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

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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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, Gulzar	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, Clif	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, June 17, 1992

The House met at 1:30 p.m.

### PRAYERS

#### ROUTINE PROCEEDINGS

#### 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.

#### 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.

#### TABLING OF REPORTS

**Hon. Eric Stefanson (Minister of Industry, Trade and Tourism):** Mr. Speaker, I am pleased to table the 1990-91 Annual Report of the Cooperative Promotion Board and the 1990-91 Annual Report of the Cooperative Loans and Loans Guarantee Board.

#### Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon from the Rossburn Elementary School twenty-six Grade 8 students, and they are under the direction of Grant Ross. This school is located in the constituency of the honourable Minister of Rural Development (Mr. Derkach).

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

#### ORAL QUESTION PERIOD

#### North American Free Trade Agreement Impact on Labour Force

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, we have been raising a number of questions in the House about the impact on Manitoba workers and Manitoba industries on the basis of proposals and drafts of the Canada-U.S.A. free trade agreement with Mexico.

Last night, Gordon Richie, a former negotiator for the federal government, stated publicly that there were in his opinion very little gains to be had from the North American free trade agreement with Mexico. For Canada, he felt a number of industries were at risk. He listed the auto industry, he listed the textile industry, and he listed supply-management and marketing boards.

Mr. Speaker, we have asked on a weekly basis, for the Premier (Mr. Filmon) and the government to give us and give Manitobans their empirical study of the impact of the trade agreement with Canada, U.S.A. and Mexico on the number of workers in critical industries.

\* (1335)

In light of the fact that this textile industry is a multimillion dollar industry, in fact, a \$263-million industry in Manitoba alone, I would like to ask the Premier: What study does he have on the impact of this trade agreement on the textile industry? What are the risks that he feels are with this trade agreement, given the fact that Gordon Richie has said there is risk for Canada in this area?

**Hon. Eric Stefanson (Minister of Industry, Trade and Tourism):** Mr. Speaker, a major resource that we have utilized is the expertise that exists right here in our province, in terms of the representatives from the apparel industry. There is a distinction between the textile industry and the apparel industry, of which I am sure the Leader of the Opposition is well aware.

It is the apparel industry which has a significant presence here in our province. It is that sector that we have been putting forward the concerns, on their behalf, to the federal minister in terms of some of the proposals that are currently being put forward. There is no agreement in that area.

Without getting too technical, Mr. Speaker, there are currently, under the Free Trade Agreement, rules of origin that are called double transformation in terms of the conversion to the final apparel product. There are proposals to change that to a triple transformation process. The apparel industry in Manitoba opposes that. We oppose that. We have made that clear to the federal government, and that is part of the ongoing discussions that are taking place.

**Mr. Doer:** Mr. Speaker, yes, the Canadian apparel manufacturers association is opposed to these proposals, and it does impact on Manitoba workers.

We know that this transformation policy, this change will mean that the origin of all goods under this North American free trade agreement will have to be from the United States. We know that will put jobs in Canada at risk.

I would like to have the minister—he has studies. He has reviews. He has made responses to the federal government. He has drafts. Will he start becoming public with that information and start identifying the areas that are at risk for Manitoba workers in this province? Will he please tell us: What are the risks of this proposal on the table? How does it impact on the Canada-U.S. Free Trade Agreement, which is allegedly one of the causes for getting out of this negotiation for this Manitoba

government? What are the benefits from this proposal?

**Mr. Stefanson:** Mr. Speaker, I want to make it clear, for the Leader of the Opposition, we have put those concerns forward. We have put them forward verbally at Trade ministers' meetings. We have put them forward in writing to the federal Minister of International Trade, and you need look no further than talking to the representatives of the apparel industry in Manitoba. They are well aware of the role that our government is playing in terms of expressing the concerns of that very important industry.

Unfortunately, we are faced with a situation—and the Leader of the Opposition knows it full well—where this is a federal issue, where they are currently preparing draft text documents, and they are not prepared to release them to the public because of the nature of their negotiations.

We have been provided with copies of that so we can do the kind of research that needs to be done. We can have the kinds of consultations with Manitoba industry, as an example, in the apparel sector that we are doing to be sure we put forward the concerns, similarly in the area of Agriculture that the Leader of the Opposition raised. We have expressed the concerns in the areas of Agriculture, and we will continue to do that.

But unfortunately, because of the process that is in place and the role that the federal government is playing, we are not in a position to release the documents that they are providing us with. They are internal documents that they have prepared, and it is their responsibility to release them. We would breach the confidence being entrusted to us and every province. I do not think you are seeing any other provinces releasing the data or the draft texts that are being provided to them.

There was one leaked document. There are suspicions why that occurred or where that came from. But, by and large, the provinces are abiding by the rules that the federal government have laid down in terms of the very confidential nature of a lot of the information that is being provided.

In conclusion, Mr. Speaker, there are sectoral advisor groups that are reporting directly to the federal minister. I believe there are 15 different sectoral advisor groups, of which one is the apparel and textile industry. Again, the concerns of that industry are being put forward, similarly with

agriculture, which I believe is chaired by a Manitoban. Concerns of those various sectors are being put forward directly to the federal government through the sectoral committees.

\* (1340)

**Mr. Doer:** Mr. Speaker, thousands of Manitoba workers and families depend upon the apparel industry in this province. The government has the responsibility to state its opinion publicly and to study these issues in terms of its impact on Manitobans.

This Premier (Mr. Filmon) disapproved of the leaked back-room processes. He said, under Meech Lake, it would never happen again. Yet, on the Canada-U.S.-Mexico free trade agreement, we not only have secret studies by the federal government and secret proposals from the federal government, we have not seen this government release any empirical study at all on the impact of the proposals on Manitoba workers and families. We have not seen any publication of Manitoba's response in these areas.

I would ask this minister and this government to start making public the impact of the proposals and the free trade agreement with Mexico, the impact on families and the responses we are making, because we should all be in this issue together. We should just not let Michael Wilson sell down these workers without us having a fight and a stand in this House and in this Legislature.

**Mr. Stefanson:** Mr. Speaker, we are all in this issue together. That is why, when we began our process back in July of 1991, one of the first steps that we took was to go out to Manitobans and to go out to the various sectoral organizations, to go out to labour, to go out to the academic and research institutions here in Manitoba, to help us formulate the position of this government and to express the concerns to the federal government. We have continued, throughout the process, to work with all of those organizations in terms of formulating the Manitoba position and expressing concerns on behalf of Manitobans.

He started talking about the textile industry. I know he meant the apparel industry. He talks about the apparel industry. We are representing them directly with the federal government. They are representing themselves directly with the federal government, and their concerns are being put forward. We recognize the concerns in that

industry. We have expressed them very clearly to the federal government, and we will continue to do so.

We do not support any changes to the Canada-U.S. agreement as it affects the apparel industry. We do not support the triple transformation that is currently being talked about in a proposed North American free trade agreement.

### **Immigration Policy Government Recommendations**

**Ms. Marianne Cerlill (Radlsson):** Mr. Speaker, yesterday, the federal government announced changes to Canada's immigration policy. These changes will have a great impact on legitimate refugees coming to our country. Canada is instead opening its doors to unlimited investors while limiting access to those who are less affluent.

My question is to the Minister responsible for Multiculturalism (Mrs. Mitchelson).

What, if any, recommendations did her department give to the federal government regarding these policy changes?

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship):** Mr. Speaker, indeed, the federal government did bring in legislation yesterday on immigration. It is fairly extensive legislation, some 150 pages. I have not had the opportunity to read or peruse that legislation, as a matter of fact. I mentioned that in committee this morning to opposition critics, that indeed there was not a consultative process with the provinces in development of this legislation.

There appears to be part of the legislation that we can support as we are actively working towards an immigration agreement, a bilateral agreement with the federal government. There seem to be some positive changes that will streamline the process for those legitimate immigrants who want to come to our country, but indeed there are some problems. There are some issues that I did raise this morning and raised to the media yesterday, too, concerns that we do have, concerns that the Minister of Industry, Trade and Tourism (Mr. Stefanson) and I will have to discuss with the federal government.

As other issues arise, as a result of our thorough review of the legislation, we will be putting those concerns forward to the federal government.

### Refugee Claimants

**Ms. Marianne Cerilli (Radisson):** Mr. Speaker, the changes proposed to immigration policy will eliminate the right of legitimate refugees to work in Canada. The result will be that they will be forced onto provincial welfare rolls.

Does the government support the policy of not allowing legitimate refugee claimants to work in Canada?

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship):** My understanding is that the legislation will provide for Manitobans and Manitoba communities to assess the labour market shortages that presently exist and try to deal internationally or abroad to recruit people to fill those positions throughout our communities that we do not have the skilled work force to do.

I believe that this is part of the legislation that has been put forward, and I think that is a very positive move.

\* (1345)

**Ms. Cerilli:** Mr. Speaker, I am speaking specifically about refugees. The minister is referring to another classification of immigrants.

With respect to refugees in this province, we have seen a decrease over the last two years of 45 percent. Under this legislation, I would like to ask the minister if she will assure the House and Manitoba that we will not see a continued decrease of refugees in Manitoba with this change in federal policy.

**Mrs. Mitchelson:** Indeed, the number of refugees that Canada committed to take last year and the number that actually did arrive were substantially different. There were many, many fewer refugees who came to Canada than were anticipated would come.

Mr. Speaker, we in Manitoba have a very humanitarian role. We do accept a lot of refugees, and we have good settlement programs in place to assist those who come to our province.

We will continue to press, and one of the reasons that we do need an agreement with the federal government is so that we can establish the numbers of immigrants who come to Manitoba and ensure that we get our fair share according to our proportionate per capita population.

### Department of Family Services Review

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, my question is to the Minister of Family Services.

Yesterday, the minister said that the review of the Dakota Ojibway Child and Family Services was as a result of a request made to them by the director of that agency, but it is very clear that a major impact on the decision of the minister was the letter he received from the Ombudsman, which I think is interesting in that its criticism does not primarily focus on the difficulties at the aboriginal agency; it focuses on the difficulties existing within the minister's office.

Will the minister now agree that the review of the Dakota Ojibway Child and Family Services agency should be conducted along with a review of the way in which his staff is dealing with aboriginal agencies?

**Hon. Harold Gilleshammer (Minister of Family Services):** I would assure you, Mr. Speaker, and assure the House that we are entering into a program review of the Dakota Ojibway Child and Family Services agency at a request that came from the board of that agency.

I might also add that in recent times, I have been able to meet with Chief Phil Fontaine to discuss issues that involve the federal government, the native agencies and my department, and I have committed, as has he, that we need to work in a partnership to look at a number of issues that have been raised.

Those issues are the governance issue which we have talked about before and which we have some assurance from AMC that they are prepared to review and put a task force in place. We also have to look at strengthening the agencies and their ability to provide service.

I would say, Mr. Speaker, that it is very important that the leadership of AMC, the leadership of the agencies, be involved in that review and in that program. We are prepared to work with the agencies, with AMC and with the federal government to try and bring about some changes that will help to resolve those two issues.

**Mrs. Carstairs:** Mr. Speaker, the Minister of Family Services says that he has to work with aboriginal agencies. If one looks at what was

included in the Ombudsman's letter, it is very clear that what the minister has to do is examine his own department, that his own department, according to the Ombudsman, did a lousy job of reviewing this situation—a child who was in significant danger, a child who had been abused, a child who is supposed to be that department's primary function—which is to protect children.

Will this minister now undertake to do the review required within his own department to ensure that children once again become the primary important focus of his department?

**Mr. Gilleshammer:** I would assure the member and assure the House that the welfare of children is the primary concern of this department and that the words the member is using are her own words and not words that are written in that particular letter.

I want to tell you, Mr. Speaker, that when we look at a number of incidents that are involved here—and I would also indicate that I am prohibited from talking about case-specific issues in the House or with the public, but the agency, in reviewing allegations that came forward a number of years ago, does have on file recommendations from clinical psychologists, from a neurologist, from the RCMP, from the local doctor, from school officials, and all of these are taken into consideration in making those decisions.

Our department has reviewed the case. New evidence has now come forward, new evidence that was not available when we did this review in January, and we are prepared to look at that new evidence.

\* (1350)

**Mrs. Carstairs:** Mr. Speaker, the new evidence was simply not investigated by this minister's department. The Ombudsman says the review was completed without this department checking the child's file. This review was conducted because the investigator did not even interview the child or her guardians. This investigation made no attempt to clarify inconsistencies. This investigation made no attempt to interview professionals.

How can this minister stand in this House and say that his department did a thorough job of investigating this incident when it is clear from the Ombudsman's letter that the investigation was woefully inadequate?

**Mr. Gilleshammer:** The member indicates that professionals were not interviewed. The school guidance counsellor, the special education

co-ordinator, the classroom teacher, the public health nurse were all interviewed.

What we are saying at this time is that there is new information that has come forward at the inquest that the Crown has, and we are confident that the Crown will share it with us. There is new information that has come forward, new files that were not available then. We are prepared to reopen this investigation and look at this case, and have indicated so.

### **SAFER Program Public Awareness**

**Mr. Doug Martindale (Burrows):** Mr. Speaker, in Housing Estimates on June 8, I repeatedly asked the Minister of Housing a very simple question, namely, that he request the Minister of Finance (Mr. Manness) to investigate something. Regrettably, for low income seniors in Manitoba, the minister repeatedly refused.

Will the Minister of Housing now agree, since he would not in his Estimates, to talk to the Minister of Finance and ask him to investigate the feasibility of notifying low-income seniors on their income tax rebate that they may be eligible for the SAFER rebate? Will he take this very simple question and answer it positively on behalf of low-income renters who are seniors?

**Hon. Jim Ernst (Minister of Housing):** Mr. Speaker, I reject categorically the allegations made by the member for Burrows.

The fact of the matter is, I indicated at that time, I indicated in the House the other day again, Mr. Speaker, that I would look into that matter—his suggestion—said we would look into it.

**Mr. Martindale:** Mr. Speaker, Hansard is very clear. He did not answer in the affirmative.

**Mr. Speaker:** Order, please. Kindly put your question now, please.

### **Minister of Housing Apology Request**

**Mr. Doug Martindale (Burrows):** Will the Minister of Housing now apologize for his inappropriate use of the term "learning disabled," which he used in the House in Question Period last Friday, and which community groups and individuals who have phoned me and who have written to the minister and written to the Premier (Mr. Filmon) and written to the Speaker, find very offensive?

Will he now apologize for his inappropriate and offensive use of this term?

**Hon. Jim Ernst (Minister of Housing):** Mr. Speaker, if anyone was offended by the use of that term by myself, then I apologize. I meant no offense to anyone, except to say that the member for Burrows has difficulty in understanding my answers. I told him on a number of occasions, at least half-a-dozen, as I have told him again today, we are prepared to look into that matter.

### **Public Housing - Pembina Highway Playground Structure**

**Mr. Doug Martindale (Burrows):** Mr. Speaker, I would like to thank the minister for that apology.

The minister and his staff have promised to put new playground equipment in. Will the minister endeavour to assure people in the public housing on Pembina Highway that not only will new playground structures be put in, but they will be adequate for the 300 children in that project, and that the basketball hoop and asphalt will be replaced as well?

**Hon. Jim Ernst (Minister of Housing):** Mr. Speaker, that matter came to light at the end of last week when we were advised by a number of tenants at that project that the playground equipment present on the site was in serious disrepair and posed a danger.

Mr. Speaker, upon hearing of that from the tenants of that project, we attended immediately and it was determined that the equipment should be dismantled because of safety reasons. It is our intention to replace the playground equipment just as quickly as we can do that.

\*(1355)

### **Wild Kingdom Zoo - Dauphin Inhumane Treatment**

**Mr. John Plohman (Dauphin):** On May 26, during the Estimates discussion of the Department of Agriculture, I asked the Minister of Agriculture (Mr. Findlay) about his department's plans and actions regarding Larry Williamson's game farm near Dauphin. During that discussion, the minister indicated that there were three possible actions that he could take in response to allegations that Williamson was treating animals inhumanely.

These three included levying fines. He said animals could be seized, and he also said that

charges could be laid under the Criminal Code. He also said that none of these actions had been taken to May 26, 1992.

Can the minister, today, confirm that the reason that these actions were being contemplated by his department was because of his staff's position that Larry Williamson was treating these animals inhumanely and not providing proper care to those animals?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, under the authority of The Animal Diseases Act, my department has been doing a number of inspections over the last few months with regard to the animal farm that the member is referring to.

Mr. Williamson and the person who was doing the inspection were on a constant, ongoing process of discussion of what acceptable practices for keeping the animals were. Remember my dates now—I think it was late in May, Mr. Williamson asked that person for some assistance in finding new homes for those animals, and we proceeded to work with him to give him the technical assistance necessary to find those new homes.

**Mr. Plohman:** Well, Mr. Speaker, if Larry Williamson, according to this minister's staff, was not treating these animals properly, as determined last December '91, last fall already, when the minister's staff was involved, why did this minister's staff not take decisive action at that time and assume immediate care of all of the animals, ensuring proper and sensitive care for transporting these animals, instead of dealing with this in such an erratic fashion, seizing an animal here or there and leaving the others to the care of Larry Williamson, who was supposed—

**Mr. Speaker:** Order, please. The honourable member has put his question.

**Mr. Findlay:** One must realize that we are dealing here with exotic animals, for which there are not alternate care facilities that are readily available. Back in December, staff found homes for about 30 animals with the Assiniboine Zoo, but that is all that they could take. Around about January, Mr. Williamson brought to the scene two individuals by the name of Rehman and Wallace, who then negotiated a process of looking after the animals, which the department agreed with.

Rehman and Wallace stayed on the scene for a few months and then departed approximately early



May of this year. Then Mr. Williamson came back into the scene, and the staff have continued to work with all those individuals to attempt, to the best of everybody's ability, to ensure the animals were properly and humanely handled in the facilities there or any other facilities that could be found.

**Mr. Plozman:** Well, Mr. Speaker, the minister just contradicted himself. I asked the minister: Why did the minister say on May 26, during Estimates, that no seizure of animals had taken place when in fact his staff indicates—and he has just confirmed here in this House—that 12 primates, three seals, one Siberian tiger had been removed by December 24 of 1991, especially since three had been stuffed in a box and one died the next day—

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

**Mr. Findlay:** Under The Animal Diseases Act, there are a number of actions that can be taken. Item (e) is to find appropriate measures to be sure that the care of the animals is proper and appropriate. My staff have worked very diligently to attempt to do that and, at the same time, diligently attempted to be sure that the animal zoo could be maintained if at all possible.

When Mr. Williamson came forward this spring and said, I can no longer open, I want some help, we asked him to give us that authority by signing a letter, and he did. Staff have proceeded to work with him, and I understand, at this time, they are down to about 12 animals. Alternate homes have been found for the rest.

### **Constitutional Proposal Renegotiation**

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** My questions are for the First Minister.

Yesterday the Premier stated the obvious when he said his signature on any constitutional deal will include the proviso that it is subject to a public hearing process in this Manitoba Legislature. Of course, the Premiers of British Columbia and Newfoundland and Alberta will attach much more to their signatures, because if they sign at all, they will have committed their provinces to referendums. In all of those provinces, the voters, every single one of them, will get the opportunity to say yes or no to the package that is presented to them.

\* (1400)

But we want the Premier, today, Mr. Speaker, if it is possible for him to do so, to go further. We want him to indicate whether he will, when they are sketching out the processes for the next few weeks, inform the Prime Minister of this country that there will have to be a process ongoing that will allow the people of Manitoba to make representation on the changes they want in this package. Will he assure that there will be a further negotiation following the public hearing process in the province of Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, as I have indicated on many occasions, this party, because of experiences in 1984, insisted that there be put in place, for the opportunity for the people of Manitoba to be heard on any and all proposals for constitutional reform, a complete public hearing process, a major debate in this Legislature of 10 days, as is called for, or perhaps even longer under our rules, and that there would be the most thorough opportunity of any province in the country for this kind of public review and scrutiny.

