



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

**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

40 Elizabeth II

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



VOL. XL No. 83 - 1:30 p.m., THURSDAY, JULY 11, 1991



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

LIB - Liberal; ND - New Democrat; PC - Progressive Conservative

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 11, 1991

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. Daryl Reid (Transcona):** Mr. Speaker, I beg to present the petition of Shirley Cord, Sandra Oakley, Jacques Salmyn and others requesting the provincial government to withdraw provincial funding of The Pines project.

### READING AND RECEIVING PETITIONS

**Mr. Speaker:** The honourable member for Burrows (Mr. Martindale), I have reviewed the petition of the honourable member, 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?

**Mr. Clerk (William Remnant):** To the Legislature of the Province of Manitoba

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

THAT the Winnipeg International Airport is vital to the economic health of the city of Winnipeg, and the project known as "The Pines," in its current location, will jeopardize the future of Winnipeg International Airport.

THAT to risk the jobs of the hundreds of people who are employed at the airport is not in the best interests of the community.

THAT "The Pines" project will inhibit riverbank access to the general public.

THAT the strip mall portion of "The Pines" project will give a foothold to commercial development which is incompatible with the residential nature of the neighbourhood.

WHEREFORE your petitioners humbly pray that the Legislature of the Province of Manitoba may be pleased to respect the wishes of the neighbourhood by requesting the provincial government to withdraw provincial funding of "The Pines" project.

AND as in duty bound your petitioners will ever pray.

\* (1335)

### ORAL QUESTION PERIOD

#### Hazardous Goods Transportation Safety Standards

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, we raised this in questions previously in the House, on the safety of rail line transportation in the province of Manitoba, particularly in light of the many complicated and toxic chemicals that are travelling through our province. We have been saying to the Minister of Highways and Transportation (Mr. Driedger), and again we reiterated it yesterday with the St. Lazare derailment, that rail line workers are telling us that the safety standards, safety inspections, the safety consideration for the public is going down in the province of Manitoba in the rail line industry.

Mr. Speaker, in light of the St. Lazare accident and in light of the situation we had with the Elma derailment, I would ask the minister responsible for the Transportation of Dangerous Goods Act whether he, in fact, has read the federal report dealing with the transportation of dangerous commodities in 1989, a documented report that states that the train did in fact carry dangerous commodities when we did have a derailment two years ago and had the federal report produced publicly in June of 1990.

**Hon. Glen Cummings (Minister of Environment):** Mr. Speaker, that is not a report that I am familiar with.

**Mr. Doer:** We certainly will make a copy available to the minister and to the public, because the report goes on to say in its findings, Mr. Speaker, that the conclusions of the report—which I might point out were done by the Department of Transport dealing with a federal Crown corporation and dealing with deregulation policy which, in fact, that department initiated in Parliament of Canada, so they are investigating some of their own situations, which causes us great concern.

This report went on to say that the accident was caused by axle journal failure, Mr. Speaker, but the exact cause of this failure could not be determined. In light of this report, which I will give to the minister, in light of the fact that right now we have rail line derailments being investigated by the department that is responsible for deregulation in the rail line industry, would it not be prudent for this government to look now at having our own investigation pursuant to our own act, the Transportation of Dangerous Goods Act, so the minister could avail himself of the facts of the derailment, which he has not had for an accident two years ago, and that we can be satisfied that dangerous chemicals travelling through our communities, that the public interest is being protected?

**Mr. Cummings:** Mr. Speaker, the member should not assume that I am not familiar with the terms or the conditions of the previous accident that he refers to.

I want to reassure you, Mr. Speaker, that in dealing with this issue, first of all, the federal transportation authority is the regulating authority in relation to rail transportation. As I indicated yesterday, we will be working closely with them to make sure that no stone is left unturned in how we will deal with the information that may flow from the situation in St. Lazare.

I think the member should recognize that, in the first hours after this sort of an occurrence, the primary concern is the safety, first of all, of the population, the environmental concerns that need to be dealt with and the cleanup that flows from that. We will deal with those issues on that priority basis, and the issues such as he is raising are ones that we will continue to deal with in the long term.

\* (1340)

**Mr. Doer:** Certainly all of us are very concerned about the existing situation in the province. We are concerned now that rain will exacerbate the very, very difficult situation with toxic chemicals, and the rain that we have now in the province of Manitoba may make the situation much more serious, Mr. Speaker. I am sure the minister is very aware of that and very concerned about that.

We are very worried about the citizens of the adjacent area. I know the minister is concerned about the water, the ground and the air in Manitoba with these very, very toxic chemicals. We will do anything we can as one party in this Legislature to

work with this government on anything we can do on the immediate situation.

My concern, Mr. Speaker, is that we work also together on the long-term ramifications to prevent future rail line derailments. In the report dealing with Elma, we find that the number of derailments dealing with toxic chemicals have doubled in the Redditt area alone.

Mr. Speaker, my question to the minister is: Do we see an overall trend of derailment with dangerous goods continuing and increasing in the province of Manitoba, and does that not now cause concern for the minister to call our own inquiry so that Manitobans can know we have our own investigation—it is very, very crucial, toxic chemicals, rail line derailments and rail line safety—so that we can take the lead in protecting our citizens in our province where rail lines exist?

**Mr. Cummings:** Well, Mr. Speaker, with the greatest respect to the concern that the member opposite raises, I do not think he should be making judgments about the problems they are having in terms of the chemical we are dealing with in relationship to the weather conditions that prevail. It seems to me, however, that he also is making quantum leaps in terms of discussing whether or not there are trends.

In this society in which we live, I do not think that it is at all disputable that there are more and more goods of this nature being transported. Very simply, rail transportation is one of the safest ways to transport those types of materials.

Thirdly, Mr. Speaker, we will co-operate with authorities, and we will examine our own responsibilities to make sure that everything is done to protect not only the transportation situation as we have it today but future considerations that would evolve from anything we may discover as a result of this situation at St. Lazare.

### **Health Care System Summer Bed Closures**

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Speaker, the Minister of Health has been trying to pass off extended long-term bed closures as summer temporary bed closures. We now know that this is false. The minister said yesterday he was unaware of extended bed closures. We now know that either the minister was falsely misleading

the people of Manitoba or that he does not know what is going on in his own department.

I want to ask this of the Minister of Health, since he is responsible and his policies and his government's policies are cutting into, as Jim Rodger has said in the Free Press, the meat and muscle of our hospitals, now that we know—(interjection)—I would like to pose my question, Mr. Speaker. Now that we know he knows, will he deny approval for the 60 to 70 beds closed now at the Health Sciences Centre and being extended as bed closures until March 31, 1992?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, as I indicated to my honourable friend yesterday, summer bed closures are in process right now at the Health Sciences Centre and at a number of hospitals throughout Manitoba.

Now my honourable friend wishes to quote from the vice-president, Mr. Rodger, about cutting into bone and muscle. That is an interesting quotation because, Mr. Speaker, my honourable friends in the New Democratic Party want to say that summer bed closures have never happened before.

I just want to assure my honourable friends that the summer bed closures proposed at the Health Sciences Centre this year are lower than those proposed for last year and are significantly lower by, well, probably close to 50 percent than what they were in 1987-88 when we were not government. Summer bed closures are going on.

Mr. Speaker, let me deal with the issue of extended, as my honourable friend is alleging is a fait accompli and a decision made. My honourable friend yesterday made a suggestion in one of her long questions. My honourable friend said to put those bed closures on hold—and by those bed closures she meant the extended ones that Health Sciences Centre has proposed—until the Urban Hospital Council has reported and a co-ordinated plan taking into account the needs of patients is presented to the people and dealt with.

That is exactly the status of that proposed extension on a number of beds at the Health Sciences Centre. No decision has been made to close them, nor will any decision be made to extend any closures beyond September, until the Urban Hospital Council examines the impact on the system in Winnipeg, exactly as I have—

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

**Ms. Wasylycia-Lels:** Mr. Speaker, yesterday the minister tried to suggest he did not know about plans at the Health Sciences Centre. On June 26, a memo went from Rod Thorfinnson, CEO at the Health Sciences Centre, to Frank DeCock, executive director of MHSC and associate deputy minister in this minister's department, indicating that 118 beds would be closed for the summer, and in addition, 60 to 70 beds would be closed for an extended period of time until March 31, 1992.

Now we are simply here to ask the minister: Now that he knows, is it a yes or a no? Is he going to put those bed closures on hold—

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

\* (1345)

**Mr. Orchard:** That is exactly the answer and the process I gave to my honourable friend just one answer ago. Just to add a little more information for my honourable friend because, when we are in Estimates this afternoon, I will make this abundantly clear to her and her colleagues, in 1987-88, when my honourable friends were government, the Health Sciences Centre closed beds for 9,212 bed days. This summer the proposal for closing is 6,686 beds, about 50 percent less.

Now, Mr. Speaker, what the Health Sciences Centre has approval to do is the 6,686 bed days involving 95 beds in the June 26 memo. What has not been given approval, as I have indicated—and I am even following my honourable friend's advice from yesterday. The decision will not be made until the Urban Hospital Council considers the impact on the system. No decision has been made and approval given to those extended—

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

**Ms. Wasylycia-Lels:** I hope that means that these beds are not being closed, that nurses will not be laid off and that patients will not have to go on longer and longer waiting lists.

I want to ask the Minister of Health, since we have been getting some very conflicting messages and no guarantees about putting patients first: How many more beds are being closed that the minister is not telling us about?

**Mr. Orchard:** I will tell my honourable friend that the beds at Health Sciences Centre she referred to yesterday that are closed for summer are the 95 beds that are referred to in paragraph (a) of the letter

she has. That accounts for the estimated 6,686 bed days that I referred to for summer closures as compared to the 9,212 beds that were closed in 1987-88. Now that is less, Mr. Speaker, not more.

**An Honourable Member:** This is unprecedented in the history of Manitoba.

**Mr. Orchard:** Mr. Speaker, my honourable friend is right. This is unprecedented. It is 50 percent less than the NDP closed in their last year of government. It is unprecedented that it be that good.

### **Health Care System Psychoanalysis Deinsurance**

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

Over the past month, we have been witness to the obfuscation and misleading statements from the Minister of Health on the issue of deinsurance of psychoanalysis and psychoanalysis services in the province of Manitoba. The minister is hiding his agenda and has not been straight with the House regarding his plans to deinsure medical services.

I would like to quote the minister himself, Mr. Speaker, who on June 13 said: "We want to know, we want to find out, and that is the issue that we have put before both MMA and the Manitoba Psychiatric Association to try and seek out a resolution to this. I do not know what the resolution will be. I do not know what the decision will be that government ultimately might accede to, because I have not received recommendations on how we proceed."

