



Third Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
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	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim	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	Ind.
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, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	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.
Vacant	Portage la Prairie	

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 16, 1997

The House met at 3:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Licensed Practical Nurses

Madam Speaker: I have reviewed the petition of the honourable member for Kildonan (Mr. Chomiak). It complies with the rules and practices of the House (by leave). Is it the will of the House to have the petition read?

An Honourable Member: Yes, it is.

Madam Speaker: Yes. The Clerk will read.

Mr. Clerk (William Remnant): The petition of the undersigned citizens of the province of Manitoba humbly sheweth:

THAT many LPNs have been eliminated from most acute care facilities in Manitoba, including the St. Boniface, Health Sciences Centre, Seven Oaks, Concordia, and Victoria hospitals; and

THAT the LPNs of this province are valuable members of the health care system, providing professional, competent, skilled and cost-effective services; and

THAT staffing cuts will only result in declining quality of health care and potentially tragic outcomes; and

THAT it will not be long before the negative results of this shortcut effort are realized, just as they were in Alberta; and

THAT the elimination of LPNs in Manitoba's health care facilities will lead to higher costs and poorer patient care.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY THAT the Legislative Assembly of Manitoba request that the Minister of Health (Mr. Praznik) consider stopping the elimination of LPNs from the staffing complement in our health care facilities and recognize the value and dedicated service of LPNs across the province.

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

**Standing Committee on Economic Development
First Report**

Mr. Gerry McAlpine (Vice-Chairperson of the Standing Committee on Economic Development): Madam Speaker, I beg to present the First Report of the Committee on Economic Development.

Madam Speaker: Dispense.

Your committee met on September 28, 1995, to consider the Annual Report of Manitoba Lotteries Foundation for the year ended March 31, 1993, and the Annual Reports of Manitoba Lotteries Corporation for the years ended March 31, 1994, and March 31, 1995. Your committee also met on Thursday, June 12, 1997, at 10 a.m. in Room 255 of the Legislative Building to consider the Annual Report of Manitoba Lotteries Foundation for the year ended March 31, 1993, and the Annual Reports of Manitoba Lotteries Corporation for the years ended March 31, 1994, March 31, 1995, and March 31, 1996.

At that meeting, your committee elected Mr. McAlpine as its Vice-Chairperson.

Your committee has considered the Annual Report of Manitoba Lotteries Foundation for the year ended March 31, 1993, and the Annual Reports of Manitoba Lotteries Corporation for the years ended March 31, 1994, and March 31, 1995, and has adopted the same as presented.

Mr. McAlpine: I move, seconded by the honourable member for Gladstone (Mr. Rocan), that the report of the committee be received.

Motion agreed to.

INTRODUCTION OF BILLS

Bill 300—The TD Trust Company and Central Guaranty Trust Company Act

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, I move, seconded by the honourable member for Emerson (Mr. Penner), that leave be given to introduce Bill 300, The TD Trust Company and Central Guaranty Trust Company Act; Loi concernant la Société de fiducie TD et la Compagnie Trust Central Guaranty, and that the same be now received and read a first time.

Motion agreed to.

Bill 301—The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, I move, seconded by the honourable member for Emerson (Mr. Penner), that leave be given to introduce Bill 301, The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act; Loi concernant la Société de fiducie Banque de Nouvelle-Écosse, la Compagnie Montréal Trust du Canada et la Compagnie Montréal Trust, and that the same be now received and read a first time.

Motion agreed to.

NONPOLITICAL STATEMENT

Manitoba Marathon

Mr. Gary Kowalski (The Maples): Do I have leave to make a nonpolitical statement?

Madam Speaker: Does the honourable member for The Maples have leave to make a nonpolitical statement? [agreed]

Mr. Kowalski: Madam Speaker, yesterday I ran the Manitoba Marathon for the first time in my life, and I want to congratulate the organizers of the Manitoba Marathon, the corporate sponsors, the hundreds of volunteers that I saw. It was a wonderfully run event. It was a pleasure to take part in it, although the pain I am having right now. I do not know if it is that pleasurable.

Also, I want to thank a number of members of this Chamber who gave me some wonderful advice, the member for Sturgeon Creek (Mr. McAlpine) who had given me nutritional advice and the member for Rossmere (Mr. Toews) and the member for Riel (Mr. Newman), who are marathon runners themselves who gave me some wise counsel. Unfortunately, I did not listen to their wise counsel, and for the first three miles I was running at seven minutes a mile and burnt myself out, so I was lucky to finish in three hours and 46 minutes.

Also, I wanted to mention my parents because it was also a very emotional event for me, because I have mentioned before when I was six years old I spent almost eight months in hospital with rheumatic fever. I was told that I would never be able to be involved in strenuous physical activities. My parents, being very independent-minded people, did not listen to the doctor's advice and continued to push me to this point where this is the pinnacle of my physical activity, to run a marathon. So I want to pay tribute to my parents for all the encouragement they gave me over the years to allow that.

Thank you very much, Madam Speaker.

Committee Changes

Mr. Edward Helwer (Gimli): Madam Speaker, the following committee changes are changes that had been moved by leave during standing committee meetings held on Thursday and Friday, and I am now moving the same changes in the House so that the official record will be correct.

I move, seconded by the member for Turtle Mountain (Mr. Tweed), that the composition of the Standing Committee on Law Amendments be amended as

follows: Dyck (Pembina) for Laurendeau (St. Norbert) for the Thursday, June 12, 1997, 7 p.m. meeting.

I move, seconded by the member for Turtle Mountain (Mr. Tweed), that the composition of the Standing Committee on Law Amendments be amended as follows: Laurendeau (St. Norbert) for Dyck (Pembina) for the Friday, June 13, 10 a.m. meeting.

I move, seconded by the member for Turtle Mountain (Mr. Tweed), that the composition of the Standing Committee on Economic Development be amended as follows: Reimer (Niakwa) for McAlpine (Sturgeon Creek) for Friday, June 13, 10 a.m.

Motions agreed to.

* (1540)

ORDERS OF THE DAY

House Business

Hon. James McCrae (Government House Leader): Madam Speaker, if you would be so kind as to proceed firstly with Bill 61, and after that matter has been concluded, Bill 41, and by that time, we might have a more extensive list of bills to discuss.

SECOND READINGS

Bill 61—The Sustainable Development and Consequential Amendments Act

Hon. Glen Cummings (Minister of Natural Resources): Madam Speaker, I move, seconded by the Minister of Environment (Mr. McCrae), that Bill 61, The Sustainable Development and Consequential Amendments Act (Loi sur le développement durable et modifications corrélatives), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Cummings: Madam Speaker, I think it is obvious that Manitobans recognize that a clean environment is the foundation upon which all life is sustained. We further recognize that the ability of the Earth to assimilate pollution is finite, and we must respect those

natural boundaries of life-sustaining capacity of this Earth. We also recognize that a healthy economy is fundamental to our health and social well-being, private enterprise being the engine of development and innovation, providing jobs and generating income for the provision of public services. Manitoba needs a development that is in harmony with our environment and development that meets the needs of the present, without jeopardizing the ability of future generations to meet their own needs. Our environment and our economy are inseparable, and when the two are managed in harmony, our health and social well-being are enhanced both for today and tomorrow for future generations.

Madam Speaker, accordingly, we are pleased to introduce The Sustainable Development and Consequential Amendments Act to formally set in law the process by which Manitobans can work together through the round table to achieve integration of environmental and economic considerations in government decision making. The Sustainable Development Act sets out the goals we wish to achieve and the process to get us there, but it leaves the details of how we achieve the goals to ongoing public and stakeholder consensus-building consultation.

Ten years ago, the United Nations World Commission on Environment and Development, also known as the Brundtland Commission, published the landmark report, Our Common Future. The commission popularized the concept of sustainable development and started a worldwide political and grassroots movement aimed at addressing the environmental, economic and social challenges for all nations.

Our government took this challenge presented by Madam Brundtland very seriously. We recognize that sustainable development is a process of changing the character of government and society. It involved fundamental change in the way business operates, what our children are taught and how we as individuals live and conduct our lives and how government and public institutions address the challenges affecting us.

In 1988, sustainable development was made the cornerstone of our economic and environmental agenda. That year, we established the Manitoba Round

Table on Environment and Economy and followed that with the creation of the sustainable development committee of cabinet and sustainable development co-ordination unit.

In recent years, industry, government, nongovernmental organizations and many citizens have taken up the challenge and are now forging ahead in the implementation of sustainable development into their activities. As an example, I was pleased to see in the June, 1997, Focus on Our Schools publication put out by Fort Garry School Division, an article written by Fort Richmond Collegiate graduate student, Daniel Cowan, talking about our sustainable development efforts in this province. Daniel's article cites several activities in that division that have undertaken to advance students an understanding of sustainable development.

Furthermore, a survey published in the CMA magazine indicates that in nearly 110 major Canadian corporations, either environmental or sustainable development annual reports are part of their annual reporting mechanism.

A sustainable development act is the accumulation of eight years of public consultation and policy development which was undertaken in 1989 when the round table recommended that a strategy process be undertaken for our public sector. In 1992 the Manitoba Round Table on Environment and Economy released its report towards institutional change in the Manitoba public sector.

This report recommended the province enact legislation to anchor and guide the necessary transition to sustainable development. Two years later, our round table initiated public consultation on such an act. During the next year and a half, discussions on the act have been held with the various departments of provincial government, whereupon in August of 1996 the White Paper on The Sustainable Development Act was released. This was the beginning of further extensive public consultation process. We received over 60 written submissions from interested stakeholders and citizens and additionally over 20 ministerial presentations and white paper were made, while staff provided briefings to 35 organizations and provided information to about 50 others.

Our Manitoba round table has also conducted five public meetings where over 20 thoughtful presentations were made. An advisory subcommittee was established involving the Manitoba Eco-Network, Keystone Agricultural Producers, the Manitoba Mining Association, the Winnipeg Chamber of Commerce, Union of Manitoba Municipalities, Manitoba Association of Urban Municipalities and the Alliance of Manufacturers and Exporters and various round table members. The round table made recommendations on the draft act in a report of March 1997.

Eight years of consultation and review taken to develop this legislation is almost unheard of and is testimony to the commitment of our government and our ministers to the principles of sustainable development. Let me state that we have listened carefully to the advice that was provided. As a result, we decided as a first step to bring forward legislation to ensure the operations of the public sector are consistent with sustainable development and to put our own house in order and lead by example.

As you are aware, it is difficult to describe any public sector in terms of a single organization as most are comprised of separate agencies which have at times appeared to operate in isolation. This includes provincial departments, rural and urban municipal governments, Crown corporations, commissions, hospitals, universities, colleges and school divisions. The public sector does play a major role in our society. Traditionally, each area attempts to resolve and address environmental and economic issues on its own, thereby risking the loss of opportunity for more integrated and efficient decision making.

Sustainable development needs to be defined and its supporting principles identified. Secondly, objectives need to be established and a process created to ensure the involvement of government departments, agencies and private industries and citizens on achieving established goals.

Thirdly, the process established to achieve the objectives must be open and accountable to public officials directly involved in the implementation and, more importantly, to the stakeholders and the citizens who have told government it must do better; and indeed

our citizens do deserve a better decision-making and sustainable development process.