One cannot anticipate, (a) what might be the nature of discussions leading up to a potential package; (b) whether or not the public hearings might call for change or rejection or approval. Any of those are options, but one cannot anticipate that.

The fact of the matter is that this package will be a very different package from what was dealt with under Meech Lake, in that, one province alone will not be able to kill the package, so to speak. For the most part, the package will be able to be dealt with, if not the entire package, under seven provinces, 50 percent of the population.

So this province can choose not to pass a constitutional resolution. Seven provinces, representing at least 50 percent of the population, can pass it. So there are all sorts of options. One cannot assume that this province alone can stand against Canada and can prevent any package today, because seven provinces representing 50 percent will deal with it, ultimately.

So, under those circumstances, I say that there is plenty of opportunity for Manitobans to be heard, for Manitobans to participate and for Manitobans to know that ultimately their views were considered when a final determination is reached.

**Mrs. Carstairs:** Mr. Speaker, one of the most disturbing aspects and parts of the whole Meech Lake process was that we were told over and over and over again that it was a seamless web, that you

could not uncross a t, you could not undot an i. When the package comes back to Manitoba at the present time, that too will be the parameter. You will not be able to uncross a t. You will not be able to undot an i.

We are simply asking the Premier, today, to take to the next round of negotiations the possibility that when Manitobans discuss this they will be able to uncross some t's and undot some i's, so that we can have the best deal possible for Canadians.

**Mr. Filmon:** Mr. Speaker, with all due respect, the Leader of the Liberal Party does not understand this. If Manitobans say that they want this Legislature to reject it, and that happens, then that is the effect of uncrossing the t's and undotting the i's, if three other provinces do the same thing. If not, there is no further process, because seven other provinces, representing 50 percent of the population, will pass it. If three others join with this province in defeating it, then all of the i's have been undotted and all of the t's have been uncrossed and we are back to square one, a very straightforward process.

**Mrs. Carstairs:** Well, Mr. Speaker, this very straightforward process denies the opportunities for Canadians, and particularly those living in the province of Manitoba, to say, we like 95 percent of this, but we do not like the other 5 percent; or we like 40 percent, we do not like the other 60 percent. There is no opportunity for them, in any form of public forum, to say that we have a better idea.

Mr. Speaker, ultimately, the vote in the Legislature has to be yes or no. Nobody is questioning that. What we are saying is, surely somewhere in the negotiation package there should be an opportunity for the Canadian public to be able to make some changes, and that is not presently available. Why?

**Mr. Filmon:** Mr. Speaker, that is no different than a referendum that the Leader of the Liberal Party is proposing. There has to be a question, and it is yes or no. It is not putting, write in your own version. It is yes or no. That is exactly what they will have here, is they will have the opportunity to have full public hearings and their input to it. At the end of the day, the question is put and all of us vote on behalf of the people who we have listened to and we represent and who vote for us. It is not a multiple-choice write in your own version. It is this is the question, yes or no.

### **Domestic Violence Education/Prevention Programs**

**Ms. Becky Barrett (Wellington):** Mr. Speaker, on September 23 of last year, the Minister responsible for the Status of Women stated, and I quote: Education and dialogue give us the tools we need to make choices to resolve conflicts without violence.

On May 28 of this year, the Minister of Finance (Mr. Manness) stated in the House, quote, that domestic violence will not be resolved through education.

Since the Minister of Finance apparently disagrees or is unconvinced of the value of education in dealing with domestic violence, can the Premier indicate to the House what impact his Minister of Finance's position will have on funding education and prevention programs dealing with domestic violence?

**Hon. Bonnie Mitchelson (Minister responsible for the Status of Women):** Mr. Speaker, we discussed this question, and I reject totally the way the Minister of Finance's comments have been taken out of context in the quote that was just put forward by the member for Wellington.

Mr. Speaker, it is unfortunate that I was not able to attend the Ministers responsible for the Status of Women meeting that is going on in the North as we speak, but my officials are there. I am pleased and proud to say that Manitoba was the province that took the lead across the country on compiling, two years ago, a document that talks about all of the provinces and all of the work that has been done on violence prevention and materials that are available.

Mr. Speaker, my staff today are presenting an updated document in consultation with all of the provinces and with all of the ministries of Education across the country as a result of a joint Ministers of Education and Ministers responsible for the Status of Women meeting that was held last year.

Indeed, we are tabling that update, and we are providing that to all of the schools throughout our province so they will have access to that kind of information.

### **Domestic Violence Pedlar Report Recommendations**

**Ms. Becky Barrett (Wellington):** I would like to ask the Minister of Education to give us an update on the recommendation for the education response

in the Pedlar report, and particularly that which says there is a curriculum guide, entitled Relationship Violence, currently in draft form which is being tested on a pilot project basis in Brandon and surrounding areas to determine its utility for the classroom.

**Hon. Rosemary Vodrey (Minister of Education and Training):** The Department of Education is certainly very interested in providing the support that it can in terms of counteracting violence, violent behavior and violence within the family. The curriculum guide which the member references has been developed by the Department of Education, and in addition, we are looking at cross-curriculum supports through our health program and through our new Skills for Independent Living program which focus on issues such as self-esteem and the ability of people to resist in situations of violent behavior.

**Ms. Barrett:** I am wondering if the Minister of Education can give us an update or tell us when her department and her government will be acting upon the recommendation of the Pedlar commission which was that educational institutions at all levels, primary, junior high and secondary, institute a mandatory domestic violence educational component into the curriculum. When will that recommendation be implemented?

**Mrs. Vodrey:** Certainly, that does cross in education a number of age ranges for young people and young adults studying in the school system.

That is currently an issue which we are looking at. The issue of violence in schools and violence in families has been an issue that has been raised to us by The Manitoba Teachers' Society, and they have recently prepared a paper which I have just read on that issue as well.

### **Electrical Construction Journeymen Examination Standards**

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, my question is for the Minister of Labour.

On June 8, 14 students at ACC wrote an electrical construction journeyman's exam. Mr. Speaker, all 14 people failed. The feeling by both instructors and students was that the exam was only slightly related to the curriculum. In fact, they say it did not reflect anything they studied in the past four years. I want to ask the minister if he is aware of this matter and what action he is taking on it.

**Hon. Darren Praznik (Minister of Labour):** Mr. Speaker, the member for Swan River raises an excellent question. It is a matter of which I am aware. It was brought to my attention some weeks ago by people involved in that process. I can tell her that the exam standards were those that were developed on a national basis, but I think the problem is underlined by curriculum development, and I indicate very fully that this is within my department.

\* (1410)

When we came to power some years ago, we were faced with a situation where our curriculum committees, our trades advisory committees, were not meeting at regular intervals. Many had not met for years and had not regularly updated the curriculum.

We have undertaken over the last number of years to speed up that process. We still have a ways to go, and I think it is reflective of the fact that this department for quite a number of years did not have the attention it required, but I know when my colleague the member for Portage la Prairie (Mr. Connery) was minister, that process began, and we are working toward an updated and current curriculum.

**Ms. Wowchuk:** I am pleased to see the minister recognizes the problem and that they are reviewing.

I want to ask the minister if this particular course is being reviewed at the present time and what consideration is being given to these students who are, as they feel and as instructors feel, being treated unfairly. Are the students being consulted on this matter?

**Mr. Praznik:** Mr. Speaker, I have asked my departmental staff in that area to develop some options that would be available to us.

I can tell the member for Swan River, and I am sure that she would agree, that the answer, of course, is not lowering the national standard to meet the curriculum. Somewhere in this process, we are going to have to work to accommodate those students to assist them in meeting that curriculum. So we are looking at ways of handling that particular problem.

But I think this issue underlines, as well, so many of the competitive issues that we have to deal with as a country, where we have fallen behind on the years, and it is an area that we are certainly in the process of addressing.

**Ms. Wowchuk:** We are not asking for standards to be lowered. We are asking for students to be treated fairly.

I want to ask the minister whether the Department of Labour apprenticeship is dealing with these students, and are they going to be offered another chance to write an exam, an exam that is relevant to the course that they have taken this year.

**Mr. Praznik:** Mr. Speaker, I never wished to imply, in any way, that the member was suggesting that we lower standards, but then in her third question that is exactly what she implied.

I indicate to the member that the standards for that position were developed by a national committee. If we change the standards for that examination, those apprenticeship candidates would not have the qualifications on a national basis.

Her concern is a very valid one. We are looking at options that will allow those students to meet the required standards that will give them certification across the country. I am not saying it is an easy process, but we are looking at options now. Her concern is certainly appreciated and one we are prepared to deal with.

### **Labour Force Development Boards Announcement**

**Ms. Jean Friesen (Wolseley):** Since the beginning of this session, the government has been suggesting that it would be making an imminent announcement on the formation of the labour force development boards in Manitoba.

In Estimates, the minister said that she had a proposal that was sitting on her desk and which was awaiting her decision.

I want to ask the minister today, when will she make that announcement? When will she make her decision, so that the federal monies that have been set aside for that program can begin to flow into Manitoba?

**Hon. Rosemary Vodrey (Minister of Education and Training):** I believe the member is talking about the Canada-Manitoba Labour Force Agreement. That has been an agreement which has been under consideration by this government. But it is very important, as I explained in the process of Estimates, that we are fully able to have looked at the impact on Manitoba and exactly what Manitoba's role in any kind of an agreement will be before we actually sign that agreement.

**Mr. Speaker:** Time for Oral Questions has expired.

### **Nonpolitical Statements**

**Hon. Gary Filmon (Premier):** Mr. Speaker, I wonder if I might have leave to make a nonpolitical statement? [Agreed]

Mr. Speaker, I believe that all honourable members would join me on this occasion in extending congratulations and warm good wishes to a very, I think, highly respected and well-deserving Manitoban, Senator Duff Roblin.

Senator Roblin—today will be his last day as a senator. He has reached the magic age of 75 and retires from what has been a 33-year life of devoted service to the public.

He was elected in 1949 to this Legislature and, of course, served in various capacities, ultimately as Premier of the province, for more than a decade, and during that period of time, I think, left his stamp on the province, one that is marked with civility, one that is marked with decency, one that is marked with integrity, statesmanship, loyalty and dedication to the people and to the province.

In all respects, I think Duff Roblin sort of transcended partisan politics. He is an individual whom I have always felt I would like to emulate, an individual who, I think, could serve as a role model for any of us in this Chamber, regardless of political stripe.

Duff Roblin, of course, was not a stranger to public life, having been born into a public family, his grandfather having been the Premier of this province. He was throughout his lifetime, with a brief interlude in which he served as vice-president and then president of Canadian Pacific Investments headquartered in Montreal—other than that period of time, he has always been a Manitoban by birth, having been raised and educated in public schools in Winnipeg and having attended, among other institutions, the University of Manitoba and Success Business College.

He also served his country during the Second World War in the Royal Canadian Air Force between 1940 and 1946. He saw service in Canada, in Britain and in northwest Europe after D-day, rising to the rank of wing commander.

I recall very fondly my days in university watching the then-Premier Roblin explain on television, in its early days, the reasons and the rationale for the government of Manitoba going into the development

of the Nelson River. I recall him being on television with a map and a pointer, and the next day there was an editorial cartoon, I believe, of Senator Roblin—Premier Roblin then—in a scoutmaster's uniform, which was the way in which they usually portrayed him, with a pointer, and demonstrating to the public the essence of the future proposal to develop the Nelson River hydro-electric project.

It is with great fondness and it is with great respect that I stand today and say on behalf of certainly all of my colleagues, but I believe all members of this Chamber and probably all Manitobans: Happy birthday, Duff. We wish for you a long and healthy life of continued achievement.

**Mr. Gary Doer (Leader of the Opposition):** I would like to request leave for a nonpolitical statement. [Agreed]

It is certainly a pleasure to rise on the occasion of Duff Roblin's 75th birthday. You will understand and so will former Premier Roblin how we cannot, of course, applaud him for being a senator because we do not believe in that Senate. We have had those discussions with Senator Roblin himself who has pointed out a number of suggestions on the Upper Chamber, Mr. Speaker.

Of course, Duff Roblin is the former member for Wolseley, and I am sure Duff Roblin would be very proud of the tradition of representatives from that great constituency of Wolseley that are in this Chamber.

Duff Roblin, of course, is a person who, along with his wife Mary, provided tremendous service to the province of Manitoba. He has contributed greatly to the quality of life in this province through his years as Premier of this province. Many of those programs that Duff Roblin established have been quite frankly the issues of debates that we have had with the Premier opposite in this Chamber in terms of the kind of balance we thought former Premier Roblin brought to this Chamber in terms of programs and the programs that Manitobans desire.

For example, Mr. Speaker, the community college system in Manitoba, the public community college system in Manitoba, an issue started by the former Premier, carried on by further governments—and we had a considerable debate about Premier Roblin's vision versus Premier Filmon's vision on the community colleges.

The Labour Management Review Committee and labour acts that were instituted in the '60s, acts and

progress that were considered progressive in those days. Manitoba was perceived to be on the vanguard of rights for working people, not on the vanguard of regressive rights in our province.

Mr. Speaker, parks were also continued under Duff Roblin and, of course, that is also an issue of debate that we have with the government and Premier opposite. Infrastructure development across this province to create unemployment—yes, I am dealing nonpartisan—infrastructure that was established in this province, one of the most famous of course is the infrastructure program dealing with Duff's ditch and the floodway. Many communities in this province have schools, hospitals and other programs that were left as the legacy of the Roblin government from the '60s.

\* (1420)

He changed our taxation policy in this province. That would be partisan to continue on further, but it was a change, Mr. Speaker, in the fundamental way that revenues were gathered in this province with the introduction of a provincial sales tax in the province.

The Labour Education Centre and many universities—Duff Roblin was truly a progressive, progressive Conservative and that is why his legacy is one of balance as opposed to the conservative Conservatives whom we will continue to disagree with.

Congratulations, Duff and Mary, and thank you on behalf of our party for the tremendous contributions you have made to Manitobans and Manitoba's society.

**Mrs. Sharon Carstairs (Leader of the Second Opposition):** Mr. Speaker, could I have leave for a nonpolitical statement? [Agreed]

On behalf of the Liberal caucus, I would like to join with the Premier, the rest of the Conservative caucus, the Leader of the Opposition and the New Democratic Party caucus in wishing Duff Roblin a very happy 75th birthday.

I was not in this province when Duff Roblin was the Premier, so my knowledge comes from books, and my knowledge of his contribution to political life comes quite frankly from watching his contribution to the Canadian Senate. We have watched, I think, the abuse of senators, generally speaking, in the last little while as everybody talks about the need to reform the Senate. Many senators such as Senator

Duff Roblin have led the battle, quite frankly, for a reformed Senate in Canada.

But I think it is equally true to say of Senator Duff Roblin that while he served in the Senate, he served in it to the best of his ability. This was a senator who served in the cabinet. This was a senator who did not abuse the rules of the House. He was there almost at every opportunity that he could be there barring illness or a responsibility that took him to another community which certainly gave him a legitimate excuse for not being there. He served on significant Senate committees.

There are those who would say that perhaps I am little sensitive about the Senate since I had a father there for 25 years. Perhaps I am, but because I have some knowledge of the Senate, I have also watched those who go to the Senate and who make significant contributions, and among those individuals was, certainly at the top of that list, Senator Duff Roblin.

He is going to be missed in the Senate. He is going to be missed in the Senate because the very characteristics which the Premier (Mr. Filmon) indicated that he used in this Chamber here, he also exercised in the Chamber in Ottawa—his sense of decency, his sense of loyalty, his sense of getting the job done with a modicum of disunity, his politeness, his unflinching courtesy. All of those are characteristics that he has always had and will always have with him.

In addition, he has been a successful business person. I think he is well deserving of his rest when he resigns from the Senate, perhaps not by his choice, but simply because he has turned that magical age of 75. I wish him the enjoyment that should come with the ease of retirement; however, knowing Senator Duff Roblin—and I think we will always refer to him as Senator Duff Roblin even though he may lose that title today—I know that he will not fade into oblivion. He will also continue to participate, as he has for many years, in the cultural community, in the artistic community where he has made contributions, in projects of a charitable nature which he has long advocated and supported.

I do not want this to sound like an obituary for Senator Duff because all of us welcome him to the enjoyment of many years. If there is a good thing to be said now, all of that concentration will be in Winnipeg and on Manitoba and he will not have to spend some parts of his time outside of this

province. He can continue to do good things concentrating only on this province.

**Hon. Harry Enns (Minister of Natural Resources):** I wonder, Mr. Speaker, if I have the opportunity of a nonpolitical statement. [Agreed]

Mr. Speaker, simply to add my very personal appreciation to Senator Duff Roblin as having been the First Minister of the province whom I had the privilege of serving, I remember very well the issues of the day, and perhaps a reminder to all of us the kind of person Duff was. The last session that he was in this Chamber, he occupied the seat of the honourable member for Turtle Mountain (Mr. Rose).

When his job was done as Premier, he went on to other things, modest in his seeking for public acclaim, diligent in his responsibility to all of us in Manitoba and indeed to Canada. It is a single honour that I have always held very near and dear to my heart that I was given the opportunity, as I am still given the opportunity by my present Premier (Mr. Filmon), to serve in Executive Council, in the first instance by Senator Duff Roblin and now with my current Premier. Thank you very much.

### Committee Changes

**Mr. George Hickes (Point Douglas):** I move, seconded by the member for Swan River (Ms. Wowchuk), that the composition of the Standing Committee on Law Amendments be amended as follows: Kildonan (Mr. Chomiak) for Point Douglas (Mr. Hickes), for Thursday, June 18, 1992, for 10 a.m. [Agreed]

**Mr. Neil Gaudry (St. Boniface):** I move, seconded by the member for Inkster (Mr. Lamoureux), that the composition of the Standing Committee on Law Amendments be amended as follows: St. James (Mr. Edwards) for The Maples (Mr. Cheema). [Agreed]

**Mr. Edward Helwer (Gimli):** I move, seconded by the member for St. Vital (Mrs. Render), that the composition of the Standing Committee on Law Amendments be amended as follows: the member for Brandon West (Mr. McCrae) for the member for Steinbach (Mr. Driedger); the member for Turtle Mountain (Mr. Rose) for the member for Assiniboia (Mrs. McIntosh); the member for La Verendrye (Mr. Sveinson) for the member for Pembina (Mr. Orchard). [Agreed]

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## DEBATE ON SECOND READINGS

**Mr. Gerry McAlpine (Sturgeon Creek):** Mr. Speaker, may I have leave for a nonpolitical statement? [Agreed]

Mr. Speaker, I rise with great pride today to recognize champions in my constituency. I stood in this House with great pride on the 11th of May of this year to recognize the Sturgeon Creek handball team that won the Provincial Handball Championships here in Manitoba.

They represented Manitoba well in the Western United States Regional Championships on June 6 and 7 in California. Sturgeon Creek won the Open Division of the tournament to become the North American College Handball Champions, beating many teams their senior. Mr. Speaker, the team of champions rose to the occasion in every game as they went through the tournament undefeated.

The team members, Keith Ginther, Shane Graff, Darrin Moore, Brad Templeman, Randy Ball, Gordan Koll, Ritchie Miller, Jade Young, Kris Kendall, Bill Schmidt, Shawn Auger, Ryan Murray, were coached by Roman Kopchuk and managed by Bill Backman. The team also managed to place several players on the tournament all-star team—Jade Young, Keith Ginther, Darrin Moore—and, of course, were coached by all-star coach Roman Kopchuk from Sturgeon Creek.

Mr. Speaker, it is a great pride, and I ask all members to congratulate the team from Sturgeon Creek in representing our province in the California Western United States Regional Championships. Thank you.

## ORDERS OF THE DAY

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Speaker, we will be proceeding on some bills this afternoon, and I am going to be calling them, as I am sure the House appreciates. There will be discussions ongoing between House leaders as the afternoon progresses.

At the current time I would like you to please call Bill 93.

**Bill 93—The Mental Health  
Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Health (Mr. Orchard), Bill 93, The Mental Health Amendment Act; Loi modifiant la Loi sur la santé mentale, standing in the name of the honourable member for Thompson (Mr. Ashton).

