



Second Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

(Hansard)

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupert's Land	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 10, 1996

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Pharmacare

Mr. Doug Martindale (Burrows): Madam Speaker, I beg to present the petition of Joseph Walczak, Mrs. Nellie Walczak, Nancy Ursuliak and others requesting that the Legislative Assembly of Manitoba may be pleased to request the Premier (Mr. Filmon) and the Minister of Health (Mr. McCrae) to consider reversing their plan to cut Pharmacare in 1996.

TABLING OF REPORTS

Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): I would like to table the Quarterly Report for the six months ended August 31 on behalf of the Manitoba Public Insurance Corporation.

MINISTERIAL STATEMENTS

Canadian Centre on Disability Studies

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, I have a brief statement to make and copies for honourable members.

I am pleased to inform the House that the Canadian Centre on Disability Studies has chosen Manitoba as its headquarters. The centre, which is unique in Canada, is the focal point for disability research, both in this country and abroad, through its links to Canadian universities and also Disabled Peoples International which is also based here in Winnipeg. The centre's main activities include research for academic purposes and on a fee-for-service basis for industry and government, as well as to provide education and information to the community as a whole.

We should be proud as Manitobans that such a groundbreaking centre has chosen Manitoba as its home. I encourage each of you, and indeed all Manitobans, to contribute in ensuring the centre's long-term success and to assist in other ways with its goals to remove barriers and to open opportunities for Manitobans with disabilities.

I invite all members of the Legislature to join me today at a reception that will bring together representatives from the business community and the Canadian Centre on Disability Studies in Room 254 at 4:30 p.m. Thank you very much, Madam Speaker.

* (1335)

Mr. Tim Sale (Crescentwood): I thank the minister for the invitation. I am sure many members will want to accept his kind invitation.

Madam Speaker, Manitoba has long been a leader in the area of disability studies. Names like Mr. Enns, Mr. Simpson, Mr. Doerksen are known worldwide, perhaps even more widely known than they are in Manitoba, for their expertise on disability policy, particularly around issues of access and employment, so I am very pleased to support the development of this centre in our province and to further pay tribute to the many disabled Manitobans who have given not only provincial but national and international leadership to the development of a barrier-free world for all those with disabilities.

I can only regret that the federal government has not seen fit to be more proactive in regard to the needs of disabled Canadians in terms of their incomes and their rights, particularly with reference to the cuts that they have suffered under the Canada Assistance Plan and the Vocational Rehabilitation of Disabled Persons Act. I thank the minister again for his statement and I know many members will attend the opening. Thank you, Madam Speaker.

Introduction of Guests

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the

public gallery where we have with us this afternoon seven Grade 11 students from Grand Rapids School under the direction of Mrs. Shelley Cook. This school is located in the constituency of the honourable member for The Pas (Mr. Lathlin).

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

ORAL QUESTION PERIOD

CP Rail Weston Shops

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, my question is to the Acting Premier. Regrettably we have lost close to 270 jobs at the Weston Shops, 130 or so being transferred to Calgary, another 130 or 140 people being laid off in Manitoba, and last evening we heard that CP is looking at all options of the Weston Shops, the other 400 people that work directly in the Weston Shops complex. One of the options they are looking at is the sale of the Weston Shops complex, which of course has raised considerable concern and fear in the workers at the plant and, of course, for all Manitobans.

The Premier (Mr. Filmon) met with CP in the first week of September. I would like to ask the Acting Premier, did CP inform the provincial government of their plans to review the total Weston Shops complex operation, including the option to sell that complex?

Hon. James Downey (Deputy Premier): Madam Speaker, first of all, I want to indicate that it is my understanding that it is a matter of a different organizational structure that is being considered of the Weston Shops, that there are several options that are being looked at. I will take as notice the specific question as it relates to discussions which may or may not have taken place between the Premier and CP.

Mr. Doer: I am a little concerned that the Deputy Premier, the Minister responsible for Industry, Trade and Tourism has not been informed by the Premier of the exact nature of the discussions with CP. A lot of people work there, and it is the Deputy Premier's direct responsibility to be concerned about the jobs and maintaining the jobs in our community.

I would like to ask the Deputy Premier why he has not been informed by the Premier. It has been almost four weeks now since this meeting took place between Canadian Pacific and the Premier. What kind of communication system do they have in this so-called government? In light of the fact that we have just lost close to 200 jobs with the sale of Richardson, is the government concerned? Are they concerned enough to even talk to each other about what we are going to do and what action we are going to take?

Mr. Downey: Madam Speaker, in case the Leader of the Opposition is, I do not want him to be overly concerned because there have been a tremendous number of positive announcements that have been taking place throughout Manitoba over the last weeks and months which have created many thousands of jobs in Manitoba, whether it is in the food processing industry, whether it is in the whole agriculture sector, whether it is in the call centre business and we have had excellent dialogue.

I should, while I am on my feet, though, and I do so at being concerned that in agreeing with Howard Pawley one could be in danger—but there is one particular area that I do have to agree with Howard Pawley, and that was his admission when he said the NDP party knew a very little bit about business or they were very weak in the business acumen, and I think today it is clearly being demonstrated by the Leader of the New Democratic Party that nothing has changed.

* (1340)

Mr. Doer: I am sure the 400 families that were waiting for a direct answer from this government today will not enjoy the cheap shots from the Deputy Premier. They will want a little sterner stuff in terms of dealing with their economic concerns.

I would like to ask the Deputy Premier, in light of the fact that he has not met with the Premier (Mr. Filmon) for some four weeks about Canadian Pacific plans for the Weston complex after the announcement of the over 300 jobs we are going to lose, has he contacted Canadian Pacific head office as the Minister responsible for Industry, Trade and Tourism in this province, and what response has he received directly from the senior people at CP so that we can give some assurance to the families and workers at Canadian Pacific?

Mr. Downey: Madam Speaker, there is no one that is more interested in the jobs and the families at CP than this government. That is why we lowered the fuel tax for CP Rail and the railroads in this province; that is why we took the 7 percent tax off the manufacturing of products in this province which takes place at Weston Shops. It was this government that gave tax relief to those people, and it was his government that continually put it to them, whether it was sales tax, increased fuel tax, it was his government that tried to drive them out.

The specific question that he asked me, were there discussions about the Weston Shops with the Premier, I said I would take it as notice. There has been no one that has worked harder to maintain the jobs with the rail industry than this party. Thank you, Madam Speaker.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I would remind all honourable members that there is only one member standing attempting to be recognized, and until such time as I am able to hear the question being posed by the honourable member, you are precluding him from being recognized.

Mr. Doer: Thank you, Madam Speaker. I assume the Deputy Premier has not contacted the officials, which was my question that was not answered in that tirade from the Deputy Premier.

Corrections System Intermittent Sentences

Mr. Gary Doer (Leader of the Opposition): I have a new question to the Acting Premier. Yesterday, the Minister of Justice (Mrs. Vodrey) challenged me to name any judge who would have sided differently around the administration of justice had they known about the Minister of Justice's decisions on intermittent sentences. I would like to quote Judge Jeffrey Oliphant, on October 8, 1996, who stated, and I quote—and he is the associate chief judge of the province—that had he known, he would have not recommended weekend jail sentences in every case; in fact, he would have considered straight time in jail.

I would like to ask the Deputy Premier, in light of the fact the Minister of Justice could not even get it right yesterday when we were asking her questions in this

House about a very serious matter, is it the intent of this government to give us a Minister of Justice that will implement the justice system in a fair and reasonable way for all Manitobans and give us the right sentences, right decisions and replace this Minister of Justice?

Hon. James Downey (Deputy Premier): The Leader of the Opposition likes to pretend or present themselves as those people who care about people and less about families. I can assure you this government had to deal with a situation that was certainly not normal. It was an extremely difficult situation, Madam Speaker, of which people, whether it was guards, people who were involved in the events at Headingley that no one has ever had to face in the department of Attorney General in this government that I have known of previously. Those situations were dealt with in the interests of the lives and the interests of those people who were looking after those people. I believe this minister did an excellent job in her capacity in carrying out that responsibility and has explained so over and over again in the last several days. Thank you.

* (1345)

Mr. Doer: Well, the associate chief judge of this province has just contradicted a statement the Minister of Justice (Mrs. Vodrey) made in this House yesterday. If that is the kind of justice administration that this government is proud about and the Deputy Premier can support, it is certainly not the kind of justice and Justice minister members of this side, and I dare say the public supports, in terms of the province of Manitoba. Over 60 people have received sentences where judges and Crown attorneys did not know from the Minister of Justice what the new emergency policy allegedly was.

I would like to ask the Deputy Premier, does he feel it is appropriate in our justice system where a defence lawyer can plea bargain cases with a Crown attorney, a Crown attorney who does not know about the new arrangements from the provincial government, the judges do not know about the new sentencing arrangements, but the defence lawyers do? Is that the kind of imbalance in the justice system that this Deputy Premier and this Conservative government supports?

Mr. Downey: Madam Speaker, as I indicated, the situation was not a normal situation that had to be dealt with. As well, it is my understanding, clearly as the

member has heard, that there was an expression made in this Chamber as to the situation, clearly an open statement that is for the media, for the public, for members here to hear. So I think the matter has been dealt with. There has been an expression and the member is continuing to try to make an issue where there really is not one. Thank you.

Mr. Doer: Madam Speaker, another lawyer confirmed two days ago, judges were setting aside and putting over sentences of cases due to the fact that they did not know what the government policy was. In fact, in the domestic abuse court judges would not provide intermittent sentences because they did not know what was going on in the justice system and, I dare say, they have not known what has gone on in the justice system for literally months.

I would like to ask the Deputy Premier (Mr. Downey) or Acting Premier, is it this government's policy to have such an inadequate Minister of Justice in place so that drunk drivers that are sentenced to jail or domestic abusers that should be going to jail will go free and serve no jail time because of the incompetence of this Minister of Justice?

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, the answer I give today is the answer I gave yesterday and the day before. The issue is, there should have been formal notification. That formal notification did not occur. There is now a process in place so that will not happen again. In addition, formal notification has now been given.

It is clear that I did speak in the House, and it is very interesting that it has taken the other side approximately five months to decide that this is something of a concern. They did not raise the issue earlier. They did not appear to have a quarrel with the issue earlier. However, that does not take away from the responsibility which has been dealt with by me as minister and also by the Department of Justice. That responsibility is to ensure that this kind of communication problem does not happen again, to ensure that it has been corrected, and that is the case.

Domestic Violence Intermittent Sentences

Mr. Gord Mackintosh (St. Johns): Madam Speaker, my question is to the Minister of Justice.

The minister's recent publication on domestic violence entitled *Stop the Violence* states the position of the Manitoba government in the matter of abuse has been characterized as zero tolerance. This means that, subject only to the limits imposed by law, no margin will be afforded to abusers.

My question to the minister is, how can she reconcile this talk with her dismissal and, as we now understand, destabilization of judicial decisions which order prison sentences involving violent crimes, specifically violence against women, domestic violence?

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): No one has done more than this government in the area of domestic violence—no government, especially when you were in government, never.

Madam Speaker, the issue is that the courts provide the sentencing, the Criminal Code does speak to the judges in the area of sentencing. It is up to Corrections to administer that sentence, and we certainly intend to administer the sentences according to our most rigorous standards and more rigorous regulations in Manitoba than are available in other provinces in the country.

But the problem is, we did have a riot. Now, members across the way have raised all kinds of what they have seen as alternatives for placement. Some of those alternatives would involve bringing back some of those offenders to the Headingley area and still being—and that, by the way, is the priority. That, Madam Speaker, is the priority. They would prefer to see that not a priority and they would prefer to put forward having intermittent inmates in the gym without the agreement or the cooperation of Corrections officials.

* (1350)

Corrections System Intermittent Sentences

Mr. Gord Mackintosh (St. Johns): Perhaps the minister can tell Manitobans, from her lips, exactly how many prison sentences she has nullified over the last approximately half-year and provide a detailed breakdown of the types of offences she has excused without jail time.

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): If that issue was a concern, I am

surprised the member for St. Johns did not raise that on May 28. Where was he then? Was it not the subject of some particular media interest at that time that the member did not understand the comments that I made to the House? Was that the problem? It would not be the first time that he failed to understand the information communicated.

Madam Speaker, there is—

Madam Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, on a point of order. Beauchesne's Citation 417 is very clear that "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

Madam Speaker, the minister is continuously attempting to deflect from the real question she is being asked, a very specific question in this case as to how many people were excused jail time because of the decisions of this minister. She ought not continue to try and pass off the blame for what has happened in our justice system onto others with irrelevant debate. She should answer the questions that the people of Manitoba are demanding that she answer.

Madam Speaker: On the point of order raised by the honourable member for Thompson (Mr. Ashton), I would remind the honourable minister that indeed Citation 417 says the answer should be directly specific to the question being asked.

* * *

Madam Speaker: The honourable Minister of Justice, to complete her response.

Mrs. Vodrey: There was a great provocation of debate. Should I have stood up and raised a point of order in the member's comment?

However, Madam Speaker, I have answered over and over again for the past three days how the issue is being dealt with, that the issue is not one that we are happy with. Certainly, I as minister would prefer those

individuals—we will review the sentences, if that number specifically will help the member across the way and provide him with the information. It does take some time because I want to make sure that any information provided is entirely accurate and also complete. It is making sure that information is complete in the time of crisis that sometimes takes a little more time.

Mr. Mackintosh: Would the minister, who knows full well that in May she was only talking about those serving weekend sentences at the time of the Headingley riot, tell us when her so-called emergency—given that last month she pulled back all the inmates that were in Saskatchewan, and when will judicial decisions in Manitoba once again be implemented by this minister? How long do we have to wait?

Mrs. Vodrey: Madam Speaker, I have explained the reasons for repatriating inmates from other institutions, the requirements that have been met on our side. I have also explained during the process of discussion that we have had to prioritize the movement of inmates within our institutions. That is done by professional correctional officers. Professional correctional officers have to decide when to bring sex offenders back into Headingley Institution, when in fact they can be separated from the general population, how we can also manage to deal with intermittent offenders.

Madam Speaker, I believe that the senior Corrections officials have indicated that we are certainly working towards a time in December, but also I have directed Corrections to come up with a short-term solution that will further provide for the public safety of Manitobans.

* (1355)

Minister of Justice Resignation Request

Ms. Jean Friesen (Wolseley): Madam Speaker, the Minister of Justice has made a serious mistake, one in which the scales of justice were weighed in favour of those lawyers who knew of the lack of jail accommodation and against those Crown attorneys and judges who did not know. The minister has offered us numerous explanations, but those explanations are not excuses and this is not a simple administrative error.

Madam Speaker, I want to ask the Deputy Premier to confirm that this is a grave error with serious consequences, and that for Manitobans to have faith in a justice system that is both equal and seen to be equal, that the minister must tender her resignation.

Hon. James Downey (Deputy Premier): Madam Speaker, this matter has been dealt with several times. The minister clearly indicated the public expression, what was taking place when we were facing an extraordinary situation as it related to a prison riot, which, by the way, we as a government and members of this side of the House are extremely pleased that there were not more serious consequences such as loss of human life. Workers, who these people on the other side continually claim to stand up on behalf of, where has their concern gone for those people? It has totally disappeared. It is this government and these members that are standing with the workers and have dealt with it appropriately.

Madam Speaker: The honourable member for Wolseley, with a supplementary question.

Ms. Friesen: Madam Speaker, I would like to ask the Minister of Justice to retract her public accusations of dereliction of duty against specific civil servants whom she publicly named by position and who cannot respond because of their oath of confidentiality, and will she take the honourable position of offering her resignation to the Premier (Mr. Filmon) so that Manitobans can have a justice system they perceive to be equal and a civil service which can maintain their honourable tradition of being able to speak truth to power?

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, in describing the events, positions were mentioned in terms of responsibility that they have taken, and in the responsibility taken by several senior members of the Justice department, it is important to know that those individuals now have developed a system so this cannot happen again.

In answer to the first part of the question, no, I have no intention of resigning.

Ms. Friesen: Madam Speaker, I would like to ask the Deputy Premier (Mr. Downey) to explain why he believes, according to the Free Press today, that the

Minister of Justice is not responsible to ensure memos have been sent out—that is in today's Free Press—when, in fact, The Department of Justice Act, Section 2(b) states clearly that the minister shall see that the administration of public affairs is in accordance with the law.

Will the Deputy Premier again recognize the seriousness of the fundamental integrity of an equal justice system and that the resignation of this minister is required?

Mrs. Vodrey: Madam Speaker, as the members across the way know, a number of actions are done in my name, hundreds and hundreds of them daily, prosecutions as Attorney General, work done in Corrections, decisions made by correctional officers, work done in all areas of the Justice department. As all ministers know, work is done in our name.

However, where there is a problem, where a problem has been revealed, it is absolutely essential that ministers make sure that action is taken to correct it. That is exactly what I have done. That is exactly what has occurred within the Department of Justice. A mechanism is now developed to avoid a future problem such as this and, clearly, I have been the one who stood in the Chamber and made it clear that I did not like what happened. It is not our choice and, in fact, it should not have happened.

* (1400)

Pierre Radisson Collegiate Closure

Mr. Gary Kowalski (The Maples): Madam Speaker, my question is for the Minister of Education.