Finally, the fact that the path to sustainable development is a long one and will take years to travel demands that our commitment and work must begin and must be enshrined in law to ensure the long-term stability required to see this work through.

The white paper leading up to this act proposed significant regulatory reforms. In discussing these matters with citizens and stakeholders, it became clear that while potential existed for realizing significant benefits through such reforms, people could not agree on the best method. It also became clear that people do expect government to do better in achieving sound economic development which is environmentally and socially sustainable and further, that we cannot afford to wait much longer to achieve those goals.

The legislation on these matters came to a consensus in this manner; that is, to enshrine in law the definition and the guiding principles of sustainable development, our specific objectives and the means by which we will achieve them.

We have set out an open process for public input and reporting. We have committed this government to ongoing stakeholder, consensus-based consultation to continue to explore options to implement principles of sustainable development in our regulatory activities. While consensus among our stakeholders and the public on these regulatory matters was not entirely possible, this government is encouraged by the desire to discuss such reforms, and as we announced earlier this year, our consultation on these matters will continue. By proceeding with this statute, our government will be ensuring an open and accountable process by which our work can continue on the implementation of sustainable development. The act shows a commitment of Manitobans to sustainable development, demonstrating our will to ensure government plans, and makes decisions with a view of the long-term sustainability of our economy and our environment and our health and social well-being for the benefit of ourselves and for future generations.

* (1550)

The act provides for definition of sustainable development that is accepted generally around the

world. It outlines the principles and guidelines of sustainable development that should govern and guide our activities. These principles are the product of our round table public consultation and have been relied upon by a number of other jurisdictions. The round table and its terms of reference are enshrined in law. The integrated decision-making structures within government are enhanced. We have provided for an open and accountable process of strategy development which provides for adopted strategies to be entrenched as a regulation under this act. Our public sector will be governed by a code of practice and various management and procurement guidelines which will be established to guide ongoing decision making and program sustainability.

Unlike traditional forms of command and control forms of regulation, this act proposes a set of goals, a process for government to work with citizens to achieve them, an open and regular reporting to monitor progress and implementation. Those corporations with foresight are already working diligently to internalize sustainable development principles. Citizens, academics and nongovernmental organizations are actively practising and promoting more sustainable practices, and youth are demanding that we, the stewards of our future, take decisive action now to ensure that our legacy to them is one of enhanced opportunity for healthy and productive life. Therefore, it is crucial to demonstrate a vision for the future and to take steps to ensure the implementation of what some might think are only concepts.

The Sustainable Development Act defines such a vision for our future and lays before us the challenge of making better decisions today to ensure the ability of future generations to have equal opportunity to pursue their own fulfilment.

Mr. Clif Evans (Interlake): I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

House Business

Hon. James McCrae (Government House Leader): On a matter of House business, if, after consideration of Bill 41, you would please call Bills 37, 38 and 39.

DEBATE ON SECOND READINGS

Bill 41—The Regional Health Authorities Amendment and Consequential Amendments Act

Madam Speaker: On the proposed motion of the honourable Minister of Health (Mr. Praznik), Bill 41, The Regional Health Authorities Amendment and Consequential Amendments Act (Loi modifiant la Loi concernant les offices régionaux de la santé et modifications corrélatives), standing in the name of the honourable member for Thompson (Mr. Ashton).

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

Mr. Dave Chomiak (Kildonan): Madam Speaker, I welcome this opportunity to talk about Bill 41 and its ramifications and the implications it will have to the health care of Manitobans and more specifically, in most aspects, to the city of Winnipeg. My comments are going to be lengthy because the changes and the proposed changes in this act are significant and are controversial and in a number of cases is change which we believe is negative rather than positive with respect to health care for the province of Manitoba.

Roughly, the bill can be divided into three sections: Firstly, the section dealing with the amendments that establish the regional health boards for the city of Winnipeg; the second section dealing with powers given to the minister to deal with health concerns, or what I call the Holiday Haven amendments; and thirdly, amendments dealing with public health as it applies to the city of Winnipeg.

One of my major objections to omnibus bills of this kind is that this bill deals with three different major public health initiatives in three different ways, and the bill is packaged together, and we are forced to deal with the bill en masse, even though there may be some provisions we like and some provisions we do not like. That has been a practice the government has fallen into, Madam Speaker, in the last few years that I think is wrong for public policy reasons. It is bad legislative practice, but over and over again in this Chamber we are seeing omnibus-type bills come before us for discussion and for review. It is inappropriate and it makes for poor legislation.

So, at the onset, I again reiterate—and I have done this on many occasions in many speeches in this Chamber, and increasingly so I have been forced to make this comment—that the government ought not to be amending significant bills of a significant nature in significantly different areas and bring in omnibus legislation that does that.

Madam Speaker, the bill is entitled The Regional Health Authorities Amendment Act, so one would assume that that is what we are dealing with, and yes, a portion of the bill does deal with that, but other portions deal with significantly different items.

Let me comment at the onset, Madam Speaker, about the whole issue of the establishment of regional health authorities. Now, as the concept of so-called health reform gathered steam across the country, jurisdiction after jurisdiction moved towards regionalization. Manitoba started in fits and spurts. There was a grand plan designed in the mid-1990s for regionalization. The directives went out to all of the organizations to form into regional organizations. The regions started to form into these regional structures, and then the dictum came from on high: No, we are not going to be organizing on this basis; hold back. So they went back.

The minister established a task force and made reports on regionalization. I might add, Madam Speaker, the task force that was created talked about regional, rural and northern health authorities. There was no mention about the city of Winnipeg. The dictum went out. Quickly, public hearings were held after a long-term process, and the regional health authorities, of which there was much debate in this Chamber, passed last session, to the objection of every single presenter at public hearings. Every single presenter presented against the regional health authority concept.

Now, Madam Speaker, was that because regionalization is inherently bad? Not necessarily. It was very clear that the way the government was imposing regionalization was the wrong way to do it, and the public spoke eloquently. Nonetheless, the government went ahead and regionalized rural and northern Manitoba, but it is interesting that in two fundamental areas the government disagreed with and

did not follow the advice of their own rural and northern task force with respect to regionalization.

The first, of course, is one that has come up many times in this Chamber, and that is in respect to the undemocratic way that these boards were appointed. The government did not follow those initiatives. The second, and I think more significant—not more significant, but very significant, was the fact that the regional rural and northern health task force talked about launching a pilot in order to work through the process, and that too was rejected by the government.

At this juncture, the government then started another process of consultation in which they paid hundreds of thousands, perhaps millions of dollars to the firm of KPMG to develop a process—[interjection] The member for Turtle Mountain (Mr. Tweed) says trillions. Perhaps it was—[interjection] Gazillions. Perhaps it was, Madam Speaker. We do not have access to that information, and they failed to give it to us, so we do not know. But I might add, they went on this process of talking with people involved in the system, and there was great fanfare made by the minister of the fact that I attended one of the sessions, and I did.

You know, there were two things that struck me about those sessions that were talking about the regionalized nature and the manner and fashion by which governance would be carried out in the city of Winnipeg. First, the participants were by invitation only, so the government completely controlled the participation. Secondly, and interestingly, the participants rejected the notion that the government has before us today. There was no consensus; they rejected it outright. Think of that. The government brings in a consulting firm to try to get some kind of consensus on the regionalized nature of Winnipeg, the participants who are invited by invitation only reject the notion, and now we have before us a bill implementing that concept. So, Madam Speaker, that process in itself speaks for itself. It speaks volumes.

So, Madam Speaker, the whole notion of regionalization, as I said earlier, was a concept that many jurisdictions moved towards. I think the most striking presentation at our public hearings into Bill 49 was the warning by Evelyn Shapiro from the Centre for

Health Policy and Evaluation, a government-funded agency, that said, Manitoba, you have a chance not to make the mistake that was made in other jurisdictions; take a step back with respect to regionalization; study the early returns from those areas and those regions that have regionalized.

* (1600)

What were the early returns demonstrating, according to Ms. Shapiro? Firstly, the great cost savings that were promised were not being realized. Secondly, organizational chaos ensued. Thirdly, in many cases, and in particular the New Zealand model, which is the model that Manitoba is following, has been by all observers and by all accounts an abject failure. It has not worked.

Madam Speaker, one only needs to review the literature that has come out on the New Zealand model to see that the goals established have not been achieved. It is surprising that Manitoba would follow this model, but I urge members to study the literature, to study the data, because the early returns, and in the case of New Zealand, the returns that are coming in, indicate that it is not working. Nonetheless, the government is proceeding despite the objection of every single presenter during the Bill 49 hearings and despite the objection of most Manitobans to the process and despite the warnings by members on this side of the House that you should at least put a year's delay on the process to try to establish it properly. Despite all of that, the government has gone ahead and in a very heavy-handed way forced institutions to come on board by saying to them, frankly, you come on board or you are stuck with your deficit, and forcing institutions to come on board, even though the government in the early stages when they were trying to pass the bill made no mention of that.

Now we are faced before us with a similar process and a similar bill to regionalize in the city of Winnipeg. The goal is to establish two regional authorities in Winnipeg, and I might add, despite the fact that the government's own study and review could find no consensus and no agreement on this, but, nonetheless, the government, as it is wont in most health issues, is plunging ahead and moving ahead.

So what did they do, Madam Speaker? Before we even saw a bill, before we even knew there was going to be legislation, the government established a board. The government set up a board before we even knew there was a bill, and we are offended by this and I think quite rightly. This was an affront to the people of Manitoba that the government would take something as significant as this and set it up without any public discourse or discussion, despite the fact, I might add, that their own committees to review it rejected this notion. Nonetheless, the government established it, and then subsequently and now in this Legislature we see a bill before us that legalizes something the government has already done retroactively.

So where do we stand on this aspect of the bill? There is no doubt that some form of governorship is appropriate, some better co-ordination is necessary, and I think any objective observer would agree that that is the case. Of course, that presupposes that there is chaos in the system, and I have often indicated there is chaos in the system, but that is largely, in my view, as a result of the government mismanagement of health care. I do not want to go down that road because it will totally use up all of my speaking time if I were to cite the dozens, perhaps the hundreds of instances of government mismanagement of health care in Manitoba that have put us in a case where health care is very poorly managed in this province.

Madam Speaker, to return to the establishment of the regional authorities to Winnipeg, we see that we are going to have established two bodies. Now, one thing that I find very, very difficult to comprehend is the fact that the government—I believe one of the fundamental reasons it is establishing these regional authorities is to direct political attention and political responsibility for health care away from themselves to another body. Let the other body take the political heat. That is, in fact, what is happening.

If we look at example after example that we have raised in this House the last few months, issue after issue, what does the Minister of Health (Mr. Praznik) stand up and say? In fact, Madam Speaker, he has a standard speech and a standard response. Last week in Question Period, I gave the response before I asked the question, because I knew that would be the response

from the minister to any question that I asked. That general response is Winnipeg Regional Health Authority is going to better co-ordinate this and deal with all of the issues. That may be fine in theory, but what I resent and what we resent is the fact that this government has abdicated its responsibility in health care and is now directing the attention towards the regional health boards without taking responsibility for its own failures.

Let us use an example. Let us talk about waiting lists. We have the longest waiting lists of any province in Canada, and we have had them ever since this government took power and they have gotten worse. You know, Madam Speaker, what has this government done? It has continued to cut and put nothing in place to take care of these waiting lists. Now what we see is the government saying, we are going to look to this regional board to take care of these waiting list problems.