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave? [Agreed]

\* (1430)

**Mr. Gulzar Cheema (The Maples):** Mr. Speaker, I would like to add a few comments on this bill because, as the Minister of Health has stated, the reason for this bill is to simply correct some of the problems and go according to the ruling the Supreme Court made last year. It is simply giving more rights to the patients, and it will help to correct the mistakes. This bill has to be retroactive of February 4, 1992, because that is the way the Supreme Court ruling was.

Mr. Speaker, we look forward to any further comments at the committee stage, but as the minister has said, they have done the whole study and they have gone through their own lawyers, and this bill is in keeping with the ruling by the Supreme Court, so we will pass it and have comments at the committee stage.

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

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**Hon. Darren Praznik (Deputy Government House Leader):** I would ask if you could please then call Bill 82 followed by Bill 70 followed by Bill 85.

Mr. Speaker, with the indulgence of the House, we understand that there may be some willingness on the part of the official opposition to pass through, I believe, Bill 93. I believe they have a speaker on it, so we may interrupt proceedings some time later to allow that to happen. I will announce it at that time.

**Mr. Speaker:** I would like to thank the honourable deputy government House leader.

### **Bill 82—The Farm Practices Protection and Consequential Amendments Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Agriculture (Mr. Findlay), Bill 82, The Farm Practices Protection and Consequential Amendments Act; Loi sur la protection des pratiques agricoles et apportant des modifications corrélatives à d'autres lois, standing in the name of the honourable member for Swan River (Ms. Wowchuk) who has 30 minutes remaining.

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? [Agreed]

**Mr. Steve Ashton (Thompson):** Mr. Speaker, I can indicate that the member for Swan River will be speaking on this particular bill, will be completing her remarks in just a few minutes. I know the member for Dauphin (Mr. Plohma) wishes to speak on this particular bill as well.

I know, once again, that—in fact, this will be the second agriculture bill I will have spoken on this session—[interjection] Well, the Minister of Environment (Mr. Cummings) says global warming has an impact on people. Indeed, Thompson could very well be in the centre of the farm belt of Manitoba if global warming continues.

I do not know if there is going to be much global warming this current year, Mr. Speaker. We just had snow about two weeks ago. We had a record snowfall in the first week of June. By the way, that is not unusual. We have had snow in every month. We have had it in July, we have had it in August. I do not know what that does for all the theories of global warming. People in Thompson are beginning to wonder if we perhaps have been left behind, but the Minister of Environment actually had a very correct observation.

The situation is that we have much of the agricultural reserve land of Manitoba within northern Manitoba. If you take a belt from The Pas all the way through to Thompson as far north as Split Lake, there is excellent farmland. In fact, we had a resolution in this Legislature a number of years ago building from a conference that took place in 1979 that brought together people from across the North—and I know there are members of this House who attended that conference, Mr. Speaker—that pointed to the fact that the North had a tremendous degree of potential in terms of agriculture.

In fact, there have been many test stations, many examples of that. Wabowden, there has been a test station over the years that has shown that many crops could be grown in Wabowden which is just south actually of the 54th Parallel, north of 53. In many cases, gardening pots had been put in place in many communities. Many aboriginal communities, for example, provided a significant percentage of their food intake from agricultural gardening, if you want to use that term, from right within the community. There is a tremendous potential in terms of northern Manitoba.

Quite frankly, Mr. Speaker, I said half jokingly that may build in terms of global warming. I hope that we can stop that process. It would have other negative impacts for the world in terms of the raising of the sea level. It would also affect the climate fairly significantly, obviously, not just in terms of temperatures, but in terms of rainfall. We would end up in a situation where much of southwest Manitoba could become desert. Much of the area that you represent could become a desert if there is an increase in the temperature, and also a drop in the level of precipitation.

Mr. Speaker, that would be a terrible situation for Manitoba. I want to say that I raise that in this context, indicating that I stand today for the second time on an agricultural matter not representing an agricultural community.

Thompson does not have much of an agricultural base. I believe we probably have one farmer. We do have a farmer—in fact, probably two, pardon me. We have had a person who for many years has conducted a market gardening operation in the Setting Lake area close to Wabowden. The problems we have run into in many cases are barriers to, for example, land ownership—[interjection]

Well, the member opposite talks about the mine. There have been tests in Flin Flon actually with the mine in terms of growing various products underground, the same in Sudbury. So there is a lot of potential. The underground environment actually is quite suitable to nurturing many plant species in their early stages of germination. I thank the member for Niakwa (Mr. Reimer) for that observation. In fact, I look forward to his contribution in the agricultural debates, Mr. Speaker. He may be able to add as much as I can on agricultural matters.



I think that it is important. We are dealing with a way of life here. We are not dealing strictly with a business. We are obviously not in this current circumstance dealing with a business, because the agricultural sector has been very hard hit. While there are still some farm operations that are fairly significant, there are still major problems with it.

That is why I find it interesting to talk about this particular bill and to indicate our ongoing concern within our caucus amongst members of this Legislature who do not necessarily represent agricultural ridings but are committed to the maintenance of the family farm, committed to the maintenance of agriculture industry, and who recognize that the situation in agriculture, the situation in terms of farming, affects us all whether we live in the city of Winnipeg, like many of the members of this House, or whether we live in northern Manitoba, such as myself, or whether we indeed live in the many rural communities which are most directly affected by farming.

With those few comments, Mr. Speaker, I note that the member for Swan River (Ms. Wowchuk) is ready to complete her remarks, and after that we will have one more speaker, and this bill will be going to committee.

**Mr. Speaker:** The House has already granted leave to the honourable member for Swan River that this matter can remain standing in her name. Is the House prepared at this time to deny that leave?

**Some Honourable Members:** Denied.

**Mr. Speaker:** Leave is denied. Now we will grant the honourable member for Swan River her 30 minutes.

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, I had the opportunity to begin speaking on this bill a few days ago. Since that time, I had the opportunity to attend the district meeting of municipalities in McCreary on Monday. At that time, there were some concerns related to this bill that I would like to raise on behalf of municipalities.

\* (1440)

The municipalities felt that this may have some serious effects on them as far as their operations go and what things they could approve. It is their feeling that if there were stronger regulations, stronger guidelines on zoning put in place, they might not approve projects which would later then get into trouble. For example, if there were stronger regulations put in place we might have not had the

situation that arose in Dauphin a few weeks ago with a hog operation. So that is a concern that the municipalities have with the bill, and we look forward to the presentation that they are going to be making when the bill comes to committee.

Mr. Speaker, there were other things. When the bill was first being proposed and it went forward for recommendations from municipalities, there were other areas that were supposed to be covered. One of the recommendations was to review the livestock regulations under The Environment Act, with a view of setting minimum environmental standards, and also to develop agricultural guidelines, codes of practice and guides and supplements in these areas. The bill was also to establish farm practices protection legislation.

This bill has not dealt with the livestock section that was recommended. We are disappointed that the minister has introduced the bill and dealt with one section of it but not dealt with all the recommendations, as I say with the livestock section. That is one of the areas where we quite often run into problems with livestock operations coming in next to a residential area and then resulting in many complaints. If the guidelines were put in place, if regulations were put in place, people would understand where they could move, where they could not move, and this would save a lot of heartache on parts of communities, of residents in an area and those people who are looking at setting up operations.

Mr. Speaker, as I said earlier, this legislation is weak in some areas. The regulations are not there to deal with livestock operations, and that should have been addressed as it was suggested in the outline that was submitted to people to deal with.

The other concern, as I said earlier, is the responsibility of farmers to protect land as well and be sure that the land is there for the next generation.

One other concern I have with the bill is in the Definitions. In the Definitions under (f) we have the raising of game animals, fur-bearing animals, game birds. The raising of game animals, from my understanding, is illegal in Manitoba. We are not allowed to raise particular animals.

When I was at another municipal meeting, one of the staff members of the Department of Agriculture, Ms. Janet Honey, talked about one of the opportunities we were missing in rural Manitoba. She talked about there was a real opportunity in

Manitoba in game farming, the raising of elk and deer. We know that, at the present time, is not legal in Manitoba. I questioned the Minister of Agriculture (Mr. Findlay) on that particular issue and asked him whether his department was promoting the raising of game animals. He, at that time, indicated that the department was not looking at that area, and I took his word on that, that the government was not planning to start game farming in Manitoba.

So I have some difficulty with the idea of having the raising of game animals included under the definitions. It makes me very suspicious that this government is moving in that direction. If that is the direction that they are moving in, then I think they should come out in the open and say so, and if they are not moving in that direction, I would want to ask the minister why it is in the definitions. Because if they are not moving in that direction but plan to in the future, it could always be added in later. Having it in the definitions gives us the impression that the government is considering starting game farming, the raising of game animals in Manitoba.

That is a complete change from the position that this government has had, and what the minister has indicated they are planning to do. He has said that there are no plans for this in the near future. If they are considering the raising of game animals, then they must be careful that they look at state in other provinces, the amount of disease that is in these animals that are kept in captivity. There is a lot of work that has to be done, and I see no reason for this to be in the regulations or the definitions at this time.

When we get to committee, we perhaps will have the opportunity to ask the minister at that time what his intentions are. When we get to committee, we will also be asking about normal farm practices and some of the other circumstances surrounding farming that the minister considers as normal, particularly the one issue on burning and the smoke problem that is an issue particularly around here in Winnipeg, and whether the minister considers those as normal practices and those things will be allowed to be continued.

Again, Mr. Speaker, when we get to committee, we will be anxious to hear the presentations of other groups and the concerns of people, particularly, as I said, those concerns that were raised by the people at the UMM convention with regard to zoning and the regulations that are not in the bill.

We will be asking the minister about what plans they have to bring in regulations that will help municipalities and towns get through some of the difficulties they face many times, when an operation, for example, hog or cattle operation, becomes established or attempts to establish too close to a residential area.

Hopefully, the minister will look—and perhaps this will not come under this bill—at ways to protect the soil. We must be assured that farmers, when they are doing their operations, while they are doing normal practices, that they also have the responsibility of looking after the land, carrying on their operations in such a way that the soil and the water are there for future generations. Towns and municipalities also have the responsibility, and I believe government has the responsibility to see that residential operations do not spread into areas of prime agricultural land if there is other land available.

We see a growing population in the world. We see food problems in many parts of the world. We are a food-producing country, but in order to produce food we have to have good land.

I feel that there is a responsibility on the part of government to assure, if there is another option, that good farmland is not taken up by residential areas, that this land is kept for agricultural purposes rather than residential. I think we also have to look at some areas of land that are of very low quality that are now being farmed and look at perhaps leaving those pieces of land in their natural state rather than trying to produce crops on very marginal land.

So there are many areas that we can look at, Mr. Speaker, to protect land. There are many areas that we can look at to deal with putting in controls that would prevent conflicts between farmers and residential areas. As long as we know that this bill does not supersede The Environment Act and the public health regulations, although it does give protection for farmers to carry on their practices, there are also protections there for the environment as well.

With that, Mr. Speaker, I will close my comments and look forward to hearing the presentations of committee.

**Mr. Neil Gaudry (St. Boniface):** Mr. Speaker, I move, seconded by the member for River Heights (Mrs. Carstairs), to adjourn debate.

**Mr. Speaker:** It has been moved by the honourable member for St. Boniface, seconded by the honourable member for River Heights, that debate be adjourned. Agreed?

**Mr. John Plohman (Dauphin):** No, I want to speak on it.

\* (1450)

### Point of Order

**Mr. Reg Alcock (Osborne):** On a point of order, I think the member for St. Boniface was not aware that the member for Dauphin wished to speak. I think debate can be adjourned. The member for Dauphin can still speak on the bill.

\* \* \*

**Motion agreed to.**

**Mr. Speaker:** Now is there leave of the House to allow the honourable member for Dauphin to speak? I need leave.

**An Honourable Member:** Most certainly.

**Mr. Speaker:** There is leave.

**Mr. Plohman:** Mr. Speaker, I was under the assumption that all parties were in agreement that this bill would move to committee. As of today, I do not know why the Liberals are wanting to stand this bill further to continue with this issue. We believe we should get to the committee and have the public hearings and have the input there. The member for St. Boniface (Mr. Gaudry) surely is ready to speak on the bill at this time.

I am very pleased to be able to speak on Bill 82, The Farm Practices Protection and Consequential Amendments Act. It is a very important bill, one that we were anticipating from the minister for some time in this House. Of course, we did not get it until May, and therefore it was somewhat difficult to determine what was going to be in the bill in anticipation so we could prepare for it. However, now we have had, I believe, a good month to consider what has been put forward by the minister with regard to Bill 82 and the right to farm legislation—as it may be called under a different name.

The farm practices protection bill is certainly a suitable name and one that has been used in a number of other provinces. So it is not a new area that is being pioneered in this province. It is an area that has been dealt with in Alberta, in British Columbia, in Ontario for sure, and maybe in other provinces as well. However, the bill that we are

dealing with, of course, does have some variances from the bill that was passed in a number of other Legislatures in this country.

I believe this bill is a little more far-reaching, a little broader. It does have some additional segments in the definition section. It does define further which operations can be covered under this legislation further than in other provinces as I have seen when looking through the legislation. As well, it does define the onus which is a major consideration when we are considering a bill such as this, Mr. Speaker, and that is that it puts the onus on the complainant to prove that an individual farmer is in fact in violation of The Public Health Act or The Environment Act or any other act insofar as his or her farming operations. That onus then is on the complainant.

That was not defined in other acts. It is interesting that it was included here, because it does make the act more difficult, I guess, in terms of complaints being raised. Therefore, the minister may have had some reasons for including that definition in this bill or that section on dealing with onus where it was not included in other areas. It might point to the fact that there has been some difficulty with the application of the acts in other provinces. We will have to raise that matter with the minister when we are in committee stage to determine from him exactly why this issue of onus was dealt with in the bill.

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

The bill deals primarily, Madam Deputy Speaker, with nuisance charges against farmers, nuisance charges that arise through no fault of their own. I am talking about as it applies under this bill, normal farm practices. In other words, if a farmer is conducting his operations in a normal fashion, he or she would not be subject to a nuisance charge. At the present time, a farmer could indeed be subject to nuisance charges under The Nuisance Act for such things as odour, noise, smoke or dust or other nuisances that may be identified.

There is no real recourse except through the courts, and it is a very expensive process, a long drawn-out process which is not very satisfactory to the farmers, nor fair to those farmers especially, as I said, those who are conducting their farming operations in an acceptable or reasonable, or what we might say under this act, a normal fashion. So it is necessary then to have another system, another way of dealing with this kind of problem, and that is

why there has been pressure for this kind of a bill from various farm organizations and individuals who feel that a bill to provide some protection for farmers is long overdue.

However, there are a lot of areas that are still very gray under this bill, a lot of areas that are not defined. So there is the potential for all kinds of different types of decision making under this bill as it stands now. We are not able to say with any degree of definition exactly how it will be applied until we know what kinds of standards are applied, what kind of definition is given to the word "normal." It certainly must be defined.

I guess one concern I have with it is that in one section of the bill there is a definition of normal as it applies to that specific farm operation. If there is not a norm that is established throughout the farming industry, with some variations perhaps to different areas of the province, then you could see situations where certain individual farmers might take a position that what they are doing is very normal, when in fact it is not normal insofar as the broader definition that might be applied to agriculture. But for them, it is normal.

For example, they may have their father, their parents, their grandparents—and then the farmer that is currently operating today may exercise his option or her option to spread manure over the land as a fertilizer, and this may cause a great deal of consternation to the neighbours. They may do a lot of summer fallow. They may have very light land; they may have a lot of dust arising from this and dust storms that take place in some areas.

This farmer may argue, this is very normal, I have done this all my life. Yet it is not a good farming practice in today's world in agriculture because of the impact on soil and the issues of conservation being raised to the forefront to a greater degree. People would look at that and say that should not be defined as normal and therefore should not be allowed. It could be called a nuisance under this act.

So there are a lot of gray areas there. The same with stubble burning, Madam Deputy Speaker, there again a farmer may say that is a very normal procedure for me, I do that all the time, I have always burned stubble. Yet it causes a great deal of nuisance for people. They may say, well, this should not be considered normal; this is a hazard and it should not be a normal practice. But the Farm

Practices Protection Board may very well say that is normal.

So a lot depends on what that board defines as normal and how they apply the act; whether, in fact, they apply it consistently; whether there is political overtones in the decisions that are being made. I know the member for Lakeside (Mr. Enns) certainly would not like to see politics creep into those kinds of decisions. However, it may happen. It depends on what kind of people—and what direction is given to those people by the Minister of Agriculture—sit on that board and how defined the standards are that they can apply. [Interjection]

Well, I said to the minister, it depends on what kind of people are appointed and the Minister of Natural Resources (Mr. Enns) says, who appoints them? That is correct. It has a lot to do with who appoints them and his or her ability to screen those people and ensure that the qualities that are required are there so that they will do a nonpartisan job in applying this act, a consistent job in applying this act. So there are many questions left open in this legislation, and we of course have every right to be concerned about those issues.

\* (1500)

Now, the protection that is supplied under this act is not all encompassing. It is, of course, with limitations, as it should be. The limitations are that The Environment Act shall prevail and so if there are violations of The Environment Act, they would not be allowed and this act would not allow them. The Public Health Act would apply. If there are violations, this act would not supersede The Public Health Act, as it should be. Of course, the zoning requirements and conditional use, the permits that would be granted by municipalities are also not superseded by this act. They still retain the right and responsibility to issue conditional use permits and to put whatever conditions upon that operation that they feel are necessary in their particular jurisdiction.

That gives rise to some other problems. That is, that each municipality may treat operations differently. That is why there is a need for the provincial government, the Minister of Agriculture (Mr. Findlay), the Minister of Environment (Mr. Cummings), the Minister of Health (Mr. Orchard), and the Minister of Rural Development (Mr. Derkach), to ensure that all of those areas are covered.

We felt that the Minister of Agriculture had recognized this because in February of this year, February 5, 1992, his chief of land utilization and soil survey section of the Department of Agriculture issued a discussion paper on the upcoming Farm Practices Protection bill and related issues. That is the key, and I asked the Minister of Agriculture about those related issues on Monday in this Legislature. I did not receive, I did not feel, satisfactory answers and I did not receive satisfactory answers from the Minister of Environment when I asked him about a specific case, that involving Pur-A-Tone which was a major hog operation wishing to locate in the R.M. of Dauphin earlier this month. That raised a great deal of furor and discussion and debate and conflict amongst the residents of the R.M. of Dauphin because of the fact that there are not standards to be applied in these cases.

Every time an application is made, conflict arises. That should not be the case in the future. That should not be allowed to prevail, to continue. We have to have some guidelines. That is why the minister had the responsibility, I believe, prior to bringing in this act, to put in place those guidelines, to put in place those regulations, so that there would be some standards established prior to bringing this act in.

This act places greater responsibility upon the government to enforce and ensure that there are regulations for proper operation of farming operations. It also places an onus on the individual farmers to ensure that they are operating within normal standards, because they now have some protection under this act and in order to preserve the integrity of this act, the government and the individual farmers themselves have to take certain actions that will ensure that the public feels comfortable with this kind of protection that is being granted to farmers.

So I raised concerns and I said that the minister fell short in this regard. I think he has, because in his own discussion paper that I just referred to, and that was issued in February of this year, the Minister of Agriculture (Mr. Findlay) identified four major areas that had to be addressed, not just Farm Practices Protection legislation. He did say that. That was part of his discussion paper. That was point No. 3. He had two before that, and he had a fourth one as well.

His first point was that there was a need to have a co-ordinated approach to assist municipalities in

their land use planning approaches to agricultural operations. The second one was to review livestock regulations under The Environment Act, with a view to setting minimum environment standards for these kinds of operations. The fourth one dealt with the development of livestock guidelines and a code of practice to guide and supplement all three of the above areas. Of course, I did not mention a third one again, because I had mentioned it, that is The Farm Practices Protection Act, Madam Deputy Speaker.

