have to be made and so you do not get the additional resources, the additional allowance, if you will, that you had last year. We are going to have to cut back because we all have to share in the tough times.

The parent in that situation can do that because the parent controls the purse strings. The Children's Advocate, if the Children's Advocate reports directly to the minister, will be in exactly that parallel situation of a child to a parent when it comes to the financial situation if nothing else, and that does not lead to independence. Financial dependence is by definition disempowering.

Mr. Acting Speaker, the minister has been asked on several occasions by myself, by members of the public at the panel discussion last week, by members of the other opposition party, what his reasons are for not reporting, not having the Children's Advocate report to the Legislature as has been unanimously recommended by the four reports I spoke of earlier. The minister's response is three things, as I recall, and the minister will have time to expand on this if there are other reasons.

The reasons I remember him stating for the Children's Advocate not reporting to the Legislature are that the two other provinces which have a Children's Advocate system, Ontario and Alberta, have their Children's Advocate report either to the minister or to the deputy minister; secondly, that he refers to other committees and agencies and external groups that Manitoba has that report specifically to a specific minister, such as the Chief Medical Examiner, the Public Utilities Board, the Public Trustee, the Clean Environment Commission and the Manitoba Human Rights Commission;

thirdly, the minister states that, trust us, there will be an annual report made to the Legislature so that clarifies everything; and finally, that the Children's Advocate will only be dealing with cases which are the responsibility of the Family Services Department.

Well, Mr. Acting Speaker, I would like to spend a few moments responding to those four reasons for not reporting, having the Children's Advocate report to the legislature instead of to the minister.

I believe I have stated on the record this afternoon several of the concerns that we have raised and others have raised about the Children's Advocate reporting to the minister. I would like to put on record now some of the reasons why we think the minister's reasons for having the Children's Advocate not report to the Legislature are less than solid.

The first comment that the minister has made is that the other provinces are doing it, that the two other provinces, Ontario and Alberta, have their Children's Advocate reporting to the department rather than to the Legislature.

Two comments on that. The Alberta Children's Advocate program is the one that the minister has spent the most time looking at and talking about, and I understand talking with the people who are responsible for the Children's Advocate program in Alberta.

\* (1550)

The Children's Advocate program in Alberta has been in operation, I believe, since September of 1989, if that long. I believe that is the time frame. It has been in operation less than three years, and I would venture to say it has been in full operation far less than that.

I would suggest that the Minister of Family Services (Mr. Gilleshammer) go back and talk to the Children's Advocate and some of the people who work in that system in the next little while and ask very clearly of that system: Do you ever feel some of the political and financial pressures that I have been talking about earlier? I would venture to say he would find out that over time that system is feeling pressure, because of the reporting mechanism.

The other response I would make to the fact that the other provinces do it, so why should we be any different is that the minister in his comments, both in briefings and in the House, in discussing The Vulnerable Persons Act, which he and his

government have been working on for a very long period of time in bringing forth a brand new piece of legislation in Manitoba, has stated very clearly and is a very positive thing that this Vulnerable Persons Act is going to be breaking new ground, I believe that the deputy minister stated last night, in Manitoba, in Canada, and maybe in all of North America.

I think this is a remarkable positive achievement on the part of the Department of Family Services and that the minister and his staff are to be commended for the degree of consultation that took place, for their care that they are taking with the drafting of this legislation and for their being willing and open to say we are not ready with it, we are not going to put it into the House until we are convinced it is the best it can be.

I also want to commend the minister in this regard for saying we are taking a calculated risk here, because we are bringing in legislation that is ground breaking, that has never been tried before.

Mr. Acting Speaker, if the minister is prepared to make this enormous commitment to a new concept in the context of The Vulnerable Persons Act, why is he not committed or ready to take what would be a far less grave step into the unknown by having the Children's Advocate report to the entire Legislature rather than to the Minister of Family Services (Mr. Gilleshammer)?

I do not understand. The parallels seem to be very obvious. Not only would the minister not be breaking such enormous new ground if he had the Children's Advocate report to the Legislature, but he could point to these four extensive, complete, well-researched, well-produced documents for the last 10 years stating specifically, the Children's Advocate should report to the Legislature. I do not understand why he is flying in the face of what he is planning to do and is willing to do in The Vulnerable Persons Act, but is not willing to take even the slightest chance in this area.

The second response the minister has reason for not reporting to the Legislature is that other Manitoba committees report specifically to a minister. The Chief Medical Examiner and the Public Trustee report specifically to the Attorney General (Mr. McCrae), I believe. Public Utilities Board reports to the Consumer and Corporate Affairs minister (Mrs. McIntosh), Clean Environment Commission to the Environment minister (Mr.

Cummings), and the Manitoba Human Rights Commission to the Attorney General.

Well, Mr. Acting Speaker, at the risk of getting political here, the Clean Environment Commission and the Public Utilities Board are virtually made up of political appointees. This has been the practice for many years and for many governments, and I am not saying that it is an issue that we should get into here, whether boards such as the Clean Environment Commission and the Public Utilities Board should be appointed by government or not. The fact of the matter is that for years and years and years, the members of those boards have been appointed by the government of the day.

Now, the public knows that. The public does not expect total objectivity from the Clean Environment Commission or the Public Utilities Board. That is not their role. Their role is not the kind of advocacy role that the Children's Advocate is to play. They are not parallel constructions at all. But there is one, other than the Ombudsman, that I will speak of in a minute, that does have, to my way of thinking, some parallels with the Children's Advocate, and what we would like to see is the reporting mechanism for the Children's Advocate, and that is the Chief Electoral Officer.

I have had the opportunity in the past 10 years to, on numerous occasions, work very closely with the former Chief Electoral Officer Richard Willis and the current Chief Electoral Officer Richard Balasko. I have found them to be enormously competent, objective, impartial individuals.

Richard Willis, just for a momentary aside, was one of the finest individuals I have ever known in my life. I also happen to know that Richard Willis was very definitely not an apolitical person in his private life. I only found that out much later than the time I spent discussing issues that were involved with the electoral process with him. He was the quintessential civil servant. He was a remarkable human being. His position was the kind of position, was the kind of appointment process that I feel the Children's Advocate should be, which was appointed by a nonpartisan group, reporting to the entire Legislature. So while the man who held that position could, in his own personal life, hold strong political convictions, partly because of the process of his selection and his reporting, he was a very objective, independent person when it came to his function and his role because he knew he was not responsible to the 57 members here.

We are the only Legislature in the country which has an independent Electoral Boundaries Commission that draws our electoral boundaries. We are the closest to nonpartisan, nonpolitical electoral boundaries in this province certainly as anyone in this country has ever come to, and that is largely due to the fact that the people who draw those boundaries are not responsible to an individual or a government. They are responsible to the entire legislative body, which acts as an enormous check and balance on the potential for gerrymandering in the case of the Electoral Boundaries Commission and the potential for lack of ability to be independent in their reporting and reviewing and investigating on the part of the Children's Advocate.

Mr. Acting Speaker, the third ministerial response to why the Children's Advocate reports not to the Legislature but to the minister is that the cases that the Children's Advocate deals with are cases which are solely the responsibility of the Department of Family Services. Well, that is technically correct in the context of Bill 64.

I would like to suggest that we look as a Legislature at some point—not in the context specifically of this bill perhaps, but at some future point not too far ahead—at expanding the purview of the Children's Advocate, as was also recommended by another panel member at that same child abuse panel, and I am sure will be suggested by more than legal representatives when public hearings come about.

Without taking everything that that panel member said as gospel, there is a strong argument that could be made that the cases which come before the Children's Advocate are cases which, while they may technically be the responsibility of the Department of Family Services, in fact have implications in many more departments.

I will bet you that if we went through and took a random sample of the 4,000 children that are in any one year under the services of the Department of Family Services, we would find that a majority of those cases were families and individuals who had contact not only with the Family Services department, but with the Education department, with the Health department, with the Justice system, with the Housing department, with any number of departments.

\* (1600)

The fact is that we all know today that you cannot compartmentalize. There is even a Social Services Committee of cabinet so even this Conservative government recognizes the fact that you cannot compartmentalize individuals and families and issues. They will not allow themselves to be put into little boxes.

While technically speaking the Family Services department may have first responsibility for these cases that are under the Children's Advocate act, as it is stated in this bill, the argument that that means that the Minister of Family Services (Mr. Gilleshammer) is the only minister who should have responsibility for hearing the Children's Advocate recommendations is fallacious by the minister's own acknowledgement, his own government's acknowledgement that these individuals and families do not have their problems neatly and tidily packaged.

As a matter of fact, one of the major reasons given by this minister for his inexcusable actions of last June 24 in recentralizing the independent community-based, volunteer board-driven Child and Family Services agencies in the middle of the night on a weekend, by the stroke of a pen, through regulation—not even having the courage to bring it to the Legislature. One of the reasons given by the minister for that unconscionable action, for which he will be held personally responsible at the bar of—one of the major reasons given for that was that it was necessary to centralize services to children because the needs of children were not easily compartmentalized, because children did not stay in one spot, because children moved, because they grew older, because they were in conflict or in connection with all of these other departments. The minister stated right out, this was one of the reasons for recentralizing Child and Family Services.

The minister cannot have it both ways. He cannot on the one hand acknowledge through his actions and his words that children do not fit into boxes, and on the other hand state that one of the major reasons for having the Children's Advocate responsible only to him is that these children are the responsibility of Family Services. The issues do not allow themselves to be that narrowly defined. Therefore, the reporting mechanism should recognize that.