Madam Speaker, Manitobans cannot wait any longer. We raised issues two years ago about waiting lists and three years ago about waiting lists and nary an action on the part of the government. Now we hear, we are going to look to the regional health authority to co-ordinate this. How long do Manitobans have to wait? Before the last election, the government found \$500,000 to put into reduction of waiting lists, and it worked. It worked in four areas. Since that time we have increasingly asked the government, put in the resources to reduce the waiting lists. It is not that complicated. Even the new Minister of Health has indicated it can be done without a good deal of money. Then why have you not done it? Why have you not taken action? Instead, you have just throw it to the new regional health authority board; they will look after it. I dare say, what I think we will see is a reduction in service, not an increase in service.

Madam Speaker, it is not just waiting lists. The emergency ward problem that has been with us, how many crises, how many strikes did we have to go through? How much dislocation and harm had to happen to Manitobans in the emergency area? How many studies? Six since 1991 recommending action. Where is the action? Nowhere. What is the response? Give it to the regional health authority.

Labs, there are a myriad of reports on labs. There are another six reports on labs recommending action. What is the response of the provincial government? Give it to the regional health authority. Well, the regional health authority takes over operation April 1, 1998, so that means we will wait at least another year for actions and for responsibility on the part of this government for its lack of action and its terrible handling of health care in the province of Manitoba.

So, Madam Speaker, what do we see? We see the appointment—and I will admit it, there are some very prominent Manitobans who have been appointed to the board. I dare say that one gets the impression that these individuals are in line philosophically with the present ruling regime. In fact, “impression” is a misnomer. It is obvious that they are in line. Well, that is the government's wont, but the danger of that is that they will be unable to take an independent stand from this government, and they will be forced to do the government's bidding. They will take the political heat, and they will be forced to do the government's bidding.

Madam Speaker, we have argued that there ought to be elected boards or some provision or some section or some way for accountability in these responsibilities, which has been completely rejected by the government. The general argument is if they do not have taxing authority, then they are not capable of—that is the government line—having this authority, notwithstanding the fact that they will be given the responsibility for a budget of what? Probably something like \$900 million, perhaps a billion dollars, but because they are hand appointed from the government, somehow that makes them more responsive. I dare say not, so we have called for elections or some form of election, some form of democratic process to these boards that will have more power and more authority than many municipalities.

The second aspect of this bill, Madam Speaker, is what I call the Holiday Haven amendment. This is the amendment that was proposed by the minister in order to deal with the situation where the government was unable or unwilling to deal with the tragedy that occurred at Holiday Haven Nursing Home.

Madam Speaker, let me go through this again, because it is so illustrative of the failure of this

government to take responsibility and the failure of 57 members of the Manitoba Legislature to deal with our elderly, our infirm and our sick. It is a blight on this Chamber, and it is a blight on this government as to the mishandling of that issue and the way we let those people down.

* (1610)

When we raised the issue in October, Madam Speaker, the then Minister of Health promised action. We relied on that promise. The Premier (Mr. Filmon) went on radio. The Premier went on public radio saying the NDP were fearmongering about what was happening at Holiday Haven Nursing Home.

When I wrote a letter to the minister on November 22 outlining over 20 instances of elderly abuse, I got a response back in February saying, we are looking at it. When I wrote a letter to the minister in December saying, replace the management of Holiday Haven Nursing Home, the minister wrote back in February saying, we do not agree, we do not know.

In the meantime, the government had commissioned a study, and who undertook the study? Private sector partners of Holiday Haven Nursing Home. You know what the study said? I wrote to the minister and told the minister what the study said. The study said, replace the management of the home—in December. You did nothing. [interjection] Well, the member for Lakeside (Mr. Enns)—this issue for me is pivotal. It has been pivotal in my political career.

Trying to do things through the Legislature, trying to do things through the public process resulted in a failure. I will never do that again as long as I am elected to this Chamber because, subsequently, a man died in that home, not the first unexplained death. We had raised several others and to the credit of the minister, the day when I made it public, the minister took over management of that home. It only became public because someone had informed me. No one had gone public with that. The irony of it is, when I heard there was a death there and I phoned my contacts, they said, oh, yeah, we knew about that death, but nothing ever happens anyway so why should we have passed it on?

Is that not a rebuke of the system, Madam Speaker? So the minister says he needs the power to take over. He requires power in this legislation to intercede in institutions, to take over control when there is a situation like Holiday Haven.

Madam Speaker, we believe the minister had the power to take over Holiday Haven when we raised the issue and ought to have when we raised the issue, and we believe he still has the power, but when the minister said he was going to bring forward legislation, we said, look, we will support anything that will help out the situation.

You know, the minister, in order to deflect attention away from Holiday Haven, often cites the instance of the Dauphin situation. The Dauphin situation is so far removed from Holiday Haven that it is not even a valid comparison. The Dauphin situation was the minister going to the Dauphin institution and effectively coercing them into accepting his road, his decision, that they would have to be stuck with their deficit unless they followed his directive, totally contrary to what had been promised earlier and totally off base, but I digress, Madam Speaker.

The minister brings in this amendment, and we have said that we support any kind of powers that will ensure that no Holiday Haven can happen again in this jurisdiction. We have problems with this, but we can accept it. We have problems because a lot of public institutions, a lot of faith-based institutions feel that this amendment is unnecessary, and to that extent I agree with them because we do not have that problem in public and faith-based institutions because we have boards that are accountable and boards that are responsible. Where we have the problem is in private, profit-making institutions where there is no accountability and where the bottom line is all that matters. That is where the problem is, and that was the problem at Holiday Haven.

So the minister brings in a regional health authority bill, and he tacks on this significant amendment with respect to, again, what I call the Holiday Haven amendment. He brings in an amendment that allows him some power to step in. Now the minister argues he did not have the authority, for example, to order or to obtain a copy of the Nursing Home Association report

that was done from Holiday Haven. I knew it was in the report, others knew it was in the report, but somehow the government that funded that institution to the tune of several million dollars a year say they did not know. I know that information went to the Department of Health, and I continue and I still insist that an inquiry ought to be taken as to how the government responded to that situation and how the government failed to adequately protect residents at that home and others.

But, nonetheless, Madam Speaker, we are supportive of ensuring that a Holiday Haven can never happen again. Now it can never happen again only if processes and structures are put in place that can ensure that responsibility is taken by those who are given the responsibility of looking after our elderly, and that has been something that the government has been derelict in its duty the last few years because it was not a new issue. In 1993, when the CBC did an exposé on nursing homes and it was found that the government was derelict in its duty, the then minister stood up and said we are going to have a commission and study it, and yes, they did.

They had a commission, and that commission made 39 recommendations for improvement in the personal care homes. We were not even critical, because we said, finally we will get action, finally we will get some action, because we recognized there were problems in personal care homes. So what did the government do? Thirty-nine recommendations and they did not act on them. They sat on the shelf like so many other reports. Nothing happened. When Holiday Haven happened, and the new minister was faced with this crisis, and he was asked about the 39 recommendations, he had no idea. What kind of responsibility and accountability is that, and you wonder why this issue has become somewhat significant for members on this side of the House.

What is our role in this Chamber but to protect our citizens, but to ensure that in their infirm and in their elderly years they get the best possible care? When we fail to do that, that responsibility and that failure hangs on all of us here in this Chamber, but more particularly, it hangs on the heads of the government members who failed to act in 1993, who failed to follow the 39 recommendations that arose out of the problems in

1993, who failed to act in October when we raised the issue, who failed to act in November when we raised the issue, who failed to act in December when we raised the issue and who failed to act in January when again we raised the issue.

Madam Speaker, you can understand why members of the public are somewhat jaded when on occasion I say to them, well, write to the minister. What good did it do? What good does it do? I will admit that in many areas that does not happen, but when it came to personal care homes and when it came to Holiday Haven in particular, that is what happened.

* (1620)

When did the government act? Well, they acted when we had a press conference on the death of that unfortunate individual, and then two weeks later we had to bring in people from other personal care homes who had other problems—all private personal care homes—and hold a press conference. Then the new minister stood up and said, yes, we are going to put in place a complaint procedure, and they did. I give them credit for that, but again, how many warnings and how much advice must they get before they act? How many people do we have to traipse before the television cameras to get them to act, because the day we put people before the television cameras, that is the day the minister stood up and said, yes, we are putting into place a complaint procedure—but not until we did that. So the member for Lakeside (Mr. Enns) might be wondering why I get a bit exercised on this issue. Perhaps that explains it.

The third aspect of the bill deals with public health. As I indicated earlier in my comments, we certainly do not appreciate the omnibus nature of these bills, and certainly when it gets to the area of public health and the amendments dealing with public health, there are some grave concerns that are raised.

One of the major concerns is there appears to be a suggestion, in fact, there appears to be powers in this bill—and we are going to question the minister, and this is notice to the minister at committee—that would seem to remove the City of Winnipeg from having the authority and the ability to provide public health services. Now, Madam Speaker, we know there has

been an ongoing debate for years now between whether or not the City of Winnipeg provides public health, whether the province does, whether a merger of the two should take place, and there have been ongoing discussions and much difficulty reaching a satisfactory conclusion to those negotiations.

This bill seems to give the authority to eliminate public health from the City of Winnipeg. We are concerned about that because, frankly, the public health services offered by the City of Winnipeg are first class, and they do an excellent job. There is an argument that can be made that health services and services that are offered closer to the people through the civic government might be a more appropriate way. Indeed, the government is making that suggestion through the introduction of regional health authorities on the argument that somehow it is closer to the public.

Madam Speaker, we are concerned because every time the province talks about taking over a service, we do not see an improvement of the service. What we see is exactly the contrary. We see a diminution. We see a decrease in the services offered. That has certainly been the case in terms of social assistance, and I fear that may be the case in terms of public health services. Every time the government talks about better co-ordinating care, better rationalizing care, what it really means is we are going to cut care and we are going to offer a limited base level of care.

That is our concern. Our concern is if you take over public health in Winnipeg that you will deliver a less effective and a less comprehensive public health program. The record speaks volumes about the ability of this government to do just that. In fact, in almost every instance where it has taken place, we have seen a decrease in services.

If there is one area of health that ought to have an increase, and heaven knows there are many, it should be through the provision of public health. We are fearful that what the government will do is it will take over operation of public health in the city of Winnipeg, and it will decrease public health.

What is the record in that regard? The record in that regard has been a 100 percent decrease in service in

almost every single area that the government has moved in to take control. Why is that? Because this government has a philosophical bend, and the bend is and the philosophy is that medicare and health services should only form a core, and that is all that should be provided, a core of service, a narrow core.

An Honourable Member: An impoverished vision.

Mr. Chomiak: An impoverished vision, and I thank the member for Crescentwood (Mr. Sale) for those words, a narrow, impoverished core. There is no talk of expanding service. You know, the great irony of the so-called reform in this province and in many jurisdictions is as the government cuts back in medicare, do they move to augment services provided? If, in fact, true reform is taking place, I would suggest that true reform would mean while you cut back in some areas because of different needs and requirements, you increase in other areas.

Well, that certainly has not happened in health care in Manitoba. That is a fact, but, Madam Speaker, true reform would be a recognition of where future needs are in health care; true reform would be a recognition of augmenting resources and services to areas that require future needs. That is not taking place at all in this government.