Now, the paper goes on to say that there is considerable variability in the manner in which agriculture operations, especially livestock, are addressed by municipalities. That is an understatement. Municipalities deal with these issues in various ways, because there are no standards in place. The paper identifies that plans should, where possible, provide for areas where livestock operations are permitted uses. That is a very important point that was identified in the Minister of Agriculture's (Mr. Findlay) paper. Plans should, where possible, provide for areas where livestock operations are permitted uses as free as possible from restrictive by-laws and free from threat of encroachment by residential and recreational uses. Residential and recreational—potential conflict, they should not be together with major livestock operations.

Now, we are not talking about the conventional small family farm where the individual may have a small hog operation or chicken barn or whatever else may be the case. We are talking about a case, Madam Deputy Speaker, where the problems arise in a situation like happened at Dauphin over the last month and in Portage before that, major hog operations being proposed. They are almost like factories.

They are producing 18,000 in the case of the Pur-A-Tone proposal at Dauphin, 18,000 hogs a year, 6,000 at a time, three times in a year. That is a major output of hogs, and it has the potential for a major impact on the environment in an area. It has the potential for a major impact on residences, people maybe who have lived around there for years and years and years, potential to impact on their land values, potential to impact on the resale potential, potential to impact on the surface water quality of the area, especially in the case of the proposal in the Dauphin area which was near Lake Dauphin.

Lake Dauphin has been identified as a priority, and the minister has followed with his advisory committee. Yet, for example in this case, the advisory committee on Lake Dauphin was not even consulted on this proposal that was being made by Pur-A-Tone as a group. You see, they have identified the pollution of the lake as a major problem that has to be reversed. So here we have the potential of a major operation going in that could affect the runoff water into Lake Dauphin. It also could affect the ground water, depending on the kind of subsoil conditions. Major testing would have to be done and the R.M. of Dauphin, responsibly so, did undertake a consultant's report and did determine that the soil conditions were not suitable for lagoons and storage of waste from a major hog operation like this.

So, Madam Deputy Speaker, they turned it down, but they applied certain criteria that they chose to apply. There were no standards, and The Minister of Agriculture (Mr. Findlay) has still not put in place standards that would deal with those kinds of situations, even though he identified that need in his February paper that was circulated for discussion in dealing with this act.

I say that the minister has missed a very important point. He has been negligent on this issue, insofar as dealing with this issue at the same time as he deals with the act that is being brought before the Legislature. They should have been brought in together, and he was in such a haste to bring this act in, for whatever political reasons—to satisfy perhaps some political agenda—that he has done so irresponsibly because he has not dealt with these other issues. I have just dealt with one of those in my speech, that being the issue of planning.

The other point that was raised in his own paper was the issue of The Environment Act. Currently, the Minister of Environment (Mr. Cummings) will readily agree that the act does not cover to any extent farming operations and agricultural operations. Now some might say, well, that was your oversight in 1987 when the bill was brought in by the previous government. However, things have changed, things have progressed.

\*(1510)

When there is an act being brought in which provides greater protection for farming operations, there is the onus, as I said earlier, for the government to ensure that there is some balance

and that they have ensured there are proper regulations and standards established upon which to ensure that the public is protected. That is what is missing here with regard to zoning. It is missing with regard to The Environment Act. The minister himself said in his paper that standards should be established for livestock and manure management which protect water quality and health, precisely the two major concerns that were identified with the Pur-A-Tone proposal in the Dauphin municipality this past year.

Those two major concerns—and the Minister of Agriculture has identified, Madam Deputy Speaker, that should be addressed under The Environment Act and regulations put in place. He has not done that. He has not done that prior to bringing in this act. Again, he has missed a very important responsibility on his part, and we have the responsibility on our side of the House to point that out to the minister, to bring that to his attention and to voice our concerns about it.

So if he continues to put forward this bill, and it is passed in this sitting within the next week or two or three or whatever it takes, then he cannot say, well, no one raised any concerns about that; I did what I thought was right; no one raised any concerns. Well, now we are raising those concerns, and we have raised those concerns. If the minister chooses to ignore them, then he does so at his own peril. He is responsible for his actions.

When it comes time for enforceability of the act, when it comes time to deal with the issues, and when it comes time to go before the people for an election, he has to be responsible and accountable for his actions.

So I am not here to say that there is absolutely no way that we would allow this to pass now, because we agree with many of the principles in the bill, but what we believe the minister has done is failed to address those auxiliary issues, those companion issues that are related. He has not dealt with those.

The member for La Verendrye (Mr. Sveinson) has himself been remiss in that he has not raised this with the minister when it came to caucus, which I assume these bills would have done. The member for Portage (Mr. Connery), the member for Turtle Mountain (Mr. Rose), all of these members should have identified this inadequacy and should have raised this with the minister and said, look, you have to deal with these issues together. He might have

said, oh yes, I am, you see it in my paper? I have all four of them listed.

But is it not unfortunate, Madam Deputy Speaker, that when it came down to actually bring something forward, he only dealt with one aspect, one quarter of what he had himself identified as necessary.

The third point that he has not dealt with is the livestock standards and quota practice, I think very necessary, because it is the livestock area of farming, livestock operations, that provide the most potential conflict for neighbours in an area, and, of course, they should be addressed, some type of standard, so there is some balance in this act.

Now, Madam Deputy Speaker, I have put those concerns on the record, and I began my speech here this afternoon by saying that we had a recognition in our caucus that this bill has been necessary, that there was a necessity to bring forward some types of provisions such as this. It was identified by a number of individuals and groups in the province and they have been pushing the government, and we have identified, as I have gone along, the major concerns that have not been addressed hand-in-hand by this minister.

Having said that, I believe there is one positive aspect of this bill that has not been spoken about a great deal and one that is not directly as a result of the enforcement provisions in it, but the fact that it is addressing an issue and is putting in place a board which will, in fact, result in a conflict resolution capacity being performed—conflict resolution. Many times there are conflicts between neighbours about the kinds of farming practices that are taking place, something that is a nuisance, whether it be odour or noise or dust or smoke or whatever it might be.

This arises many times, Madam Deputy Speaker, and there is no other way to get it resolved if the two people cannot talk to each other, and in many cases by the time they are complaining they are not wanting to talk to each other, so the communication gap is there. So there has to be another forum, other than going to court. At the present time, court is the only way.

You see, in the bill that we have now is a board that will allow for this kind of resolution, a kind of intermediate step that will ensure that there is discussion and communication taking place, and that perhaps will be one of the greatest benefits of this act, much more than the actual conflicts that

result in fines and charges and all this kind of thing. It will prevent those kinds of things from happening.

So from that aspect, I think, as I said, a positive move and something that we find positive in this bill, but I feel that the minister should have addressed all of those aspects that I have identified. The Minister of Environment (Mr. Cummings) is here now. I have raised those issues with the House with regard to the discussion paper that was put forward by the minister. The minister has a responsibility to follow through. He has the blessing of the opposition to move in a responsible way there and certainly should take that opportunity to in fact move, not to put it on the back burner somewhere because he thinks that farmers would not be able to understand it.

I believe that farmers are becoming very sensitive in most cases because of the awareness that is being generated in the media; the awareness that is being generated by governments; the kinds of conferences that we saw in Rio de Janeiro dealing with the Earth, the future of our planet; and because of that awareness, farmers are accepting the fact that they have to take the responsibility upon themselves to protect their environment, and they must farm in an acceptable, in a sustainable way for future generations so that the soil is protected, so that the water is protected.

Yes, I think that there is a greater awareness, but at the same time there are always those who do not understand this, who do not accept it, and that is why you need some provisions. Now, when the members say, well that is why we need this act—no, this act provides protection; we are looking at the balanced side.

Yes, we need protection for farmers, protection from nuisance claims and charges being made in a frivolous way by people. That is why this bill is here. But on the other side, we need to ensure there are proper standards and regulations to ensure that those who are illegitimately abusing the environment, who are doing so in a way that is in obvious violation to what the standards are that most of us would accept in society, then that action can be taken.

We have a gap right now because the Environment Act does not apply. So that is why we think it is so important that the Minister of the Environment not shy away from this issue, that he go out and consult, and he ensure that it is done in

a reasonable way, and that there is input from the public, from farmers, from all aspects of the public. Then he can put in place something that is reasonable, some standards, some regulations under The Environment Act that would apply when new operations are coming into place.

So in fact, when the rural municipality is faced with that kind of a decision to grant a conditional-use permit or not to grant one, that they have the established standards in place and they can simply use those as the measuring stick to make the decision, and they can avoid the kind of bitter conflict that took place in the Rural Municipality of Dauphin and the community.

I use that only as an example. That same type of conflict is taking place in many communities in this province in recent years, and it has mainly been with major hog operations. But there is a potential, Madam Deputy Speaker, for many more types of conflicts of a similar nature to arise.

So let us get that balance in here. There is not the balance in this act. There are other provisions that should have been brought forward. The Minister of the Environment (Mr. Cummings); the Minister of Health (Mr. Orchard); the Minister of Agriculture (Mr. Findlay); the Minister of Rural Development (Mr. Derkach) have a responsibility to move quickly on that. The members of caucus have a responsibility to push their ministers to make sure that that happens because the minister is bringing forward this bill now, and he is only bringing one part of the equation in, and he has a responsibility to do more.

We will see whether any other people have similar types of concerns. I have addressed those from our caucus's point of view. The Liberals may have some comments on this bill as well, I understand, either today or another day. Then we will want to hear whether the public also has some of those concerns, but notwithstanding whether they are raised or not in the public forum at the committee we feel they are very important.

\* (1520)

We would implore the government and the ministers to deal with those issues in a companion way with this legislation as expeditiously as possible. Since they do not have them here before us now, as soon as possible following the passage of this bill, if in fact they proceed with the passage of this bill at this time.

So with those comments, Madam Deputy Speaker, we can indicate our willingness to have this bill proceed forward to the committee.

**Madam Deputy Speaker:** As previously decided, this bill will remain standing in the name of the honourable member for St. Boniface (Mr. Gaudry).

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**Hon. Darren Praznik (Deputy Government House Leader):** Madam Deputy Speaker, I would ask you to please recall Bill 93. I had made reference in my charge on government business earlier to the official opposition putting up the speaker to this particular bill. I would ask if you could please recall Bill 93.

### **Bill 93—The Mental Health Amendment Act**

**Madam Deputy Speaker:** To resume debate on second reading of Bill 93, on the proposed motion of the honourable Minister of Health (Mr. Orchard), The Mental Health Amendment Act (Loi modifiant la Loi sur la santé mentale), standing in the name of the honourable member for Thompson (Mr. Ashton).

**Mr. Steve Ashton (Thompson):** Yes, Madam Deputy Speaker, I adjourn this on behalf of the member for St. Johns (Ms. Wasylycia-Leis).

**Madam Deputy Speaker:** The honourable member for Thompson has deferred his right to speak to the honourable member for St. Johns.

**Ms. Judy Wasylycia-Leis (St. Johns):** Thank you, Madam Deputy Speaker. I am pleased to have this opportunity to put some comments on record at second reading stage for Bill 93, The Mental Health Amendment Act.

It will be our intention to speak briefly on this matter and to encourage the passage of this bill to committee stage for any input, concerns or views that community activists, health care professionals and other individuals and organizations may have with respect to the whole area of mental health, and particularly as it relates to forensic issues.

Madam Deputy Speaker, as has been noted in this House by previous speakers, this bill and these amendments to The Mental Health Act address some changes that have occurred in recent time in an attempt to bring Manitoba law into line with those changes.



This bill, in essence, as I understand it, attempts to achieve standardization between individuals who fall under federal law and individuals who come under the jurisdiction of provincial law.

As all members in this House know, significant change was made at the federal level and a new law was passed in February of 1992. That federal legislation addresses the question of forensic mental health issues and has made a significant shift in direction. Those changes pose new challenges for Manitoba and impose new obligations. Our first obligation is to ensure that our law, our mental health legislation, is in line.

Our preliminary analysis of these amendments before us suggest that this bill, Bill 93, does do precisely that. As the Minister of Health (Mr. Orchard) indicated in his opening remarks on this bill, of June 3, 1992: The amendments posed here consist of substantive changes to The Mental Health Act arising from the Criminal Code amendments plus some protective, consequential changes recommended by this government's legal advisers.

More specifically, the new changes under Criminal Code law indicate that a judge in trying a forensic patient must now look at the mental health or mental illness of that individual and treat it seriously. Judges are now given the options of retrying individuals, discharging individuals without condition, or discharging individuals with conditional provisions.

It is necessary for Manitoba, and for our law, to be able to reflect that change. So it is our feeling that these amendments are in order and much needed and urgently required. There is another issue arising out of this bill and the federal Criminal Code changes which requires immediate attention on the part of the provincial government.

As I indicated at the outset of my remarks, the new federal legislation does impose obligations of service development and delivery on the province. Members in this House will know that we have raised on repeated occasions the question of how the province, in co-operation and consultation with the federal government, proposes to meet those obligations.

Our concern when we first posed those questions remains, because the answers from this Minister of Health (Mr. Orchard), from the Manitoba government, have been vague and noncommittal. Worse than that, the Minister of Health (Mr. Orchard)

has engaged in his usual obfuscation and refused to deal directly with us on this serious matter.

Let it be clear that federal criminal law requires all of us, whatever level of government, whatever activity of endeavour, requires persons, requires jurisdictions to treat persons with mental illnesses, regardless of their criminal record, on the basis of that illness and in the context of providing support, care, treatment and rehabilitation of the individual.

The federal changes, the proposed changes here, all suggest, of course, that where the individual is dangerous, the individual must be placed in an appropriate restrictive therapeutic setting. But we must also keep in mind—and this is particularly as a result of the Criminal Code changes—that where an individual is not dangerous, the individual should be integrated into society and treated or cared for in the least restrictive setting.

So federal law and provincial law must work hand-in-hand to ensure that individuals with mental illnesses are accorded due process of law, with full rights of review and appeal at appropriate points and with respect to restrictions on their freedom, and with respect to their treatment. So our big question out of all of this, Madam Deputy Speaker, is what action is the provincial government taking to meet these new obligations?

Over a year ago we learned through a letter that was forwarded to us that the federal government had clearly decided to abandon its obligations, to reject any co-operative action with the provincial government, and refuse to provide funds, resources for the development of appropriate forensic facilities. When we raised that issue, Madam Deputy Speaker, the Minister of Health (Mr. Orchard) did not even acknowledge that was the case, did not even say yes, the federal government has indicated that to us, we have a problem, we are working on it, we look forward to your advice and suggestions.

\* (1530)

He was not upfront and direct with all of us in this Legislature, nor with the people of Manitoba. He was not direct on what we consider to be a very important matter, and that is the appropriate care and support and treatment for people with mental illnesses who have committed a crime.

We have raised since that time—and I refer specifically to questions raised by the member for Selkirk (Mr. Dewar)—questions about how the

provincial government was going to deal with this unilateral, arbitrary decision on the part of the federal government, and we were given no serious response. In fact, our questions were treated with scorn and derision.

We continue to ask those questions, Madam Deputy Speaker, especially as we learned that this government has been forced to resort to some very inadequate band-aid measures to deal with the new federal code provisions. All members in this House will recall that this government has, in fact, moved to designate certain beds within a correctional institute as health care beds just in order to meet these new obligations under the Criminal Code. Hardly satisfactory, hardly an appropriate response.

We concede that the provincial government, the Manitoba government has been placed in a very difficult position, has been abandoned by the federal government even though it is federal legislation that requires these changes, and even though it is clearly recognized from all parties, from all quarters in this country that the federal government has an obligation to address the new need for supports in counselling and treatment and therapies.

Madam Deputy Speaker, the provincial government is left to have to find the resources and the wherewithal to put in place appropriate treatment facilities for individuals with a mental illness who have committed a crime without any support on the table from the federal government. It is a deplorable, outrageous position to be left in, of that there is no doubt. But we would hope that, given that situation, the provincial government would be a little more up-front with those of us who have been raising this issue and with the people of Manitoba and talk to us about how it is proposing to deal with this dilemma.

The lack of answers in Question Period is as shameful as the abdication of responsibility by the federal government. It is only on the minister's own terms that we learn anything and so it was only on June 3, 1992, in the minister's speech, second reading to Bill 93, that this government finally, publicly, clearly admitted that it has been left in the lurch by the federal government and must look for solutions to a very difficult problem.

I quote from the Minister of Health's (Mr. Orchard) speech of June 3. He states, "Until recently our planning for a long-term forensic facility at Selkirk was proceeding on the basis of federal cost sharing

for both construction and operating costs. We now have confirmation and fairly solid indication from the federal government that such support will not be forthcoming. We regret the change in the federal position since the necessary facilities and services are extremely costly for a province of our size to construct and to operate. We hope, however, that we will be able to implement our original plans, but we will proceed with the facilities and the programming that are within our means."

Madam Deputy Speaker, finally the minister stated quite clearly what we have known for many months, indeed, for over a year, a period of time where action could have been taken, where consultation could have occurred, where ideas could have been shared. Just to indicate further how the minister has avoided this issue and question in the Legislature, how much he has in a sense violated the process that is afforded to all of us by Question Period, we asked about the forensic facility at Selkirk. The only response from the minister was to say: Do not worry, no problem; we have new forensic beds opening up at the psych services building.

Well, Madam Deputy Speaker, that was an irresponsible thing for the minister to do and to say. Because he knows, as we all know, that the forensic beds planned for the psychiatric services building at the Health Sciences Centre are short term. They are for short-term requirements. They are not designed for long-term care arrangements for forensic patients.

So I wish the Minister of Health (Mr. Orchard) would just be a little more direct and forthcoming with all of us. There is no purpose to be served by ignoring these questions and denying the actual facts of the situation. We are not raising these questions to get political points as the Minister of Health suggests. We raised these questions out of deep concern. The member for Selkirk (Mr. Dewar) raises these concerns because there is a strong feeling in his community about the development of some sort of treatment centre for people with mental illnesses.

Madam Deputy Speaker, that is a legitimate concern—[interjection] Well, the member for Portage (Mr. Connery) is now entering the debate, and I am sure this will liven things up. I want to mention to the member for Portage specifically, that we are dealing now with a situation caused by Criminal Code changes brought into effect just a few months

ago that require new ways to address people with mental illnesses who have committed a crime, and require all of us in government to provide the necessary supports and treatment to these individuals who have a mental illness.

I remind the member for Portage (Mr. Connery), he may not have heard me when I quoted from the Minister of Health's (Mr. Orchard) speech just a few days ago, indicating that this government has an obligation. It had expected federal co-operation, that had been denied, and the provincial government has been left in the lurch.

We do not have any easy answers for this situation. We have seen, time and time again, how the federal government has abdicated its responsibility. We have seen how, in the area of health care, the federal government is leaving provincial health care systems and provincial governments and people in those provinces high and dry. That reduction of funds and financial support and responsibility for health care, of course, overlaps directly to the mental health field and into the area of forensic issues.

So, Madam Deputy Speaker, we are simply suggesting to this government that it be open and forthright about the situation and turn to the broader community, turn to all of us for help and advice.

\* (1540)

Madam Deputy Speaker, these are the major concerns that we have with Bill 93 and the issues flowing from these proposed amendments. We will be looking to individuals and community organizations who may have concerns at the committee stage, and we will be listening very carefully for any reactions to these amendments and asking questions accordingly of the Minister of Health (Mr. Orchard) at that time.

We will also, throughout this process, use the opportunity to indicate to the minister that we are prepared to work with him in fighting the federal government, in standing up to the federal government, in demanding that the Mulroney government in Ottawa accept its obligations and responsibilities and work hand in hand in a co-operative fashion with this provincial government to develop the appropriate supports and services and treatment and rehabilitation for individuals with mental illnesses.

On that note, Madam Deputy Speaker, we are prepared in the New Democratic Party to see this

legislation, Bill 93, proceed to committee for a thorough debate and for dialogue on some of these very crucial and pressing issues. Thank you.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 93. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Deputy Speaker:** Agreed and so ordered.