This also is not just a statement that I have made or that the minister has made, but this understanding of the complexity and the inter-relatedness of these

issues and these situations and these families and individual lives underlies everything that the Pedlar commission report talked about, the Suche commission talks about, the Aboriginal Justice Inquiry talks about, the Reid-Sigurdson report talks about and the Kimelman Report talks about. For us to be providing the best service, the most caring service, the service that has the best chance of allowing—

**The Acting Speaker (Mr. Laurendeau):** Order, please. The decorum in this House at this time is a little bit lacking. If we could just have a little bit of quiet and carry the conversations on out in the halls or in the loge. Thank you.

**Ms. Barrett:** What did he say? I was talking.

**An Honourable Member:** He called them to order.

**Ms. Barrett:** Thank you, Mr. Acting Speaker.

**An Honourable Members:** Get him out of there, and do not come back. [laughter]

(Mr. Speaker in the Chair)

**Mr. Speaker:** I would like to remind the honourable member for St. Norbert (Mr. Laurendeau), if you have something to say, sir, you could say so from your bench.

**Some Honourable Members:** Hear, hear. [laughter]

**Ms. Barrett:** Mr. Speaker, I think that I have probably sufficiently made the point, or reflected on the points, that the minister himself has made and that all of these government-sponsored commissions and reports have made, that individuals and groups who work with children in this province have made time and time again: the needs of children and families in this province are not served by compartmentalizing the issues, the cases; the needs of children in Manitoba are only served appropriately by an understanding of the complexity, the enormity and the interrelatedness of the issues that face these children.

Mr. Speaker, another issue that needs to be addressed, I believe, is the whole issue of evaluation. The issue of evaluation is an important issue that I do not believe has been addressed in any of the discussions and comments that have been put on the record or off the record in relation to this Children's Advocate.

The concept of evaluation is one that we all agree is an important one. Particularly when we are dealing with a new idea, with a new organization, a new agency, a new set of duties and responsibilities,

it is important that there be an evaluation component brought into play here. It is important not only for the role of the Children's Advocate in reporting to the Legislature or to the minister, but also, Mr. Speaker, if the Children's Advocate is going to be able to help evaluate the problems and provide solutions to the problems that the Children's Advocate addresses, that position again must be seen to be independent, must be seen to be external enough so that the evaluations and the recommendations that the advocate brings forward to the minister or the House are legitimized. Only through the degree of independence that is offered by the Children's Advocate reporting to the Legislature rather than to a particular minister will that legitimacy be ensured.

The other side of the evaluation process is, how can really and truly the government, which includes the government benches and the opposition, evaluate the work that the Children's Advocate is doing if we only have the report that the minister chooses to give to us? If the Children's Advocate reports only to the minister, not to the Legislature, we cannot be 100 percent assured that the report that the minister provides to this House is as complete, as thorough, and as objective as it can be.

In that light, Mr. Speaker, I would like to show by contrast the report that the Ombudsman brings to the Legislature every year. Due to the fiscal restraint shown by the Legislative Assembly Management Committee, I have only the 1989 report, because I am not the critic for the Ombudsman, but I believe it is close enough.

In the Ombudsman's report, the Ombudsman states, and I am going to quote a couple of things, because I think he makes some very valid points here. He says: Generally speaking, when the public hear the term "Ombudsman," they think in terms of someone who is objective, independent and separate from the system about which complaints may be made.

\* (1610)

Now, Mr. Speaker, I fear that the public will not, and by that I include the organizations and agencies responsible to the Minister of Family Services, when they hear the term "Children's Advocate" think of that as in terms of someone who is objective, independent and separate from the system about which complaints may be made, not because of the character of the person who fulfills that role, but

simply because of the reporting mechanism that the minister has given to that role.

Mr. Speaker, the Ombudsman talks as well about the primary audience, of course, for the Ombudsman is the Legislature, of which the Ombudsman is an officer and by which the Ombudsman has been commissioned to carry out his mandate and to which the Ombudsman is required by law to report annually. Then he goes on to list some of the other audiences that the Ombudsman has, and I would suggest, Mr. Speaker, that the same audiences for the Ombudsman will be audiences for the Children's Advocate: the news media, who in a sense act as the public's eye of scrutiny regarding anything of public interest; the academics, who are always interested in examining and analyzing various concepts of our society; the bureaucrats and civil servants, who are sometimes eager to see how their performance has been measured by Ombudsman standards; and last but not least, the public at large, whom the office of Ombudsman is intended to serve.

Now I would like very much, Mr. Speaker, to be able to put on the record that this is exactly the role and the audience for the Children's Advocate, but I cannot, because this is not the role or the audience of the Children's Advocate. Every single one of those potential audiences cannot be assured that the information that is given to them by the Children's Advocate through the services of the Minister of Family Services (Mr. Gilleshammer) is complete and accurate and independent.

The Ombudsman, Mr. Speaker, is appointed by an act of the Legislature, and that is what we are suggesting happen with the Children's Advocate. The Ombudsman is an independent officer of the Legislative Assembly who does not report to any particular minister or to the government, but rather to the Legislative Assembly. This is something we wish fervently could be stated of the Children's Advocate.

The Ombudsman has the powers of a commissioner, which enables him to perform through impartial investigations, following which recommendations to bring about redress of valid grievances may be made—again, impartial. As long as the Children's Advocate reports to the Minister of Family Services, and only through the minister's good services to the Legislature, we as members of the Legislature and through us the members of the

media, the governments, the bureaucracy, the other areas, the agencies and the public at large cannot be convinced or sure that we are getting what we are entitled to and what the children of Manitoba are entitled to.

Mr. Speaker, one final notation in regard to the Ombudsman's report which I find very interesting, the Ombudsman summarizes a series of issues that have been brought before him—very thoroughly—cases with identifying information deleted, but very thorough summaries of cases that have been brought before the Ombudsman from each of the departments. There is a complete list of complaints department by department in the Ombudsman's report, stating the department, what the claim was about and what was the outcome of that claim. Members of the public, members of the Legislative Assembly, members of the government, members of the bureaucracy can take a look at the Ombudsman's report with a very secure sense of comfort that they are receiving a report of a truly independent organization, an organization that reports directly to the 57 members of this Legislature who have been duly elected by the members of the communities that they are to serve and for whom they represent.

All we are asking, Mr. Speaker, is that the Children's Advocate have no less independence. The children of Manitoba deserve nothing less and we are not convinced at all that the minister has given us sufficient reasons for the Children's Advocate not reporting to the Legislature, but simply reporting to the Minister of Family Services. Again, Mr. Speaker, we need to know that that Children's Advocate has as much independence as they need to be able to investigate the enormous issues and problems that are going to come before this person.

I will be very interested to see who is appointed as the Children's Advocate because I think that person, particularly the first one in this province, has an enormous job ahead of them. They are going to require, and that person deserves, the support of everybody in this House. The person deserves the support of every agency of every Child and Family Services worker, of every supervisor, of every director of every program that this Children's Advocate is going to have to talk with and work with. That Children's Advocate is going to be operating from the day that person is hired under an enormous burden and a burden which we are afraid will have,



as a result, that person not being able to complete the duties that have been assigned to him or her.

It is not because of some enormous, unbelievably complex situation that needs to be changed. A single, one-line amendment to this act would ensure that that individual starts off—if I may quote probably every member of the government benches and certainly every member of the federal government—on a level playing field.

Then this Children's Advocate must report to the Legislature, not to the Minister of Family Services (Mr. Gilleshammer). Frankly, if I were the Minister of Family Services myself, I would not want the Children's Advocate reporting to me, because I would know damn well that the opposition would be very, very concerned about that situation, would be very closely monitoring everything that happened—not only the opposition, but legitimately every other stakeholder in this whole process.

I think the minister is doing himself a great disservice. The minister is doing the office of Children's Advocate a great disservice. The minister is doing the Legislative Assembly a great disservice. The minister is doing the agencies and the workers who provide these services to the children of Manitoba an enormous disservice.

Most importantly, Mr. Speaker, the minister is doing the children of Manitoba an enormous disservice by this simple act of commission. A choice that this minister made clearly with all of the facts before him.

There is not a single additional piece of evidence that has come before the minister since this bill was ready to be introduced that he has not known about. There has not yet, to our satisfaction, been a single answer that this minister has given to the central question on this issue of the Children's Advocate.

\* (1620)

We still do not know why that advocate is reporting to the minister and not to the Legislative Assembly. In the absence of any strong, solid reasons for that action, the minister can rest assured that the statements that were read into the record earlier by myself, of the acting critic for the second opposition party, will only be the beginning.

There will be no end of questions raised. Some of them may be legitimate; some of them may not be. Again, I am not suggesting that I am supporting the comments of the Liberal acting critic. I am only stating that his comments are not isolated. He is not

unrepresentative of the concerns that will be expressed, and so unnecessary. It only requires a simple change.

Mr. Speaker, one final comment on this act. We all know in this House that the needs of children are desperate in many cases. If we are all very honest with ourselves, we will all know that we will never, ever be able to fully meet those needs. There are not enough resources, human or financial, for us to be able to do that, but it is incumbent upon us to do our level best to come as close as we can to that goal.

Mr. Speaker, the real problems facing children today are lack of resources, high caseloads, and a lack of prevention programs. Those issues are the kinds of issues that have not just arisen in the last four years, although they have been exacerbated by the policies and programs of this government, but they have been with us always and they will continue to be with us always. We must focus on those issues if we are to provide services to our children.

Mr. Speaker, this act, this Bill 64, I am afraid will not help us reach our goal. The concept of a Children's Advocate is excellent, is supportable by everyone in this House, and would help us meet that goal by providing independent, understood independent resources and recommendations, but as long as this Children's Advocate is not seen by the stakeholders in this process to be independent then, in effect, the Children's Advocate, at the very most, will not hinder the process.