At a recent public meeting the issue of closing the Pierre Radisson Collegiate was discussed. At issue was the reduction of funding coming from the province to public schools.

Will the minister make a commitment to the students of Pierre Radisson Collegiate that their school will remain open?

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, I will take the question as

notice simply because I am not familiar with the details of the decision that is being made in that area.

I would indicate to the member, however, that many divisions close schools because of circumstances in their budgets that have nothing to do with the amount of funding they have been given. My own division, for example, has closed 14 schools in the last 20 years because as student population dwindles it is very difficult to downsize as rapidly as the incoming money dictates because of school closure guidelines. I am not sure of the circumstances surrounding that school, but I will look into it.

I will say, however, that the ability to decide which schools, facilities remain open and closed rests with the school division and that is their local autonomous decision to make. Unless the circumstances are extremely unusual, I would not interfere with that decision-making authority.

Education Facilities Francophone School—St. Vital

Mr. Gary Kowalski (The Maples): Will the minister also commit to building a community school for kindergarten to Senior 4 for Francophone students in St. Vital?

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, again, the Minister of Education does not have direct authority to make those decisions. Decisions and requests for the building of schools, for capital expansion, renovations, et cetera, in schools, those requests are made through the school division to the Public Schools Finance Board. The Public Schools Finance Board considers all requests, puts the issues and requests in priority and then makes decisions, in order of precedence and need, which projects can go ahead in any one given year. So I do not know where that particular request is on the priority list of the Public Schools Finance Board, but they will be the ones to consider that. That is their mandate, and they must do that free from government interference.

Mr. Kowalski: Can the minister tell the members if there is federal funding available for the St. Vital project? If so, why has Manitoba not approached the federal government for those funds?

Mrs. McIntosh: Madam Speaker, this provincial government has been approaching the federal government for extra funds for education on bended knee, grovelling and begging for years. I really like the member for The Maples; I think he is a terrific guy, but I will tell you, on this issue, for a Liberal to stand in the House and ask a provincial Minister of Education why we are not getting more money from Ottawa, given they have cut this year alone the equivalent of the entire operating costs of the University of Manitoba budget from revenues and transfer payments of this province, chutzpah is a really good word to apply to my dear friend from The Maples, because I think it takes a lot of gall to ask that question belonging to the party that he does.

Regional Health Boards Members' List Request

Mr. Dave Chomiak (Kildonan): Madam Speaker, the regional health board act has not even been passed and already the government is breaking contracts, CEOs have been appointed in most regions at the expense of hundreds of thousands of dollars of taxpayers' money and the government has not even publicly listed the names of all of the people who comprise the boards.

Will the minister today at least release the list of people who are supposed to be representatives on those boards and give us a guarantee that in the future those boards will be elected?

Hon. James McCrae (Minister of Health): Madam Speaker, we are pleased to respond in a positive way to concerns raised by organizations like the Manitoba Medicare Alert Coalition, which has as its members organizations like the Canadian Union of Public Employees, Choices, the Manitoba Council of Health Care Unions, the Manitoba Association of Health Care Professionals, the Manitoba Federation of Labour, the Manitoba Government Employees' Union, the Manitoba Nurses' Union, the Manitoba Society of Seniors, the Society for Manitobans with Disabilities—

Point of Order

Mr. Chomiak: Madam Speaker, on a point of order. Earlier in the House our House leader cited Beauchesne's citation that indicated the minister does not have to answer the question, but the minister should specifically—

if the minister does not want to answer the question, he should not provoke debate.

Madam Speaker, I specifically asked the names of members of boards, of the regional health boards, and the minister is reading some kind of list as he is wont to do that has no relationship to those members that comprise the boards of the regional health bodies, and I wish you would call the member to order.

Madam Speaker: The honourable Minister of Health, on the same point of order.

Mr. McCrae: On the same point of order, the foundation for the honourable member's question is his opposition to the establishment of regional authorities through Bill 49. The honourable member wants in some way to get through to you, Madam Speaker, and to other Manitobans, his opposition, and I was simply trying, in response to his question, to let him know that we are trying to be responsive to people with whom he usually locks arms and goes forth in solidarity, and we are trying very hard to try to deal with the concerns, the legitimate concerns that are being raised. I simply was trying to point out to the honourable member that I agree with many of the things that he and his friends in the Medicare Alert Coalition are talking about.

Madam Speaker: On the point of order raised by the honourable member for Kildonan, I do not know who the members are on the board that the honourable member referred to and I do not know if the honourable minister was citing the names of—with representatives of those groups or not.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I am having difficulty assessing whether indeed the honourable member for Kildonan did have a point or order, and given the uncooperative attitude of the House, I will take the matter under advisement and report back at a later date so I can review Hansard.

* * *

Madam Speaker: The honourable Minister of Health, to quickly complete his response.

Mr. McCrae: Madam Speaker, I was in the middle of the answer when the honourable member for Kildonan raised his point of order.

The point I was trying to make in telling the honourable member that everyone else out there knows who the members of the regional health authority boards are—but if he wants me to do so, I will compile a list for him and make it available to him. The reason for his raising the question is to point out his opposition to what the Manitoba Medicare Alert Coalition favours, so we find the honourable member on the wrong side of that fence today, Madam Speaker.

Madam Speaker: The honourable member for Kildonan, with a supplementary question.

* (1410)

Representatives

Mr. Dave Chomiak (Kildonan): Madam Speaker, my supplementary to the minister.

Is the minister aware that one of the chairs of the politically appointed board, the chair of the board, Mr. Tony Lefko, a good friend of the Minister of Highways (Mr. Findlay) I might add, according to the paper, Madam Speaker, that this individual spent six months of the year in Texas and listed on his list of phone numbers for being on the board is his Texas phone number, has already been away, and they had to deal with board business via conference call? Is the minister aware that this politically appointed person listed his number in Texas as a number for the board?

Hon. James McCrae (Minister of Health): Madam Speaker, as I was saying to the honourable member, the Manitoba Medicare Alert Coalition, one of its proposals is that we develop and maintain an integrated approach to health promotion, that we establish and support regional authorities for health and health care planning and delivery through appropriate legislation and regulatory support, and now the honourable member does not want to support that. It recommends that the primary mechanism for this system would be a regional envelope for all health—

Madam Speaker: Order, please. I would remind the honourable Minister of Health that indeed he should

respond to the question asked, and a specific question was asked.

Mr. McCrae: Madam Speaker, the honourable member, who complains that Bill 49 confers all kinds of powers on the Minister of Health that ought not to be held in the hands of the Minister of Health, now wants to take issue with the fact that the board of a particular region, in this case the North Eastman Region, is dealing with the very problem the honourable member raises in the House today and now he wants me to do that, but he opposes a bill which allows certain powers to the minister. The honourable member cannot always have it all ways.

Mr. Chomiak: Will the minister not agree, and I will table the Texas listing here, that if the public had an opportunity to vote for their board chairpersons they might be interested in the fact that a board chairperson spends a considerable time of the year in Texas and not in Manitoba dealing with board business, dealing with regional business and dealing with very important health issues, and does that not make sense for elective boards?

Mr. McCrae: Madam Speaker, I am sure if the public was clearly aware that the honourable member for Kildonan, the Health critic for the New Democratic Party and all of his colleagues, including his Leader, the honourable member for Concordia (Mr. Doer), if the public knew that these honourable members were opposed to a better opportunity to attract and retain physicians in rural Manitoba, if the public knew that honourable members opposite were opposed to the integration and improvement of our health services, I know which way they would be voting. They would not be voting for honourable members opposite.

Corrections System Intermittent Sentences

Mr. Steve Ashton (Thompson): All this week we have seen the unravelling of what little credibility the Minister of Justice has in this province, the same Minister of Justice who talked about in-your-face justice and meaningful consequences, and all week we have seen the minister deny her responsibility for her own actions.

I would like to ask a question, though, about the fact that the minister continues to mislead this House, and in particular, when she referenced May 28. I want to quote

what she said on May 28, when she said, we need to have some clarification around that, so other than give a definite answer—

* (1420)

Madam Speaker: Order, please. Would the honourable member please pose his question now.

Mr. Ashton: I am posing my question, Madam Speaker. I am asking when the minister will indicate that what she said on May 28 referred to those who were on TA at that point in time, and when she will indicate at what time she made the decision and her department made the decision to let out those individuals who were sentenced after May 28 to be allowed to not serve jail time as was their sentence, as we have demonstrated in the cases of at least 60 convicted individuals.

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): We covered the issue the other day. We covered the issue of my comments. We covered the following question of the member for St. Johns (Mr. Mackintosh). We covered his assumption that people were released on TAs, and we covered the fact that even a couple of days ago I made it clear to the House that people were released on TAs, that that was the mechanism.

The member raises nothing new. All of these issues have been dealt with. All of these issues have been spoken about openly by me. The corrections that have occurred as a result have also been openly spoken by me, and there has been a clear acknowledgment that this is not the way we like it; the communication should have happened.

Madam Speaker: The honourable member for Thompson, with a supplementary question.

Mr. Ashton: Well, Madam Speaker, I asked the minister, and I will ask her again, when was this decision made to, in effect, put a no-vacancy sign up on our justice system in Manitoba and end up in a situation where people who were convicted of offences after May 28, up until as recently as yesterday, were receiving sentences in Manitoba which were not being carried out by this Minister of Justice? When was the decision made?

Mrs. Vodrey: I am not sure the member has made his question clear, so I may have to read Hansard to actually

figure out what he is trying to ask. In terms of the dates, I spoke openly virtually every day. On the day of the riot, I held a press conference and spoke openly. On the Monday, the first day back in the Legislature, I spoke openly. I have openly given to the people of Manitoba the information which has been provided to me in as complete a form as possible.

We find out that at times we needed to add further information to that. As soon as that was discovered, then that was given openly to the House. The information has been provided to the Legislature, as is my responsibility. The information has been provided to the media. It is being provided by way of statements. So if there is another date that I can provide to the member, I will endeavour to do so. However, members on the other side have virtually no credibility in the area of public safety.

Mr. Ashton: Madam Speaker, once again I will ask the very straightforward question, because the minister is not answering the question.

There have been numerous individuals who received sentences. When did the minister make the decision not to enforce those sentences? Was that a decision made by her or by cabinet? When was the decision made? Who made the decision? When will she come clean with the facts about why for the last five months in this province people have been receiving sentences in our court system which are not being implemented?

Madam Speaker: Order, please. I would remind all honourable members that Beauchesne is very clear that a question should consist of a single question.

Mrs. Vodrey: As I made clear at the time of the riot, decisions regarding temporary absences are made by professional correctional officers. Now, if there is another date that I can add for the member's information, I will make every effort to find that date for him.

However, Madam Speaker, I want to make it clear to the people of Manitoba. All of the information available has been given openly to the people of Manitoba, to the other side. Members across the way continue to try and find something, some stone left unturned. That is simply not the case. I have answered as openly as information has become available.

Minister of Justice Resignation Request

Mr. Steve Ashton (Thompson): On a new question.

Madam Speaker: On a new question.

Mr. Ashton: We have seen in the last few weeks in this country where the Minister of Defence has resigned because he accepted responsibility for what had happened, for a letter on behalf of a constituent. We have seen a situation where the Minister of Defence has resigned. We see a situation where nobody has any faith in the credibility of this minister, except perhaps the Deputy Premier (Mr. Downey).

I would like to ask the Minister of Justice, will she not do the honourable thing not only in terms of the honour of this House but also to restore confidence in the justice system by resigning and allowing a new minister to attempt to clean up the mess that has been established in this province in the last five months?

Madam Speaker: The honourable Minister of Justice, to give a very short response.

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): The answer is short. No.

Madam Speaker: Time for Oral Questions has expired.

Speaker's Ruling

Madam Speaker: I have a ruling for the House.

I am ruling on a point of order taken under advisement on October 3, 1996, during Question Period. The opposition House leader (Mr. Ashton) raised a point of order about the answer by the honourable Minister of Justice (Mrs. Vodrey) to a question posed by the honourable member for St. Johns (Mr. Mackintosh). In raising the point of order, the opposition House leader put forward the argument that the answer contravened Beauchesne Citation 417 because the minister was engaging in debate and also that, in giving an answer, the minister suggested the member for St. Johns had made aspersions about the Schulman inquiry.

I have reviewed the Hansard record and am ruling that the opposition House leader did indeed have a point of order. In response to the question, the minister did contravene Citation 417 and did provoke debate.

Point of Order

Mr. Steve Ashton (Opposition House Leader): On the ruling, just by way of clarification, Madam Speaker, I am wondering if, given the fact that the context of the ruling was also the fact that the minister made accusations to the member for St. Johns that that member had made aspersions about the Schulman inquiry, as to whether it might be appropriate as part of the ruling for the Minister of Justice (Mrs. Vodrey) to withdraw those comments since obviously they were out of order and uncalled for.

Madam Speaker: The honourable government House leader, on the same point of order.

Hon. Jim Ernst (Government House Leader): On the same point of order, I clearly listened to you read your ruling. I have read the ruling. It refers nothing to the matter which the member for Thompson (Mr. Ashton) has raised. It deals with the question of whether or not there was a contravention of Beauchesne 417 in the matter of provoking debate, so, Madam Speaker, he is out of order.

Madam Speaker: On the point of order subsequently raised after the ruling by the honourable member for Thompson, I sincerely hope the honourable member for Thompson was not challenging the ruling of the Chair, but indeed if he was, there is a process in place for that. I think the ruling was very succinct to the point of order raised.

Mr. Ashton: On the point of order, Madam Speaker, I did not raise—the previous matter raised was a matter of clarification, which is standard practice in the House involving the Speaker's ruling. Many times clarifications of the ruling have been requested.

If I had wished to challenge the Speaker, surely I would have done so, but I was simply asking if the ruling—which did reference the comments that were made to the member for St. Johns—also involves some remedy, not only the fact that those were clearly in violation of 417, but that there would be a withdrawal.

I want to make it very clear that I did not challenge your ruling, and if I were to do so, I would have done so in an appropriate way which would be by a vote in this House. I did not challenge your ruling; I was simply asking for a matter of clarification.

* (1430)

Madam Speaker: On the subsequent point of order raised by the honourable member for Thompson, I sincerely believe that the original point of order raised and accordingly ruled on today does indeed contain the point of order initially raised by the honourable member for Thompson.

MEMBERS' STATEMENTS

Farm and Food Interpretive Centre

Mr. Frank Pitura (Morris): Madam Speaker, it is my pleasure to inform members this afternoon about a new organization that is trying to put together a partnership, the Farm and Food Interpretive Centre in Carman, Manitoba. The group consists of agricultural producers and professionals, industrial representatives, educators and local development groups that are strongly committed to sharing the agricultural story with consumers. Due to this commitment, they are forming a nonprofit charitable corporation called the Farm and Food Interpretive Centre. The group is currently fundraising so they can do a feasibility study which will determine if such a facility is viable. I believe that such an organization could be viable and is an innovative idea.

The benefits of agriculture are far-reaching. Everybody is touched in some way by the Canadian agricultural industry. However, a majority of consumers still take agricultural production for granted because of their removal from the process. As a result, these consumers have little understanding or appreciation of the agricultural industry. It is the intention of the Farm and Food Interpretive Centre to share with the consumer the fascinating and ever-changing farm-to-food story.

I urge agricultural producers, industrial representatives and local development groups to become involved at the interpretive centre at Carman. The creation of this centre will provide an outlet for industry to demonstrate how agricultural production is the hand that feeds the world.

Madam Speaker: Order, please. I am experiencing difficulty hearing the honourable member for Morris.

Mr. Pitura: The centre hopes to become a showcase of responsible progress. It will encourage the brightest minds to meet and surpass a high set of standards and industry challenges by generating public awareness of the agricultural process. The centre will also provide opportunities for growth through consumers and legislators. Also, it will foster a climate of understanding between industry and government. Finally, the interpretive centre could generate tourism and economic activity for the province while creating employment opportunities. Thank you.

Highways—Northern Manitoba

Mr. Gerard Jennissen (Flin Flon): Madam Speaker, the condition of many northern roads is well known as the worst in this province. As was noted by Mr. Chris Mitchell of the Leaf Rapids Chamber of Commerce in the Manitoba Chamber of Commerce's publication, quote: The highway system north of Grand Rapids is one of the worst in North America. Residents of northern Manitoba are not asking for multilane highways or high-speed rail systems but simply regular maintenance and upgrading. Our lives both physically and economically depend absolutely on the Sherridon subdivision and the solitary road north from the city of Thompson. The northern part of the province will become a vacant lot if our transportation system is not developed to make better use of our northern resources and maintain our sovereignty in Canada's north.

Despite such eloquent pleas, these requests are continually ignored by this government. The results are, regrettably, often tragic. There have been dozens of major accidents and many, many deaths over the past five years on PR 391. In the last two weeks alone, there have been two serious road accidents near Leaf Rapids and Lynn Lake, both of which clearly were related to the terrible road conditions. Fortunately, in the most recent accidents no one was killed.

Manitoba, particularly northern Manitoba, needs a commitment from this government for a transportation infrastructure policy which recognizes the importance of safe roads and railways. However, there is no reason to believe this will ever be accepted by this current

government. Northerners are not asking for tolls on roads. They want this government to recognize that the North can only continue to deliver wealth to the south in terms of hydro, tourism, mining and forestry if there is a basic, decent transportation infrastructure in place for these important economic activities. Northerners are losing patience, Madam Speaker. They are tired of being treated like second-class citizens. Thank you.