### **Bill 70—The Social Allowances Amendment and Consequential Amendments Act**

**Madam Deputy Speaker:** To resume debate on second reading of Bill 70, on the proposed motion of the honourable Minister of Family Services (Mr. Gilleshammer), The Social Allowances Amendment and Consequential Amendments Act (Loi modifiant la Loi sur l'aide sociale et apportant des modifications corrélatives à d'autres lois), standing in the name of the honourable member for Brandon East (Mr. Leonard Evans).

**An Honourable Member:** Stand.

**Madam Deputy Speaker:** Is there leave to permit the bill to remain standing? [Agreed]

**Mr. Steve Ashton (Thompson):** Madam Deputy Speaker, I am very pleased to be able to speak on Bill 70. There seems to be something significant about Bill 70. I seem to remember last session debating rather extensively another Bill 70 which created a significant amount of controversy—

**An Honourable Member:** Magic number.

**Mr. Ashton:** —and it seems to be a magic number, as the member opposite says.

It is interesting that once again we have another Bill 70, and I do not know what it is but it seems that it represents a number that brings with it a certain degree of controversy, and I think there is a similarity between the two bills. Last session we had Bill 70 on the public sector wage freeze which represented a Conservative agenda in terms of labour relations. We had a very lengthy debate on it, we had very lengthy committee hearings that lasted, if I remember correctly, until four in the morning.

We had, I think, a very clear difference in terms of the policies and programs of this government as compared to those certainly in our caucus who said that it was not right to kill collective bargaining, to

impose the wage settlement that it did with the resulting damage to the collective bargaining environment.

Well, Madam Deputy Speaker, we are in a new session, and in a session that, while it has a significant number of bills, has boiled down to probably, I would say, half a dozen, perhaps seven or eight significant bills in terms of reflecting a very significant policy difference between the different parties. This is one of them.

In fact, as we watch the progression of the session and we look at some of the bills that have been dealt, bills such as Bills 21 and 22 which have already been dropped, other bills which will be debated, some of which may be amended, some of which may result in divisions, votes representing the differences of the parties; I can indicate that of all the bills in this session, this is perhaps one of the most significant.

Bill 85 certainly is, in terms of the reflection of the government's role, in terms of labour relations. There are other bills as well, the multicultural bill in terms of its approach in terms of that particular matter. There are significant policy matters in the City of Winnipeg bill, very significant policy matters in a number of bills that we are dealing with, Madam Deputy Speaker.

This again reflects the philosophy of the Conservative government. It reflects an unfortunate development, in our view, in terms of the matter and issue that has been dealt with over the years. It reflects, I think, a diversion from the kind of approach we would have liked to have seen in terms of social assistance in this province, and I think it reflects the political biases of the Conservative Party, perhaps their true agenda, Madam Deputy Speaker, rather than what we feel is in the best interest in terms of public policy.

This, Madam Deputy Speaker, is not an issue that gets the attention it should in this House. When I say this issue, I mean the issue of social assistance. It is a sad fact that probably the least represented—I do not mean in a political sense; I mean in an organizational sense—the least represented people in this province are those who are living in poverty, particularly those who are unemployed and relying on social assistance.

Madam Deputy Speaker, we have very active organizations to lobby on labour issues, whether it be the Chamber of Commerce, whether it be the

Manitoba Federation of Labour, the various other labour organizations. We have a clear-cut representation. When it comes to small business, Chamber of Commerce represents small businesses to a certain extent. The CFIB lobbies reactively on behalf of small businesses. There is a very strong lobby.

When we dealt with the parks bill, there was a very strong lobby, a successful lobby spearheaded by local cottagers, Madam Deputy Speaker, in my area, who said that it was an unfair bill, and the bill was dropped. We had certainly put pressure on the government to do so and we are pleased to see that.

In the area of lodges and outfitters, the lodges and outfitters bill was a bad bill. I said so in the House myself, Madam Deputy Speaker, in debate. The Lodge & Outfitters Association lobbied hard and fast against that bill. Our caucus spearheaded the fight in this Chamber against that bill. It was dropped.

I can run through the list, Madam Deputy Speaker. The strong representation from aboriginal groups, which I think is now beginning to show fruition in terms of what is happening on the constitutional front. I think here in Manitoba, this was one of the first provinces to reflect the power of that lobby in terms of the fact that we were the only province in the 1980s to support the inherent right of self-government, the previous Pawley government.

The significant role of the Manitoba task force, Madam Deputy Speaker, in reflecting the fact that this is one of the major concerns expressed by Manitobans, the need for the aboriginal people to be fully represented in terms of our constitution. So the aboriginal groups have shown that.

The municipalities have lobbied hard and fast for many different matters in this Chamber. They are represented by the UMM; they are represented by MAUM. They are well represented by their own municipalities, mayors and reeves and councillors. They are well represented.

The Manitoba Hotel Association has lobbied over the years, very successfully I might add, in terms of matters affecting its members. There is the Manitoba Restaurant Association; there is the western brewers association. There are people who have continual access to the legislators of this province, who are strong lobby groups and do have an impact in terms of public policy. These are

groups that make the voice of their membership heard.

Madam Deputy Speaker, I wish I could say the same in terms of those living in poverty. It is not that there are not advocacy groups, the Manitoba Anti-Poverty Organization, for example, the antipoverty organization in my own constituency in Thompson. There are other organizations, social agencies, the Social Planning Council, for example, that speaks out in terms of issues affecting people on social assistance.

I would say, Madam Deputy Speaker, that any objective analysis would show that the poor cannot lobby. Most poor people are too busy just surviving, just making ends meet, just living from cheque to cheque, from voucher to voucher, from food bank lineup to food bank lineup. That representation is not there to the same degree as it is with other groups who can speak and do speak very vocally for themselves.

\* (1550)

I can say, in this debate, that their voice will be heard and it will be the voice expressed by the New Democratic Party in this debate, because these are people in Manitoba who need their voice to be heard.

**An Honourable Member:** The voice of reason.

**Mr. Ashton:** Indeed, I do feel it is the voice of reason, and I note the comments today of the Minister of Natural Resources (Mr. Enns). We wish to speak about the situation facing the poor in this province.

I want to start by asking the question: Who are the poor? Who are the people on social assistance? There are some in society who would like to stereotype those on social assistance. I suspect many of those who would do so have not had the opportunity to talk to people on social assistance, are not aware of why they are on social assistance, are not aware of their hopes, their aspirations and their fears.

But there are those who would like to stereotype those on social assistance. These are the people who have propagated the myths that there is widespread abuse of the welfare system, that there are somehow many able-bodied people who just simply through choice are not working, that in fact there is a lot of waste in terms of welfare. This is a stereotype that has often been put forward by individuals in society.

Madam Deputy Speaker, let us deal with that. Is that true? Is that the case? The fact is every objective study of social assistance has shown the degree of abuse is negligible. In fact, I have often attempted to suggest that if we were to compare the abuse of welfare with perhaps the abuse of some of the corporate tax breaks that some have classified as corporate welfare, one would find that there is probably a greater degree of abuse of that than there is of welfare itself.

Welfare recipients do not have access to the most creative tax accountants and tax lawyers. They do not have access to the expertise and advice of professionals who can show them ways of finding loopholes in terms of laws and legislation. In fact, I would say that in most cases, even when people are not receiving the benefits to which they should be entitled, they often are unable or unwilling to appeal in terms of social assistance.

So the objective results do not show very significant abuse. Who are the people who are receiving social assistance? Is it that able-bodied person who could get a job if they really wanted, the sort of stereotypical able-bodied person. Well, Madam Deputy Speaker, no. Many people on social assistance are people with disabilities, not that they are unemployable, but we live in a society where there is still systemic discrimination against the disabled, where the disabled still form proportionally the greatest percentage of unemployment in society.

Many people on social assistance are single parents. Not all of them were living in poverty for their entire lives; many lived comfortable existences. Through a marriage breakup, someone who had been involved in terms of raising the family at home, not had the access to the work force; one often finds single parents, particularly families headed by women in poverty. That is the greatest percentage.

They are all ages, young, middle-aged and old, and there is a new and growing category. There are many people who desperately want employment that cannot find it. I point to the many people in my own constituency, in remote northern communities, who would do anything to obtain a job, but live in communities of 90 percent unemployment, where even the fewest of job opportunities have been eliminated by governments more concerned about balancing their own books than the impact it will have on members of the public in that situation.

But it is a growing area. I have run into many people who never thought they would ever end up on welfare in their life, working people who, because of changes to unemployment insurance legislation making it harder to qualify, requiring more weeks, giving them less benefits, who, in the middle of a recession that is probably the worst recession since the Great Depression, people who paid their bills, who owned a home, who raised a family, never having to ask for any kind of assistance, have now found that they are at the end of the road.

I have talked to people who desperately tried to find employment, desperately tried to get into educational institutions to further their education to get out of the trap they fell into, but they are not able to do so. That is the growth area in terms of welfare, social assistance. One only needs to look here in this province, and I would say particularly in the city of Winnipeg, although it is applicable in terms of rural communities as well, at what is happening.

In fact, I think every member of this Legislature should take the time to see what is happening, to see the reality of the recession, of unemployment, and poverty. One can see it at the food banks, one can see it when one visits people, as I do in my own constituency and talk to people. But the bottom line is, there is no stereotypical welfare recipient. It is your neighbour, it is your friend, it could be a member of your own family, and it is time we recognized that in this province, and it is time we rejected some of the stereotypical visions of who is on welfare.

I say that recognizing that there are still those who want to make political capital about the welfare system. The Reform Party has been including in its platform talk about changing the welfare system, all in addition to whatever policy platforms they have in terms of medicare. One can only imagine from some of the initial policy announcements coming from the Reform Party what kind of welfare system they would leave behind, Madam Deputy Speaker, who they would cut off and what would happen with those people, and how we would end up if we implemented this good old days philosophy of the Reform Party.

Indeed, Madam Deputy Speaker, the good old days of what?—the Great Depression? The days when people had to go begging for any kind of assistance they could receive, when people did not have appropriate health care coverage, when people gave up children for adoption because they

could not afford to raise the children, because they could not afford the medical coverage—is that the good old days we want to go to?

Do we want to go to the American system with its terrible, terrible, terrible system of health care, Madam Deputy Speaker, that has 37-million people in that wealthy, great country without medical insurance, that has one of the worst records in terms of any socioeconomic indicator of any major country, a terrible rate of infant mortality, which is far higher than Canada with our medicare system, which has an increasing problem with the rich getting richer and the poor getting poorer, and increasing growth in terms of cities of decay, particularly in the inner cities that has led to the kind of violence that we have seen in the United States. That really is not something one would expect to see in a country of such great resources, a country of such great people.

But there are those who would take us to those policies, and I say we should reject them. What should we do in terms of welfare, recognizing who is on welfare, who is receiving social assistance? What are the problems of the welfare system, the way it is administered, the rates that are established, the incentives that are given for work and the opportunities that are given for work and the incentives that are given for education and the opportunities that are given for education? That surely is where we should focus a great deal of attention, because what I find in talking to people, there is something of a dichotomy in the Thompson constituency, we probably have and we do have one of the highest incomes in the country. If you are working, you make not a bad income a lot of times in Thompson and in other northern communities.

We also have a significant rate in terms of those on social assistance. In the city of Thompson alone we have gone from 50 to 100 applications for social assistance to an estimated 6,800 this year—6,800 applications for social assistance—recognizing that perhaps there are some who will be counted twice or three times because of different times throughout the year that they would be applying. That is in a community, the city of Thompson, that has one of the highest incomes in the country. You can see the tale of two cities in Thompson.

When I go visiting people, and I go and visit everyone, I am struck by the terrible conditions that still exist in this, my hometown, Thompson, one of the wealthiest communities in many ways, but it also

has some slum housing that is indescribable, that is as bad as any of the worst slums in Winnipeg, in the core area or whatever area of the city. You can see it in terms of the filth, the broken windows; you can see it in terms of the fire equipment stripped out; you can see it in terms of the doors that are locked, nailed shut fire exits because of problems in terms of vandalism.

\* (1600)

Madam Deputy Speaker, what is most saddening about the whole situation is the fact that people do care. Many of the people, for example, in the Fox Bay area of Thompson, Cree Road, have lived there for many years. They have stuck it through. They live in pretty modest surroundings. They do their best. They find it frustrating whenever they try and deal through the system with housing conditions which are terrible, of repairs not done, broken walls, of damaged plumbing, of faulty electrical outlets, conditions that no member of this House would ever want to subject, not only themselves to, but anyone they knew. They find it frustrating.

I can go through blocks and I can find eight or 10 people who will complain about the conditions. I will contact the Landlord and Tenant Affairs office. Do you know what happens, Madam Deputy Speaker? People are afraid to pursue it. They are afraid that if they pursue it that their landlord will find a way of throwing them out. They are afraid to pursue it because they do not know what the consequences will be. In many cases, they have given up trying to get that addressed. So they either stay where they are, or if they find a way out they take that way out.

These are people who do care. It is ironic that many of the people that I run to, indeed on social assistance, have moved to Thompson. Many people moved from remote communities for the specific purpose of trying to get a better opportunity, if not for themselves, although they try as well for themselves, for their children. Many people I have spoken to have said the No. 1 reason they have moved to the city of Thompson is for better educational opportunities. They are trying, Madam Deputy Speaker.

If one could take the time to even think about the kind of circumstance that exists for those people, and for many other people in the city, I think one could see one of the first problems. That is that the poor do not have the power. The poor do not have the power. I said before there are lobby groups and

advocacy groups. Many people on social assistance just do not have the time and the energy to be able to fight for their rights. We, in this House, will speak on behalf of the poor, but even then it requires a grassroots connection, a mobilization. I know, in fact, many people living in poverty often, even at elections, do not vote because they have given up. So we need empowerment. We need it, not just in terms of social assistance, but in terms of housing conditions, most particularly. We need to start at that level.

Let us go a bit further and look at some of the other problems in the system. Let us talk about education for a moment, Madam Deputy Speaker. I can recite many instances where I have been approached, as recently as two weeks ago, by young people, some of whom are single parents, some of whom are expectant mothers. I have been approached by many people, who when faced with the choice of spending the rest of their life on welfare have said, no, who have made the effort to get back into school, but then find they become victims of the system, single parents on welfare who cannot get the assistance.

I had a case just recently of someone who would be far better off if they said they were not going to go back to school, who said take care of me, I am not going to do anything anymore and found it frustrating that because they said they were going to be going back to school that they were treated in a different way than they might otherwise have been treated. Many other young people who I have run into are told that they should go to their parents for assistance. They go to their parents who in some cases perhaps have broken up. The parents say, no way. So what happens? The system washes its hands of those young people. They system says they should go to their parents. The parents cannot afford or do not want to afford to provide that assistance, so they wash their hands, and you have a young person who cannot get the assistance to go to school, to finish high school, to take a community college program, to go to university and, in many cases, cannot qualify for student aid, who ends up on welfare.

I have had that happen. I have had the frustrating experience of having people who have run into that system, who have dropped out of school, who are now on welfare, who will have to wait a couple of years before they will be able to get any assistance, many of whom have actually tried to even work part

time, work full time and continue their studies, and just cannot do it and fall through the cracks. That is the sad part with the system. It is a lot easier, Madam Deputy Speaker, if people give up than if people fight back and try and get ahead, try and get a part-time job, try and get an education. So there is a real problem there in the way we deal with people in those circumstances.

I want to go further than that as well. We are talking about people who are forced, literally forced, onto the social assistance system even though they are fighting to get off it, on a slippery slope that keeps them back, that prevents them from getting the kind of education they want. Let us talk about the system we have in terms of employment. You know, most people on welfare would much rather work, Madam Deputy Speaker. I would say, the vast majority of people would rather work. They want work, not welfare.

It is the case in the remote northern communities. It is the case in my own community of Thompson. It is the case in terms of young people, people of all ages. They want to work. It is the same thing in terms of those who are single or married or single parents. They want to work. But what kind of system do we have put in place? We have a system that is based, in many ways, on the idea that welfare is cheaper than job creation.

Well, indeed, Madam Deputy Speaker, that was the exact phrase that was used by a former minister of this House, a former Minister of Northern Affairs as a matter of fact, in the late 1970s. I remember it well. You know, he was not wrong in the budgetary sense. It is a lot cheaper to keep someone on welfare than it is to perhaps pay them a little bit more to be doing something productive in their own community. It is cheaper. The bottom line is lower. The deficit is lower, taxes perhaps are not as high.

Is that what we should be encouraging? Is that the kind of system we want in terms of social assistance, where it is cheaper to have welfare than have people working? Well, let us go a bit further, Madam Deputy Speaker, because there are two kinds of options in terms of employment. The No. 1 is in terms of employment with the existing jobs that are available, the majority of which are in small business and in the private sector. Apart from some assistance programs that are in place for unemployment insurance, we have very little in place to employ those who are on social assistance or those who might end up on it.

I had a letter recently which I quoted from in this House, Madam Deputy Speaker, from a summer student. The student said that if she had been on welfare or she was unemployed, she could not get a job, but if she had been on unemployment insurance, the Unemployment Insurance Act has a provision that allows for a top up in terms of the combined unemployment insurance and in terms of the salary that is paid if one can work. If you are on social assistance, there is virtually no opportunity. Not only that, there is a virtual disincentive to employment, because the heaviest tax rate we have on income in this province and virtually every province in Canada is not at the top end of the tax bracket.

I believe the top end of the tax bracket nowadays, provincial and federal taxes combined, is about 52 percent. It might be slightly higher with some of the surcharges. The highest tax rate that we have, the effective tax rate, is on those who are on social assistance and receive some outside income. They are allowed to keep some of it, but the vast majority of it is confiscated in the form of reduced welfare payments.

\* (1610)

This has been part of a debate for many years. There has been talk about a guaranteed annual income, for example. There has been talk about the need for improved incentives, but the fact is we are still where we were 15 years ago and 20 years ago, when these discussions were first underway. The highest tax rate—and I repeat it again—is on welfare recipients who are trying to get back in the work force. So we need to deal with that in terms of existing jobs.

There are other cases, Madam Deputy Speaker, I want to talk about. There has been a lot of talk about job creation, and I remember a lot of the criticism, for example, about the Jobs Fund we have heard from the Conservatives. It is interesting to note, for members of this House who were not here, that the Conservative Party at the time voted for the Jobs Fund. [interjection] Yes, I think the Minister of Northern Affairs (Mr. Downey) has forgotten that one. The Conservative members voted unanimously for the Jobs Fund. They did not want to be seen as opposing the specific projects that would be undertaken or the specific jobs that would be created, even though they had their cake and ate it, too. [interjection]



Well, I hear the Minister of Justice (Mr. McCrae) talking. I remember the days when he used to speak against pay equity, but again the Conservatives voted for it—[interjection] Well, the minister says that was before he got here. Perhaps, since now he is in government, he has been using his influence to perhaps slow down the process. I remember his debate.

The point I was making, Madam Deputy Speaker, was that sometimes the Conservatives say one thing and they vote another way, and one of those cases was the Jobs Fund. The Jobs Fund was much criticized by many, but I ask you to look at who was working on the Jobs Fund. I will just talk from my own experience in northern Manitoba.

Many of the people who were working on the Jobs Fund were people who were on social assistance. I remember going into communities, some of which are now in the member for Flin Flon's (Mr. Storie) constituency, going into Brochet, South Indian Lake, probably 1982. The new NDP government was bringing in the program of winter works. Madam Deputy Speaker, the only thing that I felt sorry about was that there were not more jobs, because what happened in those communities was people said, we want to work. Do you know what they did—something we could learn about in terms of nonaboriginal society. Their first efforts were aimed at dividing up the work so that everybody got the chance for some of the income, which was not that much greater than social assistance, but more importantly, some of the dignity.

They made an effort to share the jobs. Madam Deputy Speaker, people can talk about what was done. They can criticize what was done, but I can remember what happened in those communities. They worked on community projects. They cleared brush. What did they do with the wood? They provided it to the elders who could not provide for themselves. They did other things, assisting the community, community works, et cetera.

I know in many communities these winter works programs were used to upgrade community facilities or for creation of facilities. There were many uses to which this was put. What we did in the middle of the recession, in the early 1980s, was we sat down and we said, let us bring together some of the existing programs; let us add to those programs; let us put a real effort into job creation.