Mr. Speaker, will the minister tell this House why he misled us on June 13, when on June 12 he signed an Order-in-Council deinsuring the services?

**Hon. Donald Orchard (Minister of Health):** My honourable friend, if she would do her Liberal Party a service, would leave the questions on health to her critic who knows full well that psychoanalysis never was an insured service in the province of Manitoba. It was improperly billed under psychotherapy, an issue that maybe my honourable friend the Leader of the Liberal Party, all knowledgeable and wise, should consult with her critic and determine the facts around.

I take some offense at my honourable friend making the allegations that I am misleading the House. My honourable friend, consistently on the campaign trail, for instance, in Minnedosa,

Manitoba, promised seniors that 40 percent of them would be kicked out of personal care homes if she were Premier. Then she turns around and says, well, it is not really what I meant.

**Mrs. Carstairs:** Mr. Speaker, the minister has deinsured psychoanalysis. Now, if psychoanalysis in none of its forms were ever paid for by the Manitoba Health Services Commission, there would have been no need to deinsure it. He deinsured it by an Order-in-Council on June 12, 1991, stood in this House the next day and said he was still discussing it with the MMA and with the Manitoba Psychiatric Association.

Why did the minister tell this House on June 13 that he was still discussing this deinsuring of psychoanalysis with the MMA, when he had received a letter on May 30 from the same MMA saying they would have nothing to do with his deinsurance of this service?

\* (1350)

**Mr. Orchard:** Mr. Speaker, as clear as I can be to my honourable friend, I did not deinsure psychoanalysis. Do you know why? Because psychoanalysis was never a billable insured service. Even my honourable friend's critic the member for The Maples (Mr. Cheema) knows that and acknowledged it in the House. She will not read that Hansard back to the House.

Now, Mr. Speaker, when you have a service which is being improperly billed, you attempt, in co-operation with the MMA as the bargaining agent for those billing physicians, to find a method of stopping improper billing. Surely, my honourable friend wants us to pay as taxpayers for services received, not for services which are provided that are uninsured and billed as another service. That is what we did, and that is consistent with every answer I have given to my honourable friend, her critic and the MMA—

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

**Mrs. Carstairs:** Every single medical dictionary defining psychoanalysis defines it as a form of psychotherapy, every single one of them. Only the Minister of Health and the Province of Manitoba thinks analysis is not a form of therapy. This is an individual with no medical training, but he and he alone, along with his bureaucrats, are now making decisions about what medical services will be available unilaterally in the province of Manitoba.

Mr. Speaker, can the Minister of Health tell this House if that is now to be the process of decision making in the Province of Manitoba, that the bureaucrats and the Minister of Health will determine what are legitimate medical services in the province of Manitoba without any consultation with the medical profession?

**Mr. Orchard:** Mr. Speaker, I was trying to find the quotation on psychoanalysis, which I gave in answer to my honourable friend the member for St. Johns (Ms. Wasylycia-Leis). It is that definition which all the medical journals use. It is because of that definition that this province has never insured psychoanalysis, nor does British Columbia, nor do other provinces in Canada.

Mr. Speaker, the decisions we made are made with consultation with physicians on staff at the commission and with physicians who practise in those given areas, so I feel comfortable when I get advice from those physicians. That is why we acted upon good advice to deinsure nonmedically required, asymptomatic procedures.

Maybe my honourable friend would like to indicate what professional advice she got when she said she would toss 40 percent of the seniors out of personal care homes. Where did that wonderful idea come from?

### **Aboriginal Peace Village Request Refusal**

**Mr. George Hickes (Point Douglas):** My question is for the Minister of Government Services.

This week marks the one anniversary of the 78-day armed standoff at Oka last summer. In an attempt to recognize the importance of this occasion in a constructive and peaceful manner, aboriginal and coalition groups have asked the government for permission to set up a Peace Village on the legislative grounds. In addition to marking the anniversary of the Mohawk standoff, the camp would serve to renew our commitment to working towards the equal participation of aboriginal people in all aspects of Canadian society. Unfortunately, Mr. Speaker, this peaceful request was denied by the minister.

My question is: Why has the minister refused to allow the Peace Village to set up their camp at the Legislature?

**Hon. Gerald Ducharme (Minister of Government Services):** Mr. Speaker, the individual who he is

referring to who came to my office the other day, which as a matter of fact was the day before yesterday, was in my office, and I instructed him to go and see the staff and Mr. Hines who looks after the situations on the grounds. That is the last I heard of that request, but the request came in to me two days ago. He asked to be here today; he asked to be on the grounds today.

**Mr. Hickes:** Mr. Speaker, that individual the minister is referring to is the mayor of the Peace Village.

Many people have speculated that the flower beds at the front of the Legislature have been planted to restrict access to the legislative grounds to many groups, particularly the Peace Village.

My supplementary question to the minister is: Why have the flowers been planted in their current location this year? Why did the minister not suggest some other area of the grounds for the Peace Village to set up their camp?

**Mr. Ducharme:** Mr. Speaker, I do not know what the individual has against flowers. I will tell you one thing, the seniors who came forward just in June appreciated the grounds. We have had numerous comments on the lovely grounds of the Legislature, and this government is proud of the new grounds of the Legislature.

### **Aboriginal Peace Village Request Refusal**

**Mr. George Hickes (Point Douglas):** My final supplementary is to the Premier.

Will the Premier who has expressed his support for aboriginal issues in the past now live up to those commitments today and direct his minister to allow the Peace Village to set up their camp on the legislative grounds and mark the anniversary of this historic occasion in a peaceful and co-operative manner?

\* (1355)

**Hon. Gary Filmon (Premier):** I have always indicated our support for many Native issues in this province. Recently when there were national organizations holding national events here of aboriginal people, we on short notice made funding available after discussion with some of the members opposite. We have gone out of our way to recognize those.

If the member is asking us in some way to restrict access to the Legislature for tourists, for people who use this building from all over or if he is asking us to dig up flower beds and change the configuration of it, I do not think that is a fair and reasonable thing to do. We are following past practices, practices that were in place when the New Democrats were in government, and we are doing our level best to keep this as a building that is accessible to people from all over.

### **South African Products Liquor Ban**

**Ms. Jean Frlesen (Wolseley):** Mr. Speaker, in 1986 the NDP government, like many others around the world, imposed sanctions against the sale of South African liquor in Manitoba. This step was taken to indicate our opposition and that of many Manitobans to the cruel and unjust system of apartheid in South Africa.

Like most Manitobans and Canadians, we are glad to see the beginning of the dismantling of apartheid is on the way, but it is not finished. Much work is left to do. Twenty-eight million South Africans still cannot vote, and tens of thousands are condemned to live as political exiles.

Mr. Speaker, can the minister responsible for the Liquor Control Board assure the House that the policy of banning South African products will be continued?

**Hon. Linda McIntosh (Minister charged with the administration of The Liquor Control Act):** Mr. Speaker, I will take that question as notice, check with the Liquor Commission and find out the answer to the member's question.

**Ms. Frlesen:** Mr. Speaker, I am disappointed the minister is not able to respond at this time because indeed her chief executive officer on the radio this morning did indicate that he would be changing this policy when Brian Mulroney lifted sanctions.

My question for the minister is: Would she ensure that her chief executive officer is responsible to this government and not to the government of Brian Mulroney?

**Mrs. McIntosh:** Mr. Speaker, there has been no change in our policy that I have been made aware of, and I will certainly emphasize that I have no intention of changing that policy.

\* (1400)

**Ms. Frlesen:** Mr. Speaker, I am glad to hear that there will be no change in policy. I wonder if the minister would take upon herself the opportunity of initiating a meeting with the Manitoba Coalition of Organizations Against Apartheid to hear their very grave concerns on this issue.

**Mrs. McIntosh:** Mr. Speaker, I am aware of their concerns, and in my capacity as minister, I welcome meeting with all groups who wish to see me. If I have the time to meet with them, I would be most pleased to do that.

### **Multicultural Secretariat Office Policy Analyst Competition**

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, my question is for the Minister of Culture, Heritage and Citizenship.

We were pleased yesterday in the response from the minister, in regard to the director at the Women's Directorate, stating that it would be open for competition. We have been waiting for the last seven months, since last fall, for another position to be filled that was supposed to be open for competition, and that was the position of Alice Kirkland and the policy analyst at the Multicultural Secretariat's office. We were told that in fact it was temporary. When will this competition be held?

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship):** Mr. Speaker, soon.

**Mr. Lamoureux:** Mr. Speaker, this government never ceases to amaze me. This position now has been reappointed three times, in December, in March and I believe now in June. It is a Civil Service position. It should be a position that is open for competition, and this minister is denying Manitobans the opportunity—

**Some Honourable Members:** Oh, oh.

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

**Mr. Lamoureux:** Why does this minister not come clean with this House and tell us she has no intention of holding a fair, open competition for this position? -(interjection)- It is true.

**Mrs. Mitchelson:** Mr. Speaker, because those are not the facts.

**Mr. Lamoureux:** The member for Portage la Prairie (Mr. Connery) was heckling from his seat. I did not hear the response from the minister.

### Multicultural Secretariat Office Policy Analyst Competition

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, my question is for the Premier.

This position is designated a Civil Service position. The minister has given no one else the opportunity to show their capacity to fulfill this job.

Will the Premier tell us what explanation he has for this blatant politicization of the public service?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I find it very difficult to find the motivation of the member for Inkster. The individual who he is maligning is an individual who held a senior position for many years with the Folk Arts Council, who was chosen by the multicultural community itself for a senior position within their—

**Some Honourable Members:** Oh, oh.

**Mr. Speaker:** Order, please. I am sure the honourable member for Inkster would like to hear the answer. The honourable member for Inkster has posed his question, the honourable First Minister is trying to respond.

**Mr. Filmon:** The Folk Arts Council is a body of the ethnic and multicultural communities of this province. The Folk Arts Council selected this individual for her previous position because of her qualifications and she served for many years in a senior position with the Folk Arts Council. He is maligning this individual and saying she is unqualified and going forward in a personal attack. Mr. Speaker, that is totally, totally inappropriate. We know the kind of gutless people we are dealing with on the other side of the House when they deal with this to people who are public servants who cannot defend themselves in this Chamber.

**Some Honourable Members:** Oh, oh.

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

**Mr. Filmon:** We get it day after day from Liberals, Mr. Speaker. We get it day after day from Liberals. I say that is totally inappropriate, and he ought to be ashamed of himself.

### Agriculture Ministers' Meeting Manitoba Issues

**Mr. John Plohman (Dauphin):** Mr. Speaker, I am pleased to see the Minister of Agriculture is back from the ministerial meetings at the beautiful Kananaskis golf and country club. I see he is sporting a nice tan, or is it a burn?