Look at the record. Pharmacare, Madam Speaker, slashed; two-thirds of Manitobans eliminated from Pharmacare. User fees—

An Honourable Member: The best Pharmacare program in the country.

Mr. Chomiak: The member for Lakeside (Mr. Enns) says the best Pharmacare program in the country. I like that comment—you know, Madam Speaker, they are living off of the legacy of former New Democratic governments that introduced programs that have seen nothing but cuts and decreases by this government, be it personal care homes, be it Pharmacare, be it home care, over and over again. They are living off of the record of previous Manitoba governments that at one time had the best and the most far-reaching programs in this country, but no longer.

In every area, be it Pharmacare, the elimination of the Life Saving Drug Program, the elimination of two-thirds of Manitobans from Pharmacare to user fees, every conceivable user fee has been introduced and is continuing to be introduced under this government. Madam Speaker, Sterling Lyon looks like a raving red Tory in comparison to this government. I remember when Alan Fotheringham accused Sterling Lyon of taxing the tips on crutches. He actually had not, but these people are. They are taxing, they are bringing in user fees for medically necessary devices.

Think about it—to return to my original point—if you are moving people out of the acute care sector, if you are saving gobs of money by doing so, should you not be increasing those services in a community? That would be true health reform. What does the government do? They take at one end, they take at the other end. They remove people from the acute care sector, they charge them user fees when they come home. It does not even make logical sense. So the record clearly shows that if we give this government the responsibility for public health in Winnipeg, it will be a decrease in services undoubtedly, undoubtedly a move towards user-type fees. Where do we get evidence of that? Every single government program virtually that has been introduced, be it the doubling of nursing home fees, be it the obscene increases in Pharmacare deductibilities, be it the user fees on orthotics, be it the user fees on home care equipment, over and over and over again.

I can hardly wait to get into debate about how these people have not taxed. These people have taxed more, and unfortunately unfairly on the backs of the sick and the elderly, than in any other provincial regime that ever held office in this province

An Honourable Member: They are what? They are the highest taxed what?

Mr. Chomiak: Highest and greatest tax increases on the backs of the sick and the infirm than any other previous regime in this province. I can hardly wait to debate that. It is unfortunate that we have to debate that.

So, Madam Speaker, in summation, this bill has—now, there is a variety of amendments, and I have

indicated we certainly do not appreciate the omnibus nature of this bill, but with respect to the regional health authorities, we have problems with the way the government has introduced it with the structure, with the lack of democratic representation. With respect to the Holiday Haven amendment, we question the need for such stringent measures, but I think to help prevent any kind of reoccurrence of this in the future, we can be supportive of a measure like this, keeping in mind that the public institutions and the faith-based institutions do not need this kind of legislation.

Thirdly, the areas of the bill dealing with public health provision in the city of Winnipeg, we are very suspicious of the government's intentions and its ultimate goal to downsize public health in the city of Winnipeg. With those few comments, Madam Speaker, that is my comments on this bill.

* (1630)

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, wanted to put a few words on the record with respect to Bill 41. This has been a very, very controversial issue, the whole idea of creation of regional health authorities. In the past, I have had opportunity to articulate in former legislation or proposed legislation to Health Estimates to actually having discussions on this issue with the minister in the form of a panel in front of other individuals. I am sure that the debate on this issue will continue as we proceed in time, primarily because I do not believe this is something which this government has really thought out.

We have raised the issue of accountability with respect to health care on this government, and time after time they refuse to take any sort of acceptability for anything that is happening that can remotely be seen as being negative towards the impact on Manitobans, generally speaking, with any sort of service. Instead what we have seen, whenever this government gets the opportunity, whenever we see something negative that is happening within health care, the first thing they do is they run for cover. They choose to blame other parties as opposed to trying to take care of the responsibility for themselves for their actions. The classic example of that has been, in the past, whenever we see something happening in health, the first thing

they say is that it is the federal government and the federal government's cutback with the transfer payments, that is the reason why we are suffering as much as we are in the many different areas.

We could talk about the transfer payments, the equalization payments, the lower interest that has allowed this government to have more dollars to be able to spend on issues like health, as opposed to interest, which is assisted through the national banking policy which is directed from the federal government. We could talk about many other ways in which the federal government will contribute. That does not mean that they are nowhere to be blamed, that they should also be held accountable for some of the actions that they have taken, such as, the cutting back of the actual cash portion of the transfer payments that goes towards health. We should be advocating that that particular transfer increase, but we also have to take responsibility at the local level.

The Province of Manitoba has to realize that if health care is going to survive at the local level, it is going to have to survive with good strong provincial leadership on the whole issue of change. What Canadians want first and foremost is a strong national government that is going to ensure that you have a health care system from one coast to the next. The responsibility for the provinces is on how they are going to be administering those health care services. This is where we have seen this government fail and fail miserably, because I do believe that there is another agenda that they are operating on.

I question the government's whole integrity to its commitment to the five fundamental principles of health care. We have seen the government take some actions which clearly indicate that this government does have a different type of an agenda, and to contrast it against something, you could take a look at the national health care forum which indicated that they would like to see home care brought into the fold of medicare.

What is this government doing? They are moving it in the other direction. They are moving it towards the privatization for profit of home care services. The government, as I indicated, has to be prepared to take responsibility for its actions, and that leads right into this particular bill. What we see in this bill is once

again the reinforcement, the creation of these regional health care boards.

What is the real purpose? I have talked about this in this Chamber previously. The real purpose behind this bill is so that the government puts in a certain number of dollars into an envelope and then it hands it off to the regional health authorities and, if there is anything that is negative that occurs, now they have two to blame. They can go to the regional health care board and say, we did not decide to end this particular service, we did not decide to close down this aspect, it was the regional health care board. Then, when they feel that they are losing ground potentially in that area, they will go back to the whole fed-bashing argument.

When I look at this particular bill, as I have articulated in the past, I believe that the government needs to rethink in terms of what it is that it is doing. We are establishing another level of bureaucracy which is going to cost millions of dollars annually. Where are those dollars going to come from? They are going to come from internally, from within the current expenditures with respect to health.

What about the future role of our other community facilities? Whether it is a clinic, whether it is a hospital board, what sort of a role are they going to be playing? In the Health Estimates, I asked the Minister of Health (Mr. Praznik) to provide me a copy of what he believes and this government believes are the responsibilities of the boards that are currently in existence. What sort of role do they have to play?

To date, unless it is in the interdepartmental mail, I have not received that yet. I will continue to wait, as many Manitobans who have invested a great deal of time and effort as volunteers in most cases to ensure that they can provide or complement a health care service to the community in which they, in most cases, live.

Madam Speaker, the government itself needs to be more straightforward with what its actual intentions are with respect to health care reform. They have now been in government for over nine years and, as someone who has been here for those nine years, I am not too sure in terms of exactly what it is that they want to be able to accomplish, in particular in the city of

Winnipeg but, I would also add, to rural Manitoba, what sort of an actual agenda that they have. I believe that is because they have been very quiet with respect to it. They have had boards, they have done some consulting.

The member for Kildonan (Mr. Chomiak) talked about the select group that was invited to be able to come up with recommendations and how that particular select group's recommendations were not even adhered to. I look to the educational parents forum that was held a number of years ago or a couple of years back where individuals from the public were asked to participate.

How does that compare with respect to health? What sort of genuine solicitation has this government had with respect to trying to develop a health care system that is going to be based on the five fundamental principles well into the future and look at areas in which we can not only improve but also expand?

We have not seen that. We have seen numerous committees within the Department of Health that have been established, numerous committees, but I would argue that there is a question of legitimacy with respect to the way in which this government has been moving ahead on health care by not being able to bring Manitobans involved in this whole process. That is why I believe that, ultimately, this government has been soundly criticized not only from me or the New Democratic critic for Health, but by so many Manitobans, because they are not prepared to be able to sit down and work through some of the issues that need to be worked through.

I believe, firmly believe, that there is a need to be constructive in one's criticism, especially within the Department of Health, and have applauded the government on taking actions in the past. There have even been differences of opinions between us in opposition and the New Democrats in opposition. The SmartHealth system—the card, the concept of computerization of health care records—is probably the best example of that. But what we do need to recognize in stating that there is the need for change, that there is also a need for co-operation and consultation, and those are the types of words in which I use far too often when it comes to trying to get this government to behave in a

much more responsible fashion in dealing with the question of change in the whole area of health care. As I have indicated, a threat, a serious threat to health care is, in fact, the way in which you manage that change; and, if you are successful at managing that change, you will be successful at having a positive difference in the health care, in the future of health care for the province.

* (1640)

But we do need to get clear indication from the government on where it wants to take a public health care system into the future, what sort of vision it has for those five fundamental principles or what should be included in health care, the ensuring of different procedures from within our hospitals, to the potential expansion such as pharmaceuticals and home care services. That sort of debate does need to occur, more so than just inside the Chamber, but with Manitobans as a whole. I am sure over time, Madam Speaker, that Manitobans will become that much more aware of what the government is doing with respect to health care and will protest very loudly if, in fact, this government continues to sidestep the issue of what health care should be in the broader sense, because it is not good enough for us to sit on the sidelines and not take an active role in ensuring that change is going to be for the betterment of all of us into the future.

With respect to the regional health boards, I have asked the government for the election of regional health boards, and there are different examples in which they could be elected. Some have worked; some have not worked. I think at the very least what the government, the Minister of Health (Mr. Praznik) should be doing is talking about it. I do not get any sense that the Minister of Health is currently seriously looking at it at all. In fact, what we have seen is the Minister of Health evade those types of questions by saying, well, we do not want to have an elected board for the simple reason is that you have to have some sort of taxation authority so they have the opportunity to be able to raise money.

Well, I disagree with that, and on that particular point I would have to agree to disagree with the Minister of Health. But I would suggest to the Minister of Health that it does not even have to be—you know, if you have 15 board members and you have a certain percentage of those board members being elected in one fashion,

another portion could be elected or appointed in a different fashion.

I realize the potential conflict that could arise from a scenario of that nature, but that is one of the reasons why it is that we should be talking about it to try to work through what could be some of the kinks in any sort of a system that we need to move on, but suffice to say, Madam Speaker, we should not be just sitting back doing nothing with respect to it. That sort of action is just not acceptable.

The other aspect of this particular bill that I want to comment on very briefly was how it allows the minister to appoint interim managers of health care facilities. The member for Kildonan (Mr. Chomiak) pointed out the reason why we have that particular amendment. I think that is something that, in essence, is a positive change to the legislation, because the government has to be in a position ultimately to be able to move in a very quick fashion, if it is deemed necessary. So it is a good check to have in place, I would argue, and it is one of those things that always make it somewhat difficult when you are voting on a passage of a bill, or, which ultimately could end up receiving Royal Assent and then becoming law when you have something that is positive inside, from within, while other aspects of the bill raise more concerns, more doubts, questions the validity of the direction of the government in dealing with health-related issues.

But, no doubt, Madam Speaker, we will have more time from within the caucus to be able to discuss in more detail this bill, but I did want to put those few comments on the record because we do have some very strong reservations. We also recognize that once these regional health boards are established, we will be watching the government that much more closely in terms of the types of things that are being done within the different communities. Our intentions—where we have been informed is something that is happening in the regional board, is being told that they are, in fact, the problem to ensure that people are aware of just who ultimately is responsible for the administration of health care in the province of Manitoba.