Global Economic Growth

Mr. David Newman (Riel): Madam Speaker, I am pleased to rise to appeal to other provinces to co-operate and collaborate with Manitoba in developing trade opportunities. As borders drop throughout the world, it is critical that Canada adapt to global competition. In this new global realm we must forge partnerships with our fellow provinces in a unified approach to create greater opportunities for us all.

The benefits of co-operation and infiltration into the global economy are already well realized right here in Manitoba. We are in the midst of one of the greatest periods of expansion we have ever seen in many areas of western Canada. By freezing or reducing all major tax rates for nine consecutive budgets, Manitoba has moved from being one of the highest taxed to one of the lowest taxed provinces in Canada. In addition, more Manitobans are working. Last year Manitoba had the largest total capital investment in our history, almost \$4 billion, and for the first time, last year our exports to the rest of the world exceeded our exports to the rest of Canada.

We are no longer hewers of wood and drawers of water. Manitoba's exports are highly diversified with no one sector dominating. Our province has some of the most advanced telecommunications technology in the continent and among the lowest telephone rates. We are exporting more agricultural products to more world markets than ever before, and we are working to strengthen our position as a North American international transportation and distribution centre through such initiatives as Winnipeg and the mid-Canada trade corridor.

Manitoba is a province built and sustained by trade. We as the government of this province are acutely aware of the importance of trade for the future of all Manitobans

and indeed for all Canadians. In the context of a very competitive and fiscally responsible economic environment that our government has promoted through our policies in trade and investment efforts, we will continue to forge closer business and trade links so that we can further sell on the world stage. Thank you, Madam Speaker.

Neighbourhood Watch—Brooklands

Ms. Becky Barrett (Wellington): Madam Speaker, on Monday night, October 7, almost 300 people attended a meeting to establish a Neighbourhood Watch in Brooklands. They represented all parts of the community, young people, seniors and working people. They came out to voice their concerns over the rising tide of crime being committed against themselves and their property. They recognized by their attendance at the Neighbourhood Watch meeting that we all have a responsibility to make our communities havens of safety, not prisons of fearful residents.

While all those who attended the meeting on Monday are to be commended for their commitment to Brooklands, particular congratulations must be given to Pat Steinke who provided the drive and energy which mobilized the community to such an extent. The residents again have shown why Brooklands is such a vibrant neighbourhood. I hope all members will join with me in congratulating them on a successful Neighbourhood Watch meeting. Thank you.

Justice Committee Manual

Mr. Gary Kowalski (The Maples): On Tuesday night I attended the monthly meeting of our youth justice committee. Amongst the correspondence we received was a manual from the Department of Justice, and I have to compliment the Department of Justice on this manual. It is titled The Manitoba Justice Committee, A Resource and Orientation Manual. This manual was generated through the formation of the Provincial Council on Youth Crime. Looking through this manual and having been involved in justice committees for more than five years, this is a long-awaited document. It is excellent.

For someone who is a newcomer to a justice committee or who is trying to start a justice committee, this is an invaluable asset. It talks about such things as how to

start a justice committee, a justice committee at work, maintaining the justice committee and program options.

As a Justice critic, of course, any time the government does something good, the tendency is to say they should have done it sooner or they should do more of it, but I will leave those thoughts aside and be more positive and say, I hope this continues, this type of work, working with justice committees. There are over 700 members of justice committees in Manitoba. They need all the support and help they can get from the government, and I hope this is just the start of many good things to come. Thank you.

ORDERS OF THE DAY

Committee Changes

Mr. George Hickes (Point Douglas): I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Economic Development be amended as follows: The member for Osborne (Ms. McGifford) for the member for Flin Flon (Mr. Jennissen), effective 10:10 a.m., October 10, 1996.

I move, seconded by the member for Broadway, that the composition of the Standing Committee on Economic Development be amended as follows: The member for Flin Flon (Mr. Jennissen) for the member for Osborne (Ms. McGifford), effective 10:42 a.m., October 10, 1996.

I move, seconded by the member for Broadway, that the composition of the Standing Committee on Law Amendments be amended as follows: The member for Crescentwood (Mr. Sale) for the member for Kildonan (Mr. Chomiak), the member for Burrows (Mr. Martindale) for the member for Flin Flon (Mr. Jennissen), the member for Osborne (Ms. McGifford) for the member for St. Johns (Mr. Mackintosh), the member for The Pas (Mr. Lathlin) for the member for Rupertsland (Mr. Robinson) for Thursday, October 10, 1996, for 7 p.m.

Motions agreed to.

Madam Speaker: The honourable member for Gimli, with committee changes.

Mr. Edward Helwer (Gimli): Madam Speaker, I move, seconded by the member for Morris (Mr. Pitura), that the

composition of the Standing Committee on Law Amendments for Thursday, October 10 at 7 p.m. meeting be amended as follows: The member for St. Vital (Mrs. Render) for the member for Springfield (Mr. Findlay), the member for Niakwa (Mr. Reimer) for the member for St. Norbert (Mr. Laurendeau), the member for River East (Ms. Mitchelson) for the member for Brandon West (Mr. McCrae), and the member for Emerson (Mr. Penner) for the member for River Heights (Mr. Radcliffe).

An Honourable Member: Got that right now, Ed, eh?

Mr. Helwer: I never make a mistake.

I move, seconded by the member for Morris (Mr. Pitura), that the composition of the Standing Committee on Law Amendments for Friday 9 a.m. meeting if necessary, the member for Steinbach (Mr. Driedger) for the member for Emerson (Mr. Penner).

I move, seconded by the member for Morris (Mr. Pitura), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: The member for Rossmere (Mr. Toews) for the member for Kirkfield Park (Mr. Stefanson).

Motions agreed to.

Hon. Jim Ernst (Government House Leader): Madam Speaker, would you please call report stage on the bills as listed in the Order Paper.

* (1440)

REPORT STAGE

Bill 2—The Municipal Assessment Amendment and Assessment Validation Act

Hon. Brian Pallister (Minister of Government Services): On behalf of the Minister of Rural Development (Mr. Derkach), Madam Speaker, I would move, seconded by the Minister of Labour (Mr. Toews), that Bill 2, The Municipal Assessment Amendment and Assessment Validation Act; Loi modifiant la Loi sur l'évaluation municipale et validant certaines évaluations, as amended and reported from the Standing Committee on Municipal Affairs be concurred in.

Motion agreed to.

Bill 3—The Surface Rights Amendment Act

Hon. Brian Pallister (Minister of Government Services): Madam Speaker, again, on behalf of the Minister of Rural Development (Mr. Derkach), I move, seconded by the member for Rossmere (Mr. Toews), that Bill 3, The Surface Rights Amendment Act; Loi modifiant la Loi sur les droits de surface, reported from the Standing Committee on Municipal Affairs, be concurred in.

Motion agreed to.

Bill 5—The Horticultural Society Repeal Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the honourable Minister of Labour (Mr. Toews), that Bill 5, The Horticultural Society Repeal Act (Loi abrogeant la Loi sur les associations horticoles), be reported from the Standing Committee on Agriculture and be concurred in.

Motion agreed to.

Bill 6—The Veterinary Science Scholarship Fund Amendment Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 6, The Veterinary Science Scholarship Fund Amendment Act (Loi modifiant la Loi sur le Fonds des bourses d'études vétérinaires), be reported from the Standing Committee on Agriculture and be concurred in.

Motion agreed to.

Bill 11—The Court of Queen's Bench Surrogate Practice Amendment Act

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 11, The Court of Queen's Bench Surrogate Practice Amendment Act (Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine), reported from the Standing Committee on Municipal Affairs, be concurred in.

Motion agreed to.

Bill 16—The Charleswood Bridge Facilitation Act

Hon. Jack Reimer (Minister of Urban Affairs): I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 16, The Charleswood Bridge Facilitation Act (Loi facilitant l'application de l'entente sur le pont Charleswood), reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

* (1450)

Bill 19—The Dangerous Goods Handling and Transportation Amendment Act

Hon. Glen Cummings (Minister of Environment): Madam Speaker, there is a report stage amendment. I would like to move that amendment then.

I move, seconded by the Minister of Justice (Mrs. Vodrey),

THAT Bill 19 be amended by adding the following after the proposed subsection 10(2) as set out in section 2 of the Bill:

Factors to consider

10(3) In deciding whether to take any action under subsection (2), the director shall consider all the relevant factors, including

(a) the proximity of the proposed facility to a residential area;

(b) the toxicity of the hazardous waste to be disposed of at the facility; and

(c) the type of facility and its proposed capacity.

[French version]

Il est proposé d'amender le projet de loi 19 conformément à l'article 2 par adjonction, après le paragraphe 10(2), de ce qui suit:

Facteurs à prendre en considération

10(3) Pour décider s'il doit ou non prendre des mesures en vertu du paragraphe (2), le directeur prend en considération tous les facteurs pertinents, notamment:

a) la proximité de l'installation proposée par rapport à un quartier résidentiel;

b) la toxicité des déchets dangereux devant être éliminés à l'installation;

c) le type d'installation et sa capacité proposée.

Motion presented.

Mr. Cummings: Madam Speaker, before I move the motion to concur, I have been requested across the way to add a word of explanation on the amendments. They were discussed at committee and actually are the amendments as proposed by the critic of the official opposition.

Basically, they spell out the requirements for the director at the time of making decision as to a minimum of matters that he should consider prior to making his final decision on the process for establishment of a licence for a facility.

Madam Speaker: Agreed? Is the House ready for the question? The question before the House is the proposed amendment to Bill 19. Agreed?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

Mr. Cummings: I move, seconded by the Minister of Justice (Mrs. Vodrey), that Bill 19, The Dangerous Goods Handling and Transportation Amendment Act (Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses), reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in as amended.

Motion agreed to.**Bill 23—The GRIP and Related Programs Termination and Consequential Amendments Act**

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the Minister of

Government Services (Mr. Pallister), that Bill 23, The GRIP and Related Programs Termination and Consequential Amendments Act (Loi abolissant le régime RARB et des régimes connexes et apportant des modifications corrélatives), as amended and reported from the Standing Committee on Agriculture, be concurred in.

Motion agreed to.

Bill 24—The Agricultural Credit Corporation Amendment Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the Minister of Justice (Mrs. Vodrey), that Bill 24, The Agricultural Credit Corporation Amendment Act (Loi modifiant la Loi sur la Société du crédit agricole), reported from the Standing Committee on Agriculture, be concurred in.

Motion agreed to.

Bill 30—The Dairy Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the honourable member for St. Boniface (Mr. Gaudry), that Bill 30, The Dairy Act (Loi sur les produits laitiers), be reported from the Standing Committee on Agriculture, be concurred in.

Motion agreed to.

Bill 31—The Livestock Industry Diversification and Consequential Amendments Act

Hon. Harry Enns (Minister of Agriculture): I move, seconded by the Minister of Housing and Senior Affairs (Mr. Reimer), that Bill 31, The Livestock Industry Diversification and Consequential Amendments Act (Loi sur la diversification de l'industrie du bétail et apportant des modifications corrélatives), as amended and reported from the Standing Committee on Agriculture, be concurred in.

Motion agreed to.

Bill 34—The Contaminated Sites Remediation and Consequential Amendments Act

Hon. Glen Cummings (Minister of Environment): I move, seconded by the Minister of Agriculture (Mr.

Enns), that Bill 34, The Contaminated Sites Remediation and Consequential Amendments Act (Loi concernant l'assainissement des lieux contaminés et apportant des modifications corrélatives), as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

Bill 43—The Municipal Assessment Amendment, City of Winnipeg Amendment and Assessment Validation Act

Hon. Brian Pallister (Minister of Government Services): On behalf of the Minister of Rural Development (Mr. Derkach), seconded by the Minister of Labour (Mr. Toews), that Bill 43, The Municipal Assessment Amendment, City of Winnipeg Amendment and Assessment Validation Act; Loi modifiant la Loi sur l'évaluation municipale et la Loi sur la Ville de Winnipeg et validant certaines évaluations, as amended and reported from the Standing Committee on Municipal Affairs, be concurred in.

Motion agreed to.

* (1500)

Bill 44—The City of Winnipeg Amendment and Consequential Amendments Act

Hon. Jack Reimer (Minister of Urban Affairs): I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 44, The City of Winnipeg Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Ville de Winnipeg et apportant des modifications corrélatives), reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

Bill 56—The Manitoba Investment Pool Authority Act

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): On behalf of the Minister of Finance (Mr. Stefanson), I move, seconded by the Minister of Government Services (Mr. Pallister), that Bill

56, The Manitoba Investment Pool Authority Act; Loi sur l'Office manitobain de mise en commun des placements, as amended and reported from the Standing Committee on Public Utilities and Natural Resources, be concurred in.

Motion agreed to.

House Business

Mr. Ernst: On Tuesday, October 15, at 7 p.m., the Standing Committee on Law Amendments will sit to consider Bills 37 and 49.

Madam Speaker: The Standing Committee on Law Amendments will sit on Tuesday, October 15, 7 p.m., to consider Bills 37 and 49.

Mr. Ernst: Madam Speaker, would you call for second reading debate Bills 32, 33, 47, 60, 45 and 67.

DEBATE ON SECOND READINGS

Bill 32—The Council on Post-Secondary Education Act

Madam Speaker: To resume second reading debate on Bill 32 (The Council on Post-Secondary Education Act; Loi sur le Conseil de l'enseignement postsecondaire), on the proposed motion of the honourable Minister of Education (Mrs. McIntosh), standing in the name of the honourable member for Transcona (Mr. Reid).

Is there leave to permit the bill to remain standing?
[agreed]

Ms. Jean Friesen (Wolseley): Madam Speaker, Bill 32, establishing a council on post-secondary education, is one of the more widely discussed bills in a legislative session crammed with bills reflective of the radical right agenda of the Filmon government.

Its purpose is to bring together the planning and funding of our colleges and universities under the aegis of a post-secondary education council but, in so doing, the government is altering the position of universities and creating an education system which is far more directive or dirigiste and which puts Manitoba's universities in an anomalous position.

The attempt to bring together colleges and universities for planning and financing purposes is one we support. We would say that it is long overdue, and we should re-emphasize that it has taken the Tories since 1988 to get to dealing with post-secondary education.

Before the election of 1990, the government had promised a formal review of post-secondary education. By 1992, and two education ministers later, there was in place what the government called a blue ribbon committee, chaired by former Premier Duff Roblin and commissioners Kathleen Richardson, Sid Gordon, and Kevin Kavanagh. All had the best interests of the province at heart, but they were startlingly unrepresentative of the province of Manitoba. There were no aboriginal people, no students, no staff, nor northerners, no one connected with the education system at all.

But they did in 1993, at the end of 1993, present a report to the government. Wisely, I think, Premier Roblin had ignored the limited mandate the government had given him to examine universities. He took the whole field of post-secondary education and argued that one of the most important priorities for the government should be the doubling of the number of diploma programs in the community colleges. We lag far behind most of the rest of Canada in the scope and diversity of our college programs. It is a glaring gap and one to which the government should have given its wholehearted attention. Instead we know that they pulled \$10 million out of the community colleges, the waiting lists increased, and the colleges have been directed to tie themselves very tightly to the Manitoba market.

The expansion of programs for sequential students from high school has simply not occurred at the rate either we, Premier Roblin or indeed the colleges themselves would like to have seen. The real reason, of course, the Filmon government has not acted upon the Roblin commission report is that it would mean substantial increase in funding to the public sector. Roblin, the Conservative Premier who built the floodway, extended public education in Manitoba, created a good deal of the modern infrastructure of the province, would not perhaps find a congenial home in the modern Tory party. Money in public education for the Filmonites is like money down the drain. I expect they have all kinds

of inelegant expressions for it on the other side of the House.

The loss of federal post-secondary funds is providing them with a convenient screen when they themselves are consistently averse to spending any money to maintain, let alone improve the public sector in schools, hospitals, colleges or universities. However, Premier Roblin also recommended a new governance structure to consist of a post-secondary education council and a cabinet committee on post-secondary education. Both, I believe, were sensible ideas and they followed a pattern of Roblin's own government, the use of cabinet committees, investment in the public sector and an inclination to planning. Filmon, or should I say the intensely partisan Treasury Board, has ignored the recommendations for a cabinet committee, without which there will be neither the formal record of debates on the policies on post-secondary education or the annual meeting with university presidents which Roblin saw as an essential part of this policy.

Madam Speaker, in creating the post-secondary education council, the government has created several anomalies. The Universities Grants Commission which was an arm's-length agency to fund and advise the universities is completely dissolved. On the other hand The Colleges Act remains intact with its own Colleges Advisory Board. People are questioning, I think, why there is no advisory board of presidents for universities. Why are the two elements of post-secondary education not being treated in a similar manner?

There are also differences in the act before us in the transfer of the money of the two groups of institutions to the new council. The UGC funds, for example, continue as the post-secondary education funds, but there is no clear indication of how the funding of colleges continues under this act. Perhaps the minister will have an explanation of that at the committee hearings and perhaps it is quite straightforward.