This minister is used to being burned by the Premier of Saskatchewan, Grant Devine, over the last—he has been burned repeatedly by Devine as he has followed his political agenda in Saskatchewan. He threw in the towel while he should have been fighting to the wall on GRIP with Manitoba against the federal offloading. He left poor provinces like Manitoba out in the cold. Devine has also been shafting Manitoba on Churchill and a number of other areas over the years.

I want to ask this Minister of Agriculture: In view of the fact that the Premier of Saskatchewan recently tried to take credit for an early GRIP payment, which has been called political games playing by independent observers, I ask the Minister of Agriculture when he will stop dancing to the political tune of Grant Devine in Saskatchewan and start showing some leadership on issues that matter to Manitoba in agriculture, on issues dealing with Churchill, on rail line abandonment and offloading—

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

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, I would like to inform the member and the House that the three days that we spent in Kananaskis were inside the convention centre, morning, noon and night.

We dealt with a lot of very serious issues with regard to Manitoba, with regard to the grain price situation, with regard to the international trade, with regard to the transportation issue which was very serious for Manitoba. Being the furthest from salt water of any exporting part in the world, we have to be concerned with the costs of transportation.

Those major issues were discussed, and I brought to the table some 15 items on GRIP but left unresolved by the other provinces and the federal government.

### Rail Line Abandonment Compensation

**Mr. John Plohman (Dauphin):** Mr. Speaker, in view to the fact the minister says that transportation issues dominated the discussions at Kananaskis, why did the minister and his western provincial counterparts not make it perfectly clear, as the Minister of Northern Affairs (Mr. Downey) would say, to the federal minister that they will not be part of any review of the rail system that does not include up-front, as a prerequisite, compensation for those

who are negatively affected by rail line abandonment when it takes place?

**Hon. Glen Findlay (Minister of Agriculture):** Mr. Speaker, it is rather unfortunate the member has not read the efficiencies paper which declared very clearly, and all the people who responded to it, that compensation for those who have to haul further because of rail line abandonment is part of the policy.

### **Port of Churchill Government Commitment**

**Mr. John Plohman (Dauphin):** The minister did not mention communities, did not mention provinces. That is not stated in there.

In view of the fact that there has been no commitment from the federal minister or government on Churchill, and this government has been unable to get any commitment from the Wheat Board with regard to a shipping season at Churchill, why did this minister not show some leadership, enlist the support of Grant Devine and go to the ministers' meeting and the federal minister saying that Churchill has to be the highest priority to get a shipping season there now to ensure its long-term survival and thriving enhancement for Churchill?

**Hon. Glen Findlay (Minister of Agriculture):** Many farmers in Manitoba and farm organizations are supportive of Churchill, as are many organizations and the government in Saskatchewan supportive of Churchill. The conditions for dealing through Churchill by the Wheat Board is that the best return to the farmer must be obtained. We support that commitment. They are out there attempting to sell, to find somebody who will take it through Churchill at a price that is the best advantage to the farmer.

### **Northern Manitoba Trappers Festival School Closure**

**Mr. Oscar Lathlin (The Pas):** Mr. Speaker, my question is directed to the Minister of Education and Training.

The Northern Manitoba Trappers Festival is held annually in The Pas as you probably know and members here know. The Kelsey School Division asked the Minister of Education and Training to allow the students from The Pas to have the Friday on the week the festival is held as a holiday. There have been groups that have written to the minister. The minister has refused the request.

My question is for the Minister of Education and Training. Given that this annual event, the Northern Manitoba Trappers Festival, involves our heritage, culture and good will and is an important and integral part of our lives in The Pas, will the minister tell this House on what basis he justifies his decision against one of the most important festivals in northern Manitoba and in fact is probably the best-known winter festival in this province?

\* (1410)

**Hon. Leonard Derkach (Minister of Education and Training):** Mr. Speaker, there are some very specific regulations which have to be followed consistently with regard to allowing for holidays for children from school. There are many very important holidays celebrated in this province. Many important days are celebrated in this province, whether it is the Festival du Voyageur, whether it is the festival in southern Manitoba, the Children's Festival, in my own constituency, a beef and barley festival which is important to that area, too, and becomes a cultural celebration of sorts.

There are many such events throughout Manitoba, and it is simply impossible for us to acknowledge that we would give students a day off for each and every celebration that there is of that kind in this province.

**Mr. Lathlin:** Mr. Speaker, with support for the holiday from virtually all the groups representing The Pas and surrounding area—and I know the minister says he cannot acknowledge every school division for a holiday, but I think the representations he had from residents from The Pas is that some of those facilities are held for the events for the festival.

Will the minister now reverse his decision and maintain the Friday as a festival holiday like it always has been?

**Mr. Derkach:** Let me assure the member that there are ways in which a school division may decide to take a special day like that in order to accommodate some local activities which might be going on. Mr. Speaker, it is important to note that the school division has to somehow make up the school day. There are provisions within the school act whereby that day can be made up.

It can be made up by extending the school day for a period of time and, Mr. Speaker, we have done this, especially in northern Manitoba where, for various reasons, northern Manitobans curtail their school year earlier and make up the school year

through the rest of the school days by extending the length of the school day by half an hour or so.

**Mr. Lathlin:** Mr. Speaker, I believe that idea was put across to the minister as well.

### **Clearwater Lake Service Cuts**

**Mr. Oscar Lathlin (The Pas):** My final question is directed to the Minister of Natural Resources.

Cuts to the staff and services in his department are having a detrimental effect on facilities in our provincial parks and recreation areas.

I want to ask the minister to tell this House why the \$145 lease fee for summer homeowners at Clearwater Lake remains the same while services have decreased significantly and in some cases totally eliminated.

**Hon. Harry Enns (Minister of Natural Resources):** Mr. Speaker, there have been no reductions with respect to summer care for recreational areas within the Parks Branch. Those are reductions from previous years.

There has been, and the department is aware of it and coping with it, an introduction of staggered work hours which will essentially affect the winter employment throughout the parks system.

I will take the other part of the question as notice, with respect to the specific dollar question that he was asking about, the leasing arrangement.

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

### **Committee Changes**

**Mr. George Hickey (Point Douglas):** Mr. Speaker, last night I made some committee changes in Industrial Relations committee, and I would like to announce the changes.

I move, seconded by the member for Interlake (Mr. Clif Evans), that the composition of the Standing Committee on Industrial Relations be amended as follows: the member for Thompson (Mr. Ashton) for the member for Brandon East (Mr. Leonard Evans).

I moved a second one again last night.

I move, seconded by the member for Interlake (Mr. Clif Evans), that the composition of the Standing Committee on Industrial Relations be amended as follows: the member for Brandon East

(Mr. Leonard Evans) for the member for Thompson (Mr. Ashton).

I have one more committee change for Law Amendments.

I move, seconded by the member for Interlake (Mr. Clif Evans), that the composition of the Standing Committee on Law Amendments be amended as follows: the member for Kildonan (Mr. Chomiak) for the member for St. Johns (Ms. Wasylycia-Leis) for July 11, 7 p.m. today.

**Mr. Speaker:** Agreed?

**An Honourable Member:** Agreed.

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

### **ORDERS OF THE DAY**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I propose to call a number of bills today for second reading after which, around four o'clock, hopefully, we would move into Estimates review.

Furthermore, our Whip will provide committee changes a little later on, and I will give greater clarity with respect to standing committee and bill review also later on.

**Mr. Speaker:** Thank you.

**Mr. Manness:** Mr. Speaker, would you call the bills in the following order: Second Reading Bill 2, and then Adjourned Debate Bills 47, 48, 64, 57, 58, 45.

### **SECOND READINGS**

#### **Bill 2—The Amusements Amendment Act**

**Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship):** I move, seconded by the Minister of Education (Mr. Derkach), that Bill 2, The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements, be now read a second time and referred to a committee of this House.

#### **Motion presented.**

**Mrs. Mitchelson:** On January 28 of this year, our government brought into force a new video classification and licensing program. This program was developed in response to concerns expressed by numerous Manitobans, as well as by our colleagues across the floor, with respect to the availability to minors of unclassified videos rented and sold in retail outlets throughout the province.

By virtue of amendments made to the Manitoba Regulation 489-88, the film classification and licensing regulation, the principles of the existing classification program for theatres and other forms of public exhibition were extended to the video industry. This means that videos are to be classified. Information as to the classification is to be made available to the public. Videos classified as age restricted are not to be rented, sold or exhibited to minors. Retailers and distributors are to be licensed.

The amendments to the regulation also reflect the introduction of a new 18-plus classification category, and conditions of licensing requiring that 18-plus product be segregated from view. As well, the regulation provides for the stickering of 18 plus and other age-restricted videos as a means of informing retailers and the public which titles may not be rented, sold or exhibited to minors.

I am pleased to say that the video classification program was developed in consultation with the local industry and with interested community groups and based on a thorough review of the programs and legislation in place in other provinces. Our government believes that the resulting program reflects a practical course of action. While demonstrating a clear concern for the protection of minors, the underlying strategy has been to introduce and administer the program in a manner which is the least intrusive to both the public and to the industry.

\* (1420)

Having said this, the purpose of Bill 2 is to amend The Amusements Act itself to strengthen the legislative basis for regulation 489-88 and to specify provisions for the enforcement of the regulation. The more significant amendments are as follows:

Firstly, under the existing act, there is provision that it is illegal to sell, rent or exhibit to a minor a film or video classified as restricted. A proposed amendment will extend this provision to film and video classified as 18 plus.

Secondly, under the existing act, there is no specific provision that regulations may be made concerning the conditions of licence. A proposed amendment will enable regulations in this regard to be made, specifically concerning the requirement that film or video classified as 18 plus must be segregated from view.

Thirdly, the existing legislation provides that the board may adopt a classification made by any person. A proposed amendment to clarify this section provides that the board may adopt a classification assigned by the classification board of another province. This change will provide a legislative basis for the practice followed in developing the province's video catalogue of some 20,000 titles.

Lastly, under the existing act, there is provision for the appointment of inspectors for the purpose of ensuring compliance with the act and regulations. Proposed amendments provide that inspectors appointed by the board will be empowered to inspect video stores as well as theatres to ensure compliance. The amendments provide for the seizure of product, advertising or other materials for evidentiary purposes. This will better enable the board to revoke licences for breach of licence conditions. As well, it will better enable the Crown to undertake successful prosecution for violations under the act.

In concluding, Mr. Speaker, I would reiterate that the primary intent of the proposed amendments is to strengthen the legislative basis for the province's new video classification program. This initiative was developed with the encouragement of both sides of this House. I am pleased to note that, since introduction of the program, I have received virtually no expressions of concern about the program from either the industry or the public.

I recommend Bill 2 for approval, and I look forward to continuing support of all members of the House for the measures reflected in this bill. Thank you.