Hopefully, what we will see over the next number of months is a Minister of Health that is prepared to look at some changes to the way in which these regional

health care boards are structured, that will see a Minister of Health that is prepared to better define what it is that he or this government envisions the future role of the other boards that are currently in place for our facilities, in excess, I believe it is over 150, 180 boards, what he or the government envisions their role is going to be under the super regional health care boards.

If the government was to come up with a compromise of having some sort of an election to the regional health boards, municipal elections which will be coming up next year would probably be the best way in order to get people participating in this process at least in part for the regional health board. Other membership to the board could be done in a different way. I think that people are open to some sort of dialogue, but, in essence, what we do not want to see is strictly individuals sitting on these boards that have been appointed 100 percent from within the Department of Health. That would cause, or I should not say would, it does cause a great deal of concern and will continue to cause concern if, in fact, the Minister of Health does not take any action to try to address that particular issue. There is no doubt that if the action is there that the potential to receive broader support for some of the initiatives of the regional health care boards could be there under a change, so we appeal to the Minister of Health of trying to do just that.

With those few words, Madam Speaker, that is all I have to say this afternoon on that bill.

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

Committee Changes

Mr. George Hickes (Point Douglas): The following committee changes are changes that had to be moved by leave during standing committee meetings held on Friday. I am now moving the same changes in the House so that the official record will be corrected.

That the composition of the Standing Committee on Law Amendments be amended as follows: Crescentwood (Mr. Sale) for Kildonan (Mr. Chomiak) for Friday, June 12, 1997, for the 10 a.m. meeting.

That the composition of the Standing Committee on Economic Development be amended as follows: Wolseley (Ms. Friesen) for Crescentwood (Mr. Sale) for Friday, June 13, 1997, for the 10 a.m. meeting. Thank you.

Motions agreed to.

* (1650)

Bill 37—The Highway Traffic Amendment Act

Madam Speaker: To resume second reading debate on Bill 37 (The Highway Traffic Amendment Act; Loi modifiant le Code de la route), on the proposed motion of the honourable Minister of Highways and Transportation (Mr. Findlay), standing in the name of the honourable member for Thompson (Mr. Ashton).

Is there leave to permit the bill to remain standing?
Is there leave to permit Bill 37 to remain standing?

Some Honourable Members: No.

Madam Speaker: No. Leave has been denied.

Mr. Gerard Jennissen (Flin Flon): I would like to put a few words on record regarding Bill 37. The Highway Traffic Amendment Act. The bill deals with three initiatives and four minor housekeeping items. We support this bill, but nonetheless we would like to put a few words on record.

Regarding the first initiative, proposed in the bill, Bill 37, the stolen and wrecked vehicle program, this initiative puts us in line with other jurisdictions in Canada. In fact, by the end of this year or by very early 1998, the stolen and wrecked vehicle program will be in place all across this country.

We know there have been dramatic increases in auto thefts all across this nation and Manitoba is no exception. In fact, Manitoba is within the three highest in terms of vehicles stolen in provinces. Last year, for example, in Manitoba alone there were 9,856 auto theft claims for a total cost to the public of \$21 million. Now, a good number of those stolen vehicles find their way back into the market either as complete units with new identities using vehicle identification numbers

from written-off vehicles or simply sold for parts or for scrap metal.

This legislation tightens those loopholes and makes it much more difficult for stolen vehicles to be recycled. I think all members of this House think that is a very positive move and support it. I would like to point out, however, that this bill does not address all exigencies because many stolen vehicles, especially in this city, are stolen by juveniles, by young people who are out joyriding or thrill seeking. That seems to be an ever-escalating happening in this city.

The bill does not address this very serious escalating problem. Nor is this bill any comfort to the person whose vehicle is stolen, perhaps stolen and wrecked, and then is levied a \$500 deductible, but any effort to minimize automobile theft in this country and in this province is welcome. Certainly a central registration file covering the entire country, which makes the selling or scrapping of stolen automobiles much more difficult, is also very welcome. I am sure that no one in this House would dispute that.

The second part of this bill, Madam Speaker, deals with the province's return to dual licence plates. The first of these new plates are to be installed on vehicles in the very, very near future. I grant the minister and this government that the new plates are colourful, and I grant also that dual plates will help law enforcement agencies. In fact, it has been the law enforcement agencies of this province that have lobbied for the return to dual plates, and we support that. But it is my understanding that the plates themselves were not produced in Manitoba, and I find that sad. As well, the cost at \$7 for a set of plates for approximately 700,000 vehicles will equal close to \$5 million. So, although the new plates have not been sold as a money grab or sort of an indirect tax grab, a number of citizens suspect that is exactly what it is. They have pointed out that there was no need for new plates and that, in fact, it is for those citizens merely another way for the government to make a few dollars. I am certainly sympathetic to that point of view.

The third initiative dealt within this bill is the deregulation of charter buses and bus parcel express. This is a requirement made necessary on the provincial

free trade agreement, and this supposedly will lead to more competition. However, it is doubtful that bus parcel express deregulation will lead to better service, especially for small communities, rural communities, northern and isolated communities, especially, I would add, northern communities, which are unlikely to get better bus parcel express service, and this at the very time where cuts to Via Rail service in northern Manitoba are almost guaranteed. We are expecting them; we are bracing for them. We do not believe that bus parcel express service to the North will become better or cheaper as a result of this legislation.

The bill also contains a number of fairly minor housekeeping matters, items such as the amendment to the definition of cab card; secondly, an amendment to the definition of vehicle used by police force; thirdly, an amendment to Section 59 regarding standards for vehicle equipment; and, lastly, a new provision for validating forms to allow the department to minimize its cost by using existing supplies of preprinted forms. So none of those are contentious. In fact, the bill in general is not contentious, and we support it with a few minor reservations. We certainly support the major thrust of this bill, especially the one about making stolen vehicles more difficult to recycle or bring into the marketplace. That is certainly a very positive move.

So, with those few words, Madam Speaker, we are willing to move this bill on to the committee stage. Thank you very much.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, just to rise in support of this particular bill, but prior to that just to say a few words. The appearance of the previously written-off motor vehicles on the streets and highways of Manitoba is a serious problem.

This bill is essential in developing what will become a Canada-wide system for tracking these dangerous vehicles and ensuring they are sent to the dump and do not continue on our roads. It is essential that Manitoba not become a dumping ground for wrecks that should not be on the road. There are other amendments in this bill regarding charter trips in the applications of Sections 291 and 290 of The Highway Traffic Act, but I am content that these are necessary and prudent regulatory measures.

Our office has met with the minister and appreciated the briefing material and the time he took out of his schedule to meet with us, and his department, along with the critics. As I indicated, we have no problem supporting this particular bill.

Madam Speaker: Is the House ready for the question? The question before the House is second reading of Bill 37, The Highway Traffic Amendment Act.

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

Some Honourable Members: Yes.

Madam Speaker: Agreed? Agreed and so ordered.

House Business

Hon. James McCrae (Government House Leader): Madam Speaker, I believe there would be leave to waive private members' hour today.

Madam Speaker: Is there leave to waive private members' hour? [agreed]

Mr. McCrae: Madam Speaker, I would like to announce that in addition to the bills already scheduled for consideration by the Standing Committee on Agriculture tonight at 7:30, which are Bills 18 and 57, the committee will also consider the following bills, Bills 31 and 54.

Madam Speaker: For information purposes, the Standing Committee on Agriculture scheduled for 7:30 p.m. this evening to consider Bill 18 and Bill 57 will now continue and also consider Bills 31 and 54.

Mr. McCrae: Madam Speaker, in addition to the bills I have asked you to call, would you add to that list Bill 47.

Bill 38—The Highway Traffic Amendment Act (2)

Madam Speaker: To resume second reading debate on Bill 38, (The Highway Traffic Amendment Act (2); Loi no. 2 modifiant le Code de la route), on the proposed motion of the honourable Minister of Justice

(Mr. Toews), standing in the name of the honourable member for Thompson (Mr. Ashton).

Is there leave to permit the bill to remain standing? No? Leave has been denied.

Mr. Gerard Jennissen (Flin Flon): I look forward to putting a few words on record regarding Bill 38, The Highway Traffic Amendment Act (2).

This particular bill strengthens the consequences for those motorists caught drinking and driving, and we well know the tragic results from drinking and driving. The threshold in this bill has been lowered from .08 alcohol blood content to .05. Some may consider that to be a gray area, but I think it is better to err on the side of safety than to take chances.

A peace officer can ask a person to surrender his or her driver's licence if the approved screening device used indicates that driver has a blood alcohol level of 50 milligrams or more of alcohol per 100 millilitres of blood. Such a person would be suspended or disqualified from driving for a period of 24 hours. As well, the fine levels are increased. Persons who have two or more suspensions of their driver's licence in a three-year period will have to take either an educational program or a treatment program. If they do not do this then their licence would remain revoked.

* (1700)

We support this bill, but we do wonder why the bill does not allow for challenging screening devices; for example, via blood tests. Also, although the bill is aimed at drinking drivers, which is obviously a bill we support, it does not do much to those very few Manitobans who drink to excess and drive regardless of whether they have a licence or not. Their blood alcohol content is often very much beyond .08, never mind .05.

So this particular bill is indeed intended to catch those drinkers and drivers at the gray area. Perhaps we could even call them social drinkers at the .05 level. However, some real problems are caused by the heavy drinkers who still insist on driving, drivers with blood alcohol levels up to much higher than .08. They do not obey the law, and they have to be stopped somehow. Madam Speaker, and this bill does not do that.

Therefore, I would suggest that the minister look at other legislation in other jurisdictions, for example, Ontario, with its three strikes and you're out legislation, regarding drunken drivers.

We on this side would certainly not argue against this legislation. We would like to see it more focused and we would like to see it toughened. We would like to see citizens have the right, though, to legally challenge screening devices such as breathalyzers, because no matter how well calibrated a screening device is, it is still a machine and it can make mistakes. I do not see why it would be that difficult for a citizen to challenge this and have a blood alcohol test, which would be much more reliable.

In fact, the bill incidentally or indirectly admits this because it will allow a person so charged to have a second test, and if the bill admits that maybe a second test would be necessary, which incidentally would be the valid test, then why should a citizen not be able to challenge the calibration of the device, because machines can be wrong and certainly citizens should have the right to challenge those machines.

Madam Speaker, we support this bill. We think it is important to get drinking drivers off the roads. We know that the tough legislation over the last number of years has saved an enormous number of lives, and we would like to continue this trend. I do not know at what level drinking and driving is safe. Maybe it is not even .05, maybe it is much lower than that, but at least .05 is a good direction to go. We on this side of the House support it, and we hope to see this in committee stage very soon.

Thank you, Madam Speaker.

Mr. Gary Kowalski (The Maples): I would like to add a few words in support of this Bill 38, but I am looking forward to going to committee, because I think there is some misunderstanding here, and I would like to ask some questions at committee.

My understanding is that there has been no change here as far as lowering the point of impairment from .08 to .05, Madam Speaker; .05 was always the point at which 12-hour suspensions were given out after using

a roadside evaluation device. So there is not a change here.