The Conservative version of history says that the Jobs Fund, which they supported in their vote in this Legislature, somehow drove the deficit up dramatically. Madam Deputy Speaker, there is a fault in their arithmetic, because what they never have accounted for is the degree to which that money would have been spent in other ways, particularly on social assistance.

When you do not get somebody to work, in whatever way, shape, or form, private sector, public sector or through a public works program, what do they do for income, where do they go? Perhaps some go to UIC, but in many of the communities people who were working on the job-creation programs were people who were not on UIC. One could say that is a federal expenditure.

Of course, if they were off UIC and working, it would save the federal government, which is still the Manitoba taxpayers' money. It saved the federal government money, but in many cases these are people who would have been on social assistance otherwise. They would have been sitting at home; they would have been waiting for a chance to work; they would have been collecting social assistance. That would have cost the province significant money, and nothing would have been created in the meantime.

No community assets, no community service, so that argument does not hold. I use that today, because I look to the Minister of Family Services (Mr. Gillieshammer). He knows how much additional money is being spent on welfare in this province. He knows that one of the biggest jumps, probably the biggest jump, in expenditures this past year has been in terms of welfare. It is because we are in a recession.

We can argue about who is to blame another time. We can argue about whose policies or lack of policies are to blame another time. It is not a question now of who is responsible. Let us leave that aside; let us look at what is happening. It is there, it is existing. More and more people are ending up on social assistance and the welfare budget is ballooning.

Madam Deputy Speaker, why is this government not putting the effort into job creation that was done in the 1980s? Why not take that money and put people in a situation of contributing to the community by giving them what they want, which is work not welfare. So that is the opportunity.

There are many other things I want to talk about in terms of education. Our education system is another problem. We have had many programs. The ACCESS programs are probably the best example. They finally understood the need to get people off of welfare. Many of the people in the ACCESS programs were in that situation. The New Careers program is another example.

On social assistance, having the hope, the determination, the dream, they were given the chance. You know, some of the most uplifting personal stories I have ever had the opportunity to come to know have been those of students who have gone through the ACCESS programs.

What is happening now is the federal government is squeezing back the funding and we, and I say we collectively in this House, are caught in the situation of whether we can keep the programs as they are. Whether we make changes, whether we cut the programs, I say to this government, please keep the programs.

It is the biggest chance many people have to get out of the welfare cycle, the poverty trap. It is working; it is a model; it is an inspiration to other areas, other jurisdictions. Let us not lose what we have now; let us build on that.

I look at many other areas we can improve in terms of the educational system, because many of the programs have been put in place in terms of opportunities for those, whatever economic standing, have often been pilot projects. We need more permanence, we need more co-ordination in terms of getting people into educational institutions.

Well, Madam Deputy Speaker, I have mentioned a lot of policy areas. I know members of the opposition are often criticized for not putting forward ideas, are criticized for only criticizing governments. I would note that I have essentially focused in on what I feel were problem areas. It comes from the direct contact I have had with people in that situation.

I want to stress that I am speaking on their behalf. I have spent much of the last 10 years talking to people directly. I have been in their homes, and I have seen what poverty does to people. I have seen what social assistance does to people. I have seen the frustration of dealing with a system in which they have no control. I have seen the frustration of people who work in the system, who have no control. I have seen the frustration of people

working in a system that many people feel is going nowhere, Madam Deputy Speaker.

That is the kind of thing I would have hoped in this bill. What have we got instead? Well, we have a new version of single tier, Madam Deputy Speaker. This has been talked about for many, many years. The previous government made moves towards a single-tier system. In fact, we were ready to implement it. The Conservatives had opposed that. There were concerns expressed by municipalities in particular.

I will say, on the record, Madam Deputy Speaker, the bottom line is that there should be one system in this province, one system. I do not believe that municipalities should be in the situation of having responsibility over social assistance. It is a burden on many of the municipalities. It is something that would be far better dealt with, in terms of fairness to the welfare recipients and in terms of the operation of the system, if it were dealt with by the provincial government. There should be a single-tier system operated by the province, which is not what this bill does.

I want to go further, Madam Deputy Speaker, as well and say that one of the major concerns we have with this bill is that in introducing a single-tier system, the government is going to level the playing field—they like that term—at the lowest common denominator, that they are going to lower rates for people living in the city of Winnipeg—or, indeed, in Thompson—where some of the rates of assistance are higher than the provincial average.

\* (1620)

We are concerned because what is provided to people in many rural municipalities is not adequate. Indeed, the kind of treatment that is provided in some of those municipalities is not acceptable in this province—people being harassed, people being told to leave town, being told to get a bus ticket, that is it. This is well-documented, Madam Deputy Speaker. Not every municipality—many are very fair, but some are not. So what we need is a single-tier system.

What we also need is a rate that is equal across the province that does not go to the lowest common denominator. We need to treat everybody—this is a fairness issue—we need to treat people in the rural communities the same as the people in the city. We need to treat people in the North the same as the people in the city. In fact, the people in northern

Manitoba, if anything, should get higher rates because of the higher costs of living. The federal government provides a northern tax allowance to those earning an income, paying taxes. Why not reflect that in terms of social security rates?

So what we are saying is that this bill is wrong in terms of direction. I want to say, Madam Deputy Speaker, as I said earlier, the poor do not have the voice that many other people in this society do, but in this Legislature we will fight on their behalf.

I will say, in conclusion, that this bill is probably one of the most significant bills before this Legislature. It affects tens of thousands of Manitobans. We believe, based on what the government has said, it will impact on them negatively. We are raising this, not out of politics—as I said, many of these people do not even have the time to think about the politics of this issue—but because it is right to speak out finally, once and for all, on behalf of the poor and those who are on social assistance. If anything, as I said, this will be one of the major concerns for our party; it is one of the bills that we feel is most significant in this Legislature.

We will be opposing the flattening of welfare rates on behalf of this government. We will continue this fight in debate on second reading. We will continue this fight in committee. We will continue this fight on third reading. Madam Deputy Speaker, we will fight on behalf of the poor of this province, and we will oppose this very negative bill, this very negative move by the provincial Conservative government. Thank you.

**Madam Deputy Speaker:** As previously agreed, this bill will remain standing in the name of the honourable member for Brandon East (Mr. Leonard Evans).

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**Madam Deputy Speaker:** To resume debate on second reading of Bill 85. On the proposed motion of the honourable Minister of Labour (Mr. Praznik)—Oh, I am sorry, there is another speaker on Bill 70.

\* \* \*

**Mr. John Plohman (Dauphin):** Madam Deputy Speaker, as my colleague just said, Bill 70 has profound consequences for the people, the poorest in society in Manitoba. For many of our poorest people in the province of Manitoba, this bill is a

potentially punitive act that is going to make life even more difficult for them. I find it quite inconceivable that this government would proceed on this kind of a measure when they realize the dire straits that these people who are on social assistance at the present time are in, trying to simply survive below the poverty line; according to statistics, that is at 46.5 percent of the poverty line.

Here we have a bill that will potentially reduce these people to significantly lower income, because the government wants to attack the people who are poorest and most defenceless in our society. This is something that no government with any ethics and with any degree of compassion should be party to and is certainly some kind of a measure, Madam Deputy Speaker, that we in the opposition will not be party to in this House.

It is a disgrace. The government has not come clean with their agenda when they introduced this bill. They have not acknowledged that their agenda is to save money on the backs of the poor in our society. They do this action in Bill 70 under the guise that they are going to provide uniformity, standardization of rates across the province, but they do not acknowledge that in fact they want to cut the rates for nearly 90 percent of the recipients who reside in the city of Winnipeg in order to accomplish that standardization of rates.

It is easy for us to stand in this House smugly and say, oh well, we will not be impacted by this, but where are those members, those Conservative members, who see those people in their constituencies, who talk to those people? Do they not ever listen to them? Do they not ever talk to them? Do they not have any compassion for the poorest people in their communities?

**An Honourable Member:** It is a disgrace.

**Mr. Plohman:** It is a disgrace. This bill is an utter and complete disgrace, and none of these ministers and none of these MLAs on the government side should tolerate it, should sit by while this continues. They should stand up in their place now and say that they will not support this bill, that they are going to reject this bill, that they were wrong, that they will not be a part of making the poorest in society even poorer, Madam Deputy Speaker.

I ask them today, I implore those members to stand up against this unfair, disgraceful measure that they are bringing in. You know, when we were in government, we had undertaken a major review

of social assistance in this province. There was a number of recommendations made in the early '80s about what should be done to move to a standardization of the welfare system in this province.

But it was not just a one-tier system in terms of rates, it was a one-tier system in terms of administration, in terms of application of the support for the poorest people in our society. It did not, in our mind at the time, include the city of Winnipeg, because the City of Winnipeg rates are considerably higher than the provincial rates. At a subsequent time, we wanted to move up to those higher rates; but initially we wanted to ensure that the nearly 50 percent of the municipalities who were providing even less than the provincial rate would be moved up to the provincial rate. Those recipients would be increased to the provincial rates.

The administration of the programs for the people that would be under the municipal assistance would be taken over by the province, and so they would be handled in a consistent way with the same type of professionals who were trained for this kind of work dealing with those people who must apply, in a large majority of the cases, who must apply because they have no other alternative. They have no other source of funds, they have nowhere to turn. So they come for social assistance.

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

It is a tremendously degrading procedure for many of those people, especially in many of the small municipalities, when you go to those municipalities and understand that it is not done anonymously, administratively, by someone in the office. It is done by the council, at a public council meeting, where they deal with these applications.

**Hon. James Downey (Minister of Northern Affairs):** How else would they do it?

**Mr. Plohman:** They could authorize their staff. The member for Arthur (Mr. Downey) says how else would they do it. Now look at this brilliance. This minister cannot see another way of doing it except having it done publicly by the councillors at a meeting in a small community. Now there is a statement that testifies to the lack of sensitivity of this Minister of Northern Affairs (Mr. Downey). He is in charge of a large portion, a greater portion of our province as Minister of Northern Affairs, and that is the kind of sensitivity he applies to make that kind

of comment from his seat in this House, Mr. Acting Speaker.

That is just unbelievable and unbecoming of this minister to make that kind of statement. Yes, there is another way to do it. The way to do it is to ensure that it is included under the provincial administration, so you do not have to have that kind of demeaning process for these people. It could be done another way too, of course, in the interim, and that is that they would have it administratively done by their secretary-treasurer or some staff person, but they do not want to do that, and so they retain the purse strings close to them at the council table, and that kind of procedure is just so humiliating for legitimate applicants, as well as those who perhaps are not so legitimate in their application.

\* (1630)

I want to say to the Minister of Northern Affairs (Mr. Downey) that there would be a very, very small number, and the minister asks me, who are those people? I would say that is fewer than 1 percent of the applicants, Mr. Acting Speaker, less than 1 percent, but I acknowledge that for the sake of the argument that the minister would put forward. I would acknowledge that.

I tell you, Mr. Acting Speaker, that is a very small percentage of the total number of applicants for municipal social assistance. They have no place to go. We have seen those desperate people at our office in Dauphin. They come to our constituency office and say they cannot get help at the municipal offices, and they want our help. They want us to lobby for them, to work for them to try and get some justice for them because they have nowhere else to go.

They go to the provincial offices and they say, no, sorry, you should be on the municipal system right now. This is short term. You are supposed to be getting something from them. Go to see them again, and of course they have been there a dozen times. Many times, there is no staff who have any training in this area, and they reflect the viewpoints, perhaps, of a vocal councillor who says, we have too many people on welfare; we have to cut them off, or we have to have less of it.

They may not look at the other side of it, just like this government; that is, at the jobs that will result in people being taken off the welfare rolls. It is the job creation that is going to lead to that, the training and the opportunities being created that will get those

people into something, into another means of raising income that is not so humiliating, that gives them a sense of self-worth, so they can work and contribute to society as productive citizens.

That is the only way that you are going to get these people off, but not by saying we have to be tougher in the applications and cut those people off, because we all know—even the audit that was done by this government when they came into office showed that there was a very, very small percentage of the total payments of social assistance that was being given to abusers of the system—very, very small. As a matter of fact, it must have dumbfounded the Minister of Northern Affairs (Mr. Downey). Here he thought he was going to find all this waste and there was no waste. There was not the kind of waste that they said was going to be there. So we are not dealing with a system that is being broadly abused by people.

It is a system that is being required and depended on more and more as the years pass, as the months pass, because of the recession right now, because of this government's policies of stand aside and not get involved in creation of jobs and proper training so these people have some hope, so they can contribute to society and pay taxes, and in fact then relieve the government of the burden, the burden that has no end in sight due to the vicious welfare cycle which often captures many generations, is passed on from one generation to the other down the way because it is the only way they knew.

So the government has a responsibility of not moving only to a standardization of rates which will bring 90 percent of welfare recipients down from what they are making now, which is not enough for them now even to live on—46 percent of poverty rate, poverty level of income. There is no room to bring those down but that is what the government has left here.

They say, no. There is nothing in this bill that is going to prevent a municipality from paying more than the provincial rates, nothing at all is going to prevent it. But there is, because they will refuse to share that portion above the provincial level. They will not pay those dollars, and therefore there is going to be a powerful disincentive for the municipalities to offer any more than the provincial rate.

So the city of Winnipeg will be faced with a very difficult decision as to how they are going to fund

this. That is the kind of a decision the Minister of Northern Affairs (Mr. Downey), I am sure, would love to lob into the hands of another government and not have to deal with, but he is creating that problem right here in this House with his colleagues when he moves and supports this Bill 70.

I said before and I will say it again, a disgraceful measure by this government. I say, on the other hand, that they should have moved with the kind of vision that the previous government was undertaking in 1988, when the election occurred and we were unable to finish it under the guidance of the member for Brandon East (Mr. Leonard Evans), at that time the minister responsible for economic security.

At that time, Mr. Acting Speaker, he brought forward a visionary approach that was accepted and supported by Treasury Board. I sat on Treasury Board at that time and I am familiar with it. I know that proposal would ensure that rates in Manitoba would rise for nearly 50 percent of the municipalities, because recipients in that area would now receive the provincial rate in all areas of Manitoba, with the exception of Winnipeg. They would be administered by the provincial system, not by the municipal staff who in most cases, as I indicated, in small municipalities have no training whatsoever in dealing with these issues, with the people that come before them.

**Mr. Downey:** That is quite a reflection on the municipal people.

**Mr. Plohman:** Well, now the Minister of Northern Affairs says that is a reflection. Now there is another grand statement by him. I did not talk about the municipal councillors; I talked about the secretary-treasurers. I said they do not have the training to do this kind of work and, yes, I am reflecting on their training. That is not part of it and the Minister of Northern Affairs should know that. It is a reflection on him that he makes those kinds of statements that reflect no knowledge of the issue. That is why he is a part of a government that has undertaken putting forward Bill 70, which is a punitive act to hit the poorest in society.

The Minister of Agriculture (Mr. Findlay) should also reflect on this even though it is not his area. He should reflect on the fact that there are 90 percent of welfare recipients in the city of Winnipeg—90 percent of all welfare recipients who are going to be impacted by this bill, to have their rates cut, because

the government will refuse to share anything higher than the provincial rate. He should express his outrage at the minister bringing this forward, and he should wake up his Minister of Northern Affairs (Mr. Downey) and say, speak up on this and do not tolerate this; it is a shame.

That is something that the Minister of Agriculture (Mr. Findlay) has not done, and the Minister of Northern Affairs has not stood up for those poorest people, many who live in the area that he is charged with administering as Minister of Northern Affairs.

Many of them reside in those communities. That is a reality, and this Minister of Northern Affairs should be providing them with jobs so that they can get out of this vicious welfare circle that they are trapped within. That is the kind of action that this Minister of Northern Affairs should be taking, not following the path of his former colleague, the member for Swan River, when he was Minister of Northern Affairs, when he said, welfare is cheaper than jobs. That is the mentality that governs this Minister of Northern Affairs (Mr. Downey).

That is why he sits there passively and talks about that being a reflection on the people of the North when I say that many of them are on welfare. They do not want to be on welfare. They want to work and they want jobs. This minister refuses to put forward programs and policies that will ensure that they will go to work and be contributing members of society. That is what they want, and this bill does not help them whatsoever.

As a matter of fact, it viciously reduces the income of the poorest people on social assistance, primarily in the city of Winnipeg. It still enables the unequitable system that currently exists, where municipalities with persons who are not trained to administer are administering publicly many of these social assistance recipients in the public eye, at the council table where this kind of thing, if there is dignity for these people, must not be allowed to continue, Mr. Acting Speaker.

\* (1640)

It must not be allowed to continue because it smacks of guilt. It leaves the impression for everyone that anyone who dare apply is guilty of being lazy and worthless and does not want to work. That is the kind of impression it makes when you say, this will be discussed publicly at the meeting of council whenever one is brought forward.

Whenever one individual or family comes forward in their desperation for help, they have to face that.

I do not think that kind of a deterrent is a legitimate deterrent and should be allowed to continue. I believe that the member for Brandon East (Mr. Leonard Evans), when he was minister, had the right idea when he brought forward his program that would see a one-tiered system for all areas outside of Winnipeg, both in terms of rates and in terms of administration.

This government talks about standardization, but we know the real agenda. My colleague the member for Flin Flon (Mr. Storie) addressed this issue in his speech, when he said the real reason for this bill is to save money on the backs of the poorest in society.

That is what is the agenda of this government, and any one of those backbenchers and members of cabinet who do know that should ask those questions now, should ask those questions and demand the answers. Is that our agenda? Then I want no part of it; I do not want to be a part of taking money from the poorest. They should ask that. Each—[interjection]

Well, the member for Gimli (Mr. Helwer) says that they should not do that. Let him speak up in caucus then, and let him say it with all the strength he can muster that he will not put up with this garbage, he will not put up with this disgraceful act that allows this government to do that.

Mr. Acting Speaker, I cannot say it any more forcefully than that. I am going to ask each of these members to do some soul-searching over the next number of days that this House is in session to take a good look, not just to follow blindly to their stalls as the cattle would do, blindly to their stalls, one after another, just used to going in there.

These members here should ask questions and scrutinize. Even when measures have been passed initially by their caucus, they should be able to revisit them. They should feel free to do that. They should not feel that they are questioning one of their colleague's knowledge or integrity or anything else when they ask those questions.

They should go back and say, I think we were wrong. I think we are moving in the wrong way. Let us take another look at that proposal that the previous government was bringing forward with regard to standardization of administration and rates for all areas outside of the city of Winnipeg initially.

Let us look at that one. Let us bring that forward. Let us ensure fairness here. Let us ensure that we are not going to put in place a deterrent that will ensure that the city of Winnipeg will drop its rates because it does not get any share from the province for any rate above the provincial rate.

Mr. Acting Speaker, let us ensure that the regulations that they put in place—and that is the only way they can salvage this—ensure that there is sharing for whatever rate that a municipality deems appropriate for their particular area. That is what they should be sharing; it is still 50-50.

They are not going to spend an outrageous amount. In many cases, they are going to spend a little more—like in the North where they know that the costs are higher. Let this government ensure that the sharing will be applicable to all of those situations and that they will not put an artificial cap at the provincial rate at the present time. Then we could at least salvage something in terms of fairness.

Then they should get moving immediately with a job strategy that will enable these people to get off the vicious circle of welfare which is going to cost the province millions and millions more—I believe, \$90 million more, in welfare over the last two years—because of their failed economic policies. There is no hope in that policy.

Get people off of welfare and get them working so they can pay taxes. Then you are going to save money on your budget. You might not save it tomorrow, but you will save it in a year from now. You will save it in two years from now. That is the kind of thing you have to do. Get those people trained and working and assist them. Assist them when they have to be on social assistance in a humane way that allows them to live with some dignity, Mr. Acting Speaker, to live with dignity rather than having to constantly scrounge to get bread and milk.

Mr. Acting Speaker, I hope that the government will listen to this and will take another look at the issues that we have raised in this House on this bill, because we cannot be a part of this inhumane treatment of people in this province. It is a disgrace, and this government should acknowledge that and do the right thing while they still have an opportunity, and they do have an opportunity yet.