**Ms. Jean Friesen (Wolseley):** I move, seconded by the member for Wellington (Ms. Barrett), that debate on this be adjourned.

**Motion agreed to.**

## DEBATE ON SECOND READINGS

### Bill 47—The Highway Traffic Amendment and Consequential Amendments Act

**Mr. Speaker:** On the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger), Bill 47, The Highway Traffic Amendment and Consequential Amendments Act; Loi modifiant le Code de la route et d'autres dispositions législatives, the honourable

member for Transcona, who has 19 minutes remaining.

**Mr. Daryl Reid (Transcona):** Mr. Speaker, I am pleased to be able to continue where I had left off yesterday, discussing Bill 47 and bringing forward hopefully to the minister and his department the concerns that we have with this bill, even though, in a general way, this bill has much merit.

Some of the things that I talked about yesterday was having a definition that would define people who would be entitled to receive the parking passes and the comment that I had for the minister that I would like to see the wording "for mobility disadvantaged people" included as a definition. We talked about areas where temporarily disabled people, for whatever reason, would be entitled to apply for permits for the term of their disability. I think that is a good section, as well, in this bill, Mr. Speaker.

There are many other areas that are in here, but one of the things that I pointed out to the minister was my concern for the number of may's, the word "may" in the wording of the bill itself. Also, I indicated to the minister about the lack of penalties or sanctions that could be implied against those who falsely use the permits.

I will be working on the amendments this afternoon and have them go to Legislative Counsel, and then would talk to the minister about the potential amendments for this particular bill.

One section of the bill gives the municipalities the discretion to make by-laws for disabled person's parking. The specific use of the word "may" limits to a discretionary act whether or not these municipalities may indeed bring in this type of parking for the disabled people in the province of Manitoba, as far as it concerns their specific communities.

The disabled people do not just live in the cities of this province. They live throughout the province, and they travel throughout the province. I believe they should be afforded equal opportunities that their disabled counterparts in the cities would have. Those who may live in the cities and wish to travel to the country communities, rural communities, I am sure they would like to go there and find that they have the same opportunities available to them.

In the discussions that I have had with people who were involved with this particular bill, there are several concerns that come to mind in discussion

with them. They had raised with me the start-up costs of this program. I am told that the start-up costs will be substantial and in the range of \$18,000. Considering that this organization has only received some \$7,000 per year as a grant, this would be at least two and a half times their normal yearly grant that they would have to incur as part of the start-up.

I recognize that they are going to have some income from the permits as they start to be applied for, but they will incur the expenses right off the start. I hope that the minister would be willing to look at the start-up costs for this program with the SMD. They have indicated that their costs would be expended on certain areas, like public education.

I think that, once this program does start, the SMD has indicated—and I am sure they will start to advise the public that these spots are available only for disabled people who have the permits. I think and hope that the advertising campaign that they mount will be successful in bringing and raising to the awareness of the public at large that these spots are only to be used by disabled people.

There is also administration, computer costs, office costs, the equipment that would normally go into an office to set up for a person to administer the distribution of the permits throughout the province. The usual costs for postage and stationery, as well as salary, go to make up the costs that are going to be incurred in this \$18,000 start-up.

It is obvious that, with the elimination of the grant to the SMD, the fees will be the only means of support for that society, and the society will be forced to be the fall guy for any increase in fees in the future, Mr. Speaker. Also, the society will be in a position of being the one to charge individuals the fee. To some of us in this Chamber, it may be considered to be a relatively modest amount at \$10 over three years for the permits, but to some who are on social assistance, this could be a hardship that would be difficult for them to bear.

The SMD, Society for Manitobans with Disabilities, as the agency that is responsible for distribution of the permits and collection of the fees, would be the one responsible for taking the flack that is going to obviously come about as a result of the fees that are going to be collected before a person can have one of these permits.

Many of the persons who are mobility disabled are still able to apply for a permit so that it may be used by a person who is transporting them. If these

individuals are on social assistance, this fee would be an imposition and would create a financial burden, quite possibly beyond their capability to pay.

I ask the minister and his department to take a look at the possibility of an amendment that would allow the issuer to apply a waiver of fee for these hardship cases, since the previous permits were free, and these people could apply for them and use them without any expense to themselves. I think it would be in order for, as I indicated, the hardship cases to be reviewed and looked at quite possibly with a waiver put into place, and these people would still be entitled to have the permits.

I must indicate—and I know I have talked to the minister about this before—that this is far too important an issue to make political. I do not intend to do that when I read out my comments or indicate my comments from the government news release.

It is indicated here that this is a province-wide program to provide uniform parking privileges for disabled people. When we get into the committee stage in discussion on this bill and where there is so much discretion left up to the municipalities on whether or not they want to take part in this program, I hope the minister and his department, when we get to committee, will realize that this should be a uniform policy, it should be province-wide and there should not be pockets of communities or municipalities in the province that have opted out of this parking program, because it says that it will be a "... uniform standard for all the communities in the province." Those are the words I quote right from the government press release.

\* (1430)

There are several areas, some of which I have just touched on briefly and I will spend a few moments talking about. I talked yesterday about the access architects and designers guide when they are doing construction, a new construction or development. I believe there are many good items in this particular document. I think this document should be included as the reference document for the size of the parking spaces and the positioning of these spaces, because the disabled people cannot with any ease egress or exit from their vehicles in the standard parking spots that we now find in the parking facilities throughout the different communities.

In this document, the design document, it talks about 13-foot-wide parking spaces that would allow

disabled people to enter into and exit from their vehicles. I think this is a reasonable recommendation to make. There are also many other areas in the document that talk about curbs and curb cuts that should be in place to allow wheelchairs or disabled people to move across without any obstructions in their way. It talks about, parking lots should be paved with asphalt or concrete, should have a maximum slope of one in 20 and that there should be not loose gravel surfaces around these areas.

There are many recommendations in this document, including signage and the type of signage that could be used and should be used to warn the travelling public as to the protected spots for these disabled people.

If the minister does not have this already, I will give him a copy of this document for him to look at, and hopefully that we could work this document into if not the act itself at least into the regulations that will apply to this act.

I talked a bit yesterday about the penalties or the sanctions and their not being in some areas of the bill, sanctions that could be applied to those who would misuse the permits. In reviewing this, I find that, since there are no sanctions or penalties that can be imposed, I would recommend to the minister—and I intend bringing forward some amendments to this bill that would put in place penalties or sanctions that would be applied to those who falsely use permits.

I explained yesterday, using examples, that the West Edmonton Mall in Alberta has a fee of \$60 for anyone who falsely uses the permits or parks in a disabled persons parking spot, and that includes delivery vehicles. It has been brought to my attention by people who have witnessed firsthand delivery vehicles being ticketed for parking in these spots. I think the same should apply for this province. There are other spots that could be set aside for delivery vehicles, and there is no need for them to park in a disabled person's parking spot. The Columbia Mall in North Dakota, I am told, has a fee of \$100 for those who park in these spots, and I think that somewhere in the range of between \$60 and \$100 would be appropriate penalty for those who would park in these spots, and not just leave it to the point of having a minor parking-infracton fee applied.

When I talked yesterday about the definition of what should be mobility related, I recognize that there are several what I would consider to be gray areas in this definition on how one could define a mobility disadvantaged person. It could be because of medical conditions such as heart conditions or persons who have suffered a stroke, or it could be blind people or mentally handicapped people.

There are many areas too that could be included in definition in the act itself which I think do not apply as grounds to permit an individual to apply and receive a permit, and that is where if an individual has an amputation of a hand, fingers, arms, that does not mean that the individual is mobility disadvantaged, and I think that there should be express articles in the act itself that would prohibit individuals of this nature from applying unless they have other medical reasons or diseases that would allow them to apply for these permits.

With that, Mr. Speaker, I will conclude my remarks, and I ask the minister to review the information that I have put on the record here. I hope that he will look favourably upon the comments of those who may come before us in committee and the comments and the amendments that we hope to bring forward in the committee stage when we discuss this Bill 47. Thank you.

**Mr. Nell Gaudry (St. Boniface):** I am happy to have this opportunity to speak to Bill 47. I would like this House to know that it was our party, a year ago, that took the initiative in legislating parking privileges for Manitoba's disabled and handicapped people. In that respect we are glad that the government is finally moving on this issue. Unfortunately, despite the general intent of this bill, there are some noticeable weaknesses that will seriously compromise the effectiveness of the future legislation.

What we are most concerned about, Mr. Speaker, is the lack of any standards that would require municipalities across the province to provide parking spaces of uniform size and location. For most of us, this is not a significant issue when we park our vehicles and get out of them, but for the disabled, it is very important that they have parking allotted to them in a very close proximity to the principal entrance of the structure.

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

Furthermore, it is no small concern that these same people are granted the additional space needed for them to enter and egress their vehicles. If hydraulic wheelchair lifts are necessary, or even crutches, a conventional size of parking space is simply not sufficient. As well, there is no stipulation in this bill regarding the number of these spots which must be provided.

These are concerns expressed to us by the Canadian Paraplegic Association, and we think they should be addressed. I would hope that the minister is already aware of the provocations put out by the Canadian Paraplegic Association and other groups regarding these questions. John Lane of the Canadian Paraplegic Association has publicly said that Bill 47 is satisfactory. However, Mr. Lane also said that the bill lacks specific requirements for size of parking spaces, how many there must be and their location.

\* (1440)

After considerable study and analysis, these groups have recommended what they view as adequate standards for these matters. If the minister does not have the access to any of this material, I would be happy to share my copy with him. We hope that this minister will consider these suggestions to otherwise solid pieces of legislation. We think that such changes will provide a standard level of quality throughout the province and, thereby, recognize the significance of this concept to disabled people in our province.

With these amendments, we feel that it is a very strong bill and we will support it. A possible amendment would concern the size of the parking space and specifications regarding how many must be provided and how close they must be to building entrance. With this, Madam Deputy Speaker, I will conclude and will look forward to it going to committee.

**Hon. Albert Driedger (Minister of Highways and Transportation):** Madam Deputy Speaker, in closing debate, I just want to put a few comments. Both critics have been making some suggestions. As I indicated yesterday, we have been taking note of the suggestions and I want to encourage the member for Transcona (Mr. Reid) if he is contemplating bringing forward amendments, it is my understanding there is a possibility that this committee might be sitting tomorrow afternoon to deal with the three Highway bills. If the member

could bring forward those suggested amendments to my attention earlier today, before the day is over, then I—

**An Honourable Member:** Do you have amendments on it?

**Mr. Driedger:** I have one particular amendment on one of the bills, but if we could have those amendments come forward, I could have staff look at it and we could save time in the committee by realizing what the implications are, whether it can be adopted or not. I just want to indicate that maybe, if that is an approach that can be taken, if we do end up in committee by tomorrow afternoon, then we could expedite things by having the information beforehand.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 47, on the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger), The Highway Traffic Amendment and Consequential Amendments Act. Is it the will of the House to adopt the motion? -(interjection)- I am calling the question on Bill 47. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

### **Bill 48—The Highway Traffic Amendment Act (2)**

**Madam Deputy Speaker:** Bill 48 (The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route), to resume debate on second reading of Bill 48, on the proposed motion of the Honourable Minister of Highways and Transportation (Mr. Driedger), standing in the name of the honourable member for Flin Flon (Mr. Storie). Is there leave?