What is being changed in this bill is that a person who has two or more suspensions within three years, having had a level of .05 to .10 on a roadside ALERT unit, will be required to come in for a mandatory assessment. If that person does not comply with any recommendations, education or treatment, then there will be consequences.

There are some other improvements. I think I will give credit where credit is due. Back when the member for Brandon West (Mr. McCrae) was Attorney General and I was a police officer and the push for stricter impaired driving laws came in Manitoba, at that time I was not a politician, and I applauded the Attorney General. An important element was not only the legislation that came forward but the resources that came with it. Both the RCMP and the Winnipeg Police department at the time put ALERT units on the van, and there was a lot of publicity. Overall, it did a wonderful job at lowering the amount of impaired driving in Manitoba. I think this is a very positive thing.

I think this bill continues in that vein, that this government deserves full credit for the emphasis they have put on the enforcement of impaired driving laws and putting the resources. I hope they will continue in this vein, and I look forward to this bill going to committee where some questions could be asked to clarify some questions I have about this legislation. My colleague for Inkster and my colleague for St. Boniface are in full support of this bill also. Thank you.

Madam Speaker: Is the House ready for the question? The question before the House is second reading Bill 38, The Highway Traffic Amendment Act (2). Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed and so ordered.

Committee Changes

Mr. Edward Helwer (Gimli): I move, seconded by the member for La Verendrye (Mr. Sveinson), that the

composition of the Standing Committee on Agriculture be amended as follows: Findlay for Ernst; Dyck for Rocan; Tweed for Toews.

Madam Speaker: It has been moved by the honourable member for Gimli (Mr. Helwer), seconded by the honourable member for La Verendrye (Mr. Sveinson), that the composition of the Standing Committee on Agriculture for this evening, 7:30 p.m., be amended as follows: the honourable member for Springfield (Mr. Findlay) for the honourable member for Charleswood (Mr. Ernst); the honourable member for Pembina (Mr. Dyck) for the honourable member for Gladstone (Mr. Rocan); the honourable member for Turtle Mountain (Mr. Tweed) for the honourable member for Rossmere (Mr. Toews).

Agreed? Agreed and so ordered.

Bill 39—The Labour-Sponsored Venture Capital Corporations Act

Madam Speaker: To resume second reading debate on Bill 39 (The Labour-Sponsored Venture Capital Corporations Act; Loi sur les corporations à capital de risque de travailleurs), on the proposed motion of the honourable Minister of Industry, Trade and Tourism (Mr. Downey), standing in the name of the honourable member for Crescentwood (Mr. Sale).

Mr. Tim Sale (Crescentwood): Madam Speaker, was it clear that the bill will remain standing?

Madam Speaker: No, it is standing in your name, so if you stand up to speak, automatically it cannot remain standing in your name.

Mr. Sale: Right, but we are not passing the bill through.

Madam Speaker: Okay, then somebody will have to take the adjournment motion after you have finished debating the bill.

Mr. Sale: Thank you, I just wanted to be clear for everybody.

Madam Speaker, in rising on this bill, I want to remind members where the whole idea of labour-

sponsored venture capital corporations came from. This is a very important piece of history for all members to be aware of. In the 1980s, there was a rash of plant closures and removal of profitable operations to other countries or other locations in Canada.

People in the House might remember, for example, here a battery plant out by the airport, used to go under the name of Varta Batteries. was one of those kinds of plants. The plant was profitable, the product sold well, but a company whose headquarters were not in Manitoba decided simply that they were going to consolidate their operations elsewhere.

Many such instances occurred in Ontario and in Quebec, and the labour movement became very concerned that good jobs and profitable investment were simply fleeing or moving with no good grounds other than the increase in profit for parent corporations. Workers had invested a great deal of skill and energy in those companies, had made them profitable with their labour and their abilities to produce effectively, productively. Yet, with no reasons and no emergency, their jobs were yanked out from under them, and communities suffered the loss of employment, suffered the loss of enterprise.

* (1710)

So, Madam Speaker, a number of organizations, particularly under the leadership of the Canadian Labour Congress, moved to enter into discussions with governments including the then Pawley government here and governments in Ontario and Quebec in particular to encourage them to make it possible for labour to gather capital, both from its own sources of its pension funds and its members and from the broader public, to invest in what was essentially community economic stabilization, community economic development. These are principles for which labour and our party have stood from our earliest days, the notion that communities are better served, are more stable, are more human places in which to live and work if they have some measure of control over their own economic decision making.

So the history out of which labour-sponsored investment comes is a proud history of which our party has had a proud part. We were very pleased when the

government opposite supported the Crocus Fund initiative in Manitoba and underwrote Crocus's initial development with a secure line of credit. That enabled Crocus to develop the most rapidly growing base of capital of all venture-capital labour-sponsored funds in Canada. Crocus went from a stop position from its initial year, and in only four years it has reached capitalization of over \$60 million in Manitoba investors' money and has a record of successful investments in Manitoba enterprises. The unit value of its shares has increased by an amount of approximately 15 percent since inception. While not a particularly sterling record of increase in investment value, that was never the purpose of labour-sponsored funds. Labour-sponsored funds were to stabilize employment, to offer new employment opportunities, and to work, as I have said, at community economic development.

So, Madam Speaker, I think the starting point of debate on this legislation has to be the purpose of labour-sponsored funds. Last week we passed through the bill that followed this one, Bill 40, which made some amendments to the Crocus act, amendments that were made with the consent and involvement of the Crocus Fund and its officers, and which will strengthen and adapt the Crocus Fund to be effective in the new situation in which it will find itself, should this Bill 39 pass and become law.

So beginning from the notion that labour-sponsored investment funds are essentially collective efforts on the part of the residents of a jurisdiction, whether it is a town, a city or a province, to mitigate the effects of large corporate decisions to remove investment from a community, first; and second, to provide opportunities to new investments and investors from that jurisdiction to invest and to create employment and to make that community a stronger economic as well as a stronger social community. But beginning from that premise, Madam Speaker, let us look at what good labour-sponsored funds do and Crocus is a good fund.

Good funds use a very solid investment screening process. They look at how the proposed investment would affect our environment, and they screen out anything that would have a negative impact on the environment. They look for employment policies that contain employment equity, equal opportunity for people of equal ability regardless of their gender, their

race, their cultural heritage and other factors. They look for the opportunity for employee groups to become owners in the new company or the new enterprise. They look for some process by which the employees become integral to the company in which investment is going to be made. They look for solid pensions and fair benefits. They look for at least those things in screening investments. They look for participation of workers in the management of the company. They look for workers councils or for workers seats on boards of directors. In other words, they follow what might broadly be called a European model of economic development, rather than a North American model. So, Madam Speaker, those are the kinds of criteria a good labour-sponsored fund employs in making its investment decisions. It is not easy to find sound investments, but Crocus has done very well in this regard, and its track record speaks for itself.

Now Bill 39, the bill before us, seeks to put in place in Manitoba the opportunity for many more funds, many more labour-sponsored funds, to begin to operate in this province. In and of itself, neither Crocus nor our party oppose the notion that there should be more such funds operating in Manitoba, but there are serious problems with this bill. For example, the definition of a labour-sponsored fund or an enterprise, an employee enterprise in the case of this bill, allows what might be called the rent-a-union approach to venture capital in which a venture capital fund—a group of venture capitalists with money to invest—could go to any employee organization no matter how small or how large and say we have some money, we would like to invest it and we would like to get tax credits from your province, because that will encourage more people to put in more money. So loan us your sponsorship, rent us your name, and we will give you some kinds of offsetting benefits whether it is some employment for a few people or simply a good name in the community. So the definition of employee organization in this act is so broad that any employee organization, whether it is a trade union or whether it is even a true employment union within a company—that is, a company union—anything, no matter how small or how large, would qualify as an employee organization.

So that opens up the problem that Ontario has faced in which there are some 20 labour-sponsored funds, so-called; in operation. Many of them are simply venture

capital corporations being sheltered under the aegis of a willing employee organization loosely defined. They may have good investment criteria. They may have lousy investment criteria. They may make wise choices or poor choices, but they are not in any meaningful sense of the word a labour-sponsored investment fund, Madam Speaker.

They did not come into being to do community economic development. They did not come into being to sustain high quality jobs. They did not come into being to operate responsibly within our environment. They did not come into being for good pensions or worker benefits. They did not come into being to turn over the investments they might make progressively to those who work in those settings.

We do not think it is a very good idea to have such funds operating in Manitoba, Madam Speaker. In particular, we do not think it is a very good idea for this province to spend tax dollars giving investors a break in corporations which under one of the other sections of this act need not have any level of investment in Manitoba. In fact, in that particular section, all it requires is that 50 percent of the employment be within Canada. It does not require any of it to be in Manitoba. It simply says, and a prescribed amount, which means prescribed in regulation. So there might be some, there might be none, and there is nothing that suggests that the regulation would be the same for one company as for the other.

Madam Speaker, what that really means is that Manitobans would be giving out a tax preference in the form of a tax credit for an RRSP investment to companies which might not even be headquartered here. They might not have more than a token number of Manitoba employees. They might not do business in Manitoba, but they would get tax credits in Manitoba. We do not think that is a very good idea. We think that it would be better to have a strong fund based in Manitoba that has the kind of investment screens that Crocus has developed and has that kind of quality of investment approach maintained by the Crocus Fund.

* (1720)

Madam Speaker, another problem that this act opens up is incredibly cheap registration for new funds.

Apparently, under this act, it would be possible to seek incorporation with only \$25,000 in capital. Now, why would one set a threshold as low as that when this government recognized that it needed at least \$2 million in a guaranteed line of credit to start up the Crocus Fund? Crocus took a while to get going. In fact, in the early days, it was criticized because it did not make investments quickly enough. Since that time, investment levels have picked up, but Crocus did not make its first investment until it had almost \$10 million in capital on hand, because to make wise investments takes a fair amount of time, particularly if you have high ethical and investment standards, as Crocus does. So why would we allow a new fund to come into Manitoba with only \$25,000 in capital to get registered? I do not think there are very many companies which would try to start business with that amount of capital let alone venture capital funds. So we have some problems with that.

Contrast the approach that the Province of Quebec is taking to labour-sponsored investment funds in which the province of Quebec has decided that it will now establish nine regional funds under the overall aegis of their one labour-sponsored fund, which means that they are going to have the kind of regional community economic development initiatives that we think are so important. So, by analogy, Quebec is going to set up a structure which in Manitoba might look like a fund based in the province as a whole but with regional offices in Parklands and Norman and Eastman and Westman and Winnipeg, et cetera, so that the initiatives and particular priorities of those regions could come before a regional board for investment choice and decision.

That is not what is proposed in this act, Madam Speaker. This act proposes essentially open season, rent-a-fund, rent-a-union approaches to labour-sponsored investment. Unfortunately, that is also a recipe for hemorrhaging tax losses to investors who take advantage of this new broad definition and invest in whatever funds set up business here and get registered here, heedless perhaps of whether those funds actually invest in useful, environmentally sustainable, employee-supportive ventures.

So, for all of these reasons, Madam Speaker, while we have no problem with the notion of having some

level of competition in this province, we think there are serious problems with Bill 39, and that it needs much more serious and detailed consideration and amendment before it is passed into law. Thank you.