This is an act, Madam Speaker, of great centralizing power. It transfers additional power to the minister and to the Treasury Board over policies and programs in universities and colleges. The greater effect will be felt by the universities. Under The Colleges Act, the minister has had and will continue to have some control but rather less accountability, I fear, for particular colleges, for the

direction and the provision of courses and programs and for the appointment of their boards. The centralization of direction under the new council is less of a change for colleges, though I understand that there are concerns that they have expressed over the new bill and that I hope they will present publicly at the committee.

But for the universities there are significant and serious changes. At first glance one might be misled into thinking that the new council was, and I quote: a UGC with teeth, as someone expressed to me. Well, some teeth, might be the Churchillian response. Madam Speaker, the old UGC was not to interfere with the formulation of academic policies and standards, nor were the independence of universities in fixing standards of admission or of graduation or with the independence of a university and the appointment of staff.

The new council's mandate omits significantly the words "academic policies" and this has given rise to serious concerns in universities since this was not an oversight. If it was, I am sure that the minister, who has been made aware of this, will be bringing forward the appropriate amendment at the committee. I can assure her of our support. Should such an amendment not be forthcoming, then we can be certain that it was no oversight and the government is trying to do, through legislation, what its representatives had failed to do last fall during the strike at the University of Manitoba.

Madam Speaker, the new council, like the UGC, will be composed of members appointed by the government. The government will continue to appoint substantial numbers of the members of the boards of governors of each of the universities, as well as all of the members of the college boards, apart from a staff and student representative. Unlike the UGC, however, the new council may have a full-time chair in addition to its own staff. Such a possibility opens the door to a more detailed involvement of a ministerial appointee in the internal affairs of colleges and universities.

Both the UGC and the new council have the mandate to study the needs of the province and the ability of the institutions to meet those needs. Both have not had the obligation to develop plans, and both were given direction to avoid waste or unnecessary duplication in the case of the UGC and unnecessary duplication of effort and expense in the case of the new council.

Under the UGC, universities had to obtain approval before establishing new services or programs or extending existing programs if they involved money from the UGC. The UGC could also require an institution to cease offering a program or a service which was adequately offered by another institution. The new council must approve the establishment, expansion or reduction of programs which are funded by the council.

* (1510)

Madam Speaker, the key differences lie in the potential power of the new council over internal university affairs, in particular, academic policies and programs. The definition of program in the context of Manitoba's universities was a crucial factor in the U of M strike, and it continues to be an issue in this legislation. The omission of the words "academic policies" has given rise to concerns about the government's intent to micro-manage, to deal in the detail of universities and colleges programs. Does program mean labour studies, native studies or an arts degree? Does it mean geological engineering or an engineering program? Does it mean the continuing education function or particular programs within continuing education? The universities are right to be concerned that the government may be creating the conditions for unwarranted interference in the academic responsibilities of the universities and their senates.

The new council has been given the responsibility for developing accountability requirements for each university and college for teaching, research and service. Here is a significant departure from the earlier UGC where such matters rested with senates and boards. As Bernard Shapiro remarked in his recent report on teacher education in Manitoba, the opposite of accountability is trust, and indeed much of this legislation indicates that we have a government which does not trust its colleges and universities. In an earlier generation, as recently as 10 years ago, there was that level of trust, but there clearly is no longer.

The New Right does not trust either education in general nor the liberal professions in particular and it cannot be comfortable with critical thought. It was this Premier (Mr. Filmon), was it not, who referred to universities, and I quote, as mandated irrelevancies, during the university strike last year. It was indeed this Premier who wrote to the president of Harvard University

to bring pressure to bear on a faculty member who had expressed a public opinion on the labour situation at the University of Manitoba. It was, was it not, a member of this cabinet who wrote in a similar vein to the administration at Brandon University several years ago. So, Madam Speaker, when we look at this new council, we cannot disassociate it in our minds from the invisible hands that will be guiding it.

This is not a government which has demonstrated much understanding of universities. The Premier and Mr. Manness wanted to determine class size. The new council may give them the power to do that. Whenever universities are raised in the Legislature, I always hear the Minister of Agriculture (Mr. Enns) mumbling on about basket-weaving courses. You can find the Tory cabinet at golf courses and country clubs, but you cannot find them at universities. Well, perhaps you see them occasionally at basketball games, but they were conspicuously absent from the annual meeting of the University of Manitoba last week. Here is an institution of major significance to the province and not one, not one, of the 31 Tory MLAs was delegated to attend. The direction or the guidance which will come from this government is not likely to be either informed or sympathetic to the historic role of universities, nor surprisingly is the government interested in the economic role of the universities. All the universities and colleges bring substantial external funding into Manitoba. I used to point this out to Mr. Manness, but his answer was that that was irrelevant. That is in Hansard. It is quite clear. He said these were federal funds from the public purse and not representative of genuine wealth creation.

I notice that the new president of the University of Manitoba is making the same argument for the economic contribution of the university as is the president of the University of Winnipeg. They will discover that such sensible and rational arguments get short shrift in this cabinet. Madam Speaker, universities are Manitoba's window on the world, yet this government has no time for the staff or the research that this represents. How long is it since a visiting delegation from South Africa, from India or elsewhere, was taken to our research centres at the universities? Do the trade delegations from Manitoba ever include university representatives?

I have told the story before of the tired president of the University of New Brunswick who cannot keep Frank

McKenna away. The Premier deluges him with prospective investors. He features the universities in provincial advertising and requires the presidents' of the universities attendance at formal events promoting New Brunswick. Now, there is a premier who has grasped the economic significance and the international role and the importance of higher education in any economic strategy.

The new president of the University of Manitoba will not find this premier beating down the path to her door. What she will find is a government unfamiliar with the wider role of the universities, a government suspicious of what they do not understand, and a government apparently unwilling to make this effort at this stage of their mandate to create the co-operative framework for a genuine partnership with higher education. So we are right to be concerned that this new act puts more extensive and intrusive power into the hands of the appointees of a government of whom we must beware.

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

Mr. Deputy Speaker, we need only go back a few months to the appointment of the interim transition committee which the government appointed to draft this legislation. Undoubtedly, again, the members of the committee had the interest of the province, the universities and colleges at heart; but they were, with one or two exceptions, unfamiliar with higher education and, like the Roblin commission, they were an unrepresentative group of Manitobans. There were no northerners, no aboriginal people, no new immigrants and apart from Dr. Duckworth, no researchers. They did include a member of a board of governors, a defeated Tory candidate and former assistant to Tory ministers. We have no reason to expect that the composition of the new post-secondary council will be any different.

Mr. Deputy Speaker, yes, experience would suggest that we have cause for concern. Each of the senates of the three universities of Manitoba has examined this bill. Each has expressed their concern and some will be presenting these concerns at the committee hearings. They may already have proposed amendments to the minister, and I hope that she will take them in the spirit they are intended and not think that there is a loss of face for her if she adopts some of the amendments that are being suggested. If Manitoba can emerge from this

legislative session with a bill which is acceptable to the universities and colleges and their students and which begins to develop the co-operative framework between government and the institutions of higher education and research and which gives evidence of an intent to maintain accessibility, then there can be no loss of face, and we will be the first to congratulate the minister.

But it is perhaps too much to hope for at this stage of the government's mandate and at this stage of the bill. How unfortunate, but how typical that the government delayed so long in its appointment of the interim transition committee. It was recommended in 1993; it was promised in 1995. It was not appointed until 1996 and given less than six months to create a new legislative framework for higher education. How unfortunate, but how typical that this interim transition committee gave such short shrift to the presidents of each of the major institutions—called in for half an hour's consultation, I believe. Or for the representatives of the faculty and students who, I understand, forced their way onto the agenda for a little longer, perhaps as long as an hour. How typical that the committee's promises of further consultation with the so-called stakeholders never materialized. How predictable that we should now be in this situation of a government presenting legislation in the House which does not have the support of many of the stakeholders whom it will affect.

Mr. Deputy Speaker, much of the discussion at the community level on this bill has focused on the appointment of the new council. Some are proposing alternatives to an appointed board. The comparisons with the simultaneous creation of appointed regional hospital boards suggest that the extension of the powers of centralization, of decision making by unelected people appointed by the cabinet and accountable only to a governing party is a conscious political direction of this government.

Over the dying years of their mandate, the Filmon government is clearly intent on transferring a good deal of power over the crucial institutions of our province into the hands of the unelected and unaccountable.

In the case of the Crown corporations such as Telephones, Public Insurance and Hydro, they will privatize. The major instruments of the economy will be in the hands of private shareholders. In the case of

education, the government misses no opportunity to bypass the elected school boards, and we have two bills before us this session which codify some such practices.

* (1520)

In the case of health, the appointed regional boards are already taking shape with their complements of defeated Tory candidates, very few aboriginal people and few women.

There is a clear pattern here and it is one of an arrogant government which believes it is immune to criticism and which demonstrates little faith in the ability of the ordinary people of this province to govern themselves in accountable, democratic fashion.

So, Mr. Deputy Speaker, we do not anticipate that such a government will have any interest in the principle of elections for this post-secondary education council, but an elected principle is one that should be seriously considered to be part of the new governance of higher education.

However, we should not let our concerns over the appointment and functions of the council overshadow another disturbing element in this bill. The funds allocated to the old Universities Grants Commission were to be paid from the Consolidated Revenue Fund of the province to the Department of Education and transferred there from the minister to the UGC. The funds of this new council, however, will be paid directly to the council from Treasury Board.

Now, what is the purpose of this, I asked myself, Mr. Deputy Speaker. Well, it was clear that the intent of the UGC act was to create a reasonable distance from government but to maintain a link with the Department of Education. The new bill appears to preclude any role at all financially for the Minister of Education, and it is a most puzzling change for a minister to bring to this House in a bill.

Mr. Deputy Speaker, it may look in this bill as though the minister is appointing an intermediary body in the spirit of the old arm's-length agencies, but the reality may indeed be quite different. The council must operate within a set of priorities determined by the minister, but will it, in fact, be the Treasury Board which will

determine the final allocation of grants to institutions? The council may be nothing more than a rubber stamp in financial matters. It may not, in fact, matter a whit who is appointed to this council, because the fundamental allocations of money may be made elsewhere in ways which were not possible before.

The old Keynesian idea, and the early examples of such arm's-length agencies were indeed Keynesian, have certainly been eradicated by this bill, and it is hard not to believe that that is not, in fact, the government's clear intention.

Mr. Deputy Speaker, the consolidation and centralization of power will remain one of the hallmarks of this government, and it is one which I do not believe serves Manitobans well at the end of the 20th Century. It is particularly troubling that such power could now be consolidated in a Treasury Board which has become intensely partisan.

As we look at this bill and the prospects for post-secondary education in Manitoba, we can see how the distrust and suspicion which characterizes authoritarian regimes is growing in Manitoba. The cabinet appoints the Board of Governors of the universities, but it does not really trust its own appointees to plan or be accountable for their institutions. The cabinet appoints a post-secondary education council, gives it specific direction to ensure that the appointed boards of governors are doing their job, but it does not really trust its appointees on the post-secondary education council. The cabinet ensures that the council must operate within a framework established by only the minister, but then it does not really trust the minister either, and in a significant departure from past practice, it reduces the minister's role by ensuring that the allocation of monies to institutions may, in the final analysis, be made not even by the Minister of Education but by the Minister of Finance. It is all quite breathtaking, but it is certainly in line with the changes in post-secondary funding that are being made by some of the more extreme of the state governments in the United States or by the government of New Zealand or by the mother of them all, Margaret Thatcher.

Mr. Deputy Speaker, there is a price to be paid for this type of government, and I think I began to recognize it earlier this week when I was out knocking on doors, talking to people, about the proposed sale of Manitoba

Telephones. The resident I was speaking to and I agree that this sale offered no benefits to ordinary Manitobans, and he knew well of the rapid increase in residential telephone rates that had followed privatization in Alberta, but he said, and was resigned and sad: They will get us all in the end, won't they? It was hard to disagree, but it was also hard to acknowledge that this was the relationship between the citizen and his government in 1996 in Manitoba.

Finally, Mr. Deputy Speaker, I want to underline for the government what is at stake in these changes to university governance. As many will point out, the role of the senates, the centres of self-government for all universities across the world, may be unilaterally being altered by this bill. A university whose autonomy and self-governance is in doubt would be placed in an unenviable position in the international world of scholarship, and the government should recognize that research, scholarship and teaching are global in their scope and in their responsibility. I know that the minister is aware of the draft recommendations of the UNESCO higher education draft proposals which aim to ensure that institutional autonomy is maintained. Article 17, for example, proposes that member states are under an obligation not to interfere with the autonomy of institutions of higher education and to protect them from threats to their autonomy coming from any source. Article 16 continues in the same vein. Article 22 says that the recognition and self-governance and collegiality are essential components of meaningful autonomy for institutions of higher education. It would be important, I believe, for any government to ensure that its legislation met these tests. Can the minister assure us that her bill does this?

Mr. Deputy Speaker, in the meantime, I want to draw the attention of members of this House to a province where they really do things differently. I have already alluded in the House elsewhere to the fact that both the New Democratic provinces, British Columbia and Saskatchewan, were as affected as Manitoba by the withdrawal of federal funding for post-secondary education. Both chose to backfill, I believe the expression is. They chose to compensate the universities and colleges and to continue their investment in education. It is in striking contrast to the actions of the rabid right in Manitoba and Ontario. Saskatchewan, as a smaller province with a substantial and growing

aboriginal population, faces many of the same challenges as Manitoba in higher education, but they do have a different way about them in Saskatchewan. The Saskatchewan government also began to review its universities a couple of years ago. They chose as their commissioner, Al Johnson, a man committed to the public sector, and they got a report which did not undermine university autonomy, which did not see the role of universities as deliverers only of market-driven training and which recognized the intense pride that the people of that province have in their institutions of higher learning.

Mr. Deputy Speaker, since that report, the government of Saskatchewan commissioned Mr. Harold Mackay, Q.C., to work with, and I repeat for all those members who are still busy with their Fraser forums and their own press clippings, that it is to work with the universities, to define the revitalization of universities. His terms of reference include an entire page devoted to respect for university autonomy. It began with the statement that the government of Saskatchewan respects and values the autonomy of the universities. It noted that the decision to appoint Mr. McKay directly reflected the government's reluctance to encroach on the university's traditional freedoms and responsibilities. The terms of reference made it clear that Mr. Mackay's task was not to determine the directions of university revitalization on his own but rather was to work with the universities and colleges as they themselves formulated proposals for change.

Mr. Deputy Speaker, if anyone in Manitoba doubts the importance of politics and political choices, they should examine the different roads being taken by these two provinces. The approach to universities and indeed to education generally is strikingly different. The punitive tone of the Manitoba government, the fear and mistrust of public education that they have engendered can be compared to Saskatchewan with the attempt to successfully establish a framework of co-operation with the creation of a public ethos which values the schools, teachers, colleges and universities of the province.

Let me conclude, Mr. Deputy Speaker, by underlining for the government that respect for university autonomy is the necessary context for the continuing respect for academic freedom. This bill has an unusual preamble which I expect the minister believes addresses that. I am not convinced that it does, nor am I convinced that this is

a government which intends to acknowledge the importance of maintaining such freedoms whether it be in department of astronomy at Harvard or in the Faculty of Arts and Science at Brandon.

* (1530)

Mr. Deputy Speaker, our universities must remain the crucibles of creativity. They must be international in standards. They must foster debate and dissent. They must reflect the public interest in the broadest sense of that responsibility. They should be the guardians of liberties and reflect to us the best of mankind.

There are many men and women who have over the past several hundred years written of the idea of the university. Cardinal John Henry Newman and Matthew Arnold are perhaps the most easily recognized authors, but when I think of the public role of universities, I think most immediately of my own colleagues—historians, archeologists, linguists, mathematicians, architects, artists, lawyers, physicians and philosophers—whose contributions to this province continue to reflect to us the best of mankind and to do so throughout the province, whether it be at Sagkeeng, at Norway House, at Cross Lake, Selkirk, Dauphin or Roblin.

Mr. Deputy Speaker, I think, too, of a very gentle man who more than 30 years ago was my professor and my teacher. He made many historians and teachers of history and was still doing so two years ago when he died. His eulogist spoke for many, including my elder son who was at the time his graduate student, when he said that Professor Vogel's students knew his devotion to them, his great patience, his readiness to listen and help, his high standards, his greatness of mind, his diffidence and courtesy, his warm humour and affection, and he remains my ideal.

But he was more than a distinguished teacher and a great and good man. As a child, he had fled Nazi Austria. He understood and taught always the nature of tyranny, and at his funeral it was said that Robert Vogel loved the university with his mind and his whole being. He knew and taught us that the university is that unique historical institution fashioned within our torn civilization to be its conscious living mind, to unite and shield and cultivate the true and the good in knowledge, in people and in its own example to them.

Mr. Deputy Speaker, the government of Manitoba must convince us all that it can and will protect the public place of our institutions of higher education.

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

Committee Changes

Mr. Edward Helwer (Gimli): Mr. Deputy Speaker, do I have leave to rescind one of the committee changes that I made?