**An Honourable Member:** No.

**Madam Deputy Speaker:** Leave denied?

**Mr. Daryl Reid (Transcona):** I am pleased to rise today and speak on Bill 48, The Highway Traffic Amendment Act (2). I must admit that I had some time going through this particular piece of legislation. It is quite involved, all 21 pages of it, and when I went through the explanation, which I thank the minister for providing, it was very informative and very helpful to have that type of explanation provided. I thank him and his department for it.

When I went through that explanation of the sections of this bill, Madam Deputy Speaker, I found that there were 81 pages involved, and for myself, being relatively new, it was somewhat unnerving to have to go through an explanation of this length. After a period of time, I found that I could understand it, once I had read it over a few times.

I thank the minister for providing the explanation because it went a long way to clearing up some of the matters or concerns I had about the bill in way of explanation by this particular 81 pages that he has forwarded to us.

This Bill 48 should be considered the housekeeping bill for the Department of Highways and Transportation. There are some good changes that are proposed by this bill and some of the sections that are in it that will strengthen the powers of both the registrar of motor vehicles in dealing with various issues and the powers of the police in tracing stolen vehicles through the wreckers, the dealers or the scrappers.

The change in requirement of the use of emergency warning devices by the police may be important to the police in their abilities to apprehend lawbreakers, but careful use of this practice should be maintained at all times to protect the lives of innocent citizens.

This bill also removes in many areas the various forms of gender-biased language that was in common use throughout The Highway Traffic Act. I think it is important to note that, as well, the gender biases and references have been removed through this bill that is before us.

The definition of the term "licence" has been changed. This change now removes the need to have a driver's instruction permit as a separate document from the learner's licence. Currently, beginner operators of motorcycles, mobility vehicles and mopeds are issued instruction permits while beginners of all other vehicles are issued learner licences. The permits were a separate document from the person's driver's licence. These sections of the act will eliminate the instruction permit. Several places throughout the bill, there have been changes in the wording to change The Highway Traffic Act by the elimination of the wording reference to temporary instruction permits. I believe that this will help to ease the paperwork burden for the department and the department of Motor Vehicles. I think that looking at and thinking

about the change that is proposed, it is a good change and will ease some of the workload for that department. I do not think that there was a strong need to have that practice continued.

There were apparent omissions in the way that vehicles could be registered as farm vehicles, where those that were involved in the raising of fingerling fish were involved, particularly for market purposes, the inclusion of those who were involved in this profession or this livelihood are now able to register their vehicles as farm vehicles. This may seem as a minor change to some, but I am sure to those who are involved in this profession, this livelihood, this is an important change that will allow them to have this opportunity to register their vehicles as farm vehicles.

The act has also been amended to expressly prohibit the transfer of numbered licence plates between vehicle owners, even though there appears to have been requests by some in this province to have that provision. As the experience of the registrar is obviously greater in this matter, some of the difficulties that have been stated, we must rely on the advice of the registrar in this case and upon the Manitoba Public Insurance Corporation, both of which, I believe, have greater experience and I defer to that experience.

One of the more significant changes or improvements of the act is the addition of the term "scrapper" to the section dealing with dealers and wreckers. This change allows police to have the opportunity to, if necessary, perform regular checks of the records of dealers, scrappers and wreckers, who must now keep detailed records of their transactions involving the scrapping or wrecking of vehicles.

This change means that they have to record the serial numbers or identification numbers as well as the name and address of the vendors of the vehicles. This change will no doubt assist the police in their efforts to track down car thieves or at least make the thieves' lives more miserable.

The information available states that this program has been in an experimental stage for some four years, Madam Deputy Speaker, and that there has been at least a 22 percent reduction in stolen vehicles across the province. I think that is a significant figure, and it will help to keep the rates that MPIC charges to all of their customers in the province of Manitoba, under control particularly

where we can reduce their expenses in the case of stolen vehicles.

The one concern that I have in this area is that the dealer, the wrecker or the scrapper should, if not already required, be responsible for requesting to see the personal identification from the vendors of these vehicles in these matters and not just to rely on the spoken word of the vendors.

I trust the records that will now be kept will be kept in some detail to ensure the accuracy. The scrappers, the wreckers and the dealers, must now hold all vehicles not purchased from Autopac for 10 days before scrapping or disposing to allow for the authorities to reclaim these stolen vehicles.

This section also spells out the responsibilities of the scrapper. I think this is important to us in this province that the minister and his department have included scrappers in this definition. As the experimental program has shown, there has been a 22 percent reduction in stolen vehicles. That is a significant reduction.

The powers of the registrar have been improved in their ability to deal with probationary licences where traffic offences have been committed during probationary periods. I believe this to be a fair power for the registrar to have considering the number of cases that we have seen, particularly in some of the investigations like the I-Team investigation recently where suspended drivers got back into their vehicles and drove even after their licences were suspended. I believe the registrar should have this power to make some discretionary calls in these matters.

\* (1450)

It seems that the driver's licences, Madam Deputy Speaker, are being issued to younger and younger drivers every time I turn around. Now, I am not sure if it is because I am growing much older, but considering that fifteen-and-a-half-year-olds can now drive on a learner's licence, to me is much different than when I went to get my driver's licence.

**An Honourable Member:** You were driving at 14.

**Mr. Reid:** It was not in my case, as the minister has indicated, that I started driving at 14, although I did hear of cases like that through my youth where there were some cases.

**An Honourable Member:** Did you ever drive without a licence?

**Mr. Reld:** No, I never did drive without a licence. I was always and still am a law-abiding citizen of this province.

The reason that was given for this change to allow fifteen-and-a-half-year-olds to drive on a learner's licence is that the mobility testing units do not always reach the rural communities of this province in a timely fashion. I can understand to some degree the need for the changes and the limitations that were involved. The amendment to include the description of an instructor as well, Madam Deputy Speaker, is important, even though some may consider it to be a minor change. But one area that is in my way of thinking at least, a major change by this act, is the requirement to ensure that the person beside the learning driver is not under the influence of a drug or alcohol or is sleeping. I think that is an important improvement. The person riding beside the learning driver has to be aware of what is taking place at all times.

Recent events have led me to have a greater understanding of the proposed change to the section that allows the registrar to accept a report from trained persons other than the Alcoholism Foundation of Manitoba. While it is important to ensure that our roads are safe from drivers under the influence of any substance and that those convicted were required to attend the AFM, this change to allow other qualified persons to evaluate the recovery of the individual is important, but a close watch should be maintained by the department of Motor Vehicles or the Department of Highways and Transportation and this careful watch should be maintained by those that are now able to submit the evaluations of the individuals under their care for consideration.

I had the opportunity, Madam Deputy Speaker, to have communications with a resident of the city of Winnipeg, who had some concerns that forced individuals who had been convicted of substance abuse, where their licences were suspended, that when after serving their suspension period they went back to reapply reinstatement of their licence privileges, they were told they had to attend the Alcoholism Foundation of Manitoba for an evaluation process. This process involved a fee of \$225 that was to be borne by the individual herself or himself. That is a fee that is relatively steep but after consulting with the people that I know in the AFM, I felt that it was reasonable considering the way that they conduct their operations there and the

means they have to go through to do this particular evaluation testing.

I think what this change in this bill that will affect The Highway Traffic Act is it allows the opportunity for doctors who are experienced, as there are some in this province, to make evaluations of individuals under their care. These doctors will now be able to submit reports to the department of Motor Vehicles giving an evaluation of the individual and a determination of the individual whether or not they have been off the substance that they were abusing in the past.

There are several other areas of changes including the use of the headlamps on and the high-mounted taillights. Many of us have noticed these changes in the newer vehicles, those of us who have the opportunity to own these vehicles, not all of us have that opportunity to have this equipment mounted on the new vehicles. Most of this is now standard equipment on the newer vehicles.

One concern I have is the use of the fog lamps, and there was some indication in the explanation to the bill's sections that indicate fog lamps could be now used on the newer vehicles in substitute of the headlamps. If the fog lamps are going to be used in the headlights on in substitute for the headlamps, I am not sure if there is anything in the regulations that would indicate there has to be specific candlepower for the fog lamps, because there is obviously the opportunity to have many varieties of fog lamps either clear or colored. I think that the act or the regulations itself pertaining to the act should be clear in spelling out what the requirements are for the use of fog lamps in place of headlamps on.

The change in the requirement to the tread wear for tires could be considered okay if enforced, but recent events have shown that some operations have skirted around the once-thought tough safety regulations in this province. I refer specifically to concerns I raised in this House during Question Period some months ago talking about truck-transport companies skirting around the safety requirements of the transportation act. I hope that the minister's department has better success in enforcing these provisions, and the department and the inspectors will pay close attention to this area as well as the other areas that by some companies have been neglected.

The minister will have, as I will have the opportunity to ask questions, to explain the intent for

the Order-in-Council approval of the right retained by the minister to approve or disapprove of any law or rule change by councils or other jurisdictions within the province that may affect the provincial trunk roads or highways and how it may impact on the program to transfer these provincial roads to these municipalities.

The section dealing with speed limits will be pursued by myself with the minister during committee stage or during the Estimates process. I had the opportunity to write to the minister's department several weeks ago asking questions about a specific road 304 in the province and why the speed limits were changed. I anticipate asking the minister questions on this particular road and why decisions were made to alter speed limits that impacted, I think, negatively on the residents in the area.

The proposed change to the proper signals to use when in control of bicycles where the rider may now use a right arm and hand to signal right turns. It is a change most likely not easily recognized by the public, and it may be in order for safety reasons to advertise this change to the bicycle riders who are in ever increasing numbers in this province and to the drivers alike. I call that to the minister's attention because of the safety factors involved.

Another area of change in The Highway Traffic Act is the requirement to conform to the changes in the Criminal Code which indicate that drivers of vehicles involved in accidents where the Criminal Code does not apply, these drivers must now stop and exchange the particulars of the accidents such as names and addresses to other parties that may be involved.

Several other areas of The Highway Traffic Act have been amended to reflect the increased cost of repairs to vehicles and the requirement to report the accident to police. The previous requirement was if the accident involved injury, loss of life or vehicle damage over \$500. The requirement will now be that the reporting must take place if there is an injury, loss of life or vehicle damage over \$1,000. I believe that to be reasonable considering the cost of repairing vehicles as we know it to have escalated over the years, and that will reduce somewhat the paperwork requirement by the particular police departments that had to assist those involved in accidents to fill out these documents.

