



First Session — Thirty-Fourth Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS
(HANSARD)

37 Elizabeth II

*Published under the
authority of
The Honourable Denis C. Rocan
Speaker*



VOL. XXXVII No. 90 - 10 a.m., FRIDAY, DECEMBER 2, 1988.



**MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fourth Legislature**

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIBERAL
ANGUS, John	St. Norbert	LIBERAL
ASHTON, Steve	Thompson	NDP
BURRELL, Parker	Swan River	PC
CARR, James	Fort Rouge	LIBERAL
CARSTAIRS, Sharon	River Heights	LIBERAL
CHARLES, Gwen	Selkirk	LIBERAL
CHEEMA, Gulzar	Kildonan	LIBERAL
CHORNOPYSKI, William	Burrows	LIBERAL
CONNERY, Edward Hon.	Portage la Prairie	PC
COWAN, Jay	Churchill	NDP
CUMMINGS, Glen, Hon.	Ste. Rose du Lac	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DOER, Gary	Concordia	NDP
DOWNEY, James Hon.	Arthur	PC
DRIEDGER, Albert, Hon.	Emerson	PC
DRIEDGER, Herold, L.	Niakwa	LIBERAL
DUCHARME, Gerald, Hon.	Riel	PC
EDWARDS, Paul	St. James	LIBERAL
ENNS, Harry	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Laurie	Fort Garry	LIBERAL
EVANS, Leonard	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen Hon.	Virden	PC
GAUDRY, Neil	St. Boniface	LIBERAL
GILLESHAMMER, Harold	Minnedosa	PC
GRAY, Avis	Ellice	LIBERAL
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HEMPHILL, Maureen	Logan	NDP
KOZAK, Richard, J.	Transcona	LIBERAL
LAMOUREUX, Kevin, M.	Inkster	LIBERAL
MALOWAY, Jim	Elmwood	NDP
MANDRAKE, Ed	Assiniboia	LIBERAL
MANNES, Clayton, Hon.	Morris	PC
McCRAE, James Hon.	Brandon West	PC
MINENKO, Mark	Seven Oaks	LIBERAL
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmère	PC
OLESON, Charlotte Hon.	Gladstone	PC
ORCHARD, Donald Hon.	Pembina	PC
PANKRATZ, Helmut	La Verendrye	PC
PATTERSON, Allan	Radisson	LIBERAL
PENNER, Jack, Hon.	Rhineland	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren	Lac du Bonnet	PC
ROCAN, Denis, Hon.	Turtle Mountain	PC
ROCH, Gilles	Springfield	LIBERAL
ROSE, Bob	St. Vital	LIBERAL
STORIE, Jerry	Flin Flon	NDP
TAYLOR, Harold	Wolseley	LIBERAL
URUSKI, Bill	Interlake	NDP
WASYLYCIA-LEIS, Judy	St. Johns	NDP
YEO, Iva	Sturgeon Creek	LIBERAL

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, December 2, 1988.

The House met at 10 a.m.

PRAYERS

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Mr. Speaker: I have reviewed the petition and it conforms with the privileges and practices of the House and complies with the rules. Is it the will of the House to have the petition read? (Agreed)

Mr. Clerk, William Remnant: The petition of the undersigned Winnipeg Canoe Club of the City of Winnipeg in the Province of Manitoba humbly sheweth:

THAT the petitioner desires to increase its authorized capital stock from 1,000 shares without nominal or par value to 2,000 shares without nominal or par value and to increase the maximum aggregate consideration for the issue of those shares from \$500,000 to \$1 million.

WHEREFORE your petitioner humbly prays that the Legislature of the Province of Manitoba may be pleased to amend "An Act to Incorporate The Winnipeg Canoe Club" being Chapter 161 of the Statutes of Manitoba 1913-14, as amended by Chapter 117 of the Statutes of Manitoba 1960, for the purposes above mentioned.

And as in duty bound your petitioner will ever pray.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Helmut Pankratz (La Verendrye): I beg to present the First Report on the Committee on Economic Development.

Mr. Clerk, William Remnant: Your committee met on Thursday, December 1, 1988, in Room 255 of the Legislative Building to consider the Annual Reports of Channel Area Loggers Ltd., Moose Lake Loggers Ltd. and the Communities Economic Development Fund. Your committee elected Mr. H. Pankratz as Chairman.

Mr. Lester Everett, Chairperson, and Mr. Harold Lasn, General Manager, provided such information as was requested by members of the committee with respect to the financial statements and the business of Channel Area Loggers Ltd.

Mr. Clement Jones, Chairperson, and Mr. R.J. Kivisto, General Manager, provided such information as was requested by members of the committee with respect to the financial statements and the business of Moose Lake Loggers.

Ms. Barbara Bruce, Chairperson; Mr. Ray Gammon, Acting General Manager; and Mr. Ted Chiswell, Manager of Finance, provided such information as was requested by Members of the committee with respect to the financial statements and the business of the Communities Economic Development Fund.

Your committee considered the Annual Reports of Channel Area Loggers Ltd., Moose Lake Loggers Ltd. and the Communities Economic Development Fund for the fiscal year ended 31 March 1987 and has adopted the same as presented.

All of which is respectfully submitted.

Mr. Pankratz: I move, seconded by the Honourable Member for Swan River (Mr. Burrell), that the report of the committee be received.

MOTION presented and carried.

INTRODUCTION OF BILLS

BILL NO. 50—THE BRANDON CHARTER AMENDMENT ACT

Hon. Glen Cummings (Minister of Municipal Affairs) introduced, by leave, Bill No. 50, The Brandon Charter Amendment Act; Loi modifiant la Charte de Brandon.

BILL NO. 51—THE MUNICIPAL ASSESSMENT AMENDMENT ACT

Mrs. Iva Yeo (Sturgeon Creek) introduced, by leave, Bill No. 51, The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale.

INTRODUCTION OF GUESTS

Mr. Speaker: Prior to oral questions, may I direct Honourable Members' attention to the public gallery where we have from the Tyndall Park Community School twenty-six Grade 6 students under the direction of Gord Stewart. This school is located in the constituency of the Honourable Member for Inkster (Mr. Lamoureux).

On behalf of all Honourable Members, I welcome you here this morning.

* (1005)

ORAL QUESTION PERIOD

Tender Process Contract Awarding

Mrs. Sharon Carstairs (Leader of the Opposition): My question is to the First Minister (Mr. Filmon). This Government's flip-flop on the minimum price of milk is yet one more example of the failure of this Government to live up to its campaign promises. In this week alone the Minister of Agriculture (Mr. Findlay), the Minister of Community Services (Mrs. Oleson), the Minister of Labour (Mr. Connery), have all taken positions contrary to the positions earlier taken by his Party.

In addition, the many promises made from the Speech from the Throne, which is essentially a blueprint, have

not been addressed. There is no White Paper on Elder Abuse. There is no program for rural diversification. They cannot even bring forth studies that were initiated by the previous Government like the High School Review. My question to the First Minister, therefore, is how many other contracts of his Government have been awarded untendered similar to the study being conducted in the Department of the Environment?

An Honourable Member: Hear, hear!

Hon. Gary Filmon (Premier): To begin with, all of these alleged flip-flops are certainly not flip-flops. The fact of the matter is we have many, many things to do and to accomplish. We are working very systematically, in a very reasoned manner, to bring in, and about all of the policies that we committed ourselves to in the election campaign and nothing has changed, Mr. Speaker. Nothing has changed.

Mrs. Carstairs: But they talked about tendered contracts during the election campaign.

Civil Service Positions Hiring Practices

Mrs. Sharon Carstairs (Leader of the Opposition): Can the First Minister then tell us how many Civil Service positions have been filled by this Government outside of the rules of the Civil Service Commission, outside of your normal procedures like the one announced yesterday by the Minister of Labour?

Hon. Gary Filmon (Premier): We have been filling the positions of Government in accordance with the regulations of Government, the manual of policies of Government and the Civil Service Commission at all times.

Mrs. Carstairs: Well, then, Mr. Speaker, I suspect he better speak to his Minister of Labour (Mr. Connery).

Milk Increase Minimum Price

Mrs. Sharon Carstairs (Leader of the Opposition): My final question to the First Minister is why has this Government reversed their position on minimum prices of milk for which no one but the Premier must accept responsibility since he is the one who staged the press conference, when this is the very year in which the elderly and low income families are being hit by increases to MPIC, increases to MTS, increases to Hydro, how are they expected also, to meet the increases in milk, a fair increase on the basis of costs, but to renege on a promise that there would no longer be a minimum price?

Hon. Gary Filmon (Premier): Now we are having the Leader of the Opposition (Mrs. Carstairs) take a position that is entirely opposite to the position she took when she was running for Government. She said that she wanted to have any increases in prices and in cost for Hydro, for the Telephone System, for MPIC go before

the Public Utilities Board. That is what we are doing. Now if she is saying that she will not accept the position or the judgment of the Public Utilities Board, she has changed 180 degrees because that is exactly what is happening.

If she believes that those prices, those increases that are being asked for by the Telephone System, by Hydro or MPIC are unwarranted, then she had better go to the Public Utilities Board and tell them so, and tell them where they are going to raise the money from in order to cover the costs of those corporations. If she wants to get hands on and tell them what their price increases have to be, then that is what she is going to have to do and she is the one who is going to have to answer to the public for her change of position.

Let me say in finality that we have not changed our position vis-a-vis the removal of the minimum price on milk in this province.

Mrs. Carstairs: Mr. Speaker, he had better check with both the Agriculture Minister (Mr. Findlay) as well as the Labour Minister (Mr. Connery).

* (1010)

Meech Lake Accord Senate Reform

Mr. Speaker: The Honourable Leader of the Opposition, with a new question.

Mrs. Sharon Carstairs (Leader of the Opposition): On July 6, 1987 this Premier (Mr. Filmon) chastised the then Premier, Howard Pawley, for in his words, and I want to make sure he gets the right quote here, "Putting Senate reform on the back burner as part of the Meech Lake discussion." If he believed in July of 1987 that Senate reform had been jeopardized by Meech Lake then what has changed his mind?

Hon. Gary Filmon (Premier): Mr. Speaker, the Leader of the Opposition (Mrs. Carstairs) does not recall what the position of Mr. Pawley on behalf of the New Democratic Party was. That was that he did not want to have any discussion, he did not care for any discussion on Senate reform. His position was abolition of the Senate and he did not care at all about Senate reform with respect to the Meech Lake talks. That was his position that I was chastising.

The position we are taking is the position that has been taken by all of the Premiers who are committed to Senate reform. I cite Mr. Vander Zalm, Mr. Getty, Mr. Devine, all of whom I have spoken to even within the last couple of days. Their position is consistent with the position that was discussed at the Meech Lake Accord, and that is that you cannot have Senate reform without Quebec at the constitutional table because they are committed to Senate reform, because they believe Senate reform in a form similar to the Triple E is what this country must have. They accepted, adopted, and signed the Meech Lake Accord.

Manitoba Concerns

Mrs. Sharon Carstairs (Leader of the Opposition): Mr. Speaker, with a supplementary question, you know the Meech Lake Accord was already signed in July of 1987 when the First Minister (Mr. Filmon) made his comments. At that time the Premier (Mr. Filmon) criticized Mr. Pawley for, "Listening to Ed Broadbent more than he was to Manitobans." How does he now justify listening more to Brian Mulroney, and Vander Zalm and Devine more than he will to the people of the Province of Manitoba?