Mr. Deputy Speaker: Does the honourable member for Gimli have leave to rescind some committee changes that he had previously made? [agreed]

Mr. Helwer: I move, seconded by the member for St. Vital (Mrs. Render), that the changes that I made to the Standing Committee on Public Utilities and Natural Resources be amended as follows: the one where I put on the member for Rossmere (Mr. Toews) for the member for Kirkfield Park (Mr. Stefanson), because I duplicated that from yesterday, I want to rescind today's motion, Mr. Deputy Speaker.

Mr. Deputy Speaker: It has been moved by the honourable member for Gimli (Mr. Helwer), seconded by the honourable member for Morris (Mr. Pitura), that the composition of the Standing Committee on PUNR, the honourable member for Rossmere (Mr. Toews) for the honourable member for Kirkfield (Mr. Stefanson). Agreed?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed and so ordered—[interjection] No, that has been changed because there was a duplication, so it has been rescinded from before. Is there agreement that the change be rescinded? Agreed? [agreed]

Bill 33—The Education Administration Amendment Act

Mr. Deputy Speaker: On the proposed motion of the honourable Minister of Education (Mrs. McIntosh), Bill 33, The Education Administration Amendment Act (Loi

modifiant la Loi sur l'administration scolaire), standing in the name of the honourable member for Radisson, who has 25 minutes remaining.

Ms. Marianne Cerilli (Radisson): Mr. Deputy Speaker, I am pleased to be able to finish my comments on Bill 33. I think when I had been debating this bill before the weekend or early this week, I had been just starting off talking generally about the basis and principles behind a public education system and wanting to ensure that there is equality in the provision of education throughout the province.

It should not matter where students come from. It should not matter what kind of family they come from, especially the means of that family. Everyone should have the same opportunity, and they should have access to the same quality of education. That is the fundamental principle behind a public education system and one that we take very seriously on this side of the House. We recognize the importance of education in our economy and in our society to enable those in our community to be able to learn to provide for themselves and to be active participants in our society and active citizens.

I think what Bill 33 is doing, in a sense, along with its companion Bill 47, is threatening and dismantling this very basis of the public education system. It is going to do that by introducing more and more of a marketization and competition between schools, both public and private, especially between schools in the public education system. This marketization may work quite well for distributing goods like speedboats or hotel rooms, but it is not a very inclusive or effective way for ensuring that there is equity and inclusiveness in our public education system. It begs the question of what interest does it serve to have this type of marketization and competition in the public education system.

The whole language with developing more choice in the public education system, I mean, that is the language that the government may want to talk in, but really what they are going to be doing is creating some schools that are going to become losers in the system and some schools that are going to become winners. It does not seem to recognize that we have to deal with the public education system as a whole and not just try and have parts of that system competing and vying against each other for resources. We must recognize that children

learn differently and at different rates and that they are going to progress through the system with different needs.

My concern is that as Bill 33 goes forward, and I will outline specifically what it is going to do in creating this more market approach or market type of system in public education, it is going to mean that the minister is going to determine all forms of assessment in the classroom. It is going to mean that the minister is going to tell school boards what and when and how they must report to the citizens and voters in their community, and it is going to require schools to publish or make public the records and achievement and standings of the students in the school. That is particularly the area that we have concerns about.

The bill specifically says that there is going to be the requirement to release information relating to pupil achievement and the effectiveness of programs in public or private schools. To me, we know that some people would think that they want to have this sort of approach in schools, but we have to ask ourselves, who is it going to serve to have the standings of students made public? What is going to happen is that, as I understand it, people then are going to be able to choose the school that they want to send their children to based on the results in academic subjects. So first of all there is the problem of the very limited kind of information that could be made public which would not include the entire range of programs in the school and the arts and athletics in various other areas. Also, what is going to happen to those schools who do not have high standings for their students? Is it going to occur that some students and their families will choose to have their students go elsewhere where there may be some higher standing of the average student or higher records of achievement?

We have to suspect that the government is going in this direction because we have also seen their report on the Render-Dyck commission which, to the amazement and confoundment of a number of us, tried to equate student performance in standard tests and grades with teacher effectiveness. Now that is a leap that I think disregards a number of basic truths in education, but it just amazed a lot of people, and with that kind of report out there in the public I think that it is understandable why people are concerned about Bill 33 and having the requirement to make public records and make public the achievement and standing of students school by school. As I said, this is a companion to Bill 47 which does specifically set up

that there is going to be choice opened up in the public school system. I am going to deal with that bill more specifically later, if I get the chance, with the limits that are going to be on that choice.

* (1540)

We know that choice costs money. Choice costs dollars if it is going to be equitable choices for all those in the community, and we know that the greatest indicator of the success of students in school is the socioeconomic status of their parents. It has more to do with the family of origin and the socioeconomic status of that family than a lot of other things that can go on in the school, and that is discouraging to some to know that the school system is limited in some way by the family or the home life of the students that are attending that school, but that is the reality. We must take that into consideration when we are trying to deal with issues like are outlined in these bills, Bill 33 and Bill 47.

So who does it serve when students are regimentally graded and when those results are going to be made public? Is that more in the interests of administration? Some may say that it is just in the interest of business to try and have a view of students in a pecking order so they can have some sense that they are going to get the best and the brightest students. That kind of approach, especially when children are young, is definitely not in the best interests of the students, and the kind of clear deciding of rank to make winners and losers in education does not serve the interests particularly of the losers, but I would suggest neither does it serve entirely the interests of the students who are deemed to be the winners.

When we are talking about how the largest indicator of the success of students in education is their socioeconomic background, we must consider the effect of the cut of \$47 million to public education over the last two years, how the loss of over 500 teachers in the last couple of years is going to interplay with this whole move to have a more market approach in education and how it is going to mean that there will be some schools that will be the losers and will start to have a declining enrolment and then a decline of funding. They will have less programs and teachers available to deliver those greater range of programs, and that will in turn force more students and families to consider leaving that school and, ultimately,

what may happen with this approach to education is, we are going to have some schools forced to close because they do not have the enrolment.

What is going to happen to the students who are forced to stay in that school, who do not have a choice because they cannot afford to pay for transportation or simply because of where they live? They are going to be ghettoized in a school that is seen as being less than and is seen to be lacking, and that, as I said, is particularly going to be a problem when we have a government, as we do right now, that is starving the public education system.

But the other area of Bill 33 that I want to talk about is the minister now prescribing the methods of evaluation for every classroom in Manitoba. They are not satisfied that they want to bring in standardized exams which could account for as much as 50 percent of the grades for students. They want to be able to assess the effectiveness of all the programs. They want to be able to decide on how that other 50 percent of the evaluation of students is going to be determined.

Not only does this again show that the government and the minister have no respect for the professionalism of teachers. Again, we have seen that in their Render-Dyck report, but I would liken this approach to teachers in education as if the Minister of Health (Mr. McCrae) would pass in legislation a dictum to tell doctors what to prescribe or how to test and diagnose patients. That is what they are doing in Bill 33 to teachers. They are essentially robbing them of their role and their professional role and expertise in the classroom.

It also is a huge contradiction. On the one hand, they are saying there are going to be schools of choice with Bill 47, but in Bill 33 they are taking away that very basic choice in each classroom, from each teacher in each classroom across the province. It goes hand in hand with their fixation on standardized tests, and I liken that fixation in education on standardized tests to fixating on bettering your driving by focusing on how to put on the brakes. If you put the emphasis in education on standardized testing and on testing rather than on learning, where it belongs, and supporting teachers and supporting the work in developing curriculum and class methodology, you are putting the emphasis on the wrong place, Mr. Deputy Speaker.

The emphasis in education has to be on learning and on the classroom and supporting the classroom environment. Putting the emphasis on teaching is not only putting the cart before the horse, it is completely missing the whole point of education, and we have to be concerned with what is going to be done with the results of these tests.

The other inconsistency with Bill 33 is that it again shows that the Ministry of Education in Manitoba seems to be going in two directions at the same time. They have one direction in curriculum where, as I understand it, they are moving to a more outcome-based curriculum which would set a framework with learning objectives or outcomes for each grade level in specific subject areas. For example, by Grade 3, you want to be able to multiply whole numbers, and then it would be left up to the teachers in the classroom to determine how best to get their class to that learning objective, and to me this is one of the most exciting things about education.

Education and teaching is ultimately a creative endeavour. It is very exciting to have a group of students and to figure out, based on that group of students and the material that you have to learn, how best to organize the learning activities and the kind of classroom activities that you are going to undertake. If that is the way that they are heading in curriculum, how then in the area of testing can they be going to a much more narrower prescribed approach, which is going to be dictated in legislation and regulation by the minister? It is completely a contradiction to where they are heading in their curriculum department.

While we are on the topic of dealing with curriculum and testing, it is interesting because I remember when we had the previous Minister of Education, Mr. Manness, and there was some testing that was done in Manitoba. I think it was elementary school children in mathematics who did very well, and it was almost like the minister wanted to dismiss it because I believe it is their political agenda to somehow, over the last number of years in government, try and portray our system in public education as failing, and they have gone out of their way to try and do this. It seems that this bill is more concerned about how they can put their own political spin onto results that are going to come out of the education system by choosing which results are going to be made public. It seems that this is going to allow them to serve their own political ends.

* (1550)

We know that one of the big choices that this government has made is choosing to increase the funding to private schools while cutting by \$47 million at least, over the last two years, funding to the public education system. So I think that they have this fixation that the market and competition are somehow going to make education better, but I would suggest what is going to happen is schools are going to have to change their focus from putting their energy into learning and teaching, and they are going to shift that by having to put more focus and energy into public relations and marketing so that they can try and attract students.

That is not something that the public education system should have to do. The public education system could be looking at more progressive approaches. They should be looking at making the education system better. They should not have to be worried about how to market their school to attract students so that they could qualify for increased financial resources or grants.

I know that the Ministry of Education now has a new deputy minister whose job it is to try and develop business partnerships in education. It seems like there again they are encouraging schools to do the same by offering grants to schools if they can go out and have to peddle the community to find business partners to run programs in schools.

One of the other areas that this bill deals with is accountability of individual schools. The bill is going to prescribe the methods of assessment, and it is going to define the information that the school divisions have to supply to the department. It is going to have specific implications for school inspection and auditing of school divisions. This is interesting, especially at this time, to have a government that is dealing with accountability when, for the last week, we have seen a Minister of Justice skirt around any accountability for what has been a huge debacle in her department. She has admitted that there was a mistake made in not informing judges and yet is unwilling to take accountability, any accountability or responsibility for that, and here we have the minister in a Department of Education suggesting that—

Mr. Deputy Speaker: Order, please. The honourable Minister of Government Services, on a point of order.

Point of Order

Hon. Brian Pallister (Minister of Government Services): I am just hoping in the interests of the House, Mr. Deputy Speaker, that you could bring the member around to the subject at hand.

Mr. Deputy Speaker: I thank the honourable Minister of Government Services for that. I must contend I had not been listening quite clearly to that. I will pay special attention to what the member is speaking about.

I would ask the honourable member, though, to be relevant towards the bill.

* * *

Ms. Cerilli: Mr. Deputy Speaker, I was being relevant and I think the sensitivity of the members opposite is understandable, but I was talking about accountability in legislation where the government is now suggesting that school divisions have to be more accountable to them. This is coming from a government where the Minister of Justice (Mrs. Vodrey) has had no accountability, where the Minister of Education and Training (Mrs. McIntosh) herself has talked about a review of special education and has put it even in annual reports and it had not even started yet. Is this the kind of accountability that the government is going to be modelling for school divisions? It is interesting when you know that it is this government which tries to blame school divisions for cuts—

Mr. Deputy Speaker: Order, please. The honourable Minister of Government Services, on a point of order.

Point of Order

Mr. Pallister: On a point of order, Mr. Deputy Speaker, I am just wondering if the member for Radisson does not sense that there is a touch of irony when her members stand and ask for the Minister of Justice to be accountable and yet she stands in the House today and argues against accountability in our public schools. I wonder if there is not a strong sense of irony and contradiction in her remarks before the House this afternoon.

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

* * *

Ms. Cerilli: I am almost finished my remarks on Bill 33. I was just going to mention that this is an attempt, I think, as the government has made a number of times, to play both sides when it comes to dealing with school divisions. They want them to have to take the blame for making cuts to programs when it has been this government that has starved the schools and the school divisions for funds and cut the funding to school divisions, and then they will stand back and they will say, hey, it is the school divisions that make the decisions to cut courses or to cut teachers or to cut school buses. It is not our cuts, no.

As we go along under this government and they continue to erode the public education system, they continue to starve schools, they continue to try and blame teachers for problems that are occurring and they try to scapegoat teachers, I think that it is becoming very clear that they are not interested really in a fair, equitable public education system. They welcome and are creating a two-tiered public education system. We have user fees in education now where some families and students are going to be excluded from courses, from field trips, from other activities in schools because this government has been passing the costs for education on to individual families and students and that has been documented and shown in school after school, in school division after school division. As we go on with this government, we are seeing an erosion of our public education system, and this is very shortsighted.

It is shortsighted because in the long run those students who are not getting the kind of education because there are not enough supports in the school system for them are going to be unemployed and are going to be a larger burden on the community.

Mr. Deputy Speaker: Order, please. The honourable Minister of Government Services, on a point of order.

Point of Order

Mr. Pallister: When the member for Radisson continues to make general comments of an accusatory nature towards our Education minister and the members of this government, I find it extremely offensive, ridiculous, simple-minded and insulting, frankly.

There has been no stronger supporter of public schools than this government. There has been no stronger

supporter of the teachers in this province than this government. For us to take this kind of ridiculous and insulting dialogue from the member opposite is really asking us to take quite a bit that is undeserved I think, Mr. Deputy Speaker.

Mr. Deputy Speaker: The honourable minister did not have a point of order. It is clearly a dispute over the facts.

* * *

Mr. Deputy Speaker: The honourable member for Radisson, to conclude.

Ms. Cerilli: I know, Mr. Deputy Speaker, I only have approximately a moment left, and I just want to conclude by saying that though some of the language may be couched in terms that are seemingly not very damaging to public education, the outcomes or consequences from these bills I think are going to have the result of having ghettoized schools, a more inequitable public education system, and we are opposed to that. Thank you.

Mr. Deputy Speaker: Bill 33 is standing in the name of the honourable member for Transcona (Mr. Reid).

Stand? No? Pass? No? Okay.

Is the House ready for the question?

The question before the House is second reading of Bill 33, The Education Administration Amendment Act.

Is it the will of the House to adopt the motion? Agreed?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed and so ordered.

Bill 47—The Public Schools Amendment Act

Mr. Deputy Speaker: On the proposed motion of the honourable Minister of Education (Mrs. McIntosh), Bill 47, The Public Schools Amendment Act; Loi modifiant la Loi sur les écoles publiques, standing in the name of the honourable member for Radisson (Ms. Cerilli).

Ms. Marianne Cerilli (Radisson): I am going to keep my comments on Bill 47 very brief. We are prepared to have it pass and go to committee. I am sure that there are going to be a number of presenters on these bills who are going to be concerned about the effects that they are going to have on our public education system.

There are a number of concerns about how this is going to effectively erode the public education system. They may call it choice, we would call it an erosion, particularly when you consider the way that the funds are not going to be there for smaller schools, schools in more remote areas—

* (1600)

Mr. Deputy Speaker: Order, please. I hate to interrupt the honourable member, but I am having trouble hearing you right now.

If the members want to carry on their conversations across the floor, I would really appreciate it if they did so in the loge. A little bit of courtesy would be appropriate at this time.

The honourable member for Radisson, to continue.

Ms. Cerilli: Thank you, Mr. Deputy Speaker.

I know that the members opposite are sensitive to the criticism that is coming from the public on their attack on the public education system, but when we recognize the implications that these bills have for public education—and they are basically saying to people, you know, do not stand up for your community school. They are saying to people, if you do not like what is happening in your community, go somewhere else. We are going to let you go somewhere else.

I mean, we want to see people take some ownership of the schools in their community and to work with the staff in that school, to work with the administration and try and make that school the best school that it could be. For that to happen, we have to make sure that there are going to be the resources there, and we are going to have to make sure that this bill does not have—and if the minister can do that, can assure us that this bill is not going to have the result of closing down small schools or remote schools when parents can choose to take their children with them to work to another community. Then, what is

going to happen to the parents in the community where they have their home who cannot do that?

Are the schools in that community going to be closed, in smaller communities going to be closed because some people will have the luxury of being able to go and shop around more for education for their children and move their children somewhere else? We know that some people will not, we know that choice is really only a choice if you have the finances to make it a choice for everyone.

We have very serious concerns about the implications for this bill for the way it is by-passing the school boards, the way that it is going to perhaps limit the enrollment of adult students. We have to ask specifically, in the area where the minister outlines the rights of students in education, it does not even mention that they have a right to an education. We know that that is a basic right for anyone in a democratic society, that they have the right to a free public education.

In conclusion, Mr. Deputy Speaker, I would suggest that the right to an equal public education is going to be undermined by this legislation. Thank you very much.

Mr. Gary Kowalski (The Maples): I would like to put some words on the record in regard to Bill 47, The Public Schools Amendment Act. This could be called Part 1 of the Tory attack on the schools. It gives the minister extraordinary powers to root out what she believes is administrative malfeasance, wherever the minister finds the sloth that has led to the current decline in teaching standards in Manitoba, according to the government's perspective. Never mind that this government has been underfunding secondary education ever since they were elected, this is not the problem, according to the minister. It is that nasty accumulated deficit that is a problem. If the school boards get rid of that, they will be all right.