\* (1500)

Failure to meet these obligations to report accidents could result in fines ranging from \$25 to more than \$500, and/or imprisonment up to three months plus a licence suspension of up to one year.

One area that needs further explanation is the section commenting on the medical review committee's ability to waive the requirements for a fee for appeal. I am unfamiliar with that and I will be asking the minister for an explanation of that when we get to committee.

Also the rural councillors in the different municipalities and communities and local government districts throughout the province, these councillors who are farmers themselves for a livelihood, are now allowed to use their farm trucks in the performance of their duties as councillors. The amendment in this bill will broaden the scope to give reeves the same privileges. I hope that the minister's department has consulted with the MPIC on any possible impacts this may have on their operations.

The requirements for vehicles to be equipped with seat belts or belt systems with airbag technology in good condition is appropriate in my view. The concern that I have is the reliance we may be placing on the manufacturers of vehicles, that they are installing the totally safe restraint equipment, given their need to produce marketable vehicles that will catch the customer's eye. One recent report questioned the use of seat belt technology that was incorporated into the doors of the vehicles, and since these doors of vehicles involved in accidents have been sometimes known to fly open during crash, I wonder about the reliability of this type of technology. I ask the minister's department to consider whether or not this type of technology is safe for use.

The recent events surrounding the failure of certain truck transport companies to perform the required safety inspections and repairs is of serious concern to the residents of this province. The changes to the section involving the inspection of vehicles appear to indicate that the minister did not have the legislative authority to revoke the certification of inspection facilities in this province once approval was given. If that was the case, and this new clause gives the minister and his department the power to revoke this certification then that is a move, I believe, in a right direction.

The objective is to ensure that our roads and highways are as safe as possible for the travelling public by making sure that all required inspections and regulated repair requirements are fulfilled by the companies involved. This bill goes a long way to improving The Highway Traffic Act, and I am sure there will be many other improvements over the course of time.

Now, I would like to take a few moments to discuss a particular item that was brought to my attention recently by a resident of the city of Winnipeg. This citizen is a war veteran and has served in the forces for this country and served for the country. There is a particular provision in The Highway Traffic Act, Section 5(18), that waives the requirement for paying of registration fees for passenger plates for personal vehicle use by these particular war veterans.

The problem is that these regulations do not include the exemption of truck plates for these veterans' personal vehicles. I think that it would be appropriate, where these veterans have indicated preference to drive trucks in lieu of cars, that the exemption should apply for these trucks as well. I know of no other reason why these exemptions should not apply, particularly in the case where the veteran could sign some kind of documentation that would indicate these trucks would only be used for personal use and would no way be used for any business purposes.

I asked the minister to consider this amendment which could be included in this Bill 48, before it goes to committee, and that we could bring forward an amendment to this bill that would include an exemption for these truck plates for these war veterans.

I look forward to going to the committee on this and having the opportunity to ask questions of the minister and his department because a lot of these areas are new to myself. I wish to educate myself on some of these matters, and I am sure we will have other comments on the bill at that time.

I thank you for the opportunity to add my comments to the record.

**Mr. Nell Gaudry (St. Boniface):** Madam Deputy Speaker, it gives me pleasure to rise to speak today to Bill 48, The Highway Traffic Amendment Act.

(Mr. Speaker in the Chair)

I must say, Mr. Speaker, that I too, like the Minister of Highways and Transportation (Mr. Driedger), look

forward to the day where we will be able to bring forward a completely revised highway and traffic act that will be less complex than the present one.

I would also like to take this opportunity to thank the Minister of Highways and Transportation for having forwarded, as he had indicated he would do, the relative information. -(interjection)- He is a good minister, he is one of the few besides you. -(interjection)- Because I like those ducks—information concerning the proposed changes that have been brought forward in Bill 48.

Most of the amendments in Bill 48 deal with the safety of our Highway Traffic Act. I must admit that some of them are very routine in nature. My only concern in this bill, Mr. Speaker, comes in the area which the minister himself feels is the single most significant part of the bill. That section addresses the powers of the Motor Transport Board.

As the minister knows very well, Mr. Speaker, the trucking industry is having a difficult time with rising costs and the threat of southern competition exacerbated by a Free Trade Agreement. What it does not need now is more uncertainty and ambiguity in the common law liability of motor carriers. We were thus bothered by the court decision of April this year, where the Manitoba Court of Appeal ruled that the Motor Transport Board did not have the statutory authority to enact the regulation.

I have read the proposed amendment to The Highway Traffic Act and the appropriate section, and I hope that it will address an unsatisfactory situation. It appears sound, but I will await for the minister for any potential test in the court.

Mr. Speaker, I will be very brief on this one, since it looks very well only as a housekeeping bill, and we will look forward to question the minister when it goes to committee. I will therefore conclude my comments.

**Mr. Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 48, The Highway Traffic Amendment Act (2); Loi no 2 modifiant le Code de la route. Is it the pleasure of the House to adopt the motion?

**An Honourable Member:** Agreed.

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

### **Bill 64—The Energy Rate Stabilization Repeal Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Finance, Bill 64, The Energy Rate Stabilization Repeal Act; Loi abrogeant la Loi sur la stabilisation des emprunts d'Hydro-Manitoba à l'étranger, standing in the name of the honourable member for Wellington (Ms. Barrett). Stand?

**An Honourable Member:** No.

**Mr. Speaker:** No? Leave is denied? Okay.

**Mr. James Carr (Crescentwood):** Mr. Speaker, I would just like to make a few observations about this bill. First of all, I thank the Minister of Finance (Mr. Manness) for the briefing yesterday, for some background on the history of this legislation. I understand that it was brought in by the Lyon government in 1979 as part of the five-year rate freeze for Manitoba Hydro. In return for which there was an agreement that the government would underwrite currency fluctuations for Manitoba Hydro which had borrowed massively on the international markets. What this repeal of The Energy Rate Stabilization Act does is really neutralize the books between the government of Manitoba and Manitoba Hydro, both of which I hope now are hedged against wild fluctuations and foreign currency.

To talk about this bill is also to talk about the whole issue of borrowing on behalf of Manitoba Hydro. We looked with some horror, frankly Mr. Speaker, when we saw The Loan Act for this year, that there was authorization to borrow up to \$500 million for Manitoba Hydro. The authority was granted to the minister, or will be asked to be granted to the minister because of the Conawapa project. If anyone is now following the major hydro-electric development stories in Quebec, you will know that this is one of the major issues of the 1990s, and that is massive borrowing for hydro-electric projects yet to have been given the green light by accepted environmental review practices. In the case of Manitoba it is \$6 billion of borrowing. In the case of Quebec it is more than \$12 billion for the Great Whale project in James Bay.

\* (1510)

What Manitoba Hydro has done is committed to spending some \$110 million on the Conawapa project before it has been given the environmental approvals. That \$110 million will be used to prepare the site, to build a road, to build a power transmission line into the site in advance of the

approval from authorities that the project will eventually go ahead. The Minister of Finance (Mr. Manness) knows, as well as anybody, what percentage of the entire provincial debt is associated with Manitoba Hydro and Manitoba Hydro borrowing. It is actually a very substantial percentage of the total debt for Manitoba.

We have very serious reservations about the wisdom of massive borrowing or even modest borrowing in advance of final approvals of a project. In the case of Limestone, and previous to that the Lake Winnipeg diversion, the Churchill River, and even before that in the early 1960s, Grand Rapids, we have seen what poor planning can cost in the long term both to ratepayers and to taxpayers in Manitoba.

Let me just use two examples, Mr. Speaker. The Grand Rapids project which occurred in the early 1960s was not thought to do any damage at all to the environment or to the way of life of Native bands living in the region; therefore, Manitoba Hydro and presumably the government of Manitoba budgeted zero for contingent liabilities. Well, we have seen in the last number of months that there have been payouts now, over \$21 million, and negotiations still underway which could result in—it is anybody's guess—in payouts to Native bands who were affected by the Grand Rapids project.

Similarly, in the Churchill River diversion, Manitoba Hydro budgeted \$5 million in total for contingent liabilities and the cost of environmental damage and the cost to ways of life for Native bands up North. Already we are into the hundreds of millions of dollars, and there could be outstanding claims for years and years to come and the final cost—nobody knows.

Again, we have in the case of Conawapa, which is current, the government or Manitoba Hydro and the government preparing likely to borrow hundreds of millions of dollars in advance of knowing the full impact. Full impact on the environment not only for the construction of the dam itself but also for the construction of Bipole III. Manitoba Hydro's preference is to build that bipole on the east side of the lake right from the site of Conawapa all the way to southern Manitoba with an interconnect into northwestern Ontario. We are already seeing objections from people who live in northwestern Ontario to the possible consequences of that line.

There are many outstanding issues. I thought it was appropriate that we use the opportunity of debating this particular act which has to do with Manitoba Hydro borrowing in general to the specific issues which surround the \$6 billion Conawapa project.

Again, Mr. Speaker, we understand from the Minister of Finance (Mr. Manness) that the rationale for the repeal of this legislation is to wipe the books clean vis-a-vis the relationship between Manitoba Hydro and the government of Manitoba. It dates back, as I say, some 11 or 12 years and we have no objection to this bill. We will, therefore, not propose any amendments to it when it comes to committee. Thank you.

**Mr. Speaker:** Is the House ready for the questions? Question for the House, second reading of Bill 64, The Energy Rate Stabilization Repeal Act; Loi abrogeant la Loi sur la stabilisation des emprunts d'Hydro-Manitoba à l'étranger. Is it the pleasure of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 57—The Horse Racing Commission Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson), Bill 57, The Horse Racing Commission Amendment Act; Loi modifiant la Loi sur la Commission hippique, standing in the name of the honourable member for Thompson (Mr. Ashton). Stand.

**An Honourable Member:** No.

**Mr. Speaker:** Is there leave? No, leave is denied.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I move, seconded by the member for Crescentwood (Mr. Carr), that debate be adjourned.

**Mr. Speaker:** It has been moved by the honourable member for Inkster (Mr. Lamoureux), seconded by the honourable member for Crescentwood (Mr. Carr), that debate be adjourned. Agreed?

**An Honourable Member:** No.

**Mr. Speaker:** No. The honourable member for Inkster, you wish to speak?

**Mr. Lamoureux:** Mr. Speaker, I am very surprised that the government would not allow myself to adjourn debate, because I did not really get the opportunity, even though I realize it has been on the

Order Paper, to study the bill. I had hoped that our critic would have been given the opportunity to in fact speak on it, so I am very disappointed in that sense.