An Honourable Member: Hear, hear!

Hon. Gary Filmon (Premier): This is outrageous, Mr. Speaker. This is the person who does not want to listen to Manitobans at all. She says her mind is made up. She does not care what the public hearings say. She has taken her position. I cannot believe that. You want to talk about hypocrisy, we are seeing it in action here. She has said that she will not listen to the public. Her mind is made up. We are going to listen to the public in the public hearing process and then we will make our decision as we should as a democratic Party.

Mrs. Carstairs: Mr. Speaker, this Government has committed itself to the principle of Meech Lake which means unanimity on Senate reform. We have been listening and reading the stacks of mail.

Senate Reform Triple E System

Mrs. Sharon Carstairs (Leader of the Opposition): Can the First Minister (Mr. Filmon) tell this House today why he has flip-flopped from his statements in July of 1987 to his statements recently that he will accept the Accord in its principal form, which includes the lack of ability to in fact effect a Triple E Senate in the province here or any place else?

Hon. Gary Filmon (Premier): Mr. Speaker, this Party, the Progressive Conservative Party of Manitoba, took a position in favour of Senate reform long before the Liberal Party even dreamed about Senate reform. Senator Duff Roblin was a proponent of Senate reform a decade and more ago and was a person in this country who was working for Senate reform, speaking for Senate reform.

The fact of the matter is the argument that the Leader of the Opposition (Mrs. Carstairs) does not understand is that if you require just seven out of 10 and representing 50 percent of the population for Senate reform, then what you will have happen is that the major provinces in an effort to get Senate reform out of the way and behind us and over with for all time in future, the major provinces, Quebec and Ontario, will get together with the Maritimes, pick off one western province and create some cosmetic form of Senate reform that will be nothing close will be nothing close to "Triple E."

There will be nothing close to what we in Western Canada must have and our voices will be overridden

by that process. That is why Premier Getty, that is why Premier Vander Zalm, that is why Premier Devine insisted on unanimity. Because they want real, meaningful Senate reform. They want Senate reform that is going to serve the interests of Western Canada, not cosmetic Senate reform entered into by a couple of Liberal Premiers in the major provinces to just pacify the rest of the country and to get it off the constitutional table, Mr. Speaker. That is what she does not understand.

* (1015)

Unemployment Figures Job Initiatives

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, my question is to the Minister of Finance (Mr. Manness). Certainly during the 1977 to 1981 period, we saw the former Lyon Government buck the national trend and be on the wrong side of the employment and unemployment trends in the country. We have now received our fourth month of unemployment statistics and, over that four-month period, every month there have been higher numbers of people unemployed than the year previous. It is now averaging, with today's figures, 3,000 more unemployed than a year ago, 4,000 more per month unemployed over last year, and those numbers on every month have been off the Minister of Finance's own written predictions in his budget in terms of the unemployment rate.

My question to the Minister of Finance is what is he going to do to develop a strategy for the people that are unemployed in this province, and what is he going to do when the real problems hit this spring with the real effects of the drought and the potential effects of a recession in terms of the province with the U.S. economy?

Hon. Gary Filmon (Premier): Mr. Speaker, just for the information of the Leader of the New Democratic Party, despite the fact that the New Democratic Party in Government did everything possible to destroy job creation opportunities in this province with their payroll tax, with their huge tax load, that was the second highest overall tax load of any province in the country, with a huge debt that went from \$4 billion to over \$10 billion in six-and-a-half years, Mr. Speaker, putting a load on our province that very few companies wanted to accept and come in here. Despite all of that, since we have taken Government in May of this year, we have had more people employed today. If you will look at those figures, there are more people employed today than there were when we took office, as a result of initiatives we are taking, as a result of changing the climate in Manitoba for the better.

Mr. Doer: Well, Mr. Speaker, if the Premier is proud of the fact that there are two provinces whose unemployment rate has gone up over the last year and one of them is Manitoba under his alleged stewardship, if he is proud of that, then he should be ashamed of himself in terms of the people that are unemployed in this province.

Economic Forecast Growth Rate

Mr. Gary Doer (Leader of the Second Opposition):

My question to the Premier is, when he presented his Budget four months ago, he predicted, or his Government predicted, a 2 percent growth rate in Manitoba which was down from the former New Democratic Budget. The Conference Board and the Toronto Dominion Bank are now predicting a growth rate of .9 percent for this year, Mr. Speaker, most of which was achieved under the former Government. What strategy is he going to have instead of these Johnny Appleseed statements in this House to get people back to work and to develop a strategy to deal with a potential recession and the potential effects of the drought that will affect us in the 1989 spring?

Hon. Clayton Manness (Minister of Finance):

Well, Mr. Speaker, I really do not know what it is the Leader of the New Democratic Party is attempting to do. We are well aware, people in the province are well aware, that we have gone through a significant drought, which has had tremendous impact on the economy. But if one wants to become bogged down in numbers, I can throw numbers back at the Leader of the New Democratic Party. I can tell him, for instance, that the Conference Board of Canada shows that our economic growth in 1989 is forecast now at 3.3 percent increase for that year in place, given because we have got in place, not only a Government that understands that it cannot continue to spend beyond its means, but indeed that we are well postured, and certainly in agriculture to come out of this, secondly, within industry and within the other growth sectors of the economy.

So, Mr. Speaker, the province is well postured to begin to come out of this momentary decrease in the economy. We recognize it is there; it is reflected in the economy. But more importantly, where are the finances as were spelled out in the Budget? As I will present next week when we lay before this House the second quarterly report, it will become fully and well obvious to anybody who wants to read it that the finances in the Province are doing well, that all the forecasts are within the context of the forecast of the Budget.

* (1020)

Mr. Doer: Mr. Speaker, your growth statistics are off from your Budget—dramatically off—and the unemployment statistics have been off every month since you presented your Budget. So, if you are happy with that kind of accuracy, I do not think Manitobans are.

Budget Deficit Reduction

Mr. Gary Doer (Leader of the Second Opposition):

My question to the Minister of Finance is, given the fact that the Minister has quoted the drought as the reason and the Conference Board and the Toronto Dominion Bank quote that the failure of the growth rate in the manufacturing sector declines and the

declines in the retail sales, Mr. Speaker, not this false crutch that the Minister is using on the drought, would the Minister please inform us, in the middle of his estimate process, right now, whether he can keep his commitment to Manitobans in the last page of his Budget that he would (a) decrease corporate taxes; (b) maintain spending below inflation in the next year's budget; and (c) continue on the deficit reduction?

Hon. Clayton Manness (Minister of Finance):

Mr. Speaker, why does the Leader of the NDP put misinformation on the record? The last page of the Budget never indicated that we were going to as a certainty spend less than the rate of inflation. Why does he leave that misimpression on the record? What the last page of the Budget attempted to indicate was it became the challenge of Government, this Government, indeed in any Government, to try and maintain its spending at a rate similar to the rate of inflation, not at two times the rate of inflation as that Government did for a series of six years. That became the challenge of trying to weave a new Budget for 1989. That has not changed.

With respect to where we find ourselves economically within this Province, I think Members of this House, indeed all Manitobans, will be well surprised and very happy with some of the news that will be put before them next week in the financial terms.

Mr. Doer: Mr. Speaker, if we keep the overall spending at the rate of inflation as it is on Budget.

Corporate Tax Break

Mr. Gary Doer (Leader of the Second Opposition):

My final question to the Minister of Finance is, given the fact that the Budget exercise is now in operation in full swing in the departments, can the Minister inform Manitobans whether the spending cuts that have been required from the department some numbers being thrown around are up to \$200 million in the departments? Are those \$200 potential cuts in the Budget exercise going to be used for the corporate tax break that the Government has promised to deliver on in their reign of Government?

Hon. Clayton Manness (Minister of Finance):

Mr. Speaker, I do not know of what the Member speaks when he talks about corporate tax break. The corporate community in this province is making a significant increase in the total contribution in tax dollars to the Government of this province, indeed for the support of all services provided to Manitobans. So, Mr. Speaker, with respect to the 1989 Budget, indeed he—and all Members of this House will have to do—will have to wait until that document is prepared and released in due course to the people of this province.

Northern Flood Agreement Interim Payment

Mr. Herold Driedger (Niakwa): Mr. Speaker, I have a question for the Minister of Northern and Native Affairs (Mr. Downey). Yesterday, in this House, the Minister led

us to believe that the \$10 million advance to the five northern bands, which were in the Northern Flood Agreement which he made the Ministerial statement on, was about to be made. This \$10 million, which is a very substantial part of the \$88 million election promise made by the Premier in the past election campaign, this is in earnest of good intentions, we thought. This commitment represented a breakthrough which would result in the resolution of a long-standing problem. Now we find that this commitment is actually only a cash advance of 10 percent of what the Minister alluded to in this House. I am perplexed. Is there a \$10 million commitment or not?

My question for the Minister of Northern and Native Affairs (Mr. Downey) is were these northern bands led to believe that they would receive a more substantial interim payment?

* (1025)

Hon. James Downey (Minister of Northern and Native Affairs): No they were not, Mr. Speaker, and, as well, let me clarify for the record that this million dollars is not the only money that is flowing to the northern and Native bands, that there is some additional \$1.5 million going to the trappers and to live up to some of the commitments that were made over the past few years. Let me say, there was not one nickel in place, put in place by the former New Democratic Party for any settlement of the agreement, not one nickel. We had to either take the money from the ongoing commitment and increase the up-front payment or go with the million dollars.

Let me say, as well, we have put in place senior negotiators to resolve the additional outstanding funds that are owed to those communities, far advanced than the six years of the New Democratic Party who did absolutely nothing for those people in those communities.

Project Funding

Mr. Herold Driedger (Niakwa): Mr. Speaker, I cannot comment about most of the answer which was directed at the New Democratic Party but I am inferring from what the Minister did say that there was a yes in that answer; that, yes, there was a more substantial interim payment expected. Then, how does this Government intend for these bands to pay for the other half of their programs that they have embarked upon which were based upon the indication that some more funds would be flowing?

Hon. James Downey (Minister of Northern and Native Affairs): Mr. Speaker, I am not so sure that this Member is not truly demonstrating the Liberal Party in their flip-flop. I do not know where they get their education from, but if he had listened correctly my first answer was no, and if he takes the meaning of yes out of no, I should suggest that he go back to his caucus and back to school for an education.

I said, no, there was not anything that should have led them to believe that there was more money. What

I said was there are additional funds flowing to those communities of which I could have taken away from the individual trappers and the individual people who are getting benefits out of that particular fund and upped the up-front money on the commitment, Mr. Speaker. The decision was made not to do so. Let us not let them mislead the people. We are committed to flow the additional \$9 million. We are committed to deal with them in good faith. We have hired a negotiator to do so and, as soon as the resolve of that is done, they will be fully informed and the \$9 million will flow.

Construction Projects

Mr. Speaker: The Honourable Member for Niakwa, with a final supplementary question.

Mr. Herold Driedger (Niakwa): I thank you for that clarification then. Why then, if the answer is no, would the bands be encouraged to embark on construction programs for infrastructure development and other undertakings of that nature which are going to actually improve their lot of their lifestyles in these communities?