There is a real possibility that the Children's Advocate will have as an end result of its not being seen as independent a negative effect on our ability to provide prevention programs, to provide services that will allow children to break the cycles of poverty, break the cycles of violence, break the cycles of illiteracy, and become functioning, independent, happy adults, which we all want in this House.

It is a real tragedy that so much of this legislation is excellent, so much of the background, so much of the thinking behind this legislation is excellent and that only one major impediment lies in the way of a truly positive, unanimous, I might add, vote of support for this concept.

Mr. Speaker, that single impediment is going to mean that we are in for serious discussions in this House, serious concerns in committee, and if this government is able to bring in this legislation because it has a majority government, the children

in the services of Manitoba will only suffer. What is tragic is that it need not have happened.

We have so little in our lives that we can control and that we can prevent that it is a true tragedy when we choose not to act in a way that will have a positive result and choose to act in a way that can only have negative implications.

Thank you, Mr. Speaker.

**Mr. Speaker:** Prior to recognizing the honourable member for Osborne (Mr. Alcock), I would like to advise the House that I have been advised that the honourable member for Osborne will be the designated speaker for the honourable Leader of the second opposition party.

**Mr. Reg Alcock (Osborne):** Mr. Speaker, I move, seconded by the member for Inkster (Mr. Lamoureux), that debate be now adjourned.

**Mr. Speaker:** It has been moved by the honourable member for Osborne, seconded by the honourable member for Inkster, that debate be adjourned. Agreed?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed and so ordered.

### Bill 12—The Animal Husbandry Amendment Act

**Mr. Speaker:** Debate on Second Readings, on the proposed motion of the honourable Minister of Agriculture (Mr. Findlay), Bill 12, The Animal Husbandry Amendment Act; Loi modifiant la Loi sur l'élevage, standing in the name of the honourable member for Dauphin.

**Mr. John Plohman (Dauphin):** Thank you, Mr. Speaker.

**Ms. Becky Barrett (Wellington):** Can I heckle you?

**Mr. Plohman:** Yes, I got so wrapped up, Mr. Speaker, in the previous speech that it will take a little while to get back into this. My colleague the member for Wellington (Ms. Barrett), who was the designated speaker on the previous bill, has indicated that she will attempt to help me along in this speech, wherever possible, as I did for her. The constant encouragement that I gave her assisted her a great deal in the length of the speech, I think, and—I am not sure about the quality of the speech as well.

**Ms. Barrett:** I take responsibility for that. That is mine. The quality was fine.

**Mr. Plohman:** The quality was excellent, she says.

Mr. Speaker, Bill 12, The Animal Husbandry Amendment Act, is an act that could probably be called the government's privatization bill, one year late. I, therefore, will enjoy speaking to this because it is, I think, an issue that we differ a great deal from the government on and I want to demonstrate some of those differences in my speech here today.

When I say that it is a year late, the minister could have brought these changes in last year and probably should have, just as he should have brought in the changes that were made to allow for payments that will be made in GRIP to be made into an account by the Minister of Finance (Mr. Manness), and he brought that in a year late. He is also bringing in The Animal Husbandry Amendment Act a year late.

He actually brought in, Mr. Speaker, an Animal Husbandry Amendment Act last year in the session. It was Bill 20. He had the opportunity at that time to include these amendments that dealt with this privatization of the Semen Centre, the Veterinary Drug Centre, the Feed Analysis Lab and the Soil Testing Lab. There were a number of privatization, if we could call them, initiatives—I would call them counter-initiatives—taken by the government last year. We raised concerns on those with the minister last year.

Of course, one of the reasons we have not been speaking to this bill and one of the reasons we will not be passing it forward to committee at this time is because we want to hear from the minister precisely what has happened in that one year since the privatization of these various functions, by government previously and now in the private sector. We will want to know just exactly how successful the government has been and exactly what have been the results of their experiment—of course, irreversible almost, I guess—experiment in turning over these services to the private sector.

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

So I give that notice to the minister that we will not be passing this bill for consideration by committee until we have that time to ask the minister the appropriate questions, Mr. Acting Speaker, during his Estimates. Of course, that will not be too long down the road because of the fact that Agriculture follows Rural Development which is following Health in the committee. Hopefully, within the next couple of weeks, we will have the opportunity to question

the minister at length on the various aspects of the privatization that did take place.

This bill deals with that privatization because what it does is it removes all references to the Semen Centre and its functioning that were included in The Animal Husbandry Act previously, to allow for the government to be involved in the distribution of semen throughout the province.

We had the Minister of Natural Resources (Mr. Enns) speak as well as the Minister of Agriculture (Mr. Findlay) previously on this bill. They both had some interesting comments to make which I will refer to, especially the Minister of Natural Resources where he tried to point out the difference between the New Democratic government and philosophy and the government philosophy. Then he threw in a few other little anecdotes there as well that some people found humorous and some found offensive actually, Mr. Acting Speaker. I will let those speak for themselves who found them particularly offensive.

\* (1630)

I would just say that insofar as Bill 12 is concerned there are some aspects of the bill which the minister may just call housekeeping that we would not take exception to. For example, the fines, the increase in the penalties to bring them up to more realistic levels at the present time, that is not something that would be particularly controversial. It may be for those affected but, of course, it is important that these are brought up to date from time to time.

I guess one thing we could say on that is that the minister could, in fact, include these in regulations rather than in the act. Traditionally, I believe, at least in many acts, the fines are spelled out in regulation. You can change them from time to time to keep in touch with the changing times, but in this case he is continuing to include the amounts in the act which is somewhat unusual. Maybe the minister never thought about why they should be in the act. He should perhaps consider that. It should not have to be something that the Legislature has to deal with when these fines are changed. It could be done by regulation.

Secondly, the issue of the removal of the reference to technicians residing in an area, removing that. I guess if one wanted to be facetious—you know I would not be facetious—but if one wanted to be facetious, one could say that this minister is taking action that is precisely in opposition to the decentralization initiatives policy

that the government talks about, and not fully implemented, mind you. But in this case, yes, it is something that is going the other way. The minister is saying, well, we have not been able to get these people to live in these areas, in remote areas anyway. They have not lived there anyway, they just go in there from time to time and offer the services or people have to go elsewhere for them. So we are not even going to bother keeping that in the act because we are not enforcing it anyway.

I imagine the minister could have been a little more innovative in his thinking in this act and would have made some references if he wanted to highlight this particular issue, that every effort would be made to encourage, but where certain circumstances where it was not possible, the requirement would not be enforced—something to soften its requirement, but at least to indicate the government still believes this is important. But they are taking out that reference to residing in a particular area in remote communities for providing the services for the technicians.

I think the minister is sending out a message that is contrary, if he had thought about it and his colleagues had thought about it, to what the so-called "corporate" message of this government might be, if they want to say, yes, we want to believe in decentralization. We have actually called into question whether they really believe in decentralization, Mr. Acting Speaker. In many instances it has been done on a political basis, not on the basis of needs for services in areas. [interjection] The Minister of Agriculture (Mr. Findlay) questions that. He knows very well, at least he should, maybe he has not made it his business to know, that some of the services not from his department that were to be decentralized in Dauphin, for example, have not been done. They have not done it, but they have done them in Minnedosa, in Neepawa and other areas of the province that are held by Conservative MLAs, but not in Dauphin. So I say it has been done politically, unfortunately, and that is a side issue.

What we are dealing with here is the message that this minister is sending out, that he no longer believes in the principle that was contained in the bill which required technicians to reside in remote communities. I say, Mr. Acting Speaker, without belabouring this point, that it is an important principle in the context of decentralization. It is an important principle for the small communities when they

understand, and most rural people do understand, that rural communities, remote communities, are struggling at the present time under various circumstances that are beyond their control, many times in the control of federal and provincial governments to a certain extent, some are beyond even the control of them.

Mr. Acting Speaker, they are struggling, and any time you can get a family to reside in the community it is a plus. It is an important addition when you get a good paying job, particularly in a community, a very small community. So that principle is very important, and it is as important now as it was when this bill was introduced first and when amendments were last made to the bill.

The Animal Husbandry Act has been around since 1933, as I understand in my research. There has been an act something similar to The Animal Husbandry Act since the turn of the century, but in 1933 the act as it is called now was introduced. There have been many amendments to the act over the years. This amendment and this consideration for the technicians was brought in in the '70s, and at that time it was thought to be important that technicians resided in the community.

I think that principle should not be lost at this time to this minister, particularly when he considers that his government is espousing the importance of decentralization, says that they think it is important, that they are going to act to decentralize employees. Then they take a decision such as this which is completely in opposition to that, and the rural members, the Acting Speaker will know very well that this is something that would be very close to his heart and something he might want to ask the Minister of Agriculture (Mr. Findlay) about at some point in time as to why he is going ahead and doing this. [interjection]

I do not believe anybody did, as my colleague the member for Swan River (Ms. Wowchuk) said, somebody should be asking those questions. It may be that they have not even asked those questions. They have not even thought about those things. They let the Minister of Agriculture (Mr. Findlay) go merrily on his way in the mistaken belief that he knows what he is doing, particularly in all cases, Mr. Acting Speaker, and we have seen many instances where he has not. He has not known what he is doing. He has not thought things right out, but he never admits it. I have to give this minister—well, I do not know if I should give him

credit. I should acknowledge that he never admits it for good or bad. In this particular case I would think it is not a very positive thing.

I want to, Mr. Acting Speaker, speak about some of the other aspects of the bill which really concern us, and that of course deals with the whole issue of privatization. The minister said in his speech, and this goes back to April 1991, he is correct, because that is when the Semen Centre was turned over to Western Breeders, to the private sector.