Ms. Becky Barrett (Wellington): I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

Bill 47—The Adoption and Consequential Amendments Act

Madam Speaker: To resume second reading debate on Bill 47 (The Adoption and Consequential Amendments Act; Loi sur l'adoption et modifications corrélatives), on the proposed motion of the honourable Minister of Family Services (Mrs. Mitchelson), standing in the name of the honourable member for Transcona (Mr. Reid).

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

Mr. Doug Martindale (Burrows): Madam Speaker, I am pleased to speak on The Adoption Act, and I have also listened as the minister spoke on second reading debate on Bill 47.

The purpose of this bill, as the minister has said, is mainly to separate adoptions from The Child and Family Services Act and, I think, to separate in people's mind the difference between adoptions and child welfare or child protection. I think that is a good purpose for having a separate bill.

It is quite a lengthy bill, and I do not intend to comment on all of the 70 pages. In fact, I do not need to because one of the things that this minister has also done is to take many of the existing provisions in The Child and Family Services Act and put them into the new Adoptions Act.

I would also like to thank the minister for sending two staff to brief my colleague from The Maples and myself and one of our research assistants, and to give us some explanatory notes, which are quite interesting and helpful because they identify the places in the bill

where there have been changes, so it made it very easy to critique the bill.

Of course, as I said, the first major change that was made was to proceed with separate adoption legislation. In my mind, there are really only two major changes. Some people might think there were lots of major changes, but I would only like to separate two and talk about two. One of those is that not-for-profit agencies will be allowed to provide adoption based on a fee-for-service model, and the second major change that I see is that the post-adoption registry will become fully active.

My concerns about the bill centre around those two items as well. The first, being the not-for-profit model of delivering adoption services, gives us a number of concerns. First of all, I see this as offloading to the not-for-profit sector. What it is that I think is going to be offloaded—and the minister will certainly have the chance to correct this impression at the committee stage or on third reading—is that these agencies are going to get the children that are the easiest to adopt.

From talking to front-line workers in Winnipeg Child and Family Services, it is my understanding that these children are already adopted fairly quickly already, and probably that will not change. If a child is healthy and is not a special needs child in any way, they will continue to be very quickly adopted. The Child and Family Services agencies will probably continue to have the bulk of children who might be described as not so easily adopted or even adoptable, including many special needs children.

As we know, there are more and more children being born with fetal alcohol syndrome and fetal alcohol effect. Parents do not always want to adopt these children because they require so much more in terms of parenting and many more resources. Frequently, parents do not feel that they have the resources or the resourcefulness in order to handle that kind of adoption. So it would seem to me that those children will continue to be part of the Child and Family Services system and will not end up in the not-for-profit sector.

The other concern that we have is the fee for service. We do not know how much it is. We are being told that

it is on ability to pay, but I wonder what that does to poor families who are trying to adopt. I do not know. I will get a chance to ask the minister in clause by clause. How much will the maximum be, and will this benefit rich parents who want to adopt and discriminate against poor children who want to adopt? I look forward to being able to ask the minister questions about that in the committee stage.

Another concern that I have is about the home study which must take place before a child is adopted. If we have a number of not-for-profit agencies out there in the community, would parents who failed the home study for one organization be able to shop around and find another agency who might give them a passing grade? For some reason, they might be accepted by another agency. So that is one of the questions that I have that I look forward to the minister answering for me. I think that this might, of course, benefit those who had the ability to pay, those who could afford to go to more than one not-for-profit adoption agency, but I do not know. We will find out in the committee stage in due course.

* (1730)

The other major change that I have identified in this bill is the post-adoption registry. This has been a very interesting learning experience for me, because I attended two meetings of post-adoption Links. I also had a constituent come to me for assistance in finding a birth daughter who was adopted out many, many years ago. When I first went to the Links meeting, I really had no familiarity at all with adoptions. Quite frankly, I was not terribly sympathetic to what I thought they were trying to do, but during the course of the first meeting that I attended, people went around the circle and everybody told their story. The stories were amazing because of their poignancy, because many people in the room either were still looking and had been looking for many years, and those stories were poignant, or they had found a birth parent or a birth child, and those stories were equally poignant.

So my view has changed. I became quite sympathetic to their lobbying efforts in that they want totally open information. However, I think there are advantages and disadvantages. Certainly the review committee struggled with this. I am sure that the minister and

people in her department struggled with this. What I think they have done in this bill is to strike a compromise, so that, for example, if I can look at the minister's media background, which is quite helpful and I thank her for that as well, we know that the post-adoption registry will become fully active, allowing for searches on behalf of all members of the adoption triad and siblings.

I believe that this is true for adoptions starting now and going into the future. I guess I do not understand what fully active means, but my understanding from talking to people in post-adoption Links is that there is a gap, there are a number of years whereby the information is still kept confidential. I believe that is covered in the bill. What they are looking for is the B.C. model where all the information is open and available unless somebody puts in a veto. The veto, I believe, is part of this bill, that if people, starting from the time the bill is proclaimed, want a veto on access, they can do that, but all the people who had adoptions in the past will continue to have that information kept confidential.

I guess the exception to that is, and I am sort of talking off the top of my head here because I am going by memory, is that if somebody is searching, the adoption registry is fully active in the sense that they will contact people and ask them if they want contact. So, in that sense, it is fully active and open, and I think that is a suitable compromise as well.

Now it is going to be very interesting and very difficult for the minister and for us as critics at the committee stage of the bill, because certainly we are going to have people from post-adoption Links, and we are going to have individuals coming out and telling their stories, some of whom have what they would consider happy and successful stories where they did make contact and they want that available for everyone. We are going to have people who are trying to make contact and cannot find a birth parent or a birth child and asking the minister to make the information totally accessible and open.

We will not hear at committee from birth parents who might have had a child born 20 or 30 or 40 years ago coming out and saying keep it closed, we understood that it was confidential, we do not want you to change

it, because those people are going to continue to have concerns about confidentiality, and so they will not go public. They will not come out and tell us their views. So we are really only getting lobbied from one side. We are not hearing both sides, and I think the minister has taken that into consideration, and obviously that is the compromise that is in the bill.

Of course, we will listen very carefully to all the presenters, and maybe the government and maybe the minister will be convinced that there should be more openness but I doubt it. We have a majority government. Usually, when they introduce a bill, they stick to it through all the stages until it is passed and very seldom are there amendments, although there have been some sessions when there were some very interesting amendments and some very interesting processes. I think the member for Kildonan (Mr. Chomiak) was the Justice critic when one night in committee we had 200 or 300 police officers and their spouses, and while people were presenting at the committee, the minister was out in the hallway—I believe now the current government House leader—negotiating with the police association. Within several hours, the minister had successfully negotiated some amendments, and that precluded hundreds of people from presenting.

That does not happen very often around here and I do not think it will happen with this bill, so I do not anticipate there will be major changes. I mean, we know that this government does not listen to the public even when there are, like, 289 presenters on the sale of the Manitoba Telephone System. There was only one or two who were in favour, and the government still ignored public opinion and did not make any amendments to their bill. [interjection] Well, they made amendments I think to the pension provisions, but they probably had to do that. Otherwise, the bill never would have got out of committee. We would still be debating the—[interjection] Well, I do not know about that either, given the kind of closure that this government used, but we should not rehash ancient history here. I think we have rehashed it enough times already in this Chamber.

There are also a number of other things that have been changed in this bill which may be significant but I think are more of a minor nature. The minister has

pointed out in the briefing notes that not only did she and her department listen to the people who presented at the review committee hearings, but people who have expressed concerns since 1986 since The Child and Family Services Act was introduced, that someone has been keeping track of complaints about the adoption part of the bill, and some of those changes have been brought in as well.

Private practitioners will be licensed to conduct adoption assessments providing they work under contract to an existing agency or a licensed not-for-profit adoption agency, and although we are opposed to the not-for-profit sector, I think it is a good thing that they work under the guidance of an existing agency. Now it will be interesting to know if those people are going to have to have any qualifications, and certainly this ties in with a note that I have about administrative issues which says a committee will be established to consider the issue of standards for Child and Family Services workers, including possible regulatory frameworks and certification programs.

So we know that has been an ongoing issue with people in the social work profession, both those people who are in favour of a regulatory body and those who are opposed to a regulatory body. I also got lobbied on that issue, in fact, by one of the minister's staff who is on the executive or was on the executive of the social work association for Manitoba.

Once again, this minister has shown her interest in compromise and has appointed a committee or will appoint a committee, so that kind of stretches the process out. You know, you wait until the session is over, and then you think about who you might appoint to the committee and then you appoint the committee. They have public hearings, and that takes up to a year, and then they submit a report to the minister, and the minister thinks about it, and then you may or may not introduce legislation. If you introduce legislation, that takes another year, so we have prolonged the final decision about a regulatory body, and certainly that decision is not an easy one for any government or for any political party because there are pros and cons about having the social work practice regulated.

I am not sure that even with a social worker in our caucus whether we have a caucus position on that one.

It is something that we have discussed, and I guess we will discuss again. When the minister brings in legislation, we will have to make up our minds about—[interjection] Licensing, I am talking about, yes, of the social work profession. The member for Wellington (Ms. Barrett) is quite aware of the controversy of this particular issue. But eventually it has to be addressed, and it looks like the minister will be addressed. I am pleased to see that she did not use a word like “soon” in this background here so that we will not expect that this will happen tomorrow. As I have said, it will probably stretch out over a number of years, which is understandable.

So I would be interested in knowing what the qualifications are for people who are the private practitioners who will be licensed to conduct adoption assessments, and hopefully they will be people who will have some professional training, who will be social workers, so that we know that at least they have met some academic standards.

The briefing notes say that the confidentiality of existing adoption records will be maintained, and I have already commented on that.

Another change is that minor birth parents will be able to consent to the private adoption of a child through a licensed, not-for-profit adoption agency.

The waiting period for adoption consent will be reduced from 10 days to 48 hours after the birth of a child. The time period for withdrawal of consent will be reduced from anytime prior to the order of adoption to a period of 21 days following the giving of consent. The time period for private-adoption parents to be able to apply for an order of adoption will be reduced from no earlier than six months and no later than 12 months to no earlier than 30 days and no later than six months from the date of placement of a child with the adoptive parents.

Adoptive parents will be required to pay a fee for service on a sliding scale based on their income level for adoption assessments conducted by existing agencies and not-for-profit adoption agencies, which I have already commented on. A concerted effort will be made to ensure consistent application of adoption subsidy provisions throughout the province.

I think I have covered the two major issues that we have concerns about and I have read into the record all the other minor changes in this bill. Our concerns about it will be recorded at a later date, but certainly the committee stage of this bill is going to be very interesting because there will be a number of presenters. I do not know how many have registered, but I have spoken to some of the people who have already registered, and I know what they are going to say, and I know what they are going to ask the minister to do. The minister is certainly aware that post-adoption Links has done a lot of research and that they have obtained legislation from other countries, as well as other provinces, and they will certainly be recommending some of those models, especially the B.C. model. They will probably have the wording and everything and be prepared to give it to the minister, but I am quite sure that it is not going to happen with this piece of legislation.

With those few remarks, I am going to let one of my colleagues speak on this bill because I think we need more than one speaker on this bill because it is important legislation. We will be getting it to committee. I think the people who want to present are aware that it has been introduced and have registered and are registering, so they will be ready when we are ready to send it to committee, which will probably be within the next week or so. Thank you.