Hon. James Downey (Minister of Northern and Native Affairs): Let me first of all say, Mr. Speaker, that I have full confidence in the Native leaders. They saw the need for housing in their communities which was neglected by the former administration, years of neglect. Those Native leaders saw too many people living in a house and had to build houses. I am confident those leaders would have built the houses regardless of any commitment, that they are committed people and they want their people to have appropriate accommodations. Let me say something else.

Mr. Speaker: Order, please. Order.

Mr. Downey: So what I am saying is the people, the leaders of those communities, want their people to have better living conditions. They had a lot more six months after we were elected than they had under this Government and in fact they had no commitment from the Liberal Party to do anything but hand shake and hand ring prior to the election.- (Interjection)-

Mr. Speaker: Order, please; order, please.

* (1030)

Canadian Wheat Board Marketing Practices

Mr. Laurie Evans (Fort Garry): Once again, Mr. Clayton Yeutter, the U.S. Trade Representative, has made it very clear that in the upcoming round of trade negotiations in Montreal, that the United States will be pressuring the Canadian Wheat Board to change its marketing practices claiming that those practices actually distort international trade.

My question is to the Minister of Agriculture (Mr. Findlay). Has he been in contact with the federal Minister responsible for the Canadian Wheat Board? Can he tell us exactly what the Manitoba Government has on

record with the federal Government regarding Manitoba's support for the Canadian Wheat Board and the retention of its current marketing practices?

Hon. Glen Findlay (Minister of Agriculture): I thank the Member for the question. We are now entering a very serious and important round of negotiations called the GATT Round, the mid-term Round, of the Uruguay Round in Montreal next week.

Certainly there is going to be a lot of discussion in the ways and means of removing trade distorting activities of the different countries of the world. In particular, we are going to go there arguing that the European community and the United States have been embarking in some trade distorting practices in terms of the way they sell grain and price grain.

We believe that the Canadian Wheat Board has not participated in any way in trade distorting practices. They have become a very competitive method of selling grain. On that basis, it is very easy for the Canadian delegation to defend the Wheat Board as a mechanism of selling grain. If somebody from some other country says that they cannot compete with us, that shows us we are doing a very good job.

Mr. Laurie Evans: I thank the Minister for his answer.

Agricultural Subsidies Reductions

Mr. Laurie Evans (Fort Garry): Recently, it has been indicated that the four western provinces have come up with a list of suggestions that they are forwarding to the federal Government in preparation for this upcoming round in terms of the concept of trying to reduce agricultural subsidies. My question is to the Minister of Agriculture. Can he in fact elaborate on what those suggestions from the four western provinces are in terms of what they are proposing for the reduction of agricultural subsidies?

Hon. Glen Findlay (Minister of Agriculture): The Montreal Round of discussions will probably at most establish a framework for further discussions which will take place over a period of at least two years.

The proposals we are putting forward, as a group of four western provinces, is that trade liberalization on a worldwide basis is very critical and important to our ability to serve the world in a fair and reasonable way. We are going to be asking for removal of trade distorting subsidies that exist, particularly in Europe and the United States. We believe that the liberalization of trade is, in the long-term, to the best interests of Canada and the total world economy because trade barriers hurt particularly developing countries. We want to see those removed as quickly as possible in a reasonable fashion. We are going there to argue that case very strenuously.

Mr. Laurie Evans: I would suggest that perhaps other Members of the Tory caucus could take lessons from the Minister of Agriculture when it comes to answering questions. I appreciate his answers.

Hay Crop Monitoring Status

Mr. Laurie Evans (Fort Garry): My final question to the Minister of Agriculture is can he tell us the status of the hay crop monitoring that is going on in Manitoba? When will the first payments under the Herd Retention Program be going out to producers covered under that program?

Hon. Glen Findlay (Minister of Agriculture): I can tell the Member that the gross measurements have been made in terms of the monitors in the various municipalities across the province. The factor for quality on those samples has been measured. The corporation is in the final stages of putting those figures together so that the payments can go out and I will just have to use the term, as soon as possible. We are pressuring to get them out there. (Interjection)- I cannot say yes to that. Hopefully, it is within a month is the best I can say.

Health Advisory Network Chairperson Appointment

Mr. Jay Cowan (Churchill): My question is to the Minister of Health (Mr. Orchard). The Minister has recently received a letter from the president of the Manitoba Medical Association, complaining that the Minister's announcement to date, while they have been—to quote the association, "upbeat and conciliatory"—short on substance. The president in the letter states specifically that the MMA and others are in fact no further ahead in knowing precisely how the provincial Government plans to improve the health care system will unfold. He then says that the MMA, like everyone else, will have to await the appointment of the Health Advisory Network to figure out exactly what it is this Government intends to do about their pronouncements.

On October 27, during the Estimates, the Minister said he hoped that he would have an appointment for the chairperson of the Health Advisory Network in place by mid-November. Shortly thereafter, he would have the steering committee in place. Given that we are now well passed that self-imposed deadline, can the Minister indicate when it is he proposes to have the chairperson of the Health Advisory Network in place, the steering committees in place and the subcommittees in place so the work can begin on his pronouncements?

Hon. Donald Orchard (Minister of Health): All of those committees and memberships are being actively worked on at the present time.

I might add to my honourable friend that in addition to having the Health Advisory Network as a method of public participation in terms of direction, reform and innovation in the health care field, I simply want to point out to my honourable friend that the department and many people involved in the mental health field were enthusiastically involved in the announcement I made on Wednesday this week in terms of much needed change in the reform and approach to the mental health field. That was done, Mr. Speaker, with full cooperation

with many participants in the mental health delivery field, including the MMA. I think that demonstrates the kind of open approach that we are attempting to take in terms of making needed reforms and improvements to the health care system involving a partnership between Government, the professionals and the people involved in health care.

Mental Health Care Program Reform

Mr. Jay Cowan (Churchill): Referring to that announcement, the Minister during the Estimates indicated that the mental health subcommittee of the Health Advisory Network would be responsible for implementing the mental health strategy in the reform of the mental health system in this province. The fact is that the Minister went ahead without even having set up the subcommittee and at the same time he says he is being consultative and cooperative. I would ask the Minister when it is exactly he is going to have those committees and subcommittees in place so that when he talks about a partnership he can turn around and turn side-to-side and see someone actually there working with him rather than just shadows?

Hon. Donald Orchard (Minister of Health): I am quite surprised that my honourable friend, the New Democratic Party Health critic, would describe the Head of Psychiatry of the University of Manitoba as a shadow who is quite enthused about the announced changes to the mental health system. I am quite surprised my honourable friend, the NDP Health critic, would describe Mr. Bill Martin, the Executive Director of the Canadian Mental Health Association, Manitoba Division, as a shadow in the renovation, in the reform of the mental health system.

Mr. Speaker, the innovation and the approach taken in the Mental Health Reform announced on Wednesday was primarily a reform of the way the Department of Health approaches delivery of service in a coordinated fashion. It was arrived at through substantial consultation with those same shadows my honourable friend has just described, who participated in that reform, and wanted to be part of it and I believe are satisfied with the first time in a number of years, a Government has seriously taken mental health delivery as an issue that is in need of reform. I really regret my honourable friend, the NDP Health critic, would describe those very capable professionals and individuals involved in mental health as shadows.

Mr. Cowan: I think most people would be surprised had I made that statement. I did not, as the Minister knows full-well. We are growing a bit tired on this side of the Minister trying to deflect attention away from his inability to follow through on his own initiatives by distorting what people say in a sincere manner with respect to his inaction and his lack of ability to make things happen in the health care field.

Health Advisory Network Commencement

Mr. Jay Cowan (Churchill): My question to the Minister, and I hope he will try to answer the question sincerely and not try to wriggle out from under a sincere, honest request for information—

Mr. Speaker: Does the Honourable Member have a question?

Mr. Cowan: Yes, I do.

Mr. Speaker: Would the Honourable Member kindly put his question now.

* (1040)

Mr. Cowan: My question to the Minister is, given that there are tens of millions, if not hundreds of millions, of dollars of capital projects being put on hold until the Health Advisory Network is in place, and given in fact that the Minister promised to have the chairperson in place by mid-November, can he give us a specific date to all those people who are sincerely out there awaiting that information as to when that Health Advisory Network will be in place.

Hon. Donald Orchard (Minister of Health): My honourable friend will just have to wait with the same patience that those who wish to participate in the Health Advisory Network are waiting, because those announcements will be made in due course, and I know that my honourable friend will be pleased with the composition of those committees and the Steering Committee of the Health Advisory Network.

Mr. Speaker, to further elaborate on my honourable friend's position about inaction, three years ago when I was the critic for the Department of Health in the Progressive Conservative Opposition, I made a number of suggestions in terms of reform of the mental health system. The then Government, of which my honourable friend was a key part in Cabinet, took those suggestions under advisement and absolutely nothing was done in terms of implementing them.

I am pleased that within the six months, a little better than six months that I have been here as the Minister of Health, we have been able to bring together some very diverse groups in the delivery of mental health in the Province of Manitoba to develop a reform plan that puts a blueprint for the future of quality delivery of mental health in the Province of Manitoba.

Winnipeg Police Racism Allegations

Hon. James McCrae (Attorney-General): Yesterday, the Honourable Member for St. James (Mr. Edwards) asked me three questions and I would like to respond to those questions.

My understanding is that the Honourable Member's question stems from an incident on November 19, 1988, which was an assault and not a hit-and-run. On

November 22, I am informed that the police attended Mr. Juwanda's workplace and together with the police went to the police station for questioning. Mrs. Juwanda was, as well, brought in for questioning, at which time she brought her six-year-old son, because there was no one available to look after him.

At the concurrence of Mrs. Juwanda, she was placed in an interview room with the door open and her son was at a desk just outside the door in plain view, playing with a typewriter and talking to a police officer whose son and this boy played on the same soccer team.

At no time was the boy ever questioned without his mother present or intimidated in any way.

Now, Mr. Speaker, this is my information. Mr. Juwanda was given this same information and he has been advised that if he is not satisfied with that he could file an official complaint with the Law Enforcement Review Agency.

Race Relations Training

Hon. James McCrae (Attorney-General): The last question the Honourable Member asked I will deal with now, and that has to do with multi-racial training given to police officers. Recruits at the Winnipeg City Police Academy receive a two-day formal program on multicultural relations from Dr. Neil McDonald, a sociologist at the University of Manitoba.

Lead Exposure Standards School Yard Testing

Mr. Harold Taylor (Wolseley): Yes, Mr. Speaker, it is with trepidation that I rise, concerned as I am that there may be an untended contract out on me. It is of necessity that I pose my question to the First Minister (Mr. Filmon). By now this administration should be familiar with the effects of lead ingestion by children—stunted physical and mental growth, impairment or destruction of the central nervous system, comas and, even in some cases, death.

An American study has shown that the most important lead sources in schools are drinking water, dust and soil. Dirt and dust-borne lead accounts for 40 percent of a child's intake under usual circumstances. Given what we know and the fact that the department is already testing school water, why has this administration also not asked for the testing of school playgrounds?

Hon. Gary Filmon (Premier): I might say, just for the edification of the Member for Wolseley (Mr. Taylor), that I was in Vancouver yesterday and one of the lead stories was to the effect that the school system in British Columbia was faced with the same revelation of lead in the water system and that they were going through exactly the same process of deciding how to handle it, flushing the pipes, dealing with systems that would allow them to evaluate whether or not there should be replacement of soldered piping and all of these things.