Along with the other privatizations that took place, with the Veterinary Drug Centre and the Soil Testing Lab, the Feed Analysis Lab, these were services that the private sector was anxious to get their hands on. There was an opportunity for a good profit in these areas, and the government obliged quite nicely last year for them by doing this, and they said it was to reduce government costs.

We went into quite a debate on this, and the minister actually gave incorrect information to the House on March 14 last year, when he said that, in fact, the drug centre was costing the taxpayers a million dollars last year. He obviously mixed that up with the diagnostic lab and other functions at that time.

He was selling it on that basis. I do not know if he did that to his colleagues, to Treasury Board or to his caucus. The fact is there were grossly inflated costs associated with the service, because he was referencing the wrong service in the Legislature.

The fact is, according to the information that we had, that the Veterinary Drug Distribution Centre actually made a profit in the last two years. The minister said it lost a small amount of money in some revised figures that we got during the course of the Estimates; if you tie in a lot of capital costs and so on, there was a way that he could try and show that it was losing money.

The Semen Centre, in his own words, lost \$5,000 in the last year it operated. That is not a big loss, and I would dispute that figure. That is the figure that the minister referenced. He said the Semen Centre in the last two years had lost \$66,000 and \$5,000, so the last year, \$5,000. He said that on June 20, 1991, during the Estimates.

The minister in the House finally acknowledged that there was not a lot of savings to taxpayers in this, so it was not done for the purposes of saving money for the taxpayers. As a matter of fact—[interjection]

**An Honourable Member:** A loss is a loss.

**Mr. Plohman:** The minister says a loss is a loss. It was very easy to turn a profit on this through government operations. The minister did not have to privatize it to indeed ensure that it was not a drain on taxpayers' money. It was virtually not a drain at the present time now, but it did not have to be privatized to ensure there was no drain. Let us put that one aside.

(Mr. Speaker in the Chair)

Now the minister says it is a duplication of services. First, he said it was to save money. That was his big argument because he thought that would sell in the public. The way to sell this idea of privatization, because there will be a few people who will squawk about it, is to say that it is to save money for the taxpayers. They will really like that one. That will be consistent with our message that we are efficient.

We can see through that rhetoric, Mr. Speaker, and we attempted to show, and I think did show, that in fact it was not a major cost to taxpayers. As a matter of fact, there could have been a profit on these centres and therefore no cost to taxpayers.

But the minister wanted to do it a different way. He wanted to turn over a profitable opportunity to the private sector because—[interjection] I hope he is not going to disagree with that because I am sure he would say they would be creating all these jobs in Manitoba and all this economic activity, and that is economic development, and we need to have that in Manitoba.

\* (1640)

So there may be some positive aspects to it, but let us see. That is why I say, Mr. Speaker, that we are not acknowledging that and we are not passing this bill through, because we want to be able to ask the minister in detail what exactly has happened in this first year of operation of the privatization of these various functions: the Drug Centre, the Semen Centre, the Feed Analysis Lab and the Soil Testing Lab. These four functions are now in private hands. How are they doing? How many jobs have they actually created? Have they moved head offices to Manitoba? Have they created employment here? Is the service just as good, or is it better, or is it in fact worse, as we said would be the case, not only the service, but the price of the service to the individuals?

Well, I know the minister is going to have to be armed with examples. I was advised, for example, that in the Feed Analysis Lab, the government had jacked the prices up, and I know they did the last couple of years that it was in operation. This government, this Tory government increased the prices for the testing to such an extent that business dropped off. In fact, through their great management, these great managers actually caused the Feed Analysis Lab to lose money, more because they jacked the price right out—they priced themselves right out of business.

I believe, I would not put it past this minister, Mr. Speaker, to in preparation for the privatization in fact jack those prices up so that—[interjection] Well, the minister says I am giving more credit than he is due, and I probably am giving him more credit than he is due judging by his performance in a number of issues, but I do say that there may very well be other greater brains in that government who are preparing this.

We know that they had engaged expensive consultants to look at various services that could be privatized in the government. This may have very well been one that was identified, and one of the strategies would have been to ensure that the prices were jacked up to the extent that they were more than compensating for the costs of the tests, which was happening in the Feed Analysis Lab, the minister knows that, and in fact made it likely that the farmers would go elsewhere for their tests, to the States or wherever else to get their testing done, the soil testing as well.

So they were in fact encouraging farmers to go elsewhere prior to their privatization, because it made it easier to show that farmers really did not want this service the way it was—we might as well give it to the private sector. They can manage it. Government should not be in this business.

Well, Mr. Speaker, I know that I talked to a number of people involved, and this minister knows that, last year, so I know that these prices that they were advised in the Estimates previous to the Estimates process when they made the decision to privatize these labs that in fact they were advised that they should lower their prices in certain instances so that more farmers would use the service. They were told that. They were told that during the Estimates, and they refused to listen.

Now the minister may not have been told directly, but his senior staff were told by the experts, but they

may have not taken that through to the minister, but the minister is ultimately responsible for the decisions that he makes so. Therefore, we have to say the minister did not do that.

Let us just look at how some of these services were sought after by the private sector. The minister was bragging in the Legislature last year, when he was talking to me about the importance of the vet centre that was privatized. He said on June 24: I would also like to tell the member that on the weekend I had occasion to have to call a vet. His first question was: Is the drug centre purchase still going on? I said, absolutely. He said, boy, are we interested in getting a hold of that. We are going to make some business activity in this province of Manitoba, and we are going to sell it to Saskatchewan.

Now, you see, Mr. Speaker, we know from that statement—well, the minister perhaps carelessly went on about how enthusiastic the vet was about getting his hands into this, that this was wanted by others because they knew there was a profit to be made. Some vets did not want it. We are going to find out from the minister exactly how this has gone, from his own mouth during Estimates, his version of the system, how it has gone along. But, clearly, the minister said that they very much wanted it, and the same with the Semen Centre. There were all these bids, and these companies that wanted to get involved in the opportunity to offer this service on an exclusive basis.

They wanted to offer the service for semen distribution in the province on an exclusive basis, and finally the government provided a turnkey operation essentially for the private successful bidder, if we can call him that, Western Breeders. They gave them the office, Mr. Speaker. They gave them the office that they were going to use; they gave them the furniture that was in there; they gave them a six-month lease from Government Services, which is really unheard of by a private company operating in a government building, with a six-month option to extend that for another six months.

Again, the questions we are going to ask the minister: Have they exercised that option? Have they pulled out? Where are they? What are they doing?—you know, all of these kinds of things, in terms of their operation. What have they done with the employment factor after they got this sweetheart deal from the government? Have they employed more people, and what is the extent of the service

throughout the area, and what is the cost of the service? So I alert the minister to that, because he will undoubtedly want to get that information for us when we deal with the Estimates, so that it will not take a lot of time to retrieve that information. He will have it at his fingertips.

So I say to the minister, that with regard to the Semen Centre, he gave them an awful good deal, and the purpose of that, Mr. Speaker, was to turn it over to the privatization on the basis of philosophy, not on the basis of saving money.

Now, the Minister of Natural Resources (Mr. Enns) spoke up in the House on this issue. He felt that it was a very important bill, and he said that the government differed a great deal from the opposition, from the NDP. We would have just continued the service on for years and years whether it was dated or not, whether it was efficient or not, but they are different. The Conservatives started the service when it was needed, to educate farmers on improving their herd through semen distribution, and ensuring that they had available the techniques of artificial insemination, and this would be a way to improve their herds.

That was needed then, but it is no longer needed now. It is common knowledge, everybody knows about it, so naturally it is no longer necessary to do that.

He also said, Mr. Speaker, in his speech that he did not want to be throwing money away that should be spent, and I quote here, he says: As a matter of fact, why should I be taking money away that should be spent on education or help out my colleague, the Minister of Health (Mr. Orchard).

That kind of thing. He said that the reason this should be done, the Minister of Natural Resources, he bought the line, hook, line and sinker, from the Minister of Agriculture (Mr. Findlay) that this was costing a lot of money to continue the service.

So he said, why should we be taking money from the Minister of Health and the Minister of Education (Mrs. Vodrey)? What we should be doing is turning this over to the private sector because this was costing money and this was a way to cut costs.

\* (1650)

But the Minister of Natural Resources has missed the boat, because he was not listening in the Estimates when we were dealing with Agriculture. He only listened to the Minister of Agriculture's

rhetoric in the House where he said this saved the government all kinds of money.

It did not. As a matter of fact, I have indicated here in this House that these easily could have been profit centres for the government. The Semen Centre, he said, cost \$5,000 of the taxpayers of Manitoba to operate in its last year—\$5,000.

These are the huge savings that the Minister of Natural Resources (Mr. Enns) has been convinced were being made, and therefore he should be discarding the Semen Centre.

I say that the Minister of Natural Resources had not paid attention on this issue when he stood up and spoke on this bill, because in fact, it was not because there were great savings to be had for the government. The Minister of Natural Resources knows very well it was ideological and philosophical, that was the reason for doing it, because they were turning over profit opportunities to their friends in the private sector, and that is what the reasons were for doing this, whether it made sense or not.

We are going to find out from this Minister of Agriculture (Mr. Findlay) when we get into the Estimates precisely whether this has been in the best interests of the province of Manitoba over the first year of its operation, where the hitches have been, how much it has hurt certain people, certain producers in terms of the services that are provided and the costs to them.

We know that, for example, in veterinary drugs that if there is no regulation there whatsoever or no competition that, in fact, we could see rather substantial cost increases in certain areas of the province that are underserved in competition in certain areas.