**Mr. Speaker:** Order, please. We have caused ourselves somewhat of a problem here. The honourable member for Inkster has been speaking to Bill 57, The Horse Racing Commission Amendment Act. The honourable member had asked for the bill to stand. -(interjection)- Order, please. No, you would have had to vote against it if you did not want to allow the honourable member for Inkster to adjourn the debate.

So, therefore, it has been moved by the honourable member for Inkster (Mr. Lamoureux), seconded by the honourable member for Crescentwood (Mr. Carr), that debate be adjourned. Agreed?

**Some Honourable Members:** Agreed.

**Mr. Speaker:** That is agreed. Also now, by leave of the House, is it the will of the House to say that the honourable member for Inkster has not spoken to Bill 57?

**Some Honourable Members:** Agreed.

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

#### **Bill 58—The Development Corporation Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson), Bill 58, The Development Corporation Amendment Act; Loi modifiant la Loi sur la Société de développement, standing in the name of the honourable member for Thompson (Ashton).

**Mr. Steve Ashton (Thompson):** Mr. Speaker, in fact, I had anticipated a number of comments, but of course, this has been a session in which I had to speak on a number of other bills fairly extensively. I notice the Minister of Northern Affairs (Mr. Downey) acknowledges. I know he sat through many of my presentations on Bill 70, in particular.

On this particular bill, Bill 58, while there are indeed comments I may make, I feel it is probably more advised that we take the bill to committee hearings and deal with it at committee hearing stage and allow members of the public to make presentations. That is a very important part, Mr. Speaker, of our concerns in dealing with the

legislative process, to ensure full and complete public hearings. We will fight for that.

We feel that we have a role, but we also have a role as legislators to listen to members of the public. We are prepared to, from our side, send The Development Corporation Amendment Act, Bill 58, to committee hearings. I hope that all legislation in this session, no matter what bill it is, no matter how many presenters we have from members of the public, that each and every member of the public who wishes to make presentation on a bill before this Legislature in committee will have that opportunity. That is our unique institution in Manitoba, Mr. Speaker. We will fight for that right on Bill 58, Bill 70, Bill 68, Bill 35, any of the bills before this Legislature. That is why we are prepared now to send this to committee for all members of the public to have that unique opportunity to discuss or make their presentations on this bill, Bill 58.

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, we understand that this is actually the first step in trying to eliminate the development corporation. We would be more than happy to see the bill go into the committee stage, at which time we will be putting more remarks in regard to the bill, in order that we can try and get into the Estimates today. So at this point in time we in the Liberal Party will allow it to go into committee stage for public hearings. Thank you.

\* (1520)

**Mr. Speaker:** Is the House ready for the question?

**Some Honourable Members:** Question.

**Mr. Speaker:** The question before the House is second reading of Bill 58, The Development Corporation Amendment Act; Loi modifiant la Loi sur la Société de développement. Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

### **Bill 45—The Securities Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Co-operative, Consumer and Corporate Affairs (Mrs. McIntosh), Bill 45, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières, standing in the name of the honourable member for Flin Flon (Mr. Storie). Stand? Is there leave?

**Some Honourable Members:** No.

**Mr. Speaker:** No. Leave is denied.

**Mr. Jim Maloway (Elmwood):** Mr. Speaker, I believe it is our intention after I speak to the bill to allow this bill to go to committee. So I will be the only speaker on the bill for our caucus.

This is a rather minor bill, as the minister has pointed out. It does three things. It amends The Securities Act by increasing the number of members appointed to the Securities Commission from five to seven. I believe they had some trouble getting people out to their meetings. By increasing it from five to seven, they will have a little more flexibility in holding their meetings. I know in some recent hearings that they had certainly they had a full house, so they did not having any problems in those recent hearings.

Also, The Securities Act will be amended to require financial institutions to register if they sell securities such as mutual funds; of course, that is another amendment that certainly makes sense. The third purpose is to amend two incorrect references that occurred when the bill was re-enacted in 1988.

Mr. Speaker, we see nothing objectionable so far with this bill. On that basis I suppose we would like to send it to committee. If people have presentations, representations to make, we would like to hear them, and perhaps those may result in something that may turn out in an amendment that we have not noticed so far.

With that, I move passage of the bill.

**Mr. Speaker:** Is the House ready for the question?

**Mr. Nell Gaudry (St. Boniface):** Mr. Speaker, I stand to speak today on Bill 45, The Securities Amendment Act.

The Securities Amendment Act, sponsored by the member for Assiniboia (Mrs. McIntosh), is an attempt to harmonize provincial legislation and regulations with federal deregulation of the financial services sector in one respect, that being the activity of banks, trust companies and insurance companies in the purchase of sale securities in Canada.

The financial services sector is divided into four parts: banks, trust companies, insurance companies and security dealers. Since 1980, the federal government has been deregulating the financial sector, in other words, eliminating barriers that kept companies of one category from operating

in another category. In this particular case, banks, trust companies and insurance companies can sell securities where before only securities companies could deal in securities.

While we understand the importance of bringing in provincial legislation in line with the new federal realities, in fact these three sectors have been actively dealing with securities for some time. We have a commitment to protect consumers to ensure that the legislation we pass is fair and not regressive.

While we support the intent of the bill, we have two problems with the proposed legislation. The first, it erodes consumer protection. The amendments in Bill 45 will mean that Manitobans can go into a bank, trust company or insurance company selling securities, and purchase stocks the way they would from a securities dealer. Unfortunately, there is a major difference. While securities dealers must be registered and complete a rigorous and expensive training course to be able to give advice to consumers wishing to purchase stock, no similar requirement exists for the employees of banks, trust companies and insurance companies. An exemption means that there is no test of personal competence, especially competence to give advice. Meanwhile, securities dealers must be registered and up to industry and regulatory standards. The exemption is based on the assumption that people will not access banks, insurance companies and trust companies for advice on which stocks to buy, but will only put in orders for stocks. However, there is no provision that states employees other than registered securities dealers cannot dispense advice.

How many Manitobans are not going to know the difference between dealing with securities dealers and the other sector? Not many, Mr. Speaker. We are concerned that by this omission, consumers may be unintentionally misled, led into a false sense of security, if you will. There is enough risk involved in securities without the government increasing the risks to Manitobans.

Our second concern with Bill 45 is that it discourages a level playing field within the financial service sector. Banks, trust companies and insurance companies will have a competitive edge in the buying and selling of securities because this government is not requiring them to train employees up to the standards required for securities companies. It costs securities companies in excess of \$25,000 per employee to ensure people giving

advice are the standards required by the regulations. By not requiring this expensive training of employees in the other three sectors, securities companies are placed in a competitive disadvantage.

My concern regarding this legislation is that we would not only be reducing consumer protection, but also contributing to providing competitive advantages to banks, trust companies and insurance companies at the expense of securities dealers. This could result in the closure of firms dealing exclusively in securities which will limit competition and possibly reduce financial services to Manitobans.

Mr. Speaker, we should be moving ahead, we should be encouraging the expansion of financial services, not passing legislation that could limit the range of services. This therefore leads me to conclude that Bill 45 has flaws that can and should be addressed before this bill is passed.

I look forward to meeting with the other parties in the committee to work co-operatively to amend Bill 45 to ensure that the Manitoba consumers are protected and the marketplace is enhanced.

Mr. Speaker, I will be the only speaker on behalf of our party and I will conclude with these comments and look forward to going to committee.

**Mr. Speaker:** Is the House ready for the question? The question for the House, second reading, Bill 45, The Securities Amendment Act; Loi modifiant la Loi sur les valeurs mobilières. Is it the pleasure of the House to adopt the motion? Agreed? Agreed and so ordered.

### **Bill 57—The Horse Racing Commission Amendment Act**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, would you canvass the House to determine whether or not there would be leave granted on Bill 57? If you could call Bill 57 again, if it is the will of the House.

**Mr. Speaker:** Is there leave of the House to revert back to Bill 57 which is standing in the name of the honourable member for Inkster (Mr. Lamoureux)? Is there leave? There is leave.

On the proposed motion of the honourable Minister of Industry, Trade and Tourism (Mr. Stefanson), Bill 57, The Horse Racing Commission Amendment Act; Loi modifiant la Loi sur la

Commission hippique, standing in the name of the honourable member for Inkster (Mr. Lamoureux).

**Mr. Kevin Lamoureux (Inkster):** Mr. Speaker, I did not want to let the bill go to committee prior to our critic being given the opportunity to speak on it. I understand that he would like to speak to it right now so, instead of trying to give a long-winded speech of any nature, I will at this time sit down and allow him to put a few remarks on the record.

**Mr. Paul Edwards (St. James):** Mr. Speaker, it is my pleasure to rise and speak on behalf of our party to Bill 57. Let me say at the outset, I will be the only speaker for our party. We look forward to seeing this bill going to committee. We understand that it has essentially two purposes. The first is to allow the Horse Racing Commission to delegate powers and, further, the second reason is to limit liability where commission members or employees of the commission act in good faith.

Mr. Speaker, I hate to use the word—because it has sometimes untoward connotations—housekeeping, but this does appear to be somewhat of a housekeeping piece of legislation. Other commissions in place have similar good-faith provisions for their employees and board members and limits liability in those cases. As well of course, many other commissions in this province under our provincial scheme do provide for commissioners to delegate powers.

So this appears to be bringing the Horse Racing Commission up to where other commissions are. We will no doubt have some particular questions in committee, but with those comments I think we are very pleased to see this go to committee. Thank you, Mr. Speaker.

**Mr. Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 57.

\* (1530)

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, while we are talking, I would like to say a few words on behalf of our caucus before this bill goes to committee. This bill, of course, is important to have public hearings. I understand there are members of the public—only one member of the public has signed up to date to present their views and opinions on the Horse Racing Commission to the government.

Mr. Speaker, the horse racing industry and the Horse Racing Commission that governs the horse

racing industry is a very important area in our province. It affects our tourism; it affects our entertainment; and it affects the livelihood of a number of people. We know that this bill before us has two changes, as articulated by the member for St. James (Mr. Edwards).

Mr. Speaker, we are concerned about the horse racing industry in Manitoba. The betting may be remaining on par for the past year based on innovations that have taken place in beverage rooms, but it seems to us that the track activity is something that we should all watch because of the many jobs that are impacted.

I think that, when one is talking about the Horse Racing Commission and The Horse Racing Amendment Act, one has to recognize the tremendous contributions of one Muriel Smith, who was able to save the horse racing industry in Manitoba previous years ago. When the horse racing industry was on its knees, Muriel Smith came to its rescue. -(interjection)- I know that the honourable member from Fleghorn will like to speak on this bill at some other point, but Muriel Smith saved the horse racing industry in Manitoba. I think it is important to recognize today that the horse racing industry was so pleased with the contributions that Muriel Smith made that they even have a race named after the Honourable Muriel Smith, the Muriel Smith Open. Of course, we will continue to work with the government in our views in looking at this Horse Racing Amendment Act, Mr. Speaker.

I just want to put on the record as this bill goes forward to committee the tremendous contributions made by Muriel Smith to keep the horse racing industry in Manitoba, and all members of this House should salute her as we pass this bill on to committee.

Thank you very much.

**Mr. Speaker:** Is the House ready for the question?

The question before the House is second reading of Bill 57, The Horse Racing Commission Amendment Act; Loi modifiant la Loi sur la Commission hippique. Is it the pleasure of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

### House Business

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, before I make the motion to move into Supply, I would like to make the following announcements. Firstly, I wonder whether there is a disposition to waive private members' hour today.

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

**An Honourable Member:** Leave.

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

**Mr. Manness:** Mr. Speaker, there may be some of the parties who wish to make committee changes at this particular time.

### Committee Changes

**Mr. Edward Helwer (Gimli):** Mr. Speaker, yes, I move, seconded by the member for Fort Garry (Mrs. Vodrey), that the composition of the Standing Committee on Industrial Relations for Thursday evening, 7 p.m., be amended as follows: the member for Lac du Bonnet (Mr. Praznik) for the member for St. Vital (Mrs. Render), the member for Ste. Rose (Mr. Cummings) for the member for Roblin-Russell (Mr. Derkach), the member for Steinbach (Mr. Driedger) for the member for Fort Garry (Mrs. Vodrey), the member for La Verendrye (Mr. Sveinson) for the member for Morris (Mr. Manness).

I move, seconded by the member for Fort Garry (Mrs. Vodrey), that the composition of the Standing Committee on Industrial Relations for Friday, 1 p.m., July 12, be amended as follows: the member for Morris (Mr. Manness) for the member for Lac du Bonnet (Mr. Praznik), the member for Lakeside (Mr. Enns) for the member for Ste. Rose (Mr. Cummings), the member for Niakwa (Mr. Reimer) for the member for La Verendrye (Mr. Sveinson), the member for Portage la Prairie (Mr. Connery) for the member for Steinbach (Mr. Driedger), and the member for Springfield (Mr. Findlay) for the member for Seine River (Mrs. Dacquay).

I move, seconded by the member for Fort Garry (Mrs. Vodrey), that the composition of the Standing Committee on Industrial Relations for Saturday, July 13, at 10 a.m., be amended as follows: the member for St. Vital (Mrs. Render) for the member for St. Norbert (Mr. Laurendeau), the member for Riel (Mr. Ducharme) for the member for Sturgeon Creek (Mr. McAlpine), the member for Kirkfield Park (Mr. Stefanson) for the member for Portage la Prairie

(Mr. Connery), the member for River East (Mrs. Mitchelson) for the member for Niakwa (Mr. Reimer), the member for Assiniboia (Mrs. McIntosh) for the member for Springfield (Mr. Findlay), and the member for Lac du Bonnet (Mr. Praznik) for the member for Lakeside (Mr. Enns).

I move, seconded by the member for Fort Garry (Mrs. Vodrey), that the composition of the Standing Committee on Law Amendments for Thursday, July 11, at 7 p.m., be amended as follows: the member for Turtle Mountain (Mr. Rose) for the member for Brandon West (Mr. McCrae), the member for Riel (Mr. Ducharme) for the member for River East (Mrs. Mitchelson), the member for Roblin-Russell (Mr. Derkach) for the member for Emerson (Mr. Penner), and the member for Minnedosa (Mr. Gilleshammer) for the member for Gimli (Mr. Helwer).

I move, seconded by the member for Fort Garry (Mrs. Vodrey), that the composition of the Standing Committee on Public Utilities and Natural Resources for Friday, July 12, at 1 p.m., be amended as follows: the member for Kirkfield Park (Mr. Stefanson) for the member for Gimli (Mr. Helwer), the member for Steinbach (Mr. Driedger) for the member for St. Norbert (Mr. Laurendeau), and the member for Lakeside (Mr. Enns) for the member for La Verendrye (Mr. Sveinson).

**Mr. Speaker:** Agreed?

**An Honourable Member:** Agreed.

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

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, I would just like to reannounce and reconfirm the committees. Industrial Relations, of course, will sit tonight at 7 p.m. Law Amendments will sit also at 7 p.m. tonight, considering Bills 40, 41, 42 and 49. They are known as the Education bills.

Industrial Relations will sit again tomorrow at 1 p.m. Public Utilities and Natural Resources, I will call for tomorrow at 1 p.m. to consider the bills that have been presented today, or are passed today: 46, 47, 48, 57 and 58.

I am announcing that Agriculture will sit Tuesday at 10 a.m. to consider Bills 20 and 53.

Mr. Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

**Mr. Speaker:** Order, please. Prior to putting the question.

**Mr. Steve Ashton (Opposition House Leader):** Just on a matter of House business, Mr. Speaker, the minister had originally announced committee hearings starting at eight o'clock, and concern has been expressed to me by a number of members of the public who happened to be present yesterday but were told by the Clerk's Office that committee hearings would start at eight.

I am wondering if the Minister of Finance (Mr. Manness) can ensure that—I realize the Clerk's Office is being rather overwhelmed by the work, but the members of the public can be informed of that change, even if they have previously been informed of the fact that the committee hearings were at eight.

**Mr. Manness:** Mr. Speaker, further to that end, we made the announcement in committee today, and furthermore, Mr. John Doyle who will be the first presenter tonight—that was a commitment made by the committee—it was indicated to him that the committee would be sitting at 7 p.m. He indicated that that was fine with him.

So I would think that if the committee could begin at seven, and indeed if there is a space, if there is a pause, as between his presentation and other people who might not be there because of the notice, I would ask the member for Lac du Bonnet (Mr. Praznik) and the Chairman then to take a recess until eight o'clock, if that is acceptable. -(interjection)- Oh, yes—

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

**Mr. Manness:** Let me also indicate that Saturday, Industrial Relations will sit starting at 10 a.m.

**Motion agreed to,** and the House resolved itself into a committee to consider of the Supply to be granted to Her Majesty with the honourable member for St. Norbert (Mr. Laurendeau) in the Chair for the Department of Health, and the Department of Fitness and Sport; and the honourable member for Seine River (Mrs. Dacquay) in the Chair for the Department of Justice and the Department of Labour.

## CONCURRENT COMMITTEES OF SUPPLY

### SUPPLY—HEALTH

**Mr. Deputy Chairman (Marcel Laurendeau):** Will the Committee of Supply please come to order. This afternoon, this section of the Committee of

Supply meeting in Room 255 will resume consideration of the Department of Health.

When the committee last sat, it had been considering item 6, Health Services (a) Manitoba Health Services Commission on page 88 of the Estimates book. Shall it pass?

**Ms. Judy Wasylycia-Lels (St. Johns):** Mr. Deputy Chairperson, before we start, I just wanted to indicate that it is our intentions to try to complete Health Estimates in about an hour's time based on the allocation of Estimates for health care and the number of departments remaining. We regret that will not give us ample opportunity to fully address all the areas as we would have liked, but we will be pursuing other issues in other ways.

As I have indicated to the Minister of Health (Mr. Orchard) directly, I have a number of quick questions, and I will try to put them quickly and hope to move along.

I would like to ask a couple of questions under Pharmacare. Is the minister at all looking at the idea of a Pharmacare card?

**Hon. Donald Orchard (Minister of Health):** Yes, there are several issues that are emanating from the report, diversity of the plastic card system, whether it is narrowed to, say for instance, pharmacy, as some provinces have done, or whether we have the ability and can commit the financial resources to expand it across the system because the technology does exist.

The other issue around which we—not only we, when I say we, I mean all jurisdictions—are wrestling is the assurance of confidentiality. When you put to electronic transfer an individual's health records to an office, a physician's office or a pharmacy, you have to be pretty sure that you are not going to have people accessing those records.

There are advantages to having that kind of system in place, and we are addressing its implementation within the system from a cost and what we think would be the advantages of having the system.

**Ms. Wasylycia-Lels:** I appreciate that answer. I hope that in the consideration of this, that certainly a card for seniors and children is given high priority. I have talked to a number of parents with children who have chronic illnesses and need a lot of medication. Well, I can go through that myself on a personal basis. We can manage to afford it on an

up-front basis, but I am sure many families cannot. So I just put that on the record.

My other question on Pharmacare is I have had some concerns raised about the question of generic replacements for drugs and the concern being that forms must be filled out in triplicate, I believe, by pharmacists. Also, unless you know about the fact that you could ask for a generic substitute and you ask for it, you do not get it. My concern is just the whole question of generic substitutes.

\* (1600)

**Mr. Orchard:** I think maybe my honourable friend might be getting someone with two programs mixed. The triplicate prescription one is for a restricted list of addictive pharmaceuticals, and that program was brought in to prevent some of the double doctoring and double pharming and abuse of the system. It has been exceptionally successful. We guesstimate, I will just give you quick data, I believe prescription numbers were down by—give me a rough figure. I do not want to take too much time of the committee. The savings on that aspect of the program alone appear to approach \$800,000 net in the first full year of implementation.

In terms of generic replacement of any other pharmacy product, we have the formulary and all generic substitutes are in the formulary and are the drug of first prescription unless specifically called for name brand. To my knowledge, there is no difficulty of any pharmacy to make that generic switch. If it is requested to be name brand, that is acceded to and paid for under the program, but we encourage generic because there is no difference pharmaceutically and there is a significantly lowered price.

**Ms. Wasylycia-Lels:** With respect to the ambulance program, I am wondering if the minister is at all giving any consideration to a recommendation that is in the interim rural task force for coverage of interfacility transfers?

**Mr. Orchard:** That issue was dealt with briefly on Tuesday. The member for The Maples brought it up and was urging that we consider interhospital transfer.

Let me be very direct. The issue is the same one that has challenged previous administrations in that it is an additional cost to the system. If we make the decision to do that, it is going to probably be a several million dollar additional commitment in funds. We have encouraged, as previous

governments have done, the carriage of personal insurance so that individuals are not impacted on the nonqualifying interfacility transfer. Some do, the criteria are consistent. I think it is within 24 hours, if you are there and back, it is paid for.

**Ms. Wasylycia-Lels:** I understand that there is a growing problem with respect for volunteers for the ambulance service. I am wondering if the minister has a strategy in place to deal with that.

**Mr. Orchard:** That was all part of the ambulance funding announcement. Prior to 1988, the support for ambulance funding was the lowest in Canada. We increased that, but we focused the funds into several category areas. One of the disadvantages in a volunteer ambulance system was that those who would take the training course to become an ambulance driver had to take time off from work. We have a component on the training side which allows ambulance services to assist financially those volunteers who take the