The fact of the matter is that this is not something that is unique to Manitoba. It is not something that is new in terms of an environmental hazard. It has been

brought to the attention of jurisdictions across this country and everyone is going to have to be determined to solve the problem; not to try and make political capital or political hay on it but rather legitimately, in the interests of protecting the children and eliminating health hazards to children, try and find an adequate solution to it. So that is what we are doing and if the Member for Wolseley (Mr. Taylor) wants to act in good faith in assisting us in the problem we will take his advice. We will take any information that he has to share and we will utilize that to ensure that we make a commitment to making every aspect of our environment safer for our children.

Mr. Taylor: Mr. Speaker, I am pleased to see that the First Minister (Mr. Filmon) will accept advice from this side because he refused it outright when I made an offer on PCBs. At his direction, the Minister refused to listen.

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please.

Mr. Taylor: The question, Mr. Speaker—

Mr. Filmon: Mr. Speaker, on a point of order.

Mr. Speaker: Order, please; order, please. The Honourable First Minister, on a point of order.

Mr. Filmon: I made no such refusal. I suggested that it was inappropriate for the Member for Wolseley (Mr. Taylor) to attend, to grandstand, at discussions between the Minister. It was not advice he was offering, he wanted to—

Mr. Speaker: Order, please; order, please. The Honourable First Minister (Mr. Filmon) does not have a point of order. A dispute over the facts is not a point of order.

Weston School Lead Exposure

Mr. Speaker: The Honourable Member for Wolseley, would you kindly put your question now.

Mr. Harold Taylor (Wolseley): Mr. Speaker, the facts stand. The question is will this administration, given what it knows about the Weston School situation which has been around and with us for some time, and which there has been a recognized problem of airborne lead fall-out from the Canadian Bronze Co., and the fact that the dirt is one of the major accumulators of lead in those school grounds, will the First Minister (Mr. Filmon) assure the Weston parents that their school is properly protected, that their children's lives are not being affected in any way, and that he has the information from testing or does he accept that a five-year frequency of testing is adequate?

Hon. Gary Filmon (Premier): Mr. Speaker, I recognize that the Member for Wolseley (Mr. Taylor) is not familiar

with this issue because he has not been here for very long. He may want to talk with the Member for Churchill (Mr. Cowan), who as my successor as Environment Minister in 1981-82, carried through the program which I had initiated to remove the soil from the playground at Weston School.

An entire removal of that soil was done in 1982 and replaced with fresh, uncontaminated fill in 1982 because we had done the testing under my jurisdiction in 1981 that demonstrated that there was unacceptably high levels of lead in that soil. So they removed the entire surface soil from the playground of Weston School and replaced it with fresh, uncontaminated soil fill in 1982, as a result of the good efforts of the Member for Churchill (Mr. Cowan) carrying through on the initiative that was undertaken by myself as Minister of the Environment.

Mr. Speaker: The time for oral questions has expired.

ORDERS OF THE DAY

Hon. James McCrae (Government House Leader): If the Honourable Member for Churchill (Mr. Cowan) can contain his glee, I would like to ask Your Honour if you would be so kind as to call the following Bills: first, by leave, Bill No. 46, The Child and Family Services Amendment Act (2); second, Bill No. 37; third, Bill No. 38; fourth, Bill No. 40, and the remainder of the Bills in the order as listed on today's Order Paper.

* (1050)

SECOND READING

BILL NO. 46—THE CHILD AND FAMILY SERVICES AMENDMENT ACT (2)

Hon. Charlotte Oleson (Minister of Community Services) presented, by leave, Bill No. 46, The Child and Family Services Amendment Act (2); Loi No2 modifiant la Loi sur les services à l'enfant et à la famille, for second reading.

MOTION presented.

Mrs. Oleson: Mr. Speaker, I do thank the Members of the Assembly for giving me leave to introduce this Bill at this time for second reading.

On December 1, I distributed copies of Bill No. 46, The Child and Family Services Amendment Act (2), which clarifies and strengthens the provisions dealing with the protection of children, particularly while attending public or private schools. I now wish to introduce this Bill for second reading.

In recent months, two unreported specific cases of sexual abuse and assaults on children in schools, one involving the sexual abuse of a child by a teacher in a public school and the second involving assault on a child by a male student at a private school, came to the Government's attention. Both cases point to inadequacies or a basic lack of legislation providing protection to children, particularly in schools and regarding abuse by persons other than family members.

A committee was immediately called by Premier Gary Filmon consisting of representatives from the Departments of Community Services, Education, and the Attorney-General, to review how the current practices in the school and child and family service systems work together to protect children.

Some of the key areas that the committee dealt with include: a child in need of protection; abuse and assault; reporting a child in need of protection; communication of findings; child mistreatment, an offence; prosecution; reporting to police; and the involvement of parents.

The recommendations for changes in legislation and policy address the key areas that are mentioned. Bill No. 46 deals with those recommendations pertaining to The Child and Family Services Act.

Mr. Speaker, I do have for the Members, if the Page will deliver them spread sheets for the Members—the critics at least—and if anyone else wants them, I would be happy to supply them, of the spread sheet that explains the various aspects and changes the Bill. I have always found over the years, that they are most helpful in explaining exactly what changes have taken place, and I hope those are useful for the Members when they are studying the Bill.

I am recommending amendments to The Child and Family Services Act to clarify the intent to include under Aggression, Harassment, or Abuse, persons outside the family who care for a child. This includes teachers, babysitters, coaches, day care operators or anyone in a position of trust and are responsible for the care and supervision of a child. It also defines a child in need of protection to include circumstances involving aggression or sexual harassment by anyone which endangers the life, health or emotional well-being of the child. It is to clarify reporting requirements under the Act, placing a clear onus on a person who reasonably believes a child is in need of protection, and also to place an onus on agencies to disclose findings and conclusions of investigations to the person who reported the child to be in need of protection. Under this, of course, we do not mean that the details and particulars of a case, but just the fact that it had been investigated and some assurances to the person who reported that an action was taken.

This is also to strengthen provisions for prosecuting persons who fail to comply with the provisions of the Act. It allows the court discretion on application to hold closed hearings when someone is prosecuted for failure to comply with the Act. In addition to the amendments, the existing Manitoba guidelines on identifying and reporting child abuse are under review by the Departments of Community Services, Education, Health, and the Attorney-General. The guidelines will be redrafted in consultation with educators and the community of care providers over the next two months.

Yesterday in speaking on Bill No. 31, the Member for Flin Flon (Mr. Storie) made some remarks, in his remarks about his Bill, with respect to this one and some comparisons and he wanted some information. He wanted information on obligation, on the obligation on teachers and on enforcement. I think the main parts

of his concerns will be addressed as I have said by the review of the guidelines which will take place over the next two months, as I had indicated by officials of my department, Education, Health, and the Attorney-General. Those guidelines will be rewritten to reflect the new Act and to make it workable shall we say. So those people will have input into the mechanics of the new Act and will be able to, as I say, be part of the structure of those guidelines. So I do want to stress that this consultation and conferencing will take place so that to make this what we all want it to be, a piece of legislation that will make it easier to enforce particularly because this—

Mr. Speaker: Order, please; order, please. The Honourable Minister of Community Services has the floor. I am having some difficulty hearing her. Those Honourable Members wishing to carry their private conversation would kindly do so away from the Chamber.

Mrs. Olson: Mr. Speaker, I had almost concluded my remarks, but I did want to indicate that the legislation in its present form, it is difficult to take action on various aspects. It did not have quite enough teeth. I look forward to discussions and advice from the Members opposite as we work our way through this Bill. I look forward to any representations that might be made and likely will be made by members of the public when it goes before committee. I am particularly interested that we have as wide a consultation as possible on the guidelines to assure us that the people who are directly involved in the day to day operations of schools, day care centres, Child and Family Service Agencies, and others do not feel the need to be feeling threatened or intimidated by this bill, but to make it a working document that we can all live with and, of course, the bottom line, the most important part of all, is that it addresses the safety and protection of children which I am sure is the goal of everyone in this Assembly.

* (1100)

Mr. Reg Alcock (Osborne): I move, seconded by the Member for Selkirk (Mrs. Charles), that debate on this Bill be adjourned.

MOTION presented and carried.

REPORT STAGE

BILL NO. 37—THE CROWN CORPORATIONS PUBLIC REVIEW AND ACCOUNTABILITY AND CONSEQUENTIAL AMENDMENTS ACT

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, would you call Report Stage Bill 37.

Mr. Speaker: Shall the Report of the Committee on Bill 37, The Crown Corporations Public Review and Accountability and Consequential Amendments Act be concurred in?

Mr. Manness: What I am endeavouring to do, Mr. Speaker, with respect to report stage Bill 37, is to make

an amendment to Bill 37 that takes into account some of the concerns raised by the MLA for Osborne (Mr. Alcock) in committee the other day. At that time, as I recall, the MLA for Osborne asked whether or not The Payment of Wages Act, the provisions therein, were negated because of some of the wording in a certain section of the proposed Bill 37.

Mr. Speaker, we looked into that and I guess I must indicate that, academically, the MLA was correct. So what we have attempted to do, although, I do not really think that this would have been made a very big issue, let us, for the record, do it correctly. I suggest to the MLA from Osborne, the Member for Osborne (Mr. Alcock), that just to make sure that his mind is put at rest, and indeed so that the work of those employed by the Crown corporations have their minds put at rest such that indeed if there ever were a Government sometime in the future who did not honour the wages, the outstanding wages, of either, of any of the employees of Hydro, of the Liquor Control Commission, or Telephones, in case there would be that type of derelict Government in place, we want to ensure that there is a call on somebody that those wages be paid.

So with that in mind, I move, seconded by the Minister of Urban Affairs (Mr. Ducharme),

THAT Section 22 of Bill 37, The Crown Corporations Public Review and Accountability and Consequential Amendments Act, be amended by adding the following subsection, and its title "Other Statutory Obligations," etc., 22(3) and this is what it reads:

"Notwithstanding Section 3, this Section does not affect the debt liability or obligation of a director, officer, employee, that is created by any other Act."

MOTION presented.

Mr. Reg Alcock (Osborne): I would just like to make a few comments in response to the Minister's moving this amendment. I appreciate his willingness to do this. I accept his thanks for the input and for the work that we put in reviewing this Bill. I do not accept, Mr. Speaker, that it is as minor an amendment as the Minister might have suggested. In fact, through The Corporations Act, we hold directors of all other corporations accountable for certain things in law. I think it is only right and just that we extend that same accountability to the directors of Crown corporations. That is what this amendment does. There might have been another way to do it. I am happy that it is in. It does satisfy the concern that I raised. I thank the Minister for doing it. I will confine the rest of my remarks to the debate on third reading. Thank you.

Mr. John Plozman (Dauphin): I wish to move, seconded by the Member for Flin Flon (Mr. Storie), that debate be adjourned.

MOTION presented and carried

SECOND READING

BILL NO. 38—THE MENTAL HEALTH AMENDMENT ACT

Hon. James McCrae (Attorney-General) presented Bill No. 38, The Mental Health Amendment Act, for second reading.

MOTION presented.

Mr. McCrae: Responsibility for The Mental Health Act is divided between the Minister of Health (Mr. Orchard), who is responsible for the treatment aspects, and the Attorney-General, who is responsible for the court-related aspects.