What was lacking in the minister's view is good administration and strong morals. This bill will either fix that or kill the public school system. I think they are headed in the latter direction.

In the first section of the bill, the minister contents herself with straightening out problems around the attendance of students at other schools for courses not available in their home school division. The L-G-I-C is given the responsibility for figuring out the residual costs.

Who is going to be able to figure out all these costs is not exactly clear?

The minister also makes sure in one subsection that the school boards comply with the directives of the minister, again, giving more power to the minister. Have some of the school boards been bad boys and girls and done things that the minister does not like? Each school board must also appoint an auditor, report the name of the auditor to the minister, and this auditor shall submit to the school board information required by the legislation in addition to what is defined as accumulated deficit. Accumulated deficit is bad. This accumulated deficit, they must now run to the minister right away and indicate they are bad, inform the minister just what they did wrong, like paying their teacher a decent wage.

I will repeat it. Accumulated deficit is bad. If the school board has this accumulated deficit, they must now run to the minister right away and indicate they are bad and inform the minister just what they did wrong, like paying their teachers a decent wage. The minister will then ask the school board why they have this deficit and instruct them to get rid of it. If she does not like their plan, then they are in deep trouble because the minister can now take such measures as the minister deems appropriate to eliminate the accumulated deficit, again, taking over the powers of the school board. It gives extraordinary powers to the minister, as we have said.

In regard to pupil files, with this legislation, parents now also have the right to access pupil files. Contrary to popular sentiment, this is not a New Right that the minister is granting. I have looked at my child's pupil records a number of times during her time in school. Parents have always been welcomed at schools, and this legislation has only formalized the procedure and makes for good press coverage.

Little Johnny can go to school anywhere in Manitoba now, and schools are now required to post the information on classes. The principal is given sufficient powers to stop this if there is no room, and a priority system is set up. Again, the minister is very clear that this is a New Right she is giving to the parents of Manitoba. To a certain extent, this is true, but if she gave school more money, I think we would all be better off.

The rest of the bill talked about how little Johnny is obligated to stay in school on a regular basis, complying

with student discipline and treat school property and employees with respect. Geez, sounds like Ward Cleaver, and we are going back to the '50s. All this stuff is great, but the big problem facing schools is, they are not receiving enough funding. This legislation is window dressing. We can agree and vote for this type of stuff with ease and be very popular with the masses. Without funding, the whole system will collapse.

Some other concerns about this bill are the regulations. Will they apply to private schools? If private schools receive the funding, why are they not complying with the regulations? The administration fees, students attending schools in other divisions, who will collect these fees? Who will administer all the fees involved with the administration of that? Who will pay for it?

The right to enroll in programs, I think the lawyers of Manitoba will thank the minister for this because I think there will be a great number of litigation cases, and I think this section of the bill is a boon to all lawyers. I think that in the budget consultation process where many schools—I know in the school division that I was involved in, I know in Winnipeg School Division—there is a great deal of consultation done before school budgets are passed. Now the minister has required in writing that each school advisory council—what happens if the advisory council is not interested in the school budget, they are concerned with things like education and learning as opposed to budgetary, does this make it an obligation?

The other concern we have is now the steps. Before there used to be a requirement for school boards to submit a preliminary budget. This was an excellent process. It allowed the Department of Education to know what was coming from school boards. It allowed the school communities to discuss it and then a final budget was later submitted. This goes away from that process so, all in all, we think this bill is more window dressing and is just a way of—

Mr. Deputy Speaker: Order, please. The honourable Minister of Government Services, on a point of order.

Point of Order

Hon. Brian Pallister (Minister of Government Services): I am just curious, Mr. Deputy Speaker, if the

member for The Maples, who is a Liberal, is aware of the fact that the federal Liberal government has cut this province a quarter of a billion dollars, and if that has ever entered his mind as he considers funding for education in his comments.

Mr. Deputy Speaker: Order, please. Number one, the minister did not have a point of order. Number two, I would like to make the House aware that honourable members should know that a point of order should be raised to draw the attention of the Chair and the House of some departure from the rules or from the normal procedures of the House. So at this time I would appreciate it if members were standing up for the real reason for points of order, not just to interrupt members' speeches.

The honourable member for The Maples, to continue.

* * *

* (1610)

Mr. Kowalski: I thank you, Mr. Deputy Speaker, for clarification, because being a new member of the House. From the practice I have seen, I thought point of order means I would like to interrupt whoever is speaking and get an opportunity to speak.

I will say in regard to this bill, it is window dressing. It tries to make up for the lack of funding and commitment this government has for public education. I think the bill should be withdrawn.

Mr. Deputy Speaker: Is the House ready for the question? The question before the House is second reading Bill 47. Is it the will of the House to adopt the motion?

An Honourable Member: Agreed.

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

Bill 60—The Law Society Amendment Act

Mr. Deputy Speaker: On the proposed motion of the Minister of Justice (Mrs. Vodrey), Bill 60, The Law Society Amendment Act; Loi modifiant la Loi sur la Société du Barreau, standing in the name of the honourable member for Rupertsland (Mr. Robinson).

Stand? No? Leave has been denied.

Mr. Gord Mackintosh (St. Johns): The Law Society Act exists to protect the public. This legislation, I think it is important to remind everyone, is not there to protect practitioners. So when looking at the act and when looking at amendments, it is important that we judge the bill according to the public interest and not the private interest of lawyers.

This, of course, holds true for legislation governing all that is called "self-governing bodies." Of course, this is a misnomer. These bodies are not self-governing in the ultimate sense, but derive their powers only from the Legislature.

I look at the Law Reform Commission report from 1994 regarding regulating professions and occupations. It states there in recommendation 40: Self-governing bodies are not private organizations but exercise powers granted to them by the Province of Manitoba for the purpose of protecting of the public. Accordingly, all aspects of the operation of self-governing bodies should be governed by the principle of openness and accountability to the provincial government and to the people of Manitoba generally.

Having made that important observation that I think has to be made on a regular basis, there are some issues I want to deal with very briefly.

First of all, the bill proposes a reduction in the number of benchers from 43 to 22. The Law Society president tells me that the committee that looked at this matter at the Law Society discovered that only one province in Canada, namely Ontario, had more benchers than Manitoba. At that time Manitoba had 43 benchers, while Ontario had 44.

He states, it is interesting to note that since then the number of benchers in Manitoba has been increased to 44 as well. In Ontario, however, these 44 benchers represent 21,610 members, while the same number of benchers in Manitoba represent only 1,668 members. It is not just on the basis of interprovincial comparisons but, looking at the size of the organization, I think it is a valid argument that the current number is unwieldy and there is a good case to reduce the number.

Now, what I am most interested in is the number of lay benchers in the Law Society. The number will remain at

four, although of course the number of lawyers will be reduced. That leaves the lay representation at 18 percent, certainly an increase in the percentage. But the Law Reform Commission has recommended to the people of Manitoba and to the government of Manitoba in particular that at least one-third of the governing council of each self-governing body should be composed of public representatives, that is, nonpractitioners, and at least one-third of the members of all committees should be public representatives. They also go on to say that at least one-third of every disciplinary panel should be made up of public representatives.

Now, I have made comments—these are my personal views—that I think that one-third representation by the general public on self-governing bodies is insufficient. I think it should be just less than half. We will be considering that matter on this side, but I ask the government to explain why, two years after the recommendations were made by the Law Reform Commission, not just in this regard but in many other areas—indeed, there were 90 recommendations—why we are still waiting for a position from the government, whether for discussion purposes or in legislative form.

I do not think the Law Society should be led to believe that public policy in this province supports lay representation at 18 percent. I think that this legislation is really just piecemeal change and will be subject to overall change in public policy at some point, hopefully in the near future.

Our one concern we have about the reduction of representatives on the Law Society is the reduction of representatives from the Northern Electoral District. Representations have been made to us expressing concern that the reduction there, which will be from three to one bencher, is unfair not just because the representation is sliced by more than half, but because representing the interests of the profession in the North requires more representation than one. We will look forward to the government's response to our concerns and any presentations made on that subject.

The bill removes the requirement of an oath of allegiance to the Queen before one is called to the bar. This oath is one of three oaths that is required to be

made. We recognize that people from other jurisdictions, not just in Canada but outside of Canada, are entitled by special provisions to practice law in Manitoba, and as well, we are aware that Canada and Manitoba in particular is certainly more diverse than it was when the oath was required to be made to the Queen. So we believe that doing away with the oath is more inclusive and do not oppose that provision.

* (1620)

The bill allows for a challenge to a contingency fee contract to be made for a period of six months rather than three months. We question whether the period should not in fact be longer, but we certainly have no opposition to the extension of time for challenging a contingency contract on the basis of its fairness and reasonableness.

We certainly support the provisions in the bill which allow for the impeachment of benchers when they do not fulfill their role, and we support the automatic removal of benchers when they do not perform their responsibilities, for example, by not attending three successive meetings. Of course, there is an exception, excuses—or that there can be exemptions from that requirement by a resolution of the Law Society. We have no opposition to the elimination of life benchers and the alternative provision that is proposed in the bill.

(Madam Speaker in the Chair)

With those comments, we will see this matter to committee and will be interested in any presentations made at that venue.

Thank you.

Mr. Neil Gaudry (St. Boniface): Just a few comments on Bill 60, The Law Society Amendment Act. I will be the only speaker, and we will let it go to committee. Bill 60 amends The Law Society Act by providing for the election of ten elective benchers who maintain a principal office in the City of Winnipeg Electoral District, two elective benchers in the Western Electoral District and one other lawyer who maintains an office in their respective electoral district. The provision for a student bencher is also included. A bencher can also be removed from the Law Society governing body if they fail to attend a meeting.

Madam Speaker, the oath is also modified, but it does not weaken the substance of the text; it is also possible to make an affirmation. Clients who enter into a contingency contract may apply to the Court of Queen's Bench anytime but not later than six months after the contract is paid, therefore, for a declaration that the contract is not fair and reasonable to the client.

With these few comments, we will let it go to committee. Thank you very much.

Madam Speaker: Is the House ready for the question? The question before the House is second reading, Bill 60, The Law Society Amendment Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed. Agreed and so ordered.

Committee Change

Madam Speaker: The honourable member for Gimli, with committee changes.

Mr. Edward Helwer (Gimli): I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Law Amendments for Thursday, (October 10, 1996) 7 p.m. sitting, be amended as follows: the member for Arthur-Virden (Mr. Downey) for the member for Emerson (Mr. Penner).

Motion agreed to.

Bill 45—The Consumer Protection Amendment Act

Madam Speaker: To resume second reading debate on Bill 45 (The Consumer Protection Amendment Act, Loi modifiant la Loi sur la protection du consommateur), on the proposed motion of the honourable Minister of Consumer and Corporate Affairs (Mr. Ernst), standing in the name of the honourable member for Transcona (Mr. Reid).

Is there leave to permit the bill to remain standing? [agreed]

Mr. Jim Maloway (Elmwood): Madam Speaker, I wanted to say at the outset regarding Bill 45 that this bill is more housekeeping in nature in that what it does is a requirement of a provincial agreement to harmonize certain types of legislation in the country. It is interesting that it has taken nearly 10 years since the Free Trade Agreement was signed with the United States before similar types of legislation are being passed in the local Legislatures. In fact, Manitoba is, I believe, the first provincial Legislature to be dealing with this piece of legislation.

Now let me tell you what Bill 45 will actually do. Bill 45 gives Manitoba consumers 10 days instead of the previous seven days to cancel any direct sales transactions. In the past different provinces had different rules. Some provinces had four days, some had seven, Saskatchewan had 10, and what the provinces did by agreeing to harmonize these rules was that they agreed to harmonize to the best rules in the country. Now that is at odds with what has generally happened with this Free Trade Agreement. Generally, we have been seeing with free trade agreements a harmonization meaning a race to the bottom. This is one exception. This is an exception in the sense that the provinces had jointly agreed that each province would pass legislation, the provisions of which would be the best of the jurisdictions. So, in this particular case, the governments have tended to get it right. Another element to this bill is that consumers will now have a year to cancel direct sales agreements, where the vendor or direct seller did not have a valid licence or that the goods were not supplied within 30 days of the agreed upon supply date. So we have no problems with this particular legislation.

I think what we would have to observe here is that it has taken so long for this legislation to come into effect. We have to understand that when you have two national governments negotiating such a comprehensive agreement as the Free Trade Agreement was in 1988, and then to see that we do not have free trade provisions within the country of Canada, between the provinces, across the provinces, that it would take 10 years to have free trade between the provinces is quite a surprise.

The minister in charge of the Manitoba Public Insurance Corporation (Mr. Cummings) has been flashing a score card at me most of the day. I can tell him right now that his \$52.8 million is a start. That it is

nowhere near the \$70 million to \$75 million that they should have in the reserve. After eight and a half years in government they are still creeping along at an anemic \$52-million improvement, but in actual fact the retained earnings of the corporation are perhaps \$33 million. That is a far cry from the \$75 million that this minister should have, so I can tell him he can put his sign away and be prepared to defend himself tomorrow at the committee.

Madam Speaker, I wanted to get into the sorry record that this government has over the last eight years in the area of consumer legislation. It is only through prodding and pushing on our side of the House that we forced this government to bring in the legislation that we have right now, and it is not nearly enough.

Madam Speaker: Order, please. When this matter is again before the House, the honourable member for Elmwood will have 25 minutes remaining.

The hour being 4:30 p.m., and time for Private Members' Business.

* (1630)

PRIVATE MEMBERS' BUSINESS

DEBATE ON SECOND READINGS— PUBLIC BILLS

Bill 200—The Health Services Insurance Amendment Act

Madam Speaker: On the proposed motion of the honourable member for Inkster (Mr. Lamoureux), Bill 200, The Health Services Insurance Amendment Act (Loi modifiant la Loi sur l'assurance-maladie), standing in the name of the honourable Minister of Northern and Native Affairs (Mr. Praznik).

Is there leave to permit the bill to remain standing?
[agreed]

Bill 201—The Aboriginal Solidarity Day Act

Madam Speaker: On the proposed motion of the honourable member for Rupertsland (Mr. Robinson), Bill

201, The Aboriginal Solidarity Day Act (Loi sur le jour de solidarité à l'égard des autochtones), standing in the name of the honourable member for St. Norbert (Mr. Laurendeau).

Is there leave to permit the bill to remain standing?
[agreed]

Bill 203—The Public Assets Protection Act

Madam Speaker: On the proposed motion of the honourable member for Thompson (Mr. Ashton), Bill 203, The Public Assets Protection Act (Loi sur la protection des biens publics), standing in the name of the honourable member for Gimli (Mr. Helwer).

Is there leave to permit the bill to remain standing?
[agreed]

Bill 205—The Dutch Elm Disease Amendment Act

Madam Speaker: On the proposed motion of the honourable member for Wolseley (Ms. Friesen), Bill 205, The Dutch Elm Disease Amendment Act (Loi modifiant la Loi sur la thylose parasitaire de l'orme), standing in the name of the honourable member for St. Norbert (Mr. Laurendeau), who has 11 minutes remaining.

An Honourable Member: Stand.

Madam Speaker: Is there leave? Stand? [agreed]

Second readings, public bills, Bill 202, The Home Care Protection and Consequential Amendments Act (Loi concernant la protection des soins à domicile et apportant des modifications corrélatives)—

PROPOSED RESOLUTIONS

Res. 18—Preventative Health

Mr. Gerry McAlpine (Sturgeon Creek): I move, seconded by the honourable member for River Heights (Mr. Radcliffe),

WHEREAS the federal government has announced a reduction in the level of transfer payments for health services in Manitoba; and

WHEREAS given reduced financial resources to devote to the health care system, emphasis must be placed on the prevention of illness as opposed to the treatment of disease; and

WHEREAS citizens and health providers have recognized the need for the creation of preventative health measures in order for Manitobans to achieve and maintain healthy lifestyles; and

WHEREAS the provincial government has initiated numerous programs delivered by the health and wellness branch of the Department of Manitoba Health which are designed to promote health for Manitobans and to assist in the prevention of disease.

THEREFORE BE IT RESOLVED that all members of the Manitoba Legislative Assembly urge Manitobans to adopt healthy, active lifestyles with the goal of preventing illness and disease; and

BE IT FURTHER RESOLVED that all members of the Legislative Assembly support the Department of Health and the provincial government with their goal to provide programs aimed at preventing illness and thereby improving the health status of Manitobans.

Motion presented.

Mr. Gerry McAlpine (Sturgeon Creek): Madam Speaker, as you know, this is a very important topic that I have always shown interest in, and I think that Manitobans generally have changed over the last 15 years in terms of their approaches and thoughts about living healthier lifestyles. I say that because I think today, compared to 10, 15 years ago, we as a society exercise more. We support smoke-free spaces, in spite of what my honourable colleague and seatmate ahead of me here references. We even go to the point where we are recycling garbage rather than littering and cluttering the landfill sites and make more careful decisions about our lifestyle choices.

So I think that society in general is leading towards a healthier environment. Not only does that include the environment that surrounds us but also the environment within which we live, and mainly I speak of our bodies. Today many Manitobans view health as more than jogging regularly or reducing the amount of sugar and

salt that we eat because it is not always what we eat that affects the environment with which the body that we live within. It is a lot deeper than that, and I think it takes a lot more to deal with that.