They still have time, and we are going to give them a little more time yet, more time to reflect on this. I

hope that there will be some sanity in those ranks, that they will start to look at what this is going to do to people. Look how wrong headed their approach is to ignore the issue of training and jobs so that people can be relieved of this vicious circle of welfare.

Mr. Acting Speaker, we have a number of other people who want to speak on this bill. I want to indicate—

**Mr. Downey:** What bill is this on?

**Mr. Plohman:** Now, here is the Minister of Northern Affairs (Mr. Downey), he does not even know what we are talking about. That is how much he cares. Bill 70, this minister does not even know what it is about. That is how much he pays attention. Now I know why the people in the southwest corner of this province mock this member, because he does not listen to them when they raise concerns whether it be under GRIP or any other agriculture program.

They are going down the tubes under this minister and this government, and they refuse to listen. That is precisely the same mentality that he displayed when he said which one. He does not even know what the issue is before the House. Has he spoken on this bill? Has he given his position? Has he talked about his concern for people on welfare? Has he talked about the poorest in our society? Has he talked about jobs?

He is not doing anything about it. When he was Minister for Seniors, he had the same dismal record for them as well. We all heard it in this House. It was a mockery. He continues to display that callous approach in this province.

Now look, they are all chirping and coming to life to try to defend the indefensible. Is not that interesting? That means they are all in the same boat. Would you not say? They are all in the same boat. We have a case here of the Minister of Agriculture (Mr. Findlay) coming to the defence of the Minister of Northern Affairs (Mr. Downey). Why would he associate himself—how can he possibly associate himself with that kind of callous disregard for people?

When he hears these kinds of statements he should say, come here, Jim. Come over here. I want to have a talk with you, I cannot put up with that, I cannot support that kind of garbage. Do not say that in here. I mean, if you want to think it somewhere else that is your business, but do not

say it in here. We cannot support that. We do not believe in that callous treatment of our poorest in society. We want jobs. We want to ensure that there is a fair social allowance system in this province that allows people to live with dignity, if they must be on it, and gives them an opportunity to move forward away from that system, and the Minister of Agriculture (Mr. Findlay) has not addressed that issue at all.

\* (1650)

(Mr. Speaker in the Chair)

I look at the rates that are in place throughout the province. No wonder they talk about 46 percent of the poverty line, people on social assistance at 46.5 percent of the poverty line, 46 percent of an income that would get them to the poverty line. That is just unbelievable.

Do you know, Mr. Speaker, that they would be getting a rate for a child under one year of age of \$423 a month—an adult and a child under one year old, \$423, to pay for rent, to pay for food, for clothing, all the utilities. It is just inconceivable. You cannot do it, and yet we have a government that wants to lower that rate.

The city rate is \$461. They want to drop it to \$423. They will not share anymore than that. They want these people to be faced with an even more hopeless situation. That is saying to all of them, you do not have to be on welfare. Get out and do something with your lives. Is that the kind of thing that this government is saying?

Sure, many of those people, the majority of them, would rather not be on social assistance. They would rather be working, leading productive lives. Maybe their lives are productive in another way, and many times they have to stay with their children as a single parent who cannot be away, who will not leave their children, who want to work in the home, raise the kids, spend time, give them the best nurturing and care. They have no possibility of getting a job, no time to do it because of their other responsibilities and in many cases, no training that would allow them to be employable, nothing that will ensure that they could get a productive job at more than minimum wage.

Others are not healthy enough to work. They are not able to work. They may be on some type of sick leave without pay. Many jobs do not offer a long-term salary continuance. They are not getting workers compensation. They are not getting a

long-term pension plan. They are getting nothing from any other source, and so again, because they are not well enough to work, they have to endure a life under social assistance.

We cannot allow them to have to face even further roadblocks in their lives. We cannot allow them to be abandoned further by a callous government that brings in measures like Bill 70 which do not reflect any sensitivity.

Where is the Minister of Education (Mrs. Vodrey) on Bill 70? Why does she not stand up in caucus and in cabinet and say, you know, even though I am a new member in cabinet, I am not going to put up with this. This is not something that I can be a part of. I will not stay in this cabinet, in caucus, as long as you bring in measures like this.

You see, do we have any individuals with the strength to challenge the status quo in there, to challenge the powers that be—the Minister of Northern Affairs (Mr. Downey), only a breath away from the premiership as Deputy Premier. Do we have anyone in that cabinet who is willing to challenge the Premier (Mr. Filmon) who allows this kind of thing to happen, this kind of a bill? Well, the Minister of Natural Resources (Mr. Enns) tried it once. I hope he will. I would like to see him challenge this Premier and say we will not be a part of this kind of a program.

Mr. Speaker, we have looked through this bill, and we have found that we cannot support the punitive measures that it contains, and so we speak to the bill one by one in this Legislature, in opposition to this bill, to attempt to bring some sense to this government, to get them to take another look.

We realize that it is very difficult, but we know there is some hope over there. The hope is like a flickering candle though. It is almost out. The hope is almost gone. There is very little strength there. There is very little willingness to stand up and make a fundamental change in direction with regard to the poorest in society, but there is still some hope.

That is why we stand in this House on their behalf because in many cases, they are voiceless. They cannot speak for themselves. They are not politically sophisticated as a group to lobby in many cases. The Anti-Poverty Organization and others do speak up, but they do not have the kind of political clout, so someone has to stand in this House and speak for them. That is what we are doing, and that is what we are asking.



We are asking that this voice be heard, and that these ministers will not sit so comfortably, will not sleep so well when they think of Bill 70, that it will bother them, that they will bring it up in caucus and cabinet and say, we have to take another look at this. I believe that any one of them can do that, can trigger an avalanche, can trigger a process that would be irreversible in that caucus, would turn this around. But it takes one to start that, and they have to do it soon because if they do not do it soon, Mr. Speaker, it is going to be too late, and we are going to have an act here that is going to take us backward significantly.

Mr. Speaker, with those words on this bill, I want to ask the members to review it again and take whatever steps they have to take to stop this Bill 70. I would say they should simply give it a hoist, a six-month hoist, or just let it die on the Order Paper, come back with new measures that are fair in the next session of the Legislature. That is the kind of action they should take, and that is what we are asking them to take.

Do not even take it to committee. Get a hold of it. This issue is not what you were led to believe when you discussed it in cabinet and caucus or else you are deliberately, as I said earlier, trying to undermine and malign the poorest in society—deliberately—and that would be a disgrace.

They can take the kind of action that is required now, a positive step, a step that they will feel good about insofar as their contribution to a measure in Manitoba, for the poorest people in our society. They have a chance.

We ask for that, Mr. Speaker. We implore that on behalf of those voiceless people who are not here able to speak for themselves. Thank you.

**Ms. Rosann Wowchuk (Swan River):** Mr. Speaker, I too would like to make a few comments on Bill 70. Bill 70 is a bill—[interjection]

### House Business

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Speaker, I believe if you canvass the House, you may find a will to waive private members' hour. I look to the opposition House leader who I understand has one or two of their members who would like to speak on a particular item under private members' hour, which we would agree to call somewhere around 5:30 to accommodate those particular speakers.

But I think there is a will to waive private members' hour if you canvass the House, and we will have some other announcements on House business as we progress through the hour.

\* (1700)

**Mr. Speaker:** Is it the will of the House to waive private members' hour? Agreed.

\* \* \*

**Mr. Speaker:** The honourable member for Swan River, to continue with her remarks.

**Ms. Wowchuk:** As we look at Bill 70 and read through it, we find that this is a bill where government is attempting to save money on the backs of the poorest people in our province, those people who have been disadvantaged, those people who may not have had the opportunity to have a fair share at life, people who would very much like to have a job in this province if this government would make some effort to create jobs.

But rather than make an effort to create jobs and stimulate the economy of our province, this government has chosen to bring in a bill, as I said, that will tax our poorest people and bring in a single-tier system of social assistance, but rather than raising it, it is lowering the social assistance to a lowest common denominator. We have always said that we would support a single-tier system, but not the type of bill that this is, Mr. Speaker.

The largest number of our social assistance recipients are in the city of Winnipeg, close to 80 percent of these people, and somewhere between 10 percent and 11 percent are living out in rural Manitoba. By bringing in this legislation, it is going to have a tremendous effect on people on social assistance in Winnipeg because the city of Winnipeg at the present time has a higher rate than the provincial level, and if the city continues to pay at a higher level, they will be left with a bill that gets passed on to the taxpayers that they cannot afford because the province agrees only to pick up 50 percent of the cost.

So this is going to have a devastating effect on social assistance recipients, and also it will cause some concern. The city is going to have to decide how they are going to pay for the additional social assistance if the government is not going to pick up 50 percent. That will result in \$5.6 million in additional money that will have to be passed on to the taxpayers.

Mr. Speaker, when we look at these people who are on social assistance, many of these people do not want to be there. As I talk to many people who are in that situation, they would gladly be at work if there was a job for them, if there was training provided for them so that they could get back into the work force.

But by cutting social assistance, who is being hurt the most? In most cases, Mr. Speaker, in many cases, it is the children. Why are the children being hurt? Because in many cases the amount of money that is available for food is lessened. The quality of food that these children get is at a lower standard. We all know that without a proper diet, we do not have the ability to study. We do not have the ability to learn.

What do we see? We see more and more food banks opening in the city of Winnipeg. In fact, Mr. Speaker, we are seeing food banks opening in rural Manitoba, something we have never seen in the history of this province. As I said, if we do not have proper diet our children suffer, they do not have the ability to learn.

Young people and old people turn to substances that will help them divert from their problems, hide their problems, escape from their problems. We see young people turning to drugs, substance abuse, alcohol abuse, and I speak of young children but this happens with adults as well. Their life becomes so dismal that they have no choice but to divert. They do not have the support.

Mr. Speaker, the government, rather than introducing the bill that they have, should have looked seriously at the division of the bill that was presented by the previous government, a bill that was not implemented, but the plan was there. It was a plan that would have raised all people to a level that was equal across the province. We would not be having people who would have the ability to go below the level, all people would have been treated fairly.

Mr. Speaker, if we went that system all people would be administered under the provincial system. It would take away from the municipalities administering their social assistance, and I do not think that would be that great a problem because I have talked to many people who are in municipal offices who have a great deal of difficulty dealing with social assistance. They tell us that they do not have the expertise in their office and would many

times like to turn to the provincial offices for advice and support, but that is not available to them.

That is one thing that could be considered rather than what we have now, where in many cases applying for social assistance in a municipality can be very degrading. I am sure that all members have had constituents who have reported to them of such incidents but I, in particular, would like to share an incident that was brought to my attention where a young mother with two children was virtually in tears because she had to go before the council and explain why she needed welfare.

She was degraded to the point of being asked why it was that her partner could not provide for them. Why it was that her partner happened to have some charges against him. It was a very degrading situation for her, and there are many such cases. We should think very carefully about how this was handled. It is not only difficult for councillors who have to deal with it, but it is also difficult for the administrators. They have said to us, that there are municipalities who want to retain the power of administering social assistance, but there are also those municipalities who say that they do not have the skills.

I know that the Minister of Northern Affairs (Mr. Downey) earlier said that the member for Dauphin (Mr. Plohman) was degrading the municipalities by saying that their people did not have the skills. This is something that municipal people have admitted. They have said that this is a very difficult situation to deal with.

Many times the councillors and administrators, particularly in small communities, are dealing with their own friends and neighbors and are not as unbiased as they would like to be. Many times they do not want to have to deal with this problem.

So, Mr. Speaker, if we would be considering a proposal that would bring in a one-tier system that would be handled provincially and take away the responsibility from the municipalities, I think that would be something that we could consider. When we are looking at a bill that is going to lower the social assistance for people, particularly in the city of Winnipeg, we have some difficulty with it.

Now, when we look at this from the rural perspective, what is going to happen is that social assistance is going to be, in most cases, raised in the rural area, and they will be helped. This is a concern to municipalities because they are going to

have an additional cost, but that is not the only reason municipalities have a concern.

If municipalities had not been offloaded onto by this government with roads and had to pick up all those extra costs—particularly at a time when the rural economy is so difficult—they might not have such a problem picking up the costs of social assistance. But when they have a government that continues to renege in its responsibility and offload costs onto municipalities, they, indeed, have difficulty picking up additional social assistance costs. It is causing some concern for them.

Municipalities are now having a concern that they might even have another cost to pick up. An issue that was raised yesterday on policing costs that may be passed on to towns and municipalities, again, will put burdens on municipalities and towns. With the economy where it is, they will have some difficulty. I am sure that municipal councillors want to treat all their residents fairly and give them the assistance that they need. They want people to stay in their communities rather than have to leave to an area where there is higher assistance, because after all, we want people to live in the rural community. We want to offer them a fair way of living and to provide with the assistance that they need. But, as I say, municipalities and towns, particularly in the rural area, have a great problem with all the extra costs that are being passed onto them by this government. This will cause some deep concern.

Mr. Speaker, if this government was really concerned about those people who are on social assistance, they would be dealing with the matter of providing training and counselling for these people, creating jobs that would give them the ability to take their role in the community.

The majority of people who are on social assistance want to work. I have a fairly high rate of social assistance in my constituency, and I believe I am speaking the truth when I say that they do want to work. Many of them have put proposals to this government where they have ideas where there could be job creation.

\* (1710)

**Mr. Downey:** Are there times you do not speak the truth?

**Ms. Wowchuk:** Mr. Speaker, the Minister of Northern Affairs (Mr. Downey) is asking whether there are times when I do not speak the truth. When

I am in this Chamber, I speak the truth. I want to assure him of that.

**Mr. Downey:** But what about when you are outside the Chamber? That is when you do not speak the truth.

**Ms. Wowchuk:** That is beside the point.

**Mr. Downey:** That is beside the point?

**Ms. Wowchuk:** Mr. Speaker, I can say that I have no difficulty with what I say outside or inside the Chamber. When I stand up for my constituents, I speak the truth.

Mr. Speaker, I have been sidetracked a little bit by the Minister of Northern Affairs (Mr. Downey). I would like to get back to this bill and the fact that, if the government would put a sound foot forward as far as job creation and showing leadership in communities, show some initiative to prepare people for the work force, we would have much less a problem, many fewer people on social assistance.

(Mrs. Shirley Render, Acting Speaker, in the Chair)

But that is not the agenda of this government. This government has increased the amount that they are spending on social assistance. They are not listening to the many suggestions that are coming forward from people when they have ideas where they might be able to work. If we look back at the record of the previous government, they were interested in the people and they were willing and committed to supporting communities with job creation that helped people get some skills and trades that prepared them for the work force.

At the municipal district conference yesterday, there was some discussion on this bill. Those people are going to be making a presentation, and I look forward to hearing what municipal people have to say about this bill. As I say, they will have some difficulty with the fact that they will have to pick up additional costs, but on the other hand, if the government were treating them fairly, if we were going to have the supports for the communities that were there before, if we had the initiatives from government that would create jobs and give the people the ability to stay in their communities, I do not think municipalities would have nearly the difficulty.

I think that there are many municipalities that would welcome a one-tier system, a system that would treat everybody fairly, a system where

municipal administrators and secretaries would not have to deal with social assistance, because this is, as I say, a difficult issue and one that has to be dealt with by people who are trained in that field. Secretary-treasurers and administrators do not have that training. That is a job that should be handled through the Income Security office and that is where people should be directed.

But, Madam Acting Speaker, at the time we are in right now, I think it is very, very unfair that the government should be looking at offloading costs, saving tax dollars on the backs of those people who can least afford it. Many people who are on social assistance end up not having enough money to make it to the end of the month. They end up going to food banks. They end up looking for other types of assistance. There is not enough money for them to live on the allowance they have right now. If this government moves in the direction of carrying forward with this bill and forcing the taxpayers in the city of Winnipeg to pick up tremendous costs, I am sure that social assistance rates are going to go down, and we are going to see much more devastation in that part of the community, more of our children not having enough food to eat.

We have a responsibility to see that people have roofs over their head and people have food to eat. I think that this is a terrible time to be introducing a bill such as this, and I would hope that the government would give it serious consideration and, in fact, take it back to the drawing board and come up with a bill that is more considerate, a bill that with more compassion that will deal with the people, our poorest people who cannot afford—let us deal with these people fairly. Let us offer them the supports they need. Let us encourage them to get an education. Let us give them the opportunity to fit into the work force when they can.

There are many of them who cannot fit into the work force. If they are single mothers who have the responsibility of raising children, we cannot expect them to go to work, but these are the children of our future. We should see that they are provided fairly, that they have shelter, that they have food. After all if they do not have the proper food, you know that in the end we are going to have much higher costs in health care and many other costs that are associated with people who are not in good health, do not have the ability to look after themselves.

Madam Acting Speaker, with that I will close my comments, and I would hope that the government

will reconsider this bill, would look at a system that would treat all people fairly, and I look forward to hearing the comments from those people who do make their presentation at committee if it does get to that stage.

(Mr. Speaker in the Chair)

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I am very pleased to rise today in the remaining 12, 13 minutes to put some comments on the record regarding Bill 85, the amendments to The Labour Relations Act, amendments that we see, on this side of the House, as particularly regressive, and amendments that prove once again that this government is elected and here to respond to the concerns of the business community, the people who pay their bills, the people who put them here and the people they hope will help to re-elect them should that happen in 1994 or thereabouts.

It is clear that this government, from the time it was elected, has slavishly followed the dictates of the business community, and the business community takes its cues very clearly from business communities in other jurisdictions and adapts and adopts the agenda of the business community in other jurisdictions of the world, and that should not come as a surprise to anyone here. One has only to look at what happened in the United States when Ronald Reagan was first elected in 1980 and signalled at that point in a very dramatic way that he intended to get tough with the unions, and at that time, many would recall, he fired all the air traffic controllers. That act signified a major change in the way unions were dealt with in the United States. After that point people realized that—[Interjection]

Mr. Speaker, it has been brought to my attention that we are dealing with Bill 70, and it has been my understanding that I have been speaking to Bill 85, so I think at this point someone should call Bill 85.

**Mr. Speaker:** No, the honourable member has been recognized to speak to Bill 70. The honourable member has been speaking on Bill 70.

**Mr. Maloway:** Mr. Speaker, well, in that case I will just have to switch in mid-sentence here and start on Bill 70, and I do not think that will be a great problem. If someone would get me a copy of Bill 70, I think that I can quickly reorient myself here and spend the next 10 minutes talking about Bill 70. I am told it is the one-tier welfare system, and I am familiar enough with it to be able to make some comments on that bill that I was planning to make in

any event in the next couple of days. I will just have to make them a little sooner than I had planned.

Our House leader has pointed out that of the 102 or so bills that have been brought to the House so far in this session that there are really only a half a dozen to a dozen that are controversial, and certainly Bill 70 is one of those, along with Bill 85 and a couple of others that are controversial and that we intend to take issue.

I intend, at this point, Mr. Speaker, to take issue with the contents of Bill 70. Other members of our caucus have addressed Bill 70, and we feel that bill is consistent with and indicative of the way this government intends to deal with underprivileged people in our society. We have pointed out, time and again, the lack of sensitivities of this government to the poor people of this province. In fact, it is adding consistently to the rolls of the poor people in this province by virtue of the laws and by virtue of the policies that it in fact has adopted and is adopting.

There is not a lot of sympathy for poor people in the Conservative caucus, nor has there historically been a great feeling of support for poor people. The Conservative caucus tends to believe in survival of the fittest, and their general attitude has always been of one pulling oneself up by their boot straps and making their way on their own. If people are not able to make it in society, then they deserve what they get and that is to stay at the bottom without proper supports.

We, in this House, have always taken the opposite view of that and have felt that people in need deserve assistance, deserve government assistance, and we have always been historically more sympathetic to people who are disadvantaged and prepared to help them out more.

\* (1720)

As a result of that, we are always suspicious of any initiative that a Conservative government anywhere takes, because usually the bottom line is that in the end, while some of the rhetoric may sound reasonable at the outset, at the end of the day any initiative that a Conservative government takes in the area of dealing with poverty tends to be to shortchange the poor people of this province.