This Bill, as it deals entirely with the office of the Public Trustee and its powers, fall within the responsibility of the Attorney-General. Those Honourable Members, who were in this House in the 1987 Session will remember vividly the haste with which amendments to The Mental Health Act were pushed through in the dying days of that Session. The Bill was prepared in response to a challenge under the Charter of Rights as to the provisions in The Mental Health Act for the involuntary restraint of persons allegedly suffering from mental disorders.

The Court of Queen's Bench had upheld the legislation but the legislation was being appealed to the Court of Appeal. That important piece of legislation affecting the most vulnerable members of our society was introduced in the House on June 5. The second reading debate began on June 10 and the Bill was referred to committee on July 13. The committee met to hear presentations on July 14, a sitting that lasted until approximately four o'clock in the morning when the Legislature was jamming through a great deal of legislation prior to adjourning on July 17.

Mr. Speaker, I am pleased to report to the House that the main provisions of the legislation adopted in 1987 have been upheld by the Manitoba Court of Queen's Bench with the judge stating that the Legislature had done an admirable job of balancing the rights of the individual with the rights of society. However, in the haste with which that legislation was put together, there was not time for complete consideration of all aspects of the new provisions as they affected the office of the Public Trustee.

* (1110)

All of the amendments that are being presented to the House today have been requested by the Public Trustee, and all of them are aimed at making the Public Trustee's powers to protect these vulnerable Manitobans clear and unchallengeable. As well, all of the amendments have been reviewed and approved by the Mental Health Directorate. Of course, at committee, officials of the Public Trustee's office and the Mental Health Directorate will be available to answer any technical questions. Furthermore I will be distributing to the Opposition critics a spread sheet detailing the changes and the rationale for those changes.

During second reading debate, as Honourable Members know, remarks are to be directed to the

principle of the Bill. In this case, because the Bill results from technical problems raised by the Public Trustee in the administration of the Act, there is no great principle involved. It will merely indicate to the House those problems in the legislation and the Government's response.

First, the changes to The Mental Health Act made in the 1987 Session differentiate between cases where a person is not competent to manage his or her financial affairs and those cases where a person is not competent to decide on medical treatment.

(Mr. Deputy Speaker, Mark Minenko, in the Chair.)

Obviously there are persons who are not competent to do either, but the present legislation results in the Public Trustee needing both certificates before he can consent to medical treatment. I believe all Honourable Members would agree that this anomaly should be removed.

Second, in the changes made in 1987, I am sure by inadvertence, Mr. Deputy Speaker, provisions dealing with persons suffering from mental retardation and making the Public Trustee their guardian were dropped. It is, I submit, imperative that the Public Trustee have this authority again clearly spelled out in the Act. Where the Act as written now only allows the Public Trustee to provide assistance to involuntary patients, there are many cases where a voluntary patient, that is someone who recognizes that he or she is in need of professional psychiatric help, would want to turn to the Public Trustee for the administration of his or her estate. This anomaly in the legislation will be corrected by the amendments brought forward in this Bill.

There is some legal question as to the continuing authority of the Public Trustee where that authority was granted pursuant to the provisions of the Act, as it was prior to the proclamation of the 1987 amendments. In normal circumstances, The Interpretation Act would cover this, but as the Court of Appeal struck down as unconstitutional the previous Act, there is some doubt whether the Public Trustee can continue to base his authority on orders granted pursuant to unconstitutional legislation. This Act makes it clear that, until challenged, the Public Trustee continues to act. It does not restrict the rights of the patient to challenge his or her status under the new provisions.

Finally, there is a surprising omission in the 1987 amendments. It is silent on when the Public Trustee's authority terminates. The Act will make it clear that the Public Trustee has authority until the patient is discharged or a court order puts an end to his powers.

I would ask Honourable Members in the Opposition as they consider this Bill to bear in mind that it deals exclusively with technical matters necessary to protect the most vulnerable members of our society. Legislation has been proceeding slowly during this Session—I should say some of it—but I submit that this is one Bill that should not be subject to any unnecessary delay. I would ask Honourable Members for their support for this Bill.

Mrs. Gwen Charles (Selkirk): Mr. Deputy Speaker, I move, seconded by the Member for Springfield (Mr. Roch), that debate on this Bill be adjourned.

MOTION presented and carried.

**BILL NO. 40—THE CITY OF WINNIPEG
AMENDMENT ACT (2)**

Mr. Deputy Speaker: On the proposed motion of the Honourable Minister of Urban Affairs (Mr. Ducharme), Bill No. 40, The City of Winnipeg Amendment Act (2), standing in the name of the Honourable Member for St. Norbert (Mr. Angus). (Stand)

DEBATE ON THIRD READING

BILL NO. 35—THE LOAN ACT, 1988

Mr. Deputy Speaker: On the proposed motion of the Honourable Minister of Finance (Mr. Manness), Bill No. 35, The Loan Act, 1988, standing in the name of the Honourable Member for Flin Flon (Mr. Storie). (Stand)

DEBATE ON SECOND READINGS

**BILL NO. 8—THE COURT OF QUEEN'S
BENCH SMALL CLAIMS PRACTICES
AMENDMENT ACT**

Mr. Deputy Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 8, The Court of Queen's Bench Small Claims Practices Amendment Act, standing in the name of the Honourable Member for Churchill (Mr. Cowan)—the Honourable Member for Churchill.

Mr. Jay Cowan (Churchill): As has been indicated by other Members of the House, I think on representing all three caucuses of the House, there is a great deal of agreement that the amendments which proposed in this particular Bill are satisfactory to the extent that they go, that there is support for the conceptual change. There may be some questions arising out of the committee hearings as to the exact amount of the penalty or some other minor technical details and of course that is a process which involves the public, so we would want to hear representation from not only the professional groups that will be affected by this particular Bill but also from citizens themselves who would be affected by the Bill, who may have had experiences with the Small Claims Court, or may have had experiences with procedures that never made it to the court but might have involved the court that will have some advice and expertise which they can bring forward to the public committee meetings on this particular Bill.

As a New Democratic Party caucus, we will listen carefully to that which is said to us during the committee hearings on this particular Bill and at that time there may be ideas and suggestions that flow that can help us improve upon the Bill generally in a specific way. However, we do believe that the overall intent is a positive one. Of course this is one of those Bills as are many of the Bills that are before the House today that was under active consideration by the previous administration and probably would have flowed much along the same time line.

I do not make that point to take anything away from the Attorney-General (Mr. McCrae) or the present

administration. I just want to reinforce the fact that it is a Bill that is a common sense Bill and one that shares the support of all the Parties, largely for that reason that it has been around for awhile and it is a piece of legislation whose time has come.

However, in speaking to what the Bill does in principle, I also want to speak a bit to what the Bill does not do and follow the line of thought which has been put on the record by some of my colleagues in the New Democratic Party caucus and indeed some of the other Members of the House. We all support the initiative of making the court system more accessible and more responsible to individuals. One does that by amendments of this nature which are important but limited in scope and one can also do that by procedures which they put in place in the courts themselves. Policies which are developed by the main participants in the courts themselves, not the Legislature in all instances but the judges and the lawyers and the defence attorneys and the prosecutors that are involved in the court system and one which is in some instances put forward by the Legislature.

I want to talk about a specific area which I think is lacking in this particular Bill and where action is required over a shorter rather than a longer period of time, and that is making the court system more accessible to Northerners generally, but particularly to Native Northerners.

* (1120)

In beginning my comments on this particular part of Bill 8, I have to say that we are looking forward to the results of the Aboriginal Justice Inquiry. We hope that when the inquiry makes its report available they will have addressed in large part the needs of Native Manitobans and northern Manitobans with respect to the justice system, and we expect that there will be many good recommendations flowing from that report that will help us make a system that is responsive to not only the geographical needs which are an important consideration when dealing with the North, but also to the cultural needs and to some of the more specific problems that confront Northerners, and specifically Native Northerners, when they become involved in the court system.

I would hope, Mr. Deputy Speaker, that Bills such as this can be expanded upon or there can be, perhaps in the next Session of the House, a new Bill that would be brought forward based on some of the recommendations of the Aboriginal Justice Inquiry Committee that would put in place some of those recommendations.

We do have to note, however, when speaking to that whole issue, that we do have a concern about the way in which the process is unfolding. I do not lay all the problems at the door of the Attorney-General (Mr. McCrae). I do not even lay all of the problems at the door of the Government, but I do think that the Government, in trying to politicize the discussion around that process—and I choose my words carefully here, I am not suggesting that they are trying to politicize the Aboriginal Justice Inquiry because I do not believe

they are trying to do that, but I do believe they are trying to politicize the discussion around the Aboriginal Justice Inquiry, which is then lending credence to those who believe that the Aboriginal Justice Inquiry is not doing all that it could.

I know the individuals involved, many of the individuals involved at least, in not only sitting on the inquiry and working as a support to the inquiry, but also many of the individuals involved in the communities and in the Native organizations that are making representations to the inquiry.

I know that all of them have the best intentions with respect to solving a very longstanding problem, and I know that they are all working very hard, much harder than one should really ask of them to work, but they are all working very hard in order to ensure that that Aboriginal Justice Inquiry provides the best possible report so that the Government can act upon it.

They are concerned about some of the comments that have been made in this House and they tell me that to be the case, not all of them but some of them. They are concerned about every time we ask a question with respect to funding for the aboriginal groups which would enable them to make better representations, more researched representations. I think all those who have been involved with the Aboriginal Justice Inquiry believe that to be the case, that all we get thrown back at us is the first envelope of political life in this Chamber, that is the previous administration did not do enough.

The fact is the Aboriginal Justice Inquiry is there because of the previous administration. I would suggest that it may well have been there had that administration not been in place, but that cannot take away from the fact that it was the New Democratic Party that, upon request of the aboriginal groups around a couple of very serious incidents, did put in place an Aboriginal Justice Inquiry.

They worked with the Native groups to structure that inquiry in such a fashion so that the Native groups would feel comfortable with the process. That is extremely important, and not only would they feel comfortable with the process but they would also have faith that the process would actually result in a better court system, just as Bill 8 is designed to result in a better court system.

They note that the Legislature does take action on recommendations and help streamline the courts and help make them more responsive to particular needs, and they are hoping that that will be the case when the Aboriginal Justice Inquiry reports.

It also has to be said very clearly that the previous administration was discussing with the Aboriginal Justice Inquiry and the Native organizations funding for the Native organizations that would enable them to more fully participate in that activity.

Now, it is true that those discussions had not been finalized. As a matter of fact, it is true that those discussions were at a preliminary phase. They were at a preliminary phase because the announcement and the development of the concept of an Aboriginal Justice Inquiry took place very late in the far too short second

term of the previous administration. There was not time to finalize those discussions. Let it not be suggested by anyone in this House or if in fact they do suggest it, let the record be clear that there were discussions ongoing. The previous administration had undertaken those discussions. There has been no final decision made but there has, in fact, been a final decision made by the present administration. I hope it is not a final decision.