I think that there is a lot of emphasis that is put on what we take into our body. Granted in some cases that does have a tremendous amount of impact, but I think that it should also be known that some people can eat salty foods or foods that contain a lot of fat and have no adverse effect on them at all. But I think that the people who choose to eat and know what their own capabilities are and what affects them individually as individuals is what makes the difference in whether or not you are healthy and consequently will be free of disease and consequently referencing preventive health.

As a society we see health as a state of total well-being, and that includes the physical, the mental, the social, the emotional and the spiritual body that we live within in times of economic and social stress. Having meaningful work and support of family and friends becomes increasingly important to our health. Health in turn affects our ability to cope with the stress and enjoy life to the fullest.

It is amazing the effect that stress has in terms of our body and how our bodies react and will continue to do that unless we are able to understand and be able to deal with that in such a way that it is not going to have the adverse effect on our bodies, the same as the food that we take in. The food that we take in that has adverse effect on us not necessarily will affect everybody the same way.

At the present time, the biomedical model of health dominates our ideas and views about health. I think that taking into consideration there are lots of people—and even in the medical profession—that even say that the more frequently we visit the doctors, sometimes that is a sign of the sicker we are going to be. So consequently many doctors will even say, if you are ill, the last place you want to go is to go and see a doctor because you are not necessarily going to be better off by doing that.

The model views health as the absence of illness and only treats people when they are sick. That is what the medical model is today, is treating the sick. They know sickness and they know death, and I think that is the wrong philosophy. That is the wrong message in terms

of what we should be doing in terms of communicating about preventative health.

The model also has a compartmentalized view of the individual and their body, wherein the body part in which an illness exists is treated without regard to the external determinants that caused the illness in the first place. It is the same thing in terms of when I referenced the food that different people would eat. Some people can eat food that is maybe not perceived to be healthy, but it is what each body does with that food and everyone is going to react differently. That is how I reference that in terms of how it is the external determinants that cause the illness in the first place.

* (1640)

Population health, on the other hand, looks at an abundance of factors that determines health in an individual. It recognizes that as individuals we are not separate from the world we live or work or eat and what we eat and breathe in the world that we cannot control. In many cases we cannot. Our bodies have to adjust to our environment and what is in the environment that affects our health, and that includes what we eat and what we drink and how we deal with that and how the body reacts to that. The definition of health as the absence of illness does not fit into this model and the scope because this scope is far too narrow.

Back in 1984, the World Health Organization came up with a definition of health that is more encompassing. They defined health as, and I quote: the extent to which an individual or group is able on the one hand to develop aspirations and satisfy needs and on the other hand to manage or cope with the environment. Health is therefore seen as a resource for everyday life. It is seen as a positive concept emphasizing social and personal resources as well as physical capacities.

While this definition is long and difficult to operationalize, it gets across the point that health is important to everyday life, not just the absence of illness, and we can work to ensure that as individuals we remain healthy rather than simply seek treatment when we are ill. This will help reduce the demand for health care by making people healthier before they come into the current health system. This requires recognizing the vast number of determinants for health, and developing strategies.

I guess this bears some explanation in terms of often when people are sick or they go and see a doctor—the first place they go to, the first person they turn to—the first thing that the doctor does is prescribes a drug or some medication that the person who is dealing with this illness has to deal with. What happens is, because they make an interpretation on the basis of their diagnosis, what happens then is the drugs will throw that system out of balance, and it is only a matter of question in terms of really what the doctor is prescribing. Often the medication and the treatment that the doctor is providing is not healthy; it throws the body out of balance. Our bodies will react to what the environment is, and by changing that environment to what the doctor wants it to do is not necessarily going to work for that body because the body will react and counteract to what the doctor has given you and to correct that illness or that disease.

Hon. Harry Enns (Minister of Agriculture): Can you switch bodies?

Mr. McAlpine: The honourable member for Lakeside (Mr. Enns) suggests switching bodies. You know, I only have to deal with this lifetime, and I am sure that he has thought many times about living in the life—

Mr. Enns: Shirley MacLaine and I, we have been here many years, many times before. You know, I believe in—

Mr. McAlpine: Moving into the next life way before his time, and certainly I can appreciate he has that wisdom, I mean, being around here so long that he is able to do that. I have not reached that level yet, Madam Speaker, but I do appreciate his comments, and I hope that he will share them with me on other occasions as well.

Madam Speaker: The honourable member for Radisson, on a point of order.

Point of Order

Ms. Marianne Cerilli (Radisson): I am wondering if the member would entertain a question considering the fourth WHEREAS in his resolution. It talks about the numerous programs that the government has initiated in this area, and I am waiting to hear about them. We are wanting to hear about all the things that this government is doing in relation to health prevention and positive lifestyle. I do not know if that is part of his speech.

Madam Speaker: Order, please. The honourable member for Radisson does not have a point of order, however, is the honourable member for Sturgeon Creek prepared to entertain a question?

Mr. McAlpine: I think the honourable member, as you have ruled, is not in order. She does not have a point of order, and I am not prepared to. I am quite prepared to answer any of her concerns outside this time that is allotted to me. If she wants to do that, I am quite prepared to share my knowledge, experience and understanding of health. If she wants to learn from that, I am quite prepared to give her whatever time she would like.

* * *

Madam Speaker: The honourable member for Sturgeon Creek, to continue speaking to the resolution.

Mr. McAlpine: Madam Speaker, in terms of as far as our health care system in the province of Manitoba, and the honourable member does make some interesting points in terms of as far as we are talking about on all the things that the initiatives that we have to deal with in society, as an example, and something that she should be very much aware of, the Wellness Institute at Seven Oaks Hospital is an example. These are things, the wellness centre of the St. James Senior Centre at the Deer Lodge Centre.

Madam Speaker, the institute of these natures will provide a community outreach and education I think that we as a government are leaning towards and asking people to think about their health and take responsibility for their health, not what the honourable member across the way will do, to have somebody else do it for them. I mean that is the wrong message, that is what is wrong with society today, because every time they feel a little bit ill or something like that, the idea is to run to the doctor and go and support the medical profession and the drug companies.

You hear about the honourable members across the way talk about the drug companies and how big and bad they are. In some cases they are and in some cases they are not. But the thing is we have to take responsibility for our own health and with the initiatives that we are asking and in putting in place for people to think about

their own health is what we have to communicate. Government cannot take responsibility or create health, nor can the medical doctors create health. As a matter of fact, too often, they know little about health, they only study about disease, and that is not what we are interested here when I talk about this resolution.

I am talking about preventative health, and that boils down to the matter of creating responsibilities. She talks about the other aspects as far as creating opportunities, or what has this government done, developing midwifery and providing the women greater alternatives for childbirth. Again, it is women who are about to give childbirth making the decision and taking responsibility for that childbirth, and I think that is really healthy, because they are taking responsibility for that.

The ambulatory cardiovascular educational projects at Brandon and Carman Hospitals, targeting most post heart attack patients, encouraging them to make lifestyle changes, delay the onset of heart disease, prevent complications and avoid hospitalization for hypertension. Madam Speaker, those are things where I think we are moving in the right direction.

We will not take total responsibility for health. I congratulate the Minister of Health (Mr. McCrae) in the direction that he is taking. It is not an easy task. We are spending far too much money on our health care budget today, at \$1.8 billion and soon to be \$2 billion. Well, we cannot as a population afford to do that.

I think what this resolution and what I am trying to communicate to all Manitobans is to create health in society, not to treat disease, because we are not going to win in society by treating a disease, for the simple reason that as soon as you go and treat a disease with a drug that deals with that disease, the body will react and create another difficulty with that disease.

* (1650)

We are not talking about disease as such. We are talking about imbalance in the body, and you have to balance the systems in order to create health. Unfortunately, there are a lot of people who do not understand that, because they would much sooner look at having somebody else create the elements of health for them. All we are doing as a government is asking people to take responsibility and put less drain on the health care

dollars in this province and create a healthier society in Manitoba. Thank you.

Ms. Cerilli: Madam Speaker, I am interested in listening to what the member has had to say. I have listened quite intently to the remarks from members opposite, and if I understand it correctly, what we are being asked to do in this resolution is to support the Department of Health in its endeavours in prevention of illness and the promotion of wellness and promotion of healthy lifestyles.

I completely support the sentiments that the member is putting forward, but the question I was asking was for him to get to the points that were alluded to in the fourth WHEREAS, which was talking about all these initiatives through the Department of Health and the wellness branch. The two that he did mention, one was the Wellness Centre at Seven Oaks, and I have to tell you, in the community what they call this is the wealthness centre at my end of town, because no one can afford to go there. The membership at that centre is extremely exclusionary when you look at the kind of initiatives that this government has had in terms of the north Y where, again, there was a community facility that they allowed to close down that would have dealt with health and wellness and fitness and lifestyle.

The other example that the member had to give to us when I asked to give some examples of all the things that have been going on in the Department of Health related to prevention and wellness was to do with midwifery. This is the government that is now sending women home after 24 hours of giving birth in a hospital. The failure rate of breast-feeding has gone up astronomically, and that is having a huge detriment not only to the health of the new mothers who are stressed out and do not have the time to ensure that their new child successfully begins to breast-feed, but the long-term health implications of not having breast-fed babies is going to be paid down the road 10 to a hundredfold because we know that healthy babies are breast-fed babies nine times to 10.

So we look at the kind of health policies that this government is coming down with that are basically trying to save some cash. What they are doing is in the end they are going to cost more money, because in the example of babies going home with their moms from the hospital after only 24 hours, they have to go back and are

readmitted to the hospital. They have to go back and have other health care, and I know that is happening.

So on the one hand where there are positive things to be said for moving towards the option of having midwives operate in Manitoba—and I would completely support that—the policies of this government in terms of maternal health have not helped with either the health of the babies or the health of the mothers. It is those kind of policies, sending women home—not if it is a choice but just, you know, 24 hours, you are on your own—especially if they have children at home where there are other demands on them. I know that the success rate of breast-feeding has gone down in this province. It is a direct result of this government's policy, and it is going to have a long-term effect on the health of children in the province.

So those are the two examples that the member opposite has given us. I would have hoped that there would have been more perhaps that I had not heard of. I talked to a few people today if there are other things that have been done that would be related to prevention. I know that there were some nurse-managed clinics that were supposed to be brought in. I think there was supposed to be four but there have been one at the Youville Clinic. There has been some healthy heart programs, I understand, that have been brought in which was a pamphlet related to healthy heart. I think that there has been something done in the area of diabetes. Maybe the minister is going to give us more information on that.

There was supposed to be some deinstitutionalization for mental health patients. That could be a positive thing in terms of lifestyle, but what has happened is there has been deinstitutionalization with no supports in the community for these people. When you combine that with what they have done to the Pharmacare program and the delisting or the deinsuring of a number of drugs, the health of mental health patients has diminished because of the insecurity that they have of being able to stabilize themselves with the medication that they need.

The Pharmacare cuts and the deinsuring of medication under the Pharmacare program has also had ramifications for many other people. I have talked to diabetics in my own constituency who have talked about how it has been a huge stress, as well as impingement on their health, with the changes in the Pharmacare program.

Some of the other things that have gone on that have been a regressive step in terms of prevention and healthy lifestyles have been the limitations on eye exams. That is going to seriously affect the sight and the health of people in the province. When they eliminated the children's dental health program, again another preventative program to make sure that kids are getting checkups and are going to take care of their teeth, this government decided, oh, that was expendable. The same thing that they have done with limiting physical exams. Primary health care can be very preventative.

They are encouraging people to self-diagnose. I heard the member opposite's comments about people not automatically turning to the doctor every time they feel an ache and pain. I do not think we want to be having people avoid going to the doctor so that down the road they are going to have more serious medical treatment required when, if they had gone and caught something early with a regular checkup, they could have avoided more expensive hospitalization or treatment down the road.

They have had no real increase in public health nurses. That is one area that is recommended in a number of reports across the board. Also, people now have to pay for a flu shot. Again, the member opposite may have opposed the use of some things like flu shots, but having now a fee attached to it is not going to help with the number of families that need the protection that it would offer.

I could go on with a number of other things when you look at the health indicators in our province. The rate for sexually transmitted diseases is going up. The rate for teen pregnancy is going up. Obesity, particularly obesity among children, has gone up; it has doubled in the last number of years. More people are smoking at a younger age, particularly young women. All of these indicators are going up. They are all related to lifestyle and would be related to prevention of health problems. So maybe the Minister of Health (Mr. McCrae) is going to be able to list some other things that this government has done, but obviously the health indicators in Manitoba are getting worse. When you look at the diabetes and other illnesses, particularly among aboriginal people, there are serious problems in terms of lifestyle.

I think there are lots of things that could be done. I know in my role as the Fitness critic for our party that I

have sat time and again with the Minister responsible for Fitness (Mr. Ernst). I have gone into the Estimates for Health, and I have asked about some specific programs. I know that our Fitness directorate in Manitoba, I think, is down to two people now. We have two people in Manitoba responsible for Fitness for the entire province. One of the things they do is certify fitness instructors, and the other thing they do is go and be a part of committees. But to implement any kind of cross-province program related to lifestyle is pretty difficult when you have only two staff for the entire province.

We could look at community health clinics. It would be a tremendous boost to be able to have a full range of health care professionals in a community clinic that could deal with the full cross section of health needs that we have. The member across the way had alluded to this in terms of our emotional, physical, intellectual and spiritual health, so that we have some fitness and lifestyle, dietitian, nutrition people in a community health clinic, so that when someone goes to the doctor, it may not necessarily be a medical-related solution that is found in terms of drugs or other kind of treatment. It may be that they get some kind of fitness and lifestyle assessment done, and that would be the prescription.

We have to look seriously at workplace safety and health and the implications that that has for prevention and lifestyle issues. We have to look at environment; the enforcement of environment regulations in this province has been abysmal. Issues like housing, the member for Brandon the other day raised an issue of two apartments in his constituency being condemned. We know there is a direct relationship to health, its being related to housing.

* (1700)

Another thing that this government has gone nowhere on is employee fitness programs. That was a big trend back before I was elected. There was a big push, it seemed, to move in that direction to make sure that people had facilities at their workplace, that there was time allocated. This building, for example, I cannot understand why there are no showers here. That is one of the very small kind of things that can be done to encourage people to make time for fitness and health in their day. We have to recognize too that the costs are prohibitive and that, when people are on social

allowance—single individuals are expected to live on \$411 a month—there is not much money for a lot of individuals to be able to afford things like cross-country skis or a membership to the Y or even running shoes that are going to be good for them to use to exercise. There has to be some recognition in medicare and coverage of things like fitness tests and fitness assessments. I think there is only place in Winnipeg where you can get a fitness test covered.

I think we have to recognize too that if we are really going to have prevention, a focus on prevention in our health care system, then it means that we have to recognize that there are costs that go along with lifestyle choices, healthy lifestyle choices.

I know that I am a member of the Y downtown. I think it costs me almost \$450 for a year membership, and that is something that I know a lot of people could not afford. When we have the Y in the north end that is closed down, it seems like this government has just had no concern about that in making sure that there are accessible facilities like the north-end Y available in every community.

In my own area, North Kildonan, they are opening this month the Chief Peguis fitness centre, and it is going to be a co-op that is operated in co-operation with the Parks and Recreation branch with the city. I think they are endeavouring to ensure that that is going to be very much accessible to the community with, I think it is, a \$2 fee for students. I know that at the Y it is \$10 for a drop-in, so that is quite a difference, but even for a youth, \$2, when you are 14 years old, can be a lot of money if you want to go there two or three times, four times a week.

So we know too that this government has sat by while poverty has increased in this province, and I have not had a chance to talk about the effects of poverty on health, and one way that they could deal with prevention is to do something about the increase in poverty. But I see that my time is up, so I just want to await the comments from the Minister of Health (Mr. McCrae) and see if he is going to tell us about any other initiatives through the Wellness division of his department that could give us something to support. Thank you.

Hon. James McCrae (Minister of Health): Madam Speaker, I would like to begin by offering a commen-

dation to the honourable member for Sturgeon Creek (Mr. McAlpine) for seeing to it that honourable members in this Legislature have an opportunity today to discuss the issues that are referred to in the resolution that he has placed before us.

I think you would not have to go much further than virtually any constituent in the constituency of Sturgeon Creek to find out about the commitment of the honourable member for Sturgeon Creek to the health of his constituents and the health of Manitobans generally. I believe the honourable member has become extremely well known for his efforts in this area.

I had the privilege just a week ago to be a witness to some of the work of the honourable member for Sturgeon Creek when he and I and the honourable Minister responsible for Seniors (Mr. Reimer) attended the grand opening of the newly renovated and expanded Metropolitan Kiwanis Courts. After a very difficult and challenging set of issues, we were able, working with the community, to bring about an amicable solution or a consensus with the assistance of certain very key people in the community, bring about a solution that seems to meet with everyone's approval. It was a very happy occasion and just one rather significant example of the kinds of things that can happen when you put a person like the honourable member for Sturgeon Creek to work on an issue in a constituency.