* (1740)

Ms. Becky Barrett (Wellington): Madam Speaker, I would like to put a few comments on the record about Bill 47 in three areas, not necessarily the three areas that others might pick to talk about, but the first one I would like to talk about is the change of the waiting period for signing of a surrender to 48 hours instead of 10 days.

I would like to commend the minister on this particular part of the legislation because, as an adoptive parent myself, whose son was six weeks old when we adopted him, I can attest from first-hand experience to the problems that you can experience as a child and as a family when there is a long delay between the time the child is born and the time they are placed with the family that hopefully will be their family for the rest of their life.

When my son was adopted 27 years ago he was six weeks when we received him, when we first had him, and nobody then thought this was a long time. Babies were babies and as long as he was well taken care of and was nurtured and given his food and that kind of thing, that was okay.

It was not long after that that research started to show, no, no, no, babies need bonding very, very quickly, and they showed that mothers, birth mothers, who for one reason or another could not physically bond with their child right after birth sometimes had problems with the connection there, that there is a physiological imperative that needs to be addressed. Then the process is moved to shorter and shorter time periods, and I think the movement from 10 days to 48 hours is a welcome one and maybe, I do not know that you can get it any shorter than 48 hours, but there is a recognition there on the part of the legislation that this is a critical time period, and I appreciate that. I think there are a lot of problems with this bill, but this one particular aspect of it I would, as an adoptive mother myself, appreciate that particular element.

The second area that I would like to talk about a little bit is the post-adoption registry, which was, according to the minister's comments, established in 1981 and has been changed to a semiactive one and will become more active if this legislation is passed. The concern that I have, and I do not have the details, but I remember hearing people talk about this, and I think that probably the situation is the same if it is not worse than it was when I was talking with people, is that there is an enormously long waiting list. It is huge. It is years and years and years.

So no matter how open the post-adoption registry becomes, it is really on paper, as long as there are not resources there to facilitate the process, however open the process is, then it does not matter really, because if you go in and say, I want to find my birth mother, or your birth mother wants to find her child, you have made an enormous commitment here.

This is a huge decision that you have reached, and to wait for years after that decision has been made by you to even begin the process or to carry it through to fruition or to closure of some sort or another is really verging on unconscionable, and I am not for a moment

suggesting that the previous government or the previous government before that or the previous government before that, which was our government, because this government has been the previous government and the previous government before that, that it has never been adequately staffed.

I would alert the minister to pay very careful attention to this post-adoption registry because, however open it is going to be, it cannot be truly open unless there are people on staff, resources available to enable that process to go through expeditiously. It is essential that that happen, and, unfortunately, I think our experience with this government and the previous government and the previous government has been that the language in the press releases and the language in debate in the House and the language in the committee is one thing, but the actual putting of resources to implement that language and the theory and the philosophy and the principles in legislation has been sadly lacking.

I think nowhere has that been more in evidence than in the entire Department of Family Services. The ministers have always trotted out how much more money goes into the services provided by the Department of Family Services and the vast majority of that additional funding is additional funding for the statutory requirements of welfare, of social assistance. It has not been to provide more services to expedite the vital work of the Department of Family Services. So, again, I would like to alert the minister to this. The post-adoption registry, in order to be effective, has to be resourced with staff and money to enable that unconscionable waiting list to be reduced.

I would like to next talk about the whole process of privatizing or taking away from the role of government the adoption process or a portion of the adoption process. This is an area that I have a great deal of trouble with this whole legislation. The minister is talking about the fact that we must clearly distinguish between the matter of adoptions and the matter of child abuse and protection.

I think that, yes, the whole process of adoption should be one that has as its end a positive outcome. A birth mother who makes a very serious decision to put her child up for adoption and adoptive parents who make an equally serious decision that they want to

adopt a child, it is a very complicated, emotional process that needs to be looked at to make it as easy for everybody as possible. There is no question about that.

However, and in the minister's comments, I have not seen why you need to go outside the government provision of this service in order to have it more effective. In her words, I do not see that linkage there, and that only leads me to conclude—and if I am erroneous in my conclusion, I am sure the minister will elucidate me on this matter, but I can only conclude that as with virtually every other aspect of services for people in Manitoba, the government is convinced that the private sector, the nongovernmental sector can provide services better, more efficiently and more cost-effectively than can the public service. I think that it has been proven time and time again that that is not the case; that what the government is doing, I would venture to say, in this piece of legislation, as they have done in so many other pieces of legislation, is to downsize the role of government. I guess my stand here is that there are some things that we as a society are responsible for if we want to have a community.

* (1750)

I think an active government can provide many of those things that allow us to act as a caring community. Child protection, yes, no question about that, and the government has not said, at least not in this piece of legislation, that they are not continuing to provide at least the bare minimum of child protection services, although with their changes to the definitions of children at risk, and the reduction, in effect, of resources over the last almost nine years, they have, in effect, changed the definition, so that fewer and fewer children can take advantage of or have access to the services that the government provides. However, there still is a recognition on the part of the government that for child protection services, the government is responsible for providing that and pretty much in the realm of social assistance.

I do not understand why the government should not continue to have responsibility for adoption services. I do not understand why there is a need—and the minister states in her comments, and I quote: Consultation processes revealed that there is a need for

private practitioners to undertake the required assessments in order to shorten the processing period.

Maybe I have answered my own question here in this one sentence. Two parts to this sentence—in order to shorten the processing period. No one will deny that the processing period for adoption is way too long. It takes far too long for the system to work itself through. but the government is saying in this sentence that only private practitioners can do this processing in a shorter time period. I do not know where the minister gets this information or gets this idea, but I do not think that it is necessarily a given that private, not-for-profit groups can do any better a job than adequately resourced, trained professional social workers under the government department. Nothing has been proven to my satisfaction to show that this is the case.

I am not for a moment trying to denigrate nonprofit organizations. That is not my role here. I am saying that the government has a basic role to play, and it is a role in much more than just regulation or overseeing the broad child welfare. I think that government has to be directly involved with the adoption process, as they are with the rest of the processes, in the Child and Family Services legislation. If you want to make a delineation between the child protection element and the adoption element, you can do that, but you do not need to take adoption out of the government department. The other thing is that they have split, the government has split, again, which children will be placed for adoption through the not-for-profit, fee-for-service private practitioners and which will not. Children that are permanent wards of Child and Family Service agencies will remain under the government aegis.

I do not understand why only some children will be adopted through the government and other children will not. It would appear to me as though a certain element of creaming might be underway here or as a result of this piece of legislation; clearly, two separate categories. There is no reason for it, and there is no rationalization for it except for the ideology that less government is better government which is the mantra of this particular government.

The member for Burrows (Mr. Martindale) touched on another concern and that is the staffing and the training of people. I am a trained social worker, have

not done a whole lot of direct practice, but I know many good, solid, committed social workers in the Department of Family Services. Social workers who are losing their faith, I must say, in many cases in the system because of the increased workloads, because of the critical nature of the children that they are seeing, because of their lack of ability to make effective interventions for these children and their families, because they are not allowed to do prevention work, they come in at the very crisis tail end of the situation.

I think in the case of adoptions that the government-hired and government-employed social workers are more than capable of continuing to do the adoption processing and working with the post-adoption registry, if they have the resources made available to them. Now, what the government is doing by putting it on a fee-for-service is they are reducing their own costs by taking this part of the adoption process out of the government. They are reducing their costs, at the same time, they are attaching a fee to families for going through the adoption process.

But there will not be fees, I assume, for adoptions that are carried out with children as permanent wards of Child and Family Service agencies, children who are by the very nature of their age, their situations the most difficult to adopt. But for parents who have money, even on a sliding scale, there are some families that probably will not have the kind of money that will be required to go to the fee-for-service agencies. Again, I would like to say that to my thinking, and I think my caucus colleagues share this concern, the minister and the government have not shown one bit of real legitimate reason for taking out of the government-provided service one portion of the children placed for adoption.

As I said, there is one very good part of this legislation, the reduction to 48 hours of adoption consent. That is an excellent situation, but I think that there are some major concerns. The member for Burrows (Mr. Martindale) touched on one that is going to be critical for all of us when we discuss this legislation, and that is the openness of the post-adoption registry process. There are good and legitimate concerns on both sides of this particular issue.

I think perhaps the wisdom of Solomon would be useful in this situation, and I will again echo my colleague's statement that the presentations by their very nature will be one-sided here because families, mothers, adoptees, people who want to retain their anonymity are, by definition, not going to come to, or make presentation to, the public hearing.

So I think that, when we get to committee on this bill, we have to acknowledge that fact that, unlike the public hearings on the MTS bill, when virtually every single person, with two exceptions, was opposed to this piece of legislation—and that, I believe, was a real expression of the public concern in the province—this bill will not be balanced in the presentations. I think it is incumbent upon us as legislators to balance that on their behalf when we get to that part of the legislation.

There are some major concerns with the legislation in my mind, and although it is outside of the scope of the legislation, I have not seen anything in the last seven years or anything in the last nine years of this government that will make me convinced that there will be enough resources to deal with the implications of this piece of legislation. So I am hoping that the minister will be able to assure me on that regard, but words are cheap and responsibility often does not come cheaply.

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

House Business

Hon. James McCrae (Government House Leader): May I talk for a few seconds?

Madam Speaker: Does the honourable government House leader have leave not to see the clock for a few seconds? [agreed]

Mr. McCrae: Madam Speaker, I wish to announce that in addition to the bills already scheduled for consideration by the Agriculture committee tonight at 7:30, which are Bills 18, 57, 31 and 54, the committee will also consider Bill 37.

Madam Speaker: Bill 37 will also be added to the bills to be considered in the Standing Committee of Agriculture this evening at 7:30 p.m.

Committee Change

Mr. Edward Helwer (Gimli): Madam Speaker, I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Agriculture be amended as follows: the member for

Morris (Mr. Pitura) for the member for Steinbach (Mr. Driedger).

Motion agreed to.

* * *

Madam Speaker: The hour being 6 p.m., this House is recessed and will reconvene at 7:30 p.m. this evening.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 16, 1997

CONTENTS

ROUTINE PROCEEDINGS

Reading and Receiving Petitions

Licensed Practical Nurses
Chomiak 4887

Presenting Reports by Standing and Special Committees

Standing Committee on Economic Development
First Report
McAlpine 4887

Introduction of Bills

Bill 300, TD Trust Company and
Central Guaranty Trust Company Act 4888

Bill 301, Bank of Nova Scotia Trust
Company, Montreal Trust Company
of Canada and Montreal Trust
Company Act 4888

Nonpolitical Statement

Manitoba Marathon
Kowalski 4888

ORDERS OF THE DAY

Second Readings

Bill 61, Sustainable Development
and Consequential Amendments Act
Cummings 4889

Debate on Second Readings

Bill 41, Regional Health Authorities
Amendment and Consequential
Amendments Act
Chomiak 4892
Lamoureux 4899

Bill 37, Highway Traffic Amendment Act
Jennissen 4902
Lamoureux 4903

Bill 38, Highway Traffic
Amendment Act (2)
Jennissen 4904
Kowalski 4905

Bill 39, Labour-Sponsored Venture
Capital Corporations Act
Sale 4906

Bill 47, Adoption and Consequential
Amendments Act
Martindale 4909
Barrett 4912