I know my colleague, the Member for Rupertsland (Mr. Harper), shares that hope. We hope that they are still amenable to providing some funding to the aboriginal groups to enable them to more thoroughly research presentations to the Aboriginal Justice Inquiry. And, more importantly than that, or at least as important as that, funding that would enable them to go into the communities to work with individuals in the Metis settlements, in Northern Affairs communities and the reserves and the industrial communities in northern Manitoba as well as in the rest of the province to ensure that those people who are going to be most affected by any changes to the court system, the individuals who actually become involved with the court system, or have become involved with the court system in the past, have an opportunity to put forward their story, to put forward their concerns, to put forward their suggestions about how to make that a better system. Just as when Bill No. 8 was being developed there were individuals that would be involved or affected by Bill No. 8 that put forward their own positions that helped make that a better Bill.

That is what that funding is intended to do. It is not funding that is intended to sit in anyone's pocket. It is not funding that is intended to be misused. It is not funding that is intended to be squandered. It is not funding that is intended to be added to the budgets of certain groups so that they can undertake other work. It is funding that is intended to help them research their presentations to the Aboriginal Justice Inquiry and funding that is intended to help the organizations themselves work with individuals in the communities to ensure that their experiences are presented in a fair and full fashion to the Aboriginal Justice Inquiry so that they can benefit by the process and so that the inquiry can benefit by that which they have learned and the suggestions which will come forward. If that process does not unfold in that way, then it is going to be a process that is weaker than it needs to be. If that type of funding is not allocated and that type of work is not undertaken, then I suggest to you, the Aboriginal Justice Inquiry will not be all that it could be and sadly, will not be all that it should be.

The type of opportunity that is represented by the Aboriginal Justice Inquiry is one that should not be squandered. It is one that should be taken up to its fullest. It is one that should be utilized to the greatest extent possible. I cannot recall having had an Aboriginal Justice Inquiry in this province before. I look to my friend, my colleague, the Member for Rupertsland (Mr. Harper). I do not think he can recall having an Aboriginal Justice Inquiry. One would not want another Aboriginal Justice Inquiry in the province in the near future unless this particular effort does not complete its task in the fullest and fairest of possible ways. It is important that

we take full advantage of that opportunity. Not only is it important that we take full advantage, but it is important that the groups themselves take full advantage.

Mr. Deputy Speaker, when talking to changes in the court system, one has to look at how those changes relate to the entire system. That is why I want to spend my allotted time on this particular speech, speaking to the needs of Native Manitobans which may as part of general society benefit by the changes in Bill No. 8 which are, for the most part, positive or almost, I should say, entirely positive from our reading of it. But also there are other special needs which they have, which also must be addressed.

I am fortunate, in that I have a travel allowance that is allotted to me as a Member of a constituency outside of the city. That travel allowance which is allotted to all the Members who have to travel as part of their constituency duties, enables them to travel into the community and be reimbursed for it. So I intend to use part of that travel allowance to make a trip to Shamattawa this spring or actually the late winter or the early spring. - (Interjection)- The Minister of Northern Affairs (Mr. Downey) says that is Elijah's riding. That community is a community among all communities in Manitoba. No matter whose riding it may exist in at any particular time it is an important community. It is a community with experiences that I think can help us make better legislation. It is a community that deserves to be fully heard during the Aboriginal Justice Inquiry. I am certain they will be if the resources are made available to him which brings me back to my point. Because the community of Shamattawa currently is in the riding of Churchill or the constituency of Churchill, I can use that Government money to travel - (Interjection)-

Mr. Deputy Speaker: Order, please.

Mr. Cowan: I would travel to the community, I would do so for the purpose of making a presentation before the Aboriginal Justice Inquiry in that community. I made that choice very carefully. I have assistance to do that. I also will undertake some research in order to make certain that presentation is as well developed as can be. A lot of that research I will do on my own. But if necessary, Mr. Deputy Speaker, I also have resource, as do all Members of the Legislature, through the constituency access allowance, to have research conducted on my behalf. So if I feel that I do not have enough time myself because we are very busy in a lot of other areas, and this is an important one but there are also a lot of other important areas that make demands upon our time and our resources, then I can have some assistance given to me. While I, in many ways, am not unlike other individuals who would like to make presentation before the Aboriginal Justice Inquiry, and in some ways not unlike the Native organizations themselves that would like to make representations before the Native Justice Inquiry, they should be able to travel into the communities to work with the residents.

The reason I am going to Shamattawa is because I think there are some very good lessons that can be learned from a community that did at one time have a serious problem, and has worked very hard over the past number of years to correct that problem, and has succeeded in a large part in doing so. Not to say that they do not have more work yet to be done, but they have accomplished a lot. I think by making my representation there I can highlight what a community has been able to do on its own. Yet I can also at the same time highlight how Governments, and I include the previous New Democratic Party administration, as well as the present Conservative administration, as well as the present Conservative federal administration, as well as the previous Liberal federal administration—Liberal federal administration—a Freudian slip there, which was probably more accurate than intended.

But the fact is all those Governments have not done all that the community requested they do in order to help them deal with that problem. I regret that we were not able to do more, but I can tell you we were working on initiatives. There had been some major initiatives that had been completed just previous to the fall of the previous administration. There would have been more had that administration continued in place. I sincerely hope that there will be more under the present administration, although I think it may be of a different sort and probably not as inclusive. But I want to be fair, and I will let time decide whether or not they carried on with the work that had been done and the momentum which had been established. But I think it is important to go there to make that representation, to make that point to have around myself, when I speak to the Aboriginal Justice Inquiry, people who can add to what I have to say, and I can add to what they have to say, in that way hopefully create a synergistic relationship for the purposes of presentations to the Aboriginal Justice Inquiry which make each of our representations and presentations more than they would be if they stood alone. I have some resources available to me to do that. I am very busy but I have said that time is important to allocate in that way and, if necessary, that money is important to allocate in that way.

That is exactly what the Native organizations are saying, the aboriginal groups are saying to the Government when they asked for funding to help them go into the communities, to work with the communities, to develop presentations so that they can make a better court system, just as Bill No. 8, a Bill to amend The Small Claims Practices Amendment Act to the Court of Queen's Bench, just as Bill No. 8 makes for a better justice system in a smaller more specific way, but in a way nonetheless. What they are saying to the Government is as groups and as individuals and leaders within those groups, they are very busy people as well and they are going to have to make some decisions as to how to allocate their time.

They have fought very hard to improve the court system for the Native people over the years and they see the Aboriginal Justice Inquiry as a way to make a great leap in improving that system to make major changes in improving that system, to make major reforms in improving that system. They have put a lot of faith and confidence in the Aboriginal Justice Inquiry

Commissioners in order to help them in their task to make the system fair for all Manitobans and specifically for Manitobans of aboriginal descent.

But they know that as good as the commissioners are, they cannot do it alone, that they need good advice and that is why the commissioners, knowing that to be the case, sought out that advice. They sought out that advice through public hearings here in the City of Winnipeg and they have also sought out other advice from public hearings in their communities themselves. I commend them for that.

We have all seen them go into the communities and sit down in a very informal but a very I think respected way, talked to the individuals in the community, listened to the committees in the community and tried to share ideas which is going to make their report a better report.

(Mr. Speaker in the Chair.)

But while they are in their communities, it is important that they get full representation made to them by community residents, and in order to do that, there has to be some organization that goes on. Mr. Speaker, when the task force goes into communities, there are groups that help organize the interested parties in the communities in order to enable them to make the fairest representation to that task force. Sometimes they are funded and sometimes they are not, sometimes they are generally funded, sometimes they are doing specific funding for that purpose. But they do so because no matter what community you are going into, if you want to receive the best advice possible, you want to receive it in the most complete, concise and in the most understandable fashion. They can do that best if that advice is organized. They therefore organize around the hearings and that takes time and money.

So, Mr. Speaker, that is what the aboriginal groups are suggesting need be done in their own instances. Like MLAs, the leadership in the aboriginal groups are very busy people. They have a lot of tasks ahead of them. Like MLAs, or at least our caucus, they would like to be able to travel into the communities when the presentations are being made, so that again, in a synergistic fashion, their advice and their help can make the presentations done by the community better and the community can help their presentations be better. So they would like to do that but they need funding in order to do that.

To suggest that the aboriginal groups are already receiving funding from the Government and they should divert that funding in order to finance the presentations and the development of the positions that they wish to make before the Aboriginal Justice Inquiry is really quite short-sighted. Anyone who knows those organizations at all, knows that they are trying to do much more at any given time than they have the financial resources to do or the human resources to do. One has to give them credit for that enthusiasm and for that commitment and for that dedication to better serving Native people. They spend long hours at their work, they travel a lot at their work, they spend more time than they are paid for, I am certain, undertaking that work. They feel that there is at all times, as do you and I, Mr. Speaker. I am sure that there is really

more on their plate than they can effectively deal with at any given time.

* (1140)

So they have to make some very difficult decisions as to what to prioritize and what not to prioritize. That is just in the normal course of events. That is just with events unfolding as they should. In this particular instance, there is an unusual event. Not only is it an unusual event, but it is a unique opportunity to make some inroads, some major inroads, into problems that have existed for far too long. What they are asking of the Government is that they recognize this unique opportunity, and they also recognize that the organizations themselves are hard pressed to make do with that which they already have in terms of both financial and human resources and provide them with some extra assistance to ensure that they are able to make the best possible representation and provide the best possible input into the work of the Aboriginal Justice Inquiry. If they do so, I think they will be able to recommend changes to the Act which is in front of us, The Court of Queen's Bench Act, generally, that will make for a better court system, just as these amendments that are before us in Bill No. 8 are improving the system. I think they should have that sort of assistance made available to them.

I spent some time on this particular issue because I believe it to be an important issue in improving the court system. I believe Bill No. 8 to be an important component and an important activity that goes towards improving the court system, but it does not stand alone. It does not stand as the only improvement which is required. That is why I think it is important when talking about this particular Act and the principles of this particular Act, it is also important to talk about how the general system can be improved.

This Act really calls for a more efficient system, a system which meets the needs of consumers basically and retailers and dealers and wholesalers and others who have to go before the Small Claims Court so that it is a system that is very amenable to them, very easily understood to them, and a system that they can work through quite quickly. Native people expect the same sort of access to their justice system. That is why this Bill gives us that opportunity to talk about that principle of streamlining access to the courts and making courts more responsive to specific needs.

I hope the Government, in reviewing the passage of this Bill, will also step aside the actual mechanics and specific details of this Bill and give further thought as to how they might improve the ability of the aboriginal organizations to involve themselves and, by doing so, involve the grass roots more in the work of the Aboriginal Justice Inquiry.

As I said, Mr. Speaker, they are not asking any more than is available to us as MLAs. It is the same that is available to the Member for Arthur (Mr. Downey) as the Minister. It is the same that is available to my Leader, the Member for Concordia (Mr. Doer). It is the same that is available to the Member for Osborne (Mr. Alcock) or Inkster (Mr. Lamoureux) with respect to our duties

as MLAs. That is what they would like to see available to them.

So I think it is important that if we are asking them to help us with our work, which in fact we are by the Aboriginal Justice Inquiry, that we also provide to them some assistance to enable them to help us in our work and that we not ask that they take away from that which they already have, which is in many instances too meagre in order to do this work which is so important to them. So I think there is an important principle at stake. I hope the Government will not close the door on providing that extra funding but will assist by providing that extra funding.