So I am sure I am joined by hundreds if not thousands of residents of the city of Winnipeg and particularly those of the constituency of Sturgeon Creek when I offer a great big thank-you to the honourable member for Sturgeon Creek for his efforts.

I listened to the honourable member for Sturgeon Creek's contribution to this debate today, and I listened to the contribution made by the honourable member for Radisson too. There were many positive things referred to by both honourable members, but what came through for me as I listened to the two was an obvious difference in approach.

The approach taken by the honourable member for Sturgeon Creek (Mr. McAlpine) seems to be predicated, to some extent at least, on the principle that all of us are here and all of us have to take some responsibility for our own health, too. From the day one is born, Madam

Speaker, we make that part of our life's work, to ensure that the health of ourselves and those near and dear to us is safeguarded to the extent possible. Then I listened to the honourable member for Radisson who, while saying I think a number of positive things and identifying a large number of very positive programs that the government is involved in, somehow left me with the impression that her approach is predicated on the principle that the government is responsible for every part of our existence.

Even the honourable member for Brandon East (Mr. Leonard Evans) does not agree with that one. The honourable member for Brandon East, I know, agrees that we do have to take some responsibility for our own health and our own well-being. But I do not fault the honourable member for Radisson because the honourable member for Radisson clearly wants to achieve the same kinds of ends that the honourable member for Sturgeon Creek and I want to achieve, and that is a perfectly healthy and balanced population with each of its members being in a healthy and well state of being. So the end is the same for all of us; the means seem to be somewhat different.

At a time when the honourable member for Radisson (Ms. Cerilli) gives us a virtual catalogue of all the very, very positive things that we are doing in health care and in our social service sector in Manitoba, she manages somehow to bootleg into that discussion some kind of a negative comment on each and every thing. That only bespeaks a negative attitude. But what cannot be glossed over, even by the honourable member for Radisson, is the virtual catalogue of programs that she has mentioned in the course of her comments. She talked about nurse-managed care. She said, well, we got some but we do not have enough yet. Well, I can say that too. I will be happy when we have much more nurse-managed care and a much more integrated and team approach to wellness and health in Manitoba. So we are on the right track is what the honourable member for Radisson seemed to be saying and seemed to be encouraging us to carry on, which is what we are doing in places like Thompson and Parkland and Norman.

The honourable member for Radisson talked about healthy heart and diabetes programs. The honourable member for Brandon East (Mr. Leonard Evans), I believe, was with me just a couple of weeks ago when we officially opened a new service in Brandon in partnership

between Brandon General Hospital and Manitoba Health dealing exactly with heart health and dealing with issues related to diabetes. People working there are nursing and other professionals who work with people to assist them to ensure that they do look after their hearts and that they look after the health of their heart. Diabetes education is offered there and nutritional advice is offered there, and it was generally agreed by everyone there that it was an excellent thing to do. I guess I should be thanking the honourable member for Radisson for calling these things to the attention of the people of Manitoba because, as I say, Manitoba Health is a partner in these things.

* (1710)

The honourable member referred to mental health reform, and then made the comment that there are no supports in the communities. Well, here again, just open up the middle of your Winnipeg phone book, Madam Speaker, and have a look at all of the services in mental health that have sprung up since the advent of mental health reform in Manitoba. That just gives you a partial list of all the services that are available to people in our communities not only in Winnipeg but throughout Manitoba. I think we have some 52 new services opened up in mental health to replace the institutional care that is being wound down at Brandon Mental Health Centre. She, in passing, referred to housing and made some kind of negative comment with respect to the fact that two apartment buildings in Brandon were condemned. Well, the fact is, who do you think condemned them? Manitoba Health. If you did not have a Manitoba Health out there doing that sort of work, there would be no message to other landlords in Manitoba about the kind of conditions that they should be providing for their tenants in exchange for the rent that they receive. So in that area and in other areas of housing, there are indeed activities going on supported by or actually performed by the government of Manitoba.

The honourable member referred to Pharmacare. Now, I have to hesitate when I talk about Pharmacare when it is raised by the honourable member for Radisson (Ms. Cerilli), because the last time I did I nearly had some serious problems. Sufficed it to say, the Pharmacare program in Manitoba is one of the purest expressions of an old principle, and that principle can be summed up by saying that from each according to his or her ability, we should direct our resources to each according to his or her needs.

That is exactly what you see in our new Pharmacare program, and it is passing strange that the honourable member for Radisson, of all people in this House, should mention Pharmacare in any further contributions she makes in debate in this House.

She referred to a number of other programs. She referred to the fact that there ought to be more work done in the area of sexually transmitted diseases and teen pregnancy and obesity and smoking and all of these things. If you go through all that list, on each item ask yourself, what responsibility does the individual have in each of those areas? Is there any responsibility whatever on the part of the individual citizen of our province, or are we supposed to try to meet the expectations of the honourable member for Radisson, which would have government involved in every aspect of your life from the moment you are born until the moment you leave this Earth?

Even you, Madam Speaker, I suggest, would object to having government involved to that extent in your life. Yet that is the message we get from the honourable member for Radisson, unlike the positive message we get from the honourable member for Sturgeon Creek (Mr. McAlpine) which says, take a reasonable amount of responsibility for your own health. Do those things that common sense tells you makes sense to do. Do not do those things that common sense tells you you should not be doing. After all of that, there is a place for a health care system, and that is what governments across this country continue to try to sustain and preserve so that there will be health services for people who need them after all else has failed.

I think that any comment in this debate that leaves out a comment about the role of the federal government would not be complete, and I may not have heard all the words of the honourable member for Sturgeon Creek, and he may well have canvassed this carefully, but if he did not and if I do not get enough time, perhaps our colleagues from the Liberal Party will participate in the debate today and will remind us about the role of the federal government in health care in Canada and in Manitoba.

The only thing about this resolution that I take issue with is the first WHEREAS, which says that the federal

government has announced a reduction in the level of transfer payments.

An Honourable Member: Well, they have done it, have they not?

Mr. McCrae: That is the point. The honourable member for River Heights (Mr. Radcliffe) says, well, they have done it, have they not, and the honourable member for River Heights is correct.

Now, it may be a function of when this resolution was drafted, I am not sure, but for years now the federal government, the past one and the present one, have been taking very large amounts out of social transfers for provinces like Manitoba, and any discussion of this that leaves that out is incomplete, Madam Speaker. Unfortunately sometimes honourable members in the New Democratic Party tend to gloss over that. The Liberals, of course, prefer not to talk about it at all, but the New Democrats gloss it over as if all of the problems that we encounter in health care and social services are the sole responsibility of the provincial government.

We are certainly prepared to take our share of responsibility for those things that are our responsibility and, if we fall short, we are prepared to be shown up for that and to make improvements where that is called for but, because this is an ongoing issue. Let us not forget. I do not mean necessarily, Madam Speaker, to make this into a partisan shot—[interjection] The honourable member for The Maples (Mr. Kowalski) says that I am already too late and I have already done that. But what I mean to say is that the reality is, for better or for worse, for right or for wrong, leaving the partisanship out of it, the dollars from Ottawa are indeed shrinking.

Even a Liberal is going to have to acknowledge that. Those dollars are shrinking. Our Liberal Premiers from down east and their Health ministers certainly like to talk about it a lot, so why do honourable members from the Liberal Party in this House not screw up their courage and just make passing reference to it at least?

But the point I make, Madam Speaker, whatever the reasons for it, whatever the history behind it, it is a reality, and I wish honourable members in the New Democratic Party would come to terms with the fact that we live in a real world, not in some airy-fairy, Alice-in-

Wonderland world of 50 years ago when the manifestos and all these things were coming out and when all the partnerships with organized labour were happening. Read *The Globe and Mail* of a couple of days ago. There is a bit of a precis of a book written by the Honourable Bob Rae, former Premier of Ontario, and it will tell you about the mistakes that New Democrats when they get belly to belly and toe to toe and chin to chin with the leadership of the labour movement, because when the labour movement goes down, so does the NDP. That is what happened in Ontario, and that is what we are going to continue to see happening in Manitoba. Thank you very much.

Mr. Gary Kowalski (The Maples): Madam Speaker, it gives me pleasure to rise and talk about this resolution. There are parts of this resolution that I could support very strongly, and the Minister of Health (Mr. McCrae) asked me to talk about the first WHEREAS. I think the member for Morris (Mr. Pitura) quoted me the other day about talking about my roots. My roots as a Manitoban run deeper than any other roots, so I always stand up for Manitoba first.

But I also remember as a school trustee that, when we were facing revenue cuts from the provincial government, we could have whined and cried about it, but instead we went on from that and said, okay, this is the reality; let us get on with the job of working with what we have. I would be the first one to scream and cry for more funds from the federal government and making sure that we have our share; but, once having said that, now we have to work within what funds we have. So enough said on that subject.

The second WHEREAS, "WHEREAS given reduced financial resources to devote to the health care system, emphasis must be placed on prevention of illness as opposed to the treatment of disease," I think that WHEREAS can be taken out because, whether or not we have reduced financial resources, the prevention of illness as opposed to the treatment of diseases should be the case, regardless of how much funds we have. Why wait until there is disease before we deal with the matter?

* (1720)

I think the member who moved this resolution mentioned the Seven Oaks Wellness Centre, and that

happens to be in my constituency. I was at the sod turning, not that it was announced that my presence was there, but I was at the sod turning, and I have had an opportunity to tour the facilities and wonderful facilities they are. There is some reluctance in my community about paying the fees for the Wellness Centre, and when I mentioned that to my father who is a person who attends the Reh-Fit Centre, he said, what are people complaining about? The fees at the Seven Oaks Wellness Centre compare to the Reh-Fit Centre, compare to any private health spa, and as he said, people will gladly spend \$2 a day on cigarettes, but then they object to spending \$41 a month on wellness at the Wellness Centre.

I think some of the reluctance of members of my community to pay the fees for the Wellness Centre is the philosophy that this is attached to the hospital, and for some they view this as part of the health care system. Of course there is always a concern about user fees being introduced into the health care system, but once people get past that concern and they look at investing in their wellness, I think \$41 a month, which is the fee for belonging to the Wellness Centre, is more than reasonable.

Members of the House may have noticed a dramatic change in my condition over the last several months. I have lost 25 pounds. I am now decided that before I turn 45 this year I want to run a Manitoba marathon, so I am in training for that.

The idea brought forward in this resolution about an emphasis on wellness and prevention can be supported, but there are some concerns and I would address them further, but I know the member for Brandon wants to put a few comments on the record in regard to this resolution, so with those few words I will conclude my remarks.

Mr. Leonard Evans (Brandon East): Madam Speaker, I rise to add a few comments to the debate on this particular resolution which is very difficult to oppose. I think everyone in this House supports the need to enhance prevention of illness, to do more to prevent disease and indeed support the Department of Health in some of its programs. I have no problem with some of the initiatives that the honourable minister and his government have taken.

He mentioned the wellness centres in different places, and indeed the one in Brandon. I think Prairie Health

Matters is the name they have given to it, and in co-operation with the Brandon General Hospital, the Department of Health has established this centre which goes beyond a heart program, a well heart program. It goes into diabetes, and it is an extension, as I understand, of the heart program that was operating previously at the Brandon General Hospital, the ACE, yes. Also the breast screening program, I do not believe he mentioned it, is a great program, and we had many words over that a couple of years ago urging the government to get on with breast screening for cancer. I think there is more and more evidence that that type of a program throughout wherever it exists does help to detect cancer at an early stage and hopefully to correct cancer in the women unfortunately afflicted with that disease.

Having said all that, I just want to comment that governments that I have had the privilege of being with years back, both under Mr. Schreyer and Mr. Pawley, took a number of initiatives to promote wellness and to encourage people to live healthier lifestyles, but it goes beyond medicine per se. It goes into so many facets of our society. Housing, for instance, is one element, and I think it is hard to tell our citizens and encourage them to be living a very healthy lifestyle without adequate housing. It is extremely important, especially in our particular climate, and we had a massive program of social housing in both the Schreyer and the Pawley years.

We developed nursing homes. We provided a generous program of social allowances to help poor people have sufficient income with which to live. We set up a series of community clinics including the one that is called Klinik. I believe it originally was funded back in the Schreyer years.

I would also remind members of the House that we initially brought in the Pharmacare program. The Pharmacare program was set up in 1973, and indeed it is a program of purchase of drugs, but it is indeed very, very important to enable people to take the medicine that their doctors have prescribed so that they can hopefully not get any worse, hopefully be able to cope with their illness so that they can stay out of an institution. We have lots of examples we can give, I am sure, members on the other side, of individuals who because of certain kind of medication are able to live longer or are able to live without having to go into a nursing home or be rushed into a hospital.

I have many constituents who have written to me who have complained about the cuts in Pharmacare and how they have hurt them particularly, and what bothers me is that there is a marginal group there who, having to pay more now for medicine because of changes in the program, will not obtain the medicine that they should. They will make a choice and make a choice of spending the money elsewhere and not taking the medicine that they should be taking according to their doctor's instructions because of the cost.

There are many things that the government can do, that we can do, through government to help prevent disease from occurring in terms of education of people.

Lung cancer I notice surpassed breast cancer among women. It is the leading cause of premature death among women, and certainly more can be done and should be done to prevent smoking, to curtail smoking. The honourable member says it is individual decisions that have to be made, and indeed that is one important individual decision that we should encourage our citizens to make, and that is to stop smoking. Also, there could be in this area, I think—prevention program should particularly be targeted to young women, to girls, young women, because there seems to be some evidence that smoking continues to be prevalent, indeed, may be increasing.

There are other programs for eating disorders, and these are educational programs we are talking about—eating disorders—especially required for adolescent girls. There are no programs currently available other than there is one counsellor at the women's health centre and two user-pay counsellors are available, and there are very extensive waiting lists apparently. More has to be done to help these people cope with bulimia and anorexia nervosa. If we want to take a holistic approach, as I was suggesting a moment ago, we should note that there are long waiting lists for women's counselling services all over this province. If we can eliminate those waiting lists and provide the service to those women, we might help them lead a healthier lifestyle.

Elderly women living in poverty—75 percent of women live the last 15 years of their lives in poverty, and this is terrible. How can we expect them to afford the food that is essential to healthy living and their well-being? As a matter of fact, Madam Speaker, there is a lot of data, many statistics show that there is a direct correlation—

Madam Speaker: Order, please. When this matter is again before the House, the honourable member for Brandon East will have nine minutes remaining.

The hour being 5:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. Tuesday next.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, October 10, 1996

CONTENTS

ROUTINE PROCEEDINGS			
Presenting Petitions		Regional Health Boards Chomiak; McCrae	4151
Pharmacare Martindale	4145	Speaker's Ruling Dacquay	4154
Tabling of Reports		Members' Statements	
Quarterly Report for the six months ended August 31, Manitoba Public Insurance Corporation Cummings	4145	Farm and Food Interpretive Centre Pitura	4155
Ministerial Statements		Highways—Northern Manitoba Jennissen	4156
Canadian Centre on Disability Studies Downey	4145	Global Economic Growth Newman	4156
Sale	4145	Neighbourhood Watch—Brooklands Barrett	4157
Oral Questions		Justice Committee Manual Kowalski	4157
CP Rail Doer; Downey	4146		
Corrections System Doer; Downey	4147	ORDERS OF THE DAY	
Doer; Vodrey	4148	Report Stage	
Mackintosh; Vodrey	4148	Bill 2, Municipal Assessment Amendment and Assessment Validation Act	4158
Ashton; Vodrey	4153	Bill 3, Surface Rights Amendment Act	4158
Domestic Violence Mackintosh; Vodrey	4148	Bill 5, Horticultural Society Repeal Act	4158
Minister of Justice Friesen; Downey	4149	Bill 6, Veterinary Science Scholarship Fund Amendment Act	4158
Friesen; Vodrey	4150	Bill 11, Court of Queen's Bench Surrogate Practice Amendment Act	4158
Ashton; Vodrey	4154	Bill 16, Charleswood Bridge Facilitation Act	4159
Pierre Radisson Collegiate Kowalski; McIntosh	4150	Bill 19, Dangerous Goods Handling and Transportation Amendment Act Cummings	4159
Education Facilities Kowalski; McIntosh	4151		

Bill 23, GRIP and Related Programs Termination and Consequential Amendments Act	4159
Bill 24, Agricultural Credit Corporation Amendment Act	4160
Bill 30, Dairy Act	4160
Bill 31, Livestock Industry Diversification and Consequential Amendments Act	4160
Bill 34, Contaminated Sites Remediation and Consequential Amendments Act	4160
Bill 43, Municipal Assessment Amendment, City of Winnipeg Amendment and Assessment Validation Act	4160
Bill 44, City of Winnipeg Amendment and Consequential Amendments Act	4160
Bill 56, Manitoba Investment Pool Authority Act	4160

Debate on Second Readings

Bill 32, Council on Post-Secondary Education Act Friesen	4161
Bill 33, Education Administration Amendment Act Cerilli	4168
Bill 47, Public Schools Amendment Act Cerilli	4172
	4173
Bill 60, Law Society Amendment Act Mackintosh	4175
Gaudry	4176
Bill 45, Consumer Protection Amendment Act Maloway	4177
Private Members' Business	
Proposed Resolutions	
Res. 18, Preventative Health McAlpine	4178
Cerilli	4181
McCrae	4183
Kowalski	4186
L. Evans	4187