Over the years, we have not seen an appreciable decrease in the number of poor people, in fact, in this province or in this country. That whole area has to be addressed, because if we do not take

initiatives to help poor people, we are simply going to allow them to stay at the level that they are at, their numbers will increase, the social problems will compound as a result of that lack of interest and that lack of initiative.

Perhaps it would help for the Conservative Party, the Conservative government, to take a greater interest in the areas of poor people and their issues. Perhaps it would be helpful if they would go out and talk to some poor people and go to areas around Main Street and get an appreciation for what it is like to be poor.

I know that there are a lot of people in this House who have experience with doing without as they were growing up and so on, on this side of the House and on the Conservative side. I am not suggesting for a moment that just because one is an elected Conservative member that somehow one has been born with a silver spoon in their mouth or has had riches. Certainly there are people who have had to struggle on that side of the House.

But, when one achieves some degree of success in our society, there is a tendency to forget the hard times and the plight and the poverty of those that one left behind. I find that particularly evident on the side of the people of the Conservative persuasion who have a tendency to try to ignore or forget poor people in our society, and essentially glorify all the ideals that they see as the ultimate in society, which is the competitive edge and achieving as much money as possible, regardless of the costs.

They tend to glorify those goals, even though they themselves may not be overly successful in achieving them throughout their lifetimes, but they feel as Conservatives that this is part of the script, part of the ideological handbook that they are given when they join the Conservative Party, and they must follow those ideals. What they do not realize is that one must have a balance in political philosophy. One has to have an appreciation for the business issues, but one also has to have an appreciation for the issues of labour and poor people in our society. It is something this government should pay a little more attention to, Mr. Speaker.

Now, the suspicion has been that this is essentially, this bill, Bill 70, will tend to provide for an offload on to the municipalities. Certainly, Len Evans, when he was the minister back in 1986-87, was planning to address—[interjection]

**Mr. Speaker:** The honourable member for St. Boniface . . . . No. I am sorry. The honourable member for Elmwood.

**Mr. Maloway:** Thank you, Mr. Speaker. I realize that the time is up and that we must go into private members' hour in just a few minutes now where we will be dealing with the antisniff bill.

Mr. Speaker, we intend to oppose Bill 70. We intend to continue the fight for opportunities for disadvantaged people in our province, regardless of what the Conservatives and their friends have to say about the subject. Whether they do the right thing or not while they are in government, we have the satisfaction of knowing that their term of office is somewhat limited now. They have but two years left to wreak whatever havoc they are going to wreak on the province of Manitoba, and after that point we will be providing much more enlightened government after the next election. [interjection]

Well, the member for Rossmere (Mr. Neufeld) asked me if I believe any of this stuff. My constituent the member for Rossmere asked me whether I believe any of this. The fact of the matter is that it is true, that this government is very slavish to business ideology and whatever the business community wants, this government is prepared to follow.

I am surprised that they are suggesting that is not the case, because the Chamber of Commerce tells them what to do with respect to labour legislation, it tells them what to do with respect to a number of other areas. I did not think there was any secret to the fact that they followed the Chamber of Commerce and their agenda.

If that is not the case, I would certainly like to see some proof that it is not, because every bill that this government brings in is a bill that is checked out pretty good with the Chamber of Commerce and the business types that this government is connected with. The emphasis is on the bottom line.

I mean, it is very simple. This government would not offer disadvantaged people, offer to spend any degree of money on them because they are concerned about balancing the books and cutting the deficit and any initiative would not be backed by the Chamber of Commerce. Because what does the Chamber of Commerce have in common with people on social assistance and disadvantaged people in the society? Absolutely nothing, Mr. Speaker.

So we do not expect any more from a government such as this. We are making it clear that we are going to oppose this bill, we are going to speak against it in fairly substantial numbers, we are going to oppose it in the hopes that the government will change it to a form that is more acceptable to the disadvantaged people in our society.

Now, Mr. Speaker, it was my understanding that we were to go into private members' hour at 5:30, and it is that now, so that we could deal with the antisniff bill which I happen to have somewhere here as well. So I ask you whether that is the case, because now I have been dealing with three bills. I started out with 85, I went to 70 and now I am going to the antisniff bill, which is three bills in the space of 15 minutes. I am certainly prepared to deal with that one if that is what we are supposed to do.

Mr. Speaker, I ask for your clarification then as to—

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

\* (1730)

### House Business

**Mr. Praznik:** Mr. Speaker, on House business I do not mean to interrupt the member for Elmwood (Mr. Maloway), but I understand that in the spirit of co-operation as all parties and House leaders try to work together with the resolution of the session that, I believe, the official opposition have some speakers on a particular matter of Private Members' Business, that being a return for papers. I think there would be a will of the House to allow that matter to now be raised under Private Members' Business to allow the official opposition to put its speakers on that particular issue.

**Mr. Speaker:** On the point raised by the honourable deputy government House leader (Mr. Praznik), our Rule 20(2): "When government business has precedence," and it does at this time because we have already waived private members' hour, "the government orders and private members' orders may be called in such sequence as the government determines."

Are you advising me at this time that you would like to call a certain bill in private members' hour?

**Mr. Praznik:** Yes, and I look to the opposition House leader this time. I believe that there was an address for return for papers regarding the antisniff legislation, and I believe that we will call that on the understanding that the official opposition has two or three speakers that they would want to put to it.

I would ask as well, Mr. Speaker, as part of that, that I be allowed a few moments under House time before six o'clock with some further House business.

**Mr. Speaker:** Okay, the honourable member for Elmwood (Mr. Maloway) has 26 minutes remaining. So when this matter is again before the House, the honourable member for Elmwood will have 26 minutes remaining.

The House has already granted leave for this matter to remain standing in the name of the honourable member for Brandon East (Mr. Leonard Evans).

## PRIVATE MEMBERS' BUSINESS

### ORDERS FOR RETURN, ADDRESSES FOR PAPERS REFERRED FOR DEBATE

**Mr. Speaker:** Now we are being asked to call up the Orders for Return, Addresses for Papers Referred for Debate, the motion of the honourable member for St. Johns (Ms. Wasylycia-Leis), standing in the name of the honourable Minister of Labour (Mr. Praznik).

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that this matter remain standing? [Agreed]

**Mr. Conrad Santos (Broadway):** I am privileged to speak on Bill 91 respecting the antisniff legislation. The history of this bill is somewhat difficult to believe. It has been passed almost two years now, and yet the government has been dragging its feet in not proclaiming the legislation that had already been passed by unanimous consent by the three political parties represented in the Manitoba Legislative Assembly.

As late as March 1, 1990, the honourable Minister of Justice (Mr. McCrae) stated that in legislation like this, in a matter like this there are all kinds of agreements among right-thinking and caring Manitobans. If there is an agreement among these concerned people, how come the legislation is still in the books and it is not yet proclaimed?

The Minister of Health (Mr. Orchard) when asked on December 11, 1990, whether he will proclaim the bill, said yes, it will be proclaimed in January 1991. When pressed for a specific date he said between the 2nd and the 31st of January 1991. It is now 1992, past January, and there is no legislation that

is effectively proclaimed. So we have here a history of broken promises.

On May 1, 1991, the Minister of Health stated that the amendments may be necessary in order to deal with some technical problem of enforcement, and yet he refused to table the legal opinion. What is the difficulty as to the enforcement of the legislation, the matter of enforcement?

Obviously, among the many causes of delay was the alleged concern of the staff who will administer this legislation if it is effectively proclaimed as law. In effect, in substance, Bill 91, in amending The Public Health Act, covers substances like glue, lighter fluid, cleaning solvents, gasoline-based products, nail polish remover. The law restricts the sale to persons who are under 18 years of age, except such persons who have the written consent of parents or guardians. The law also limits the retail of sniff products from self-service display cases in various stores.

If this legislation is proclaimed and it becomes law, it will give the police department of the City of Winnipeg some way or mechanism in order to charge the pushers who usually buy large quantities of these sniff products for retail distribution to juveniles and to adult abusers.

We know that sniffing affects the mind. It alters one's perspective; it is a form of escape from reality. For young people, this is an effective escape from the harsh realities of poverty, of hunger, of abuse, broken homes, from insecurity.

The risk that they assume, however, is that solvent sniffing is addictive. It is very addictive; it is habit-forming. Once you become a prisoner of the habit, it will be a real battle for your life to get out of that snag. It is harmful to a person's health. It is detrimental to one's physical, emotional and mental development, and in the long run it might even prove deadly and lethal for individuals. In other words, it destroys the present as well as the future life of young people.

The three issues in the minds of young adults, young people today, are the issue of drugs, cigarettes, liquor, the issue of poverty, and the issue of environment, what kind of world they will inherit from us if we do not concern ourselves with protecting and remedying all the abuses that we do as a society to our physical environment.

We are, in effect, in a struggle, and there are two contending models of the society that we want to live

under. On the one hand, based on the primary principle of the primacy of individual values over community values, we can envision an alienated, atomistic kind of society, whether it is this animalistic competition among individuals and groups where we can witness the decimation of the weak and the powerless and the survival of the strong, where life can prove to be truly solitary, poor, nasty, brutish and short.

\* (1740)

Those are the words of Thomas Hobbes, the philosopher. We do not like to live in such a society, rather we would prefer the alternative model of society where there is caring and compassion and sharing, where the community values, where everybody shares, prevails over individual values.

This is the community model of society, where there is co-operation among individuals, where there is expression of mutual concern of one another's welfare, where there is a kind of helping one another, especially those who are least able to help themselves; where life is shared with people who are marginalized, people who suffer from deficiencies, whether of their own fault or the fault of the physical and social environment; where they are marginalized because of disease, of accidents, of man's inhumanity to man or because of congenital defects or because of one's own lack of skill or lack of education.

What kind of society do we want to live under? We want to have a society where those who are affluent have a duty and a moral obligation to help those who are poor and who are weak, who are disadvantaged. We like to equalize opportunities for everyone, so that life will be satisfying for everybody. That is the kind of life we want to envisage, when we try to propose, and the other two parties agree, to pass this antisniff legislation.

Previous to that, unfortunately, there was a City of Winnipeg by-law, passed in 1979, which tried to accomplish the same objective, but the courts declared the law ultra vires, that is to say, beyond the jurisdiction of the city. Despite the expression of concerns of various groups represented by such voluntary groups like the People Against Solvent Abuse, who demonstrated and picketed stores who sell these solvents, these sniff products, and who did some educational programs, there is still this refusal of this majority government to pass this needed and necessary legislation to salvage the life

of those people who are doomed, if they are not at all carefully guided and monitored.

These other substances that are available in the stores, in the various retail outlets, in the city, of course include other things like rubbing alcohol. People who have nothing to drink, who are addicted, they may want to drink alcohol and it can prove fatal.

Time is of the essence. When time is of the essence and you delay, you are guilty of culpa, you are guilty of mora, negligence, lack of concern for the welfare of others. Every moment of delay means that more and more young people are becoming victims of solvent abuse. Maybe they are too ignorant to understand the consequences of what they do, but they want to escape from the harsh reality of life. More and more people's lives are being ruined and exposed to the risk and being destroyed.

In passing Bill 91, we, as the responsible legislators of this province, will be showing a signal that the kind of society that we want is a society that cares for young people. We will be confirming that we want to live in a better society than what we have inherited from our forebears, from our parents, from our grandparents. In a society which is quickly losing its proper values—and I can cite instances when I can say that we are losing some of the right priorities in values.

There are, for example, groups concerned about animal rights more than they are concerned about rights of human beings. We should be concerned more about human beings and then afterwards about animals. These are human beings who sniff. These are human beings who are victims of pushers and drug traffickers. Do you know that in other countries, drug trafficking is a capital offence? In Malaysia, in Singapore, in other rapidly developing economies, what do they do with drug traffickers? Once they are convicted beyond reasonable doubt that they are distributing drugs, their penalty is classified as a capital offence, punishable by death.

**An Honourable Member:** Only once?

**Mr. Santos:** You can only meet death once. This is retributive justice. A tooth for a tooth, an eye for an eye. One life you destroy, another life you have to give. That is the law that was laid down in the law of Moses. There is Moses, and there is Solon, the Greek law-giver. They believe in this law; lex talionis, they call it—lex talionis: a tooth for a tooth,



an eye for an eye. That is a strict justice, without mercy.

This so-called evidentiary concern about Section 27 of the antisniff act, this is the concern expressed by the government, by the Attorney General, Minister of Justice (Mr. McCrae). Evidentiary concern about the enforcement provision in Section 27, as to what the court can accept as conclusive evidence, against the alleged costs of not proclaiming this.

How long have they been preoccupied with such a phraseology and legal phraseology about enforcement? How can a government composed of competent people like the front bench there, how can they not be able to come up with a remedy with a simple technical phraseology? Have they run dry, out of ideas? This is simply a problem of enforcement. Why delay at the cost of many lives that will be ruined and many futures that will be destroyed? Has this Tory government run out of talent? What kind of legal minds and human resources are available? There are lots available to their call, the traditional legal resources of the government, of the province. How can they not come up with an acceptable legal phraseology to solve this awful technical problem of enforcement?

I can hardly believe that they cannot come up with a solution. It is so unbelievable, incredible, unreal. Inconceivable, the honourable member said.

The sniffing is a typical thing to combat. It is in the attitude and minds of people. Without Bill 91 being proclaimed into law, we will not be able to have any law that will prohibit highly addictive substances, dangerous solvents to troubled young people in Manitoba.

**Mr. Speaker:** Order, please. The honourable member's time has expired.

**Mr. Jim Maloway (Elmwood):** I am very pleased to put a few comments on the record regarding the request for the legal opinion regarding this bill.

It seems unbelievable to me and to everyone else on this side of the House that this government could have taken so long to proclaim a bill that they said not so long ago they were in favour of. It illustrates to me the difference between how this government acted when it was in a minority government situation, and how it acted once it got its majority.

This bill, believe it or not, was introduced by the member for St. Johns (Ms. Wasylycia-Leis), my colleague, December 15, 1989. That is

unbelievable. It is almost three years ago that she introduced the bill.

On February 6 of 1990, the Minister of Justice, Mr. McCrae, at that time praised the bill, saying that he had "been working with the Honourable Member for St. Johns (Ms. Wasylycia-Leis), who had the foresight to bring this matter forward," he said in his words. On March 1st of that year, in a speech, the Minister of Justice said: ". . . we have to have legislation like this . . . in a matter like this there is all kinds of room for agreement amongst right-thinking and caring Manitobans, which I trust that all Members of this House are."

The bill, at that point, went to the committee stage and was passed by this House, but something happened between then and the proclamation. What happened, Mr. Speaker, was the election of 1990, that is what happened. Once this government had achieved its current slim majority it lost interest in supporting the bill that it had found so important before.

\* (1750)

The priorities had changed. Now it was not the important issue that it was prior to the election. What hypocrisy, Mr. Speaker. The fact is that one day this was a major, major concern of this government, and an election intervened, and now it was not such a major interest of theirs.

In fact, in February 1991, the Minister of Health (Mr. Orchard) at that point indicated that he wanted to study the bill further, and at that time was prepared to set no date for proclamation.

Since that time, numerous requests have been made of this minister and this government for information as to why the government is not proclaiming it. In fact, the government and this minister has been stonewalling. That is the reason why my colleague has asked for the return that she has asked for on the Order Paper here. She requests a copy of the legal opinion that was requested by the Health department of the Department of Justice requesting as to whether or not there were any enforcement problems with this bill.

Surely, that legal opinion, regardless of whether there is anything substantial in it or not, should be forwarded to the member, and she should have an opportunity at this stage to look at it, so we on this side of the House can determine whether there is

any major reason why this act should not be proclaimed.

I know that the member for Lakeside (Mr. Enns) could draw my attention to bills over the years that have gone through all the stages of this House and were not proclaimed, but that is a very rare, rare occurrence. In fact, when bills are brought to this House and go through the legislative stages that we put them through, when they pass this House, they normally are proclaimed in short order.

It is very rare indeed that a government can go through the stages of the public hearings, the processes in this Legislature, the committee hearings, and pass the legislation and then not proclaim it.

Now the member for Lakeside (Mr. Enns) talks about The Freedom of Information Act. The fact of the matter is The Freedom of Information Act was passed, and it was eventually proclaimed.

This particular bill is something that the Conservative Government of the day promised, got behind and supported. It was a vote, an all-party, all-member vote in support of this House, and this government is stalling on an important issue to poor and disadvantaged people of this province where this is a major problem. As my colleague the member for Broadway (Mr. Santos) has pointed out that the sniff is a problem that is ruining lives of people as we speak, and every day that this government holds off in proclaiming this act is another day that lives are being ruined.

This government should recognize that and should be held to task for not passing this legislation.

Mr. Speaker, I understand that the acting government House leader requests some time to make some announcements regarding House business, and I yield the floor to him at this point.

**Mr. Speaker:** Order, please. When this matter is again before the House the honourable member for Elmwood (Mr. Maloway) will have eight minutes remaining.

### House Business

**Hon. Darren Praznik (Deputy Government House Leader):** Mr. Speaker, I would like to thank the member for Elmwood for yielding the floor for House business.

I understand if you would canvass the House, you will probably find a willingness to have the House

recess after my remarks, at 6 p.m., and for both sections of the Committee of Supply to meet at 9 a.m. tomorrow. I will be moving a Supply motion following my remarks.

I believe as well, Mr. Speaker, if you were to canvass the House you will find there is unanimous consent for the following: In addition to the House recessing at 6 p.m. and the Committee of Supply to be called for 9 a.m. tomorrow, you will also probably find unanimous consent for the Standing Committee on Law Amendments to sit while the House is sitting in Committee of Supply, which I believe unanimous consent is required for that to happen.

You will also, I believe, find unanimous consent to waive Subrule 65(9)(c) and (d) to permit the Estimates of a new department to be introduced tomorrow morning in accordance with the established sequence, and I would say that obviously House leaders will have discussions, but the authority may be required. I believe as well, Mr. Speaker, that there may be unanimous consent to authorize each section of the Committee of Supply by unanimous consent of the section of that Committee to transfer specific Estimates from one section of the committee to the other.

As a point of information, Mr. Speaker, if there is such unanimous consent, the section of the Committee of Supply meeting outside the Chamber would be sitting in Room 254, as opposed to Room 255.

If you so canvass the House, Mr. Speaker, I will, following that, move the motion of Supply.

**Mr. Speaker:** Is there unanimous consent of the House to recess at 6 p.m.?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** There is agreement for that.

Is there unanimous consent for the House to recess at 6 p.m. today and to reconvene at 9 a.m. tomorrow in Committee of Supply sitting in two sections. Is that agreed?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** Agreed. Now we need consent for the Standing Committee on Law Amendments to sit while the House is sitting in Committee of Supply. Is there agreement?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** That is agreed.

Also to waive Subrule 65(9)(c) and (d) to permit the Estimates of a new department to be introduced tomorrow morning in accordance with the established sequence. Is there agreement?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** That is agreed.

To authorize each section of the Committee of Supply by unanimous consent of the section to transfer specific Estimates from one section of the committee to the other, is there agreement?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** There is agreement.

Also, I believe the honourable deputy government House leader pointed out that the Committee of Supply meeting outside the Chamber will be sitting in Room 254.

**Mr. Praznik:** Mr. Speaker, I would now move, seconded by the honourable Minister of Natural Resources (Mr. Enns), that Mr. Speaker do now leave the Chair and that the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

**Motion agreed to,** and the House resolved itself into a committee to consider of the Supply to be granted to Her Majesty with the honourable member for Emerson (Mr. Penner) in the Chair for the Department of Culture, Heritage and Citizenship; and the honourable member for Seine River (Mrs. Dacquay) in the Chair for the Department of Natural Resources.

**Mr. Speaker:** The hour being 6 p.m., this House is now recessed until 9 a.m. tomorrow (Thursday).

\* \* \*

The committee took recess at 6 p.m.

# Legislative Assembly of Manitoba

Wednesday, June 17, 1992

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