Mr. Speaker, with respect to the Bill itself, having made those comments on other improvements to the court system which we feel are required and which we feel will flow from the Aboriginal Justice Inquiry if it has an opportunity to fully complete its work, I want to say that we do, in principle, support this particular Bill. I know that there will be others who may want to put comments on the record with respect to this particular Bill and then it will pass to committee. We look forward in committee to dialoguing with groups that come forward. It may be that lawyers may want to come forward on this one because it does impact upon them. It may be, and I hope it is the case, that consumers and persons who have had experiences with the court, The Small Claims Practices Act and the court system come forward and in that way we can determine whether there are any modifications of a technical nature, or even a substantive nature, that can help improve this Bill that will be required.

I am certain that if those are brought forward in that particular form that the Government would be amenable to amendments that would make this a better Bill. So with that in mind, I am going to conclude my remarks and allow others who might want to speak today or on another occasion have an opportunity to do so.

Mr. Gary Doer (Leader of the Second Opposition): I move, seconded by the Member from Churchill (Mr. Cowan), that the Bill stand in my name.

MOTION presented and carried.

Mr. Speaker: Before I call Bill No. 9, I believe it will be helpful to the House if I were to remind all of the Members once again that on second reading it is a principle of the Bill under consideration which is debatable and that while that Bill is an amending Bill it is a principle of that amending Bill, not the principle of the Act being amended which is the business under consideration.

DEBATE ON SECOND READINGS

BILL NO. 9—THE STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT

Mr. Speaker: On the proposed motion of the Attorney-General (Mr. McCrae), Bill No. 9, The Statute Law Amendment (Re-enacted Statutes) Act; Loi modifiant diverses dispositions législatives (Lois réadoptées), standing in the name of the Honourable Member for The Pas (Mr. Harapiak). (Stand)

BILL NO. 11—THE CHILD CUSTODY ENFORCEMENT AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 11, The Child Custody Enforcement Amendment Act; Loi modifiant la Loi sur l'exécution des ordonnances de garde, standing in the name of the Honourable Member for Elmwood (Mr. Maloway).

Mr. Jim Maloway (Elmwood): Mr. Speaker, it gives me great pleasure to rise at this time to address this Bill, Bill No. 11. The Minister of Highways (Mr. Albert Driedger) is starting early today. When the Attorney-General (Mr. McCrae) introduced these amendments on August 24 he commended the previous Government for his actions in this area and its initiatives and of course those comments are certainly appreciated by those of us on this side of the House.

I also read with great interest the comments on this Bill by the Member for St. James (Mr. Edwards), by the Member for Fort Rouge (Mr. Carr), by our critic the Member for St. Johns (Ms. Wasylycia-Leis), and fundamentally, we endorse and support this Bill but we would have liked to see things done a different way and of course that is probably not surprising because different caucuses and different Parties have different approaches to the different Bills.

Mr. Speaker, this Bill essentially allows the court to punish a person who continually and regularly frustrates an ex-spouse's access rights to the children of the marriage and, while maintenance is enforced and wages are garnisheed, we do believe that is good.

Mr. Speaker, I did want to make some comments about the family today and also the many forms that families now take in this environment that we now live. Twenty, thirty years ago, it was not uncommon for people to grow up, in larger proportions anyway of the population, in rural settings, in farms and small towns where people tended to stay together for longer periods. Perhaps many of them in those days did so for what they thought was the good of the children and it is anybody's guess as to whether or not that was a good thing or not. The suggestion today is that somehow people are more liberated and they would rather split than stick it out. While on the surface that probably sounds like a good idea, I think more and more some people tend to believe that the old system was not all that bad. But that is taken in hindsight looking back at it, the number of years down the pipe. Today of course we cannot turn back the clock in society. In fact, these new living arrangements are a reality. They are a part of today's reality and we have to organize society around them and to take these arrangements into consideration.

* (1150)

Today you have a tremendous amount in the Elmwood constituency. We have whole segments of people, largely single parents, 99 percent of them women, living in basically ghettos. What we have done is we have ghettoized poor people into certain areas of the city and of course that is done over the years, and it is a

big problem in society today. What we have tended to do is construct, and by constructing low rental housing in great numbers in one area, we have ghettoized and put all these people into one area.

Now the people who live in that kind of arrangement, particularly in my constituency, but not only there, all over the province, tend to be single parents, tend to be women and really have to put up with all of the strains of today's society with only one parent being there. We have a tremendous number of more people in today's society married for the second time. As years go by I am sure we will have a new group emerging, those married for the third time and the fourth time. In past years, I guess that was the purview of the rich to be married three, four or five times. Now as society has changed over the years, we are finding that is not going to be as uncommon as it was a number of years ago.

Mr. Speaker, Manitoba as a province, particularly under the tutelage of the NDP for the last 15 years, has been a leader in all sorts of areas of progressive legislation. We have, No. 1, legislation in a whole range of areas, thanks to the initiatives of the NDP in its 15 years out of the 19 years in Government in Manitoba. It is no surprise then that Manitoba tops the country in progressive family law legislation.

This initiative was just another move to strengthen and improve upon what is already an excellent package in the country. It was something that the NDP had, I believe, introduced in the last Session so the Conservative Government has merely endorsed a good idea, saw a good idea, endorsed a good idea and brought it forward, as they have done by the way, with most of the other legislation.

I find it somewhat repetitious but almost every Bill that has been before the House almost, at least that I have spoken on, I have to start by saying that this was a Bill that more or less was drawn up by NDP, introduced by the NDP in the last Session and has been just reintroduced using the same wording, or very similar wording, to the previous Bill. It sort of reinforces the view that while things change they remain the same.

You have a new Government elected, a new Government with supposedly new ideas and it does not take them long to move back and adopt the positions of the previous Government. I suspect that some of that has to do with the fact that Government is Government and Opposition is Opposition. It also reminds me of the story about "Animal Farm" where the pigs take over and become the managers, but I will not get into that right now because I would be getting back into political philosophy and I do not want to rouse the ire of the reasonably quiet Government benches this morning. I would like to keep them in their current state and not arouse them in any way.

Now, we would also be very interested in having the Attorney-General (Mr. McCrae) table the White Paper that deals with a broader issue than just the Access Assistance Program. My colleague, the Member for St. Johns (Ms. Wasylcyia-Leis), our critic, has made it clear that she feels that would be a good thing and also the Member for Churchill (Mr. Cowan) in his speech

suggested that we would like to see that White Paper tabled.

Now, throughout the years, I guess if you go back to the old days, Egyptian times, other old societies, the expectations were always low for women and thank goodness that times have changed, and some would say not changed fast enough or gone far enough, but women are now much more confident, I feel, as a group than they were before, and they are emerging with separate entities.

We look forward to the day when 50 percent of the Members of this Legislature will be women, or maybe 51 percent or 52 percent, and 51 percent or 52 percent of the Members of the House of Commons will be women. There are slight improvements in those numbers in the last federal election. The number of women federally in the House of Commons has increased, I believe, to 38 from—I am not sure where it was before but it was a lower figure.

Of course it is something that all Parties have to make an effort to do, to try to encourage women and bring women on stream within the political process and basically to try to equalize a system that is heavily tilted in favour of the men, because the men are socialized to take charge and expected and pushed and trained to take leadership roles and the women are socialized and trained from birth almost to accept a more passive secondary type position. Not only that, but the economic positions that they generally find themselves in makes it more difficult for women to emerge through the nomination process and through the electoral process.

It is not confined to women either. Working class people have that same problem as well, developing in the political process. It is no accident that businesspeople and lawyers tend to predominate in the federal and provincial Houses, because these people have the time, they have the access, they have the connections to make the system work for them, whereas working people tend to be tied down to nine-to-five, more manual type labour jobs, more exhausting physical jobs, and have less time for political activity.

What we find is an emerging sense, on the part of this new generation of women anyway, who are much more confident and who are emerging, I think will emerge even more so in the coming years in all of the Parties. I think it is incumbent upon the Premier (Mr. Filmon) and the Leader of the Opposition (Mrs. Carstairs) and our Party to promote women as candidates, promote women as Cabinet Ministers and maybe even for the Premier to be eventually succeeded by a woman. I know some of his front bench would like to see him succeeded, not necessarily by a woman, but by one of themselves.

Mr. Speaker, the Attorney-General (Mr. McCrae) has announced by a press release of July 29 a child access pilot program and the plan as I understand it is to bring that pilot program into effect in February some time and there is some suggestion by the Member for St. James (Mr. Edwards) in any event that he has checked into this matter and found that they will not be ready by February of next year and that the system may take a longer period to fall into place.

* (1200)

I suppose that is inevitable and I do not know that there is a lot that we can do about it, but nevertheless this program was announced. The pilot program was announced by the Attorney-General (Mr. McCrae) on July 29, but the program itself will be confined only to Winnipeg, will be done out of the Family Conciliation office here in Winnipeg.

Of course we, I believe on this side of the House and I believe the Liberal Opposition too, according to their speakers, would like to see the program expanded to the rural areas of this province. We also feel that the Government should look to the federal Government for a Canada-wide enforcement of access orders. That of course will lead to some problems in terms of jurisdiction but is something that I suppose will be inevitable over a number of years as the mobility in society increases and people find themselves more spread out over the country as jobs demand; and, as the cost of moving and so on diminishes, we find more people changing jobs more often and moving.

We have seen over the last number of years a softening in companies' positions on pension plans and pension credits and the like to allow for portability of pensions and the like, recognizing that people are moving more often. They are changing houses every three or four years, or changing jobs on average much more often than before. They are moving further away probably distance-wise than was the case 20 or 30 years ago.

So the recognition was there that portability of pensions was important and I think the recognition will be there that things like maintenance orders and child custody and so on will eventually have to be recognized on a national basis. I assume that in a number of years we will probably be looking at things like this on an international basis as it becomes much more easy for people to live in foreign countries. I think the Free Trade Agreement that has just been passed is probably inevitably going to lead to that kind of a pull where now we have had for years a lot of people—even in this House—have friends and relatives in the United States and spend more and more time down there.

As the Free Trade Agreement takes effect over the years there will be a gradual pull I believe, North-South, and people will be more and more living and commuting North and South and at that point I suppose there will be some sort of move for international efforts in the Family Law area. Now, I did want to say that on the Free Trade Agreement and the inevitable melding of the economies that those of us on this side of the House feel will happen, that will have an effect on the family because when the two economies become more integrated and people set up plants in the United States, then what will happen is that you will have families living in different countries. Even today, I believe you have a number of families where the husband or the wife works in Toronto and flies back to Winnipeg on the weekend. Certainly, MPs are in that sort of a situation.

Well, over a period of years, it will develop that families will be going on a North-South basis, that the mother

or the father will be commuting to Minneapolis for the job. Then when these families do split up, which will happen in a certain number of cases, then you will run into the problems of the custody of the children and the maintenance problems and things like this. I suppose that one of the reasons that we in the NDP and the Liberal Party did oppose the free trade deal is that we are concerned, or have been concerned about the integration of, not only the economies, but of the results of the society.

I know that Frank Stronack (phonetic), before the last election was in town, and speaking about the Free Trade issue, and he felt that while he could operate some plants in Michigan at lower cost than he can in Canada, he was taken aback by some of the living conditions that people in Michigan had to deal with. He felt that it was better to be paying a little more money to his Canadian workers and have them have good health care programs and be well fed, as opposed to paying a little less in the United States and having the poverty conditions that exist around—at least this particular plant that he was talking about in Michigan—having to deal with the poverty conditions that were around that area, and the conditions that the workers had to work under and the problems they were having, given the lower wages that they were getting. They were earning lower wages, they had to pay for their Medicare fees and the like, and so he felt that the standard of living overall for these people was one that he would not want to see. It was on that basis that he was purporting to be opposed to the Free Trade Agreement.