The minister should not take out of context what I am saying. We discussed this last year in his Estimates. We are talking about certain areas where it is not as profitable to operate veterinarian services as it is in other areas. Therefore, you have a captive market. [interjection]

That is right. The minister says it has not changed, but no longer is the government involved to ensure that the prices remain the same or comparable to other areas of the province where it is indeed competitive. That is part of government intervention role, is to ensure that those producers—[interjection]

Well, those producers—the minister should realize that we have certain areas of the province that are

not as close in proximity to larger centres, to transportation routes and so on, that there are longer distances to travel, more remote areas, the minister even references remote communities and residency, and it is not practical, he is saying now, to have technicians live in those remote communities. So I am saying that naturally there are some captive markets there where those people need some type of regulation and protection.

The minister says no. Well, we will find out about that because I know that the minister is wrong, Mr. Speaker, in this particular instance. He is wrong and if there is no action by the government to ensure that those prices are kept down in those areas, those people, in fact, are going to be paying whatever the market will bear in some of those areas, unfortunately.

I hope that the minister will be able to intervene in some areas. When you do not have opportunities to buy elsewhere in a practical way, you have to go with what is there and you pay the price. That is where the minister is neglecting his role insofar as ensuring fairness and equal and competitive services throughout the province. I think that is what he is missing out at this particular time.

Mr. Speaker, I want to say that when the Minister of Natural Resources (Mr. Enns) so enthusiastically endorsed this bill that the minister—

**Mr. Speaker:** Order, please. I am interrupting the honourable member because I am advised that His Honour will be entering very shortly to grant Royal Assent to Bill 45.

When this matter is again before the House, the honourable member for Dauphin (Mr. Plohan) will have 10 minutes remaining.

## ROYAL ASSENT

**Deputy Sergeant-at-Arms (Mr. Roy McGillivray):** His Honour the Lieutenant-Governor.

His Honour George Johnson, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the throne, Mr. Speaker addressed His Honour the Lieutenant Governor in the following words:

**Mr. Speaker:** May it please Your Honour:

The Legislative Assembly, at its present session, passed a bill, which in the name of the Assembly, I present to Your Honour and to which Bill I respectfully request Your Honour's assent:

Bill 45—The City of Winnipeg Amendment, Municipal Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Ville de Winnipeg, la Loi sur les municipalités et d'autres dispositions législatives.

**Mr. Clerk (William Remnant):** In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to this bill.

(His Honour was then pleased to retire.)

**Mr. Speaker:** Is it the will of the House to call it six o'clock?

**Some Honourable Members:** No.

**Mr. Speaker:** Is it the will of the House to call it five o'clock?

\* (1700)

### PRIVATE MEMBERS' BUSINESS

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

### ADDRESS FOR PAPERS REFERRED FOR DEBATE

**Mr. Speaker:** Address for papers of the honourable member for St. Johns (Ms. Wasylycia-Leis) that we should pray for:

The text of the formal opinion requested from the Department of Justice by Health department officials on whether there is anything that would interfere with enforcement of The Public Health Amendment Act, Statutes of Manitoba Chapter 62 (formerly Bill 91), also known as the antisniffing legislation, standing in the name of the honourable Minister of Labour (Mr. Praznik).

**Some Honourable Members:** Stand.

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

**Mr. Steve Ashton (Thompson):** Yes, Mr. Speaker, I would like to be able to speak if I could. I feel it is an important matter that deserves discussion, and I look forward to the Minister of Labour's contribution on this particular matter, because quite frankly—

**Hon. Clayton Manness (Minister of Finance):** Could hardly wait to speak.

**Mr. Ashton:** I look forward to the Minister of Finance, the Government House Leader (Mr. Manness), putting his views forward in debate as we have the opportunity on this particular matter, because I have a certain sense of déjà vu.

It was not that long ago that I seem to recall all members of this House, the then Legislature, supporting the bill that is referred to, formerly Bill 91, which was passed by all members of this House. It was one of a number of bills that were brought in. We saw a rather unique set of circumstances develop because there was a minority government situation, perhaps, but probably as much because there were a number of good bills. We had the antismoking bill we had the bill in terms of handicapped transport; we also had this particular matter brought in and it was supported by all members of the House. It was passed through to legislation.

So I ask you, Mr. Speaker, why we have to be here today in 1992 debating this matter again? When the people of Manitoba, through their elected representatives, the members of the Legislature were then convened, passed this bill through all the readings, passed this bill through all the committee stages and enacted it in terms of—at least passed it as a bill—why is this government refusing now to bring this legislation into effect and bring in the kind of results that the members of the Legislature, the elected representatives of the people of Manitoba, said so very forcefully, very clearly when the original bill was passed?

Let us not forget what this bill did, what it proposed. Was this just another minor bill? Did it deal with a problem we could perhaps afford to ignore? No, it dealt with, as the bill was very clearly titled, it was antisniff legislation. It deals with the problem, which I would suggest is a growing problem in many communities in terms of substance abuse.

I am talking here, Mr. Speaker, of intoxicants often referred to by the more general name of nonpotable intoxicants. We are seeing this on a growing basis as more and more people, and particularly young people, in many communities throughout this province are having their lives ruined because of the continued access to the kind of substances that we are seeing people turn to that are leading to destroyed lives and, in some cases, even deaths.

I mean, what does it take for this government to realize what is at stake? I say, if the government, now in retrospect, feels there are problems with the legislation, let us see their legal opinions on those problems. Let us see them bring in a bill that would perhaps amend the act to give the kind of effect that



we are seeking through the original legislation and we are seeking today. Let them amend it.

Mr. Speaker, with the significance of the problem, I ask the question, and this is why I am looking forward to members of the government to participate: Why are they delaying the implementation of the bill? Why are they not acting?

I know it is a problem in my communities. It is a problem in the city of Thompson. It is a problem in a number of remote communities. I have been called by individuals in regard to this problem, most recently by the individual who is working with the MKO in terms of substance abuse, and they asked specifically, whatever happened to this legislation? They are concerned about the destruction of lives that is taking place on a daily basis, and it is particularly a problem with young people, and it is particularly a problem in northern communities. It is a problem, I know, in the core area of the city of Winnipeg, but, you know, it exists in every community. It exists in the core area. It exists in the suburbs. We have to do something to deal with it.

What is the concern? What was the concern about this bill? This bill was passed through by all parties in the Legislature, but what concerns have arisen since? Is it a question of enforceability? Well, if it is, I say to the government, let us deal with it.

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

We had an all-party approach on this matter before. We are open again to an all-party approach. We do not want to be standing here every week as we have done since this Order for Return appeared on the Order Paper in terms of private members' hour because this government is not responding to the concerns that have been expressed by the member for St. Johns (Ms. Wasylycia-Leis), who, indeed, was the one that spearheaded the original legislation through the Legislature. I do not want to be here the next period of time in the Legislature, every week having to hear this matter debated again and again. But, indeed, Mr. Acting Speaker, it will be debated again. We will speak every week, every time this matter comes up until we get a response from the government. What am I asking for in the way of a response?

**An Honourable Member:** And it will come.

**Mr. Ashton:** Well, the Minister of Northern Affairs (Mr. Downey) says it will come.

**An Honourable Member:** We are feeling moved.

**Mr. Ashton:** Mr. Acting Speaker, the Government House Leader (Mr. Manness) said he is feeling moved. Indeed, he should feel moved, because this is a serious matter. There are lives that are being ruined on a daily basis. I look especially to the Minister of Northern Affairs (Mr. Downey) because I know that he has heard the concerns—if he has not, he should have—for many northern communities, about substance abuse and the problem with young people, and the problem with young people in northern communities, whether it be in terms of urban centres such as Thompson or in terms of remote communities.

I know if he talks to the chiefs and if he talks to the members of the councils and if he talks to mayors and members of the community councils—I know if the minister takes the time to go into the communities and talk to the residents of the communities and talk in particular to the elders in many northern communities, he will hear the same thing. He will hear particularly from the elders. I know the minister tries to listen to the elders—and I hope he should—in the communities, how worried they are about the destruction that is taking place amongst young people in those communities, and he knows of what I speak. He knows that in many communities, Mr. Acting Speaker, which have taken action in their own way by declaring their communities dry communities in terms of alcohol, that one of the problems is in terms of other substances that are abused. It is a terrible problem.

I could point to incidences, if any member of this House doubts, and indeed if the Minister of Northern Affairs (Mr. Downey) doubts, the severity of the problem, when we have seen people seriously injured. We have seen people die because of substance abuse, and in this particular case, Mr. Acting Speaker, the exact type of abuse of substance that was targeted by the antisniffing legislation brought in by the member for St. Johns (Ms. Wasylycia-Leis), indeed sponsored by our party but supported by all three parties.

This is not a partisan debate. This is a debate about lives, particularly the lives of young people. If we as members of the Legislature hide behind legalities, if this government in particular hides behind whatever legal advice it has from its Department of Justice in terms of problems with this particular bill, we missed the point.

We should not be saying, there are difficulties with this bill, and that is why it is sitting in limbo, Mr. Acting Speaker. If there are difficulties, we need to hear what those difficulties are. We need to deal with those difficulties, and I will indicate, our party will work with the government if they want to look at the legislation; if they have difficulties, we will do whatever is necessary. We will make sure that legislation can be expedited that will bring into effect the intent of this bill.

We know the government now controls what is going to happen. They have been able to block the proclamation of this bill. They can block any attempt on our part to bring in other legislation because in private members' hour we very rarely have the opportunity to vote, particularly, Mr. Acting Speaker, when we have a majority government. Even if it allows the matter to go to a vote it can cut it off through its majority. We know the initiative now is with the government. We have done our bit. The member for St. Johns (Ms. Wasylycia-Leis) introduced this legislation. The member for St. Johns has brought in this order for return. The member for St. Johns has been asking, and begging the government to act on this matter.

We have heard other members of this House. The member for Point Douglas (Mr. Hickes) has spoken out on this issue. I think probably half our caucus has spoken out on this issue. It is not a political issue. No one is seeking in any way, shape or form, to embarrass the government. I can indicate that categorically. I will say, Mr. Acting Speaker, the government cannot be embarrassed if it brings in the antisniff legislation because they supported it. They supported it in 1989-90, in that period when there was a minority government. So if they supported it at the time, why can they not now bring in that legislation? They have the power to do it. They are the government. They have it before them, and as I said, if they wish to change it, if there are changes that are necessary to make it acceptable enough to the government that they will remove this legal block, that they will remove the power of their majority, let us talk about that, let us deal with it.

If there is concern that this may somehow affect this session of the Legislature, I will say to the government, and I know I speak for all of us on this side in saying, we will expedite anything that brings into effect the kind of antisniff legislation that was passed by this House. Anything, Mr. Acting

Speaker: whatever leave is required, whatever scheduling is required, whatever is necessary because this matter is indeed important.

\* (1710)

Do we have to wait for more young people to have their lives ruined? Do we have to wait for more people to be seriously and permanently injured and have their health destroyed because of this kind of substance abuse? Do we have to wait for more fatalities? Do we have to wait for more people to die because of legal wranglings which indeed we are seeing on this bill, have prevented a bill that would deal with this?

Why would we take that risk? Because of concerns of what? Enforceability? Are we concerned that it might create some difficulties for some merchants, and I say some not all, Mr. Acting Speaker, in terms of dealing with this? Is that really the problem? Is that what we are trying to protect here? Is that what we are really concerned about, that it might create some difficulty for some merchants? I say some because I think the vast majority of individuals out there, including a lot of people who own stores which would be affected by this particular case, would support the principle of this bill.

I know they support it, Mr. Acting Speaker, because I remember the committee hearings, and I remember the discussion and the debate by all 57 members of the Legislature, and we agreed unanimously. We agreed unanimously as a Legislature. So I know the concern that is out there is not being expressed by people in the business community who may be impacted by this bill.

So what is it, Mr. Acting Speaker? The concern of some legal advisors in the Department of Justice, or is it perhaps from the Minister of Health's (Mr. Orchard) department? Is that where the concern is coming from? If indeed it is coming, I ask you, as indeed does the Order for Return, can government give us that information, tell us what kind of advice that it is getting from its legal department? That is what this Order for Return does. It says, tell us, be upfront, put the information on the table, let us know, and let us work co-operatively again as we did when this bill was originally passed to make sure we have something in place to protect our young people throughout the province.

So in conclusion, I want to say to the government, I want to say to the Minister of Justice (Mr. McCrae), I want to say to the Minister of Health (Mr. Orchard),

and I want to say to the government House leader (Mr. Manness), this is more than a debate about an Order for Return. It is more than a debate about strictly asking for a formal opinion. It is more than a debate about a bill that was passed through this Legislature three years ago, and we feel should be enacted.

What we are doing, Mr. Acting Speaker, is using this opportunity, the one opportunity we have in this legislative session, to say to the government, this is a very serious matter. That is why we had unanimity before. Do not let this kind of situation, the legal concerns, stall us from doing something that could make a difference to many young people, to many families throughout this province. Let us once again work co-operatively. We are asking, we are pleading with the government to listen to the concerns we are raising, and we will work with you every step of the way until we get this kind of legislation implemented in Manitoba.

**The Acting Speaker (Mr. Laurendeau):** As previously agreed, this matter will remain standing in the name of the honourable Minister of Labour (Mr. Praznik).

## PROPOSED RESOLUTIONS

### Res. 15—Professional and Technical Accreditation

**Mr. Conrad Santos (Broadway):** Mr. Acting Speaker, I move, seconded by the honourable member for Kildonan (Mr. Chomiak),

WHEREAS there are some new Canadians who settled in Manitoba and elsewhere in Canada who brought with them professional and technical education, skills and training which they are unable to use in Manitoba and in Canada; and

WHEREAS there are institutionalized structures in Manitoba and in Canada of well-established self-governing groups of professional and technical persons who collectively are exercising almost absolute autonomy, to the extent that the federal, provincial and municipal levels of government have practically abdicated inherent public regulatory power of the Crown over the education, training, internship, admission, disciplining and other related processes connected with the creation, organization and operation of professional and technical associations, societies and organizations; and

WHEREAS the utilization of the professional education, skills and training of the new Canadians would be beneficial to Canada in general and to the Province of Manitoba in particular.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba recommend to the government that it consider the adoption and implementation of an enlightened policy of formal recognition and accreditation in meritorious cases of the education, skills and training brought into Canada by new Canadians; and

BE IT FURTHER RESOLVED that this Assembly consider holding public hearings to elicit the opinions and views of Manitobans, including the new Canadians, on the desirability of forming formal governmental accreditation and licensing boards for each of the various now self-governing, inward-looking, self-seeking professional and technical associations, societies, and organizations; which boards are to have memberships, the majority of whom are to be drawn from respective and related professional or technical groups, from the government, and from lay members of the general public to ensure that members of such boards shall be acting as trustees for the general public interest of all.

#### Motion presented.

**Mr. Santos:** Mr. Acting Speaker, on the basis of this resolution, I wish to speak about opportunity, about quality and about dignity in our workaday world but, initially, before I do, I would like to provide a general background by some theoretical framework of how rule making and organization of groups came about in society in general.

In every society, including democratic societies, there is usually a scarcity of materials and other things that people want and which they naturally strive to mobilize in order to promote personal or group advantages. In the individual and group pursuit of private benefits or group benefits, conflicts inevitably are bound to arise among individuals and groups.

In order to settle such conflicts, society has evolved certain normative rules and corresponding mechanisms to enforce such rules. The institutionalization of such rules and of such enforcement mechanisms transform a society of human beings into an order of authority and power personified as the state, sustained by a claimed monopoly to the exclusive use of coercion.

The government, acting as the exclusive agent of the sovereign state, manifests itself as the established governmental bureaucracy which is mandated to regulate individual and group behaviour by statutes and by regulation, as well as to provide public services.

To confound and further complicate the continuing struggle for advantages among individuals and groups in society, we must often have, as we do now have, a multiethnic society composed of different groups of people from different national origins with different languages, cultures, values, beliefs and expectations.

\* (1720)

As this multiethnic state historically emerged, a natural domination-subjection type of relationship has gradually evolved and become institutionalized between some ostensibly dominant, elite core group which, after taking control of the decisional structure and of the positions in society, begin to define and regulate influential roles in such a subtle manner, cloaked with legitimacy, so as to effectively disadvantage, oppress, repress or exclude members of the minority groups in society.

The ostensibly dominant core group members became the institutional gatekeepers and determiners of success and failures to the exercise of the various professions, occupations, positions and roles of any political, social or economic influence in our society and among the various organizational units.

The dominant group members, being firmly organized and in control of the institutional decision-making structures, now begin to lay down discriminatory rules for the qualifications, rules for certifications as to who can or who cannot enter into certain professions, occupations or lines of work.

Despite our ideal of democratic equality and equality of opportunity for everyone, the actual decisionary structures of our societal system and of the various organizational units within that society, including Legislative Assemblies, of all levels of government, they operate in such a manner that they ignore or superficially ameliorate the discriminatory practices against well-educated, skilled, trained and experienced professional, technical and tradespeople.

The government which is supposed to be the arbiter and the regulator of general and group behaviour in society, had in fact abdicated its responsibility to the various subgoverning

professions. The subgovernment professions, therefore, are regulating their own members in the name of the public interests.

There is some inconsistency in here, Mr. Acting Speaker, because these are private group members with private interests of their own to promote, and they cannot be expected to be promoting the general interests of everyone if the general interests of all conflict with their own specific group interest. The most obvious victim of such institutionally embedded discriminatory rules, practices and procedures are the newly arrived immigrants. The most obvious groups among them also include the naturalized citizens and the children of such naturalized citizens.

To be specific and with due regard to the high standards of performance that we expect in every profession and every technical occupation in our society, why cannot, for example, a medical doctor from Pakistan, who has taken a postdoctoral degree in Germany, who had taught medical courses in his country of origin, why cannot he practise medicine in Canada? Why cannot a lawyer licensed as a member of the bar in his own country, who studied common law in the United States, who came here, why is he not permitted to write the law admission examination in Canada? On the reasoning that there is a rule which says that you cannot do so; you will not qualify to write unless you are a graduate of a Canadian law school?

Why cannot an accountant from Chile, who has been engaged in accounting work for 10 years, who came here to Canada and has already become a Canadian citizen, why cannot he practise his accountancy in Winnipeg? Is the universally accepted accounting equation that asset minus liability equals honest equity, is this any different in Santiago, Chile than it is in Winnipeg, Manitoba? Why cannot a carpenter from Portugal, who had engaged in his art, in his trade for 10 years, who came here to Canada and had already become a naturalized citizen, why cannot he practise carpentry in Manitoba? Are the saws and the chisels in Lisbon any less sharp in cutting and shaping lumber in Winnipeg?

Why cannot a teacher from Jamaica, who has been teaching for more than 10 years, and who came here to Canada, teach and exercise the teaching profession in Canada? Why cannot a barber from Nicaragua, who came here and who has already become a naturalized citizen, why

cannot he practise his art and become a barber in Winnipeg? Is the hair of people in Winnipeg anymore difficult to trim or to cut or to shave than the hair of the residents of Tegucigalpa?

(Mr. Speaker in the Chair)

Regardless of the presence or absence of sinister motive to consciously discriminate, the fact is that whenever any policy, any practice or any pronouncement unjustifiably excludes or unequally treats members of minority groups, immigrants, naturalized Canadian citizens, discrimination actually takes place, violating the Canadian Charter of Rights premised upon the United Nations Declaration of Human Rights that all human beings are born free and equal in dignity and rights.

What happens when a minority group's members are unjustifiably excluded or repressed from exercising their own education, their own experience, their own skills, and they are naturally entitled to, but are prohibited from competing on equal terms in equal dignity and rights with any other Canadian?

Such persons by economic necessity are driven into low-paying and backbreaking jobs. They are driven into moonlighting jobs just to cope with the higher and higher costs of staying alive. Consequently, these people, human beings as they are, are occupationally repressed. They are oppressed, they are deprived of their personal self-respect, they are overworked to the bone, they are placed under tremendous personal distress and anxiety and therefore they are prone to industrial sickness, they are prone to accidents. They are deprived of needed leisure time. They are unable to enjoy their evenings with their family, their weekends with their friends, whereas the owners of factories from River Heights, from Charleswood, or elsewhere are vacationing and basking in the sun in Hawaii, in Palm Beach, in Florida or in The Bahamas.

The writer of Ecclesiastes Chapter 4 wrote and I quote: Again I saw all the oppressions that are practised under the sun, and behold the tears of the oppressed. There is no one to comfort them. On the side of their oppressor there was power, and there was no one to comfort them.

The immigrants in our society, those who came to this country to become citizens and participants in our society, have made their own contribution for the development of our society. Why are they being denied the opportunity to use their knowledge, their

skills, their expertise to help in the economic upliftment and social development of our country?

\* (1730)

For one thing, they have already made their contribution. Immigrants have revitalized some sagging sectors of our economy; for example, they have revitalized the housing market by taking over some of the lower income areas. They have opened hundreds of small shops and small businesses of their own. They have contributed as workers in our garment factories, in the grocery shops, in delivering pizzas and other economic activities. Why can they not participate in the more dignified professions of their own calling for which they have been amply educated or at least not be denied the opportunity to prove that they can do the job with due respect and with observance of the high standards of performance?

These are the difficult questions, Mr. Speaker, that we have to resolve. These immigrants have been raised in our culture, they have contributed to many aspects of our cultural life, from music and performances to cuisines. They have revitalized aspects of our economy. They have stimulated economic activities.

They have worked long hours in factories and manufacturing, although this sector of the industry is on the decline. They have been educated, and yet they are unable to use their education. They are denied the opportunity to contribute by reason of their skill and their training in the profession, in the technical field and in trade association.

Why all this inequality, despite our ideals that all human beings have dignity and opportunity in our society? I ask the questions; I cannot answer them.

Thank you, Mr. Speaker.

**Mr. Jack Reimer (Niakwa):** It is my pleasure to rise and speak today on the proposed resolution by the member for Broadway (Mr. Santos), the Professional and Technical accreditation resolution that he has put forth.

It is very apropos in his comments and his concerns for new citizens and peoples who have come to this country. When we look back on Canada, we look at the people who are in this country at this present time. Everybody in a sense came from a different area, and the fact is that what they brought to Canada were their strengths and their skills to make Canada what it is today.

We can talk as to what is happening in Canada today with the various factions and the various forces, if you want to call it, that are pulling at our fabric right now, but one of the things that we have the great strength of is our strength of diversity.

Here in Manitoba we are a very model, if you want to call it, of Canadian co-operation and co-ordination between various ethnic groups, because here in Manitoba we have, I believe, the highest proportion of what you call non-French-, non-English-speaking peoples here in Canada.

If I recall the figures, and I may be out a few points, but I believe that the figure percentage-wise is upward of between 42 to 46 percent of our population here in Manitoba—is it 41 to 45 possibly percent of the population?—are people who are from non-English, non-French backgrounds.

The mosaic of Manitoba is quite diverse, and the strengths of these people who come to Manitoba bring forth a lot of their values and the assets that make Manitoba very strong.

In addressing the concerns of the people who come to this province, one of the things that they are concerned about is the practice of their profession or their skills that they had in the country that they were previously living in. Because a lot of them when they come here cannot practise their chosen skills, as mentioned by the member for Broadway (Mr. Santos), sometimes slip into various other jobs of possibly lower stature or of totally different meanings or totally different direction of what their skills and training is about. So there is the frustration of not only using their own skills, but also the frustration of nonaccomplishment in what they originally set out to do or from their education. So the problem of accreditation is something that this government has been involved with, has taken under strong consideration, and has come forth with various positions on it.

In fact, I must look back to less than a month ago, about the middle of March, when the Manitoba government established an Immigrant Credentials and Labour Market Branch within the Citizenship Division of the Department of Culture, Heritage and Citizenship at that time, because of the concerns and the fact that the whole problem should be addressed. The branch was actually established in response to a report that was commissioned on immigrant credentials.

The new branch will work with immigrants who have offshore credentials and want to make use of

their skills and their credentials. Not only making this announcement, there was also the direction of funds by this government into ensuring that the program had the sustenance and had the direction of accomplishment in making it a worthwhile venture, that there was a redirecting of existing resources of \$225,000 or more, and there was also the addition of another \$150,000 to go towards setting up of a computer data branch base to track the credentials requirements for various professions and jobs.

Also the money and the effort would be going forth to develop a manual for overseas use, for explaining what is required to have the credentials recognized in Manitoba. So there has been a very positive response by this government and this minister and the department of multiculturalism, citizenship, heritage, and as came forth back in March. I believe it was March 16 when the release was made known.

The member has spoken of something that should be done. Well, this government has responded and responded in a very positive manner, in a manner that has had strong acceptance in the short time that it has been put forth in the community. I have had personal experience to this effect. I believe it was a day or two right after the announcement, I had phone calls from people who had two sons who were both engineers in their native country, but in coming to Canada they were not allowed to take up their trade or their professions.

With this immigrant credential branch established, it will now give them the opportunity to find the direction as to get their papers in order and to be able to get their proper use of skills that they have come across. It is a positive step, it is step that is coming forth, and it is a very responsive step by the minister and the department in addressing a problem that was recognized.

As mentioned, our greatest tradition is in welcoming people of all races, religions and cultures here to Manitoba. As we approach the 21st Century, people from every country, every continent from around the globe, are still choosing Canada, and in particular Manitoba, in the search of the opportunities and the freedom that we offer.

In the past, the skills and the talents of the immigrants have been recognized as a resource of immense value to our future growth and our development. This view has not changed. We still recognize the potential contributions newcomers

make to our community in many areas. But what has changed is our society. In many areas, our educational institutes, our trades, our professions are on the leading edge of modern technologies, theories and practices. Our ability to keep abreast of our changes has created many problems in being able to set standards of access for offshore credentials of newcomers.

\* (1740)

The problem is a serious one that needs to be resolved. Failure to address it adequately robs our new immigrants of access to a better future and deprives the greater community of potential benefits of their contributions. By bringing the Immigration and Settlement Services Branch from Family Services and the Adult Language Training Branch and Working Group on Immigrant Credentials from Education and Training into one operation, we created a vehicle which has the ability to move decisively to meet the needs of the immigrant population here in Manitoba.

The Working Group on Immigrant Credentials has recently delivered a comprehensive report on the findings. The report was released under the title of Issues, Trends and Options: Mechanisms for the Accreditation of Foreign Credentials in Manitoba, and the recommendations in it will assist in finding better solutions to using the skills and the talents of newcomers. The Department of Citizenship staff have already been actively evaluating the report's extensive recommendations. As a result, as was mentioned, the government committed \$150,000 in new money toward the immediate implementation of the recommendations outlined in the report. Through the funding and the redirection of extensive internal resources of the department, this government established an Immigrant Credentials and Labour Market Branch.

One of the report's strongest recommendations is the establishment of a central clearing house with international, national and provincial links to access foreign credentials. The branch will be just such a clearing house. It will begin by establishing a data bank which allows educational institutes and credential granting bodies to access information from foreign degree granting institutions. The data bank will be an immensely important resource in the screening and the evaluation of offshore credentials presented to this government, to us.

The branch will immediately begin developing a directory of how credentials are granted to the

various trades and professions. Steps will then be taken to ensure this directory is made available to every Canadian embassy, consulate or other foreign post around the world.

The data bank and the directory will be further supported by a credential assessment officer. The officer will assist immigrants in assessing information about having their own degrees and credentials recognized in Canada. Through this new branch, we will begin working immediately with various institutions at all levels to facilitate the process of how credentials are granted.

The branch will be responsible for identifying demands in the Manitoba labour market. The branches will work closely with the business, trade and industrial sectors to identify growth areas and provide effective support mechanisms.

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

It will work to establish ties with educational institutes, professional and trade associations and community organizations, taking appropriate action to bring this initiative into full operation. It will not be an overnight or an instant fix. It will require time to establish some of the objectives laid out in the report, but there is a confidence that the branch will help us to better utilize our human resources in Manitoba.

We can then assure Manitobans that we will be working to continue to maintain the high standards of professionals and trades in Manitoba. These resources cannot be overlooked if we are to utilize the skills of all Manitobans and to continue to improve Manitoba's place within the Canadian economy.

This is the type of commitment, and this is the type of effort that has come forth by this government in trying to address the problem as outlined by the member for Broadway (Mr. Santos) in his resolution to professional and technical accreditation.

At this time, Mr. Acting Speaker, I feel that I should make an amendment to the motion as put forth by the member for Broadway (Mr. Santos).

I move, seconded by the member for St. Vital (Mrs. Render),

THAT the Resolution be amended by deleting all words after the first "WHEREAS" and replacing them with the following:

immigrants have important contributions to make through the increased use of their skills and talents; and

WHEREAS the difficulties encountered in receiving recognition of off-shore and foreign credentials have resulted from the lack of a co-ordinated system for assessing abilities and credentials of immigrants; and

WHEREAS in consultation with ethnocultural, educational, professional organizations and individuals, the Working Group on Immigrant Credentials received feedback on the difficulties encountered through the present system; and

WHEREAS the Manitoba government established the Immigrant Credentials and Labour Market Branch to act as a clearing-house and a computer data bank to track credential requirements for various professions and jobs; and

WHEREAS this branch will assist Manitoba in utilizing its human resources to the fullest degree to improve our province's place in the Canadian economy.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba congratulate the Working Group on Immigrant Credentials for consulting with the community groups, professional and trade associations, educational institutions and individuals, and for working together to support the work of the new Immigrant Credentials and Labour Market Branch.

Thank you, Mr. Acting Speaker.

**Motion presented.**

**The Acting Speaker (Mr. Laurendeau):** Is the House ready for the question?

**Mr. Santos:** If you take out all the WHEREASes, which I agree with, and then go to the heart of the resolution, what does it say?

It congratulates the Working Group on Immigrant Credentials. Well, what kind of a resolution is this, Mr. Acting Speaker? Congratulating a working group for a report which it had done, for all the activities that it had done, but nothing at all at least to give a solution of the basic problem. The basic problem is how can we grant equal opportunity to those people by reason of their training, education. They will be compiling data from all these institutions. [interjection] Again, they will do that. They will be spending money, but what for? [interjection] For the payment of salary of those people who run the office. Nothing at all that will

inure to the benefit of the immigrants. They will compile the data. They will delay and compile the data and look at the problem and still the problem has to be faced.

**An Honourable Member:** Then they will review the compilation.

\* (1750)

**Mr. Santos:** Then they will, according to the member for St. Boniface (Mr. Gaudry), review all this compilation, and then they will start another study group.

**An Honourable Member:** They would refer it to the community.

**Mr. Santos:** We have that all referenced with no consultation to the people who are directly affected.

**Mr. Nell Gaudry (St. Boniface):** Then they will refer it to the committee again.

**Mr. Santos:** And then they will refer this to the committee again, according to the member for St. Boniface. This is a circuitous kind of dealing with the problem, not at all attacking the substance of the problem itself.

The basic question here, are these people qualified enough, educated enough, experienced enough to contribute to the social, economic and other aspects of the development of our community? That cannot be answered by establishing a branch to compile data from foreign schools and from foreign institutions and from foreign activities. It has to be done by an inquiry into the existing practices, existing procedures, existing policy of the self-governing groups in our society who themselves are the ones who are repressing and are excluding these immigrants, these new citizens, from exercising their own profession.

The government should look at itself and ask the question why it abdicates this responsibility to the self-governing, self-interested group who protect their own members. What we need here is an overhaul of the institutional arrangement by which this government has surrendered the power of regulation to the various private groups with private interests and are entrusted with regulating aspects of the public interest.

Any private group with an interest of its own specific to its own cannot be entrusted with the responsibility and with the accountability that affects the interests of all citizens in the community or in the society. That is basic. Private groups will pursue their own interests over and above any vague,



general interest of all the people. That is the basic root of the problem.

What we need is a public hearing that will bring to light all these rules that are exclusionary, all these rules that are discriminatory, all these practices in secrecy, their hearings, their disciplining, where the members of the general public have no information whatsoever. There is nothing that affects the practice of people except the accountability of openness and the accountability of scrutiny of the public of what they are doing in order what they say, the promotion of the public interest.

The member for Osborne (Mr. Alcock) wants to speak and I want to take my seat.

**Mr. Reg Alcock (Osborne):** Mr. Acting Speaker, I would like to just take a moment to comment on the resolution and on the amendment that has been made here. I want to do so by just drawing the attention of the House to what this resolution says. In the THEREFORE BE IT RESOLVED, moved by the member for Broadway, he is asking this House to consider the adoption and implementation of an enlightened policy, a formal recognition and accreditation in meritorious cases of the education, skills and training brought into Canada by new Canadians.

Is this what the member for Niakwa (Mr. Reimer) is opposed to? Is this what you are against? Is this what you are wiping out, an opportunity for this House to consider the adoption and implementation of an enlightened policy? I know it might be the first enlightened policy we have seen adopted by this House since this government came to power, but that is what you have been given the opportunity to do, to recommend to the government to consider the adoption and implementation of an enlightened policy.

Now why has the member for Niakwa chosen to wipe that out? What does the member for Niakwa and his government have against enlightened policy or meritorious cases? What is it that they are so afraid of? I note the member for Riel (Mr. Ducharme) has seemed to be completely opposed to meritorious cases coming before this Legislature or that this Legislature consider enlightened policy, and I am appalled by that.

The member for Broadway (Mr. Santos) stood up in this House and put before us for consideration an opportunity to look for enlightenment, not to include all cases, but to include only meritorious cases and, despite that, the member for Niakwa, supported by

the member for Riel, has chosen to reject that and to put forward this amendment, this self-congratulatory amendment which I think is a shameful act in the face of the very sincere efforts by the member for Broadway to bring before this House enlightenment.

Now, that is the first THEREFORE BE IT RESOLVED, but I want to point out to the member for Riel (Mr. Ducharme) the second BE IT FURTHER RESOLVED. Mr. Acting Speaker, the member for Broadway went on in his resolution, BE IT FURTHER RESOLVED that this Assembly consider holding public hearings.

Now we have seen on many occasions members on this side of the House call upon the government to go to the public for advice. The question I have to ask the member for Niakwa (Mr. Reimer) is: What is he afraid that he is going to hear? What is he concerned about?

Had he simply wanted to include into this resolution some comment about the actions of the working group, I think that would have been legitimate. I think he could have added a further BE IT RESOLVED that the Legislative Assembly of Manitoba congratulate the working group. I think that would be a legitimate amendment, but in doing so what he has done is to wipe out the very legitimate recommendation or resolution by the member for Broadway that this government consider the adoption and implementation of an enlightened policy.

I am rather surprised, because I have always seen the member for Niakwa to be an enlightened member of this House and one who is interested in the presentation of good policy. I am surprised to see that he would so cavalierly reduce this very important resolution to a mere congratulations.

In the THEREFORE BE IT FURTHER RESOLVED, the desire, and I should speak seriously about this for a moment. It is an important issue. I have a number of people in my constituency, I think all members have people in their constituencies, who face this prospect of having taken detailed and advanced professional study and accreditation in their home countries, who come here and for a variety of reasons, some of them legitimate, some of them, I think an attempt to keep out competition frankly. I think it is an important issue that this House should be looking at very seriously.

I am saddened, frankly, at some of the play we get into here with resolutions at time, and we do tend to reduce to a rather simplistic form serious issues. I think the government is attempting with the working group to address this issue, but I think that what the member for Broadway (Mr. Santos) has done here is well within the scope of the consideration that the government is currently undertaking. I would hope that the government would consider what he is asking this House to do seriously, because I think it

is an issue that we would all like to see moved a long a little bit.

Thank you very much.

**The Acting Speaker (Mr. Laurendeau):** Order, please. When this matter is again before the House, the honourable member for Osborne (Mr. Alcock)—

The hour being six o'clock, this House is now adjourned until tomorrow at 1:30 (Thursday).

# Legislative Assembly of Manitoba

Wednesday, April 22, 1992

## CONTENTS

### ROUTINE PROCEEDINGS

#### Presenting Petitions

Dutch Elm Disease Funding  
Friesen 2457

#### Reading and Receiving Petitions

Dutch Elm Disease Funding  
Friesen 2457

Criminal Code Amendment, Family Violence  
Cerilli 2457  
Reid 2457

#### Presenting Reports by Standing and Special Committees

Committee of Supply  
Dacquay 2458

Economic Development, 3rd Report  
Rose 2458

#### Tabling of Reports

Estimates, Seniors Directorate  
Ducharme 2458

Five Year Report on Status of Forestry  
Enns 2458

#### Oral Questions

CN Rail Layoffs  
Doer; Filmon; Reid; Praznik 2458

Employment Training Programs  
Carstairs; Vodrey 2461

Post-Secondary Education  
Carstairs; Vodrey 2462

Student Aid  
Carstairs; Vodrey 2462

Universities  
Friesen; Vodrey 2462

Assiniboine River Diversion  
Cerilli; Cummings 2463

Conawapa Dam Project  
Edwards; Downey 2464

Department of Natural Resources  
C. Evans; Enns 2465

Childs Lake  
Wowchuk; Enns 2466

Duck Mountain  
Wowchuk; Enns 2466

Agricultural Land Taxation (Clarification)  
Derkach 2466

Social Assistance  
L. Evans; Gilleshammer 2466

#### Nonpolitical Statements

Earth Day  
Reimer 2467  
Cerilli 2468  
Lamoureux 2468

### ORDERS OF THE DAY

#### Second Readings

Bill 74, Law Society Amendment Act  
McCrae 2468

#### Report Stage

Bill 45, City of Winnipeg Amendment,  
Municipal Amendment and Consequential  
Amendments Act 2469

#### Third Readings

Bill 45, City of Winnipeg Amendment,  
Municipal Amendment and Consequential  
Amendments Act  
Friesen 2469  
Ernst 2474

#### Debate on Second Readings

Bill 64, Child and Family Services  
Amendment Act  
Barrett 2476

Bill 12, Animal Husbandry Amendment Act  
Plohman 2488

#### Royal Assent

Bill 45, City of Winnipeg Amendment,  
Municipal Amendment and Consequential  
Amendments Act 2493

**Private Members' Business**

**Address for Papers**

Enforcement of Antisniff Legislation  
Ashton 2494

**Proposed Resolutions**

Res. 15, Professional and Technical  
Accreditation  
Santos 2497  
Amendment  
Reimer 2499  
Santos 2502  
Alcock 2503