Now also there is a big problem with pressures on the family over the years. Pressures are getting more and more; drugs have been a problem on the family. One only has to look at when we went to school, at least when I went to school that was about the time that they were starting to come in, but I am sure when Mr. Speaker went to school—maybe not, but certainly the Member for Lakeside (Mr. Enns)—he could probably attest to the fact there was no such thing as hard drugs and that in the school. I do not think that was the case, but today we do not have to go far we are told. I do not want to reflect on the Speaker nor the Member for Lakeside but, in any event, today one does not have to go far to run into a drug problem.

I have initially -(Interjection)- It is a slow day, to the Minister, and I had made the comment earlier that I did not want to live up the front bench of the Government or any of the Members of the Government this morning. I thought they were doing productive things and I wanted to keep them doing those productive things. But in any event the drug problems we have right now, I guess initially were confined to the urban centres, the city. Now it is common to find these problems spread out all over rural Manitoba. You go to any small town in rural Manitoba and you find, I am told, the high schools are pretty full with drugs.

Now relatively speaking, the situation is still not as bad as Miami Vice makes out in Dade County in Florida, where the federal police and the drug dealers are shooting it out every afternoon, those are the extremes. The pristine settings that the Member for Lakeside (Mr.

Enns) grew up in and many people around here, where there was no such thing as hard drugs, to the Dade County where you have got drug dealers living next door and plying their trade openly, those are the extremes. We are well on the road to Dade County, I suppose, that would be my point. The question is how far do we want to go before we pull back? I think that in this last election we tried to make it clear that we felt that accepting the free trade initiative would lead us down that road to Dade County a lot quicker than we would have liked to go. So that is yet another problem that we will be dealing with over the next years.

The increasing urbanization too has been a major factor in this. It seems that the cities certainly are the places where a lot of these social problems have compounded themselves and certainly not helped by the decay in the city cores. The Governments of all political stripes—let me just rephrase that for a moment—certainly in the United States anyway, of all political stripes, have let the urban cores degenerate and deteriorate to the point where it is almost impossible to solve the problem.

In fact, if we had been putting some attention into these areas rather than developing a huge suburban sprawl, had taken and put some attention into the core areas of our cities before they developed into the mess that they are in right now, we probably would have alleviated the problem to a certain extent and not dug ourselves in so deep as we find ourselves now. It is an almost impossible battle now to pull ourselves out of the mess we are in. It is costing far much more money than it would have, had we been incrementally doing what was needed to be done all along rather than just sort of roping off certain areas and giving them up. It is probably not new information to Members of the House to know that in those areas, once an area gets designated as a slum area, it just gets cut right off and set adrift. The financial institutions will not touch it. They are very restrictive in how much money they will lend, in terms of mortgages, in the poorer areas. The insurance companies are very, very leery about insuring properties in those areas and red-circle the areas and rate them higher.

* (1210)

So what you have is these core areas of the city being basically cast adrift and the cost of trying to build them up and cure the social problems are far, far more now and almost impossible than if we had started off in the beginning by trying to update these. This is a lesson, I think, that the Governments have learned by now and hopefully we will not let future areas of the cities develop as we let the downtowns drop.

We are finding that with the environment now. For years and years we let companies move into rural towns, single industry towns. I remember Kenora and Dryden, where they let the paper mills in there and gave them all these incentives and tax breaks and whatnot to get them in. What happened, of course, was because of lax standards, the companies polluted the river and ruined the tourism industry and the fishing industry with the mercury poisoning back in the late Sixties.

What was the long-term effect of that? The fact of the matter is we had some short-term gain and some

very, very long-term pain here. Because while in the short run we got jobs, and Governments and MLAs and MPs got re-elected in the short run by promising jobs and they did deliver those jobs, in fact, what happened, because of the lax standards, these companies tended to pollute because they had no restrictions on them. They left the environment in a mess, they got all kinds of tax breaks and tax holidays and then when the river was polluted they just said it is society's problem. We created the problem, it is society's problem, now you pay the clean-up.

So they got the tax breaks, they polluted the environment and now the public is stuck with paying the clean-up. My point is that it is short-term gain for long-term pain, to quote an old Conservative Cabinet Minister. By the way, he was also the guy who said, if the public knew what we were going to do, they would not elect us in the first place. So they have been following that pretty steadily throughout.

But in any event, Mr. Speaker, I did want to leave a little bit of time at the end and not take up the full amount of time here to give the Member for St. James (Mr. Edwards) —(Interjection)— I knew the Finance Minister (Mr. Manness) would be looking forward to that possibility, so I wanted to certainly to let the Finance Minister have the opportunity of hearing the Member for St. James deal with Bill No. 27.

I know that there are a number of other areas here that I had made some notes on, but I think that, by and large, I have covered the areas that I had wanted to. I think the Bill should be commended to the House for second reading. If there are amendments that come out of that at that time, of course we will deal with them. I am sorry to disappoint the Minister of Finance (Mr. Manness) but I promise him that the next Finance Bill that he brings up I will be very, very happy to get back and do what we were doing the other day. Thank you very much.

Mr. Speaker: Is the House ready for the question? The Honourable Member for Concordia.

Mr. Gary Doer (Leader of the Second Opposition): I move, seconded by the Member for Elmwood (Mr. Maloway), that the Bill stand in my name and the debate be adjourned.

Mr. Speaker: It has been moved by the Honourable Member for Concordia (Mr. Doer), seconded by the Honourable Member for—

Mr. Doer: Seconded by the Member for Dauphin (Mr. Plohman).

MOTION presented and carried.

BILL NO. 21—THE HIGHWAY TRAFFIC AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of Highways and Transportation (Mr. Albert Driedger), Bill No. 21, The Highway Traffic Amendment Act, standing in the name of the Member for Churchill (Mr. Cowan). (Stand)

**BILL NO. 27—THE PRIVATE ACTS-
REPEAL ACT**

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 27, The Private Acts Repeal Act; Loi abrogeant certaines lois d'intérêt privé, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux).

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I would like at this time to give the floor to the Honourable Member for St. James (Mr. Edwards).

Mr. Paul Edwards (St. James): I do not have many comments on this Bill and I propose to simply make some general comments about it and the process that led to this Bill being brought into this House. It is part of the overall translation of statutes in this province pursuant to the Supreme Court of Canada decision and the time line that was set by the Supreme Court of Canada in its wisdom, which we all are very aware of.

The Act, in my view, should be supported and our caucus certainly intends to support it, in that the Private Acts presently in force in Manitoba are not all required to be translated to the extent that certain entities which are incorporated under a Private Act of the Legislature can now be incorporated under the Corporations Branch, in that they are Private Acts for separate institutions, etc., organizations in this province which would serve just as well by being incorporated under The Corporations Act. They would have the same tax advantages and the same administrative advantages. To that extent, I think it is wise that not all the old Private acts be forced to be translated.

That does not mean that the ones that have any public importance, and by that I mean that are likely to be regularly referred to by the public or are likely to be in any way contentious before the public at large, and that includes Acts that affect a large number of the public, they should be translated. I believe that this Act, to the extent that it does preserve the—does not represent all of the Private Acts that were in force in Manitoba, does allow for that.

(1220)

I am led to believe that the various institutions themselves or the various organizations that were incorporated under the Private Acts were contacted and they were asked, did they wish to be reincorporated in Private Act form and have the Private Act translated, or would it be satisfactory for them to be incorporated under The Corporations Act. To that extent, I think these organizations are possibly the best judges of what the purpose of their Act is going to be and the level of public input and concern that would be expressed if in fact their Private Act was not translated. To that extent I think the process has been fair and certainly I think it remains open for any body or organization that was incorporated by Private Act and has now chosen to be incorporated under the Corporations Branch to change its mind in the future if in fact it is found that it is desirable to have their Private Act reinstated and put into translated form.

The other thing that this Act does is repeal some Acts which are not reinstated—and obviously anything that has lost its use in the public forum should be repealed. To that extent, I think that this Bill, while an important Bill and I think serving an important function in cleaning up some of the many, many statutes and Acts which this province has to deal with, is in a sense a housekeeping Bill in keeping with the translation process. It is a useful Bill and I think it should have the speedy passing of this House.

We in the Official Opposition certainly do not want to hold up any of the logical, and I think obviously necessary in light of the Supreme Court of Canada's decision, things that need to be done that meet the requirements of that decision. As I have said, I think this Bill does make an effort to save needless translation costs and does take the non-existing entities out of the Manitoba statutes. To that extent, the Official Opposition is pleased to support the speedy passing of this piece of legislation. Thank you.

QUESTION put, MOTION carried.

**BILL NO. 28—THE AGRICULTURAL
PRODUCERS' ORGANIZATION
FUNDING ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Agriculture (Mr. Findlay), Bill No. 28, The Agricultural Producers' Organization Funding Act; Loi sur le financement d'organismes de producteurs agricoles, standing in the name of the Honourable Member for Flin Flon (Mr. Storie). (Stand)

**BILL NO. 29—THE CATTLE PRODUCERS
ASSOCIATION AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Agriculture, Bill No. 29, The Cattle Producers Association Amendment Act; Loi modifiant la Loi sur l'Association des éleveurs de bétail, standing in the name of the Honourable Member for Interlake (Mr. Uruski). (Stand)

**BILL NO. 30—THE STATUTE LAW
AMENDMENT (TAXATION) ACT, 1988**

Mr. Speaker: On the proposed motion of the Honourable Minister of Finance (Mr. Manness), Bill No. 30, The Statute Law Amendment (Taxation) Act, 1988; Loi de 1988 modifiant diverses dispositions législatives en matière de fiscalité, standing in the name of the Honourable Member for The Pas (Mr. Harapiak). (Stand)

**BILL NO. 34—THE MUNICIPAL
AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Municipal Affairs (Mr. Cummings), Bill No. 34, The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités, standing in the name of the Honourable Member for St. Norbert (Mr. Angus). (Stand)

**BILL NO. 40—THE CITY OF WINNIPEG
AMENDMENT ACT (2)**

Mr. Speaker: On the proposed motion of the Honourable Minister of Urban Affairs (Mr. Ducharme), Bill No. 40, The City of Winnipeg Amendment Act (2); Loi no 2 modifiant la Loi sur la Ville de Winnipeg, standing in the name of the Honourable Member for St. Norbert (Mr. Angus). (Stand)

**BILL NO. 41—THE LABOUR
RELATIONS AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Minister of Labour (Mr. Connery), Bill No. 41, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, standing in the name of the Honourable Member for Inkster (Mr. Lamoureux). (Stand)

SECOND READING

**BILL NO. 12—THE STATUTE LAW
AMENDMENT ACT (1988)**

Mr. Speaker: Bill No. 12, The Statute Law Amendment Act (1988); Loi de 1988 modifiant diverses dispositions législatives. What happened to that one?

Hon. Clayton Manness (Acting Government House Leader): I think there might be a will to call it 12:30 p.m.

Mr. Speaker: Is it the will of the House to call it 12:30 p.m.? (Agreed)

The hour being 12:30 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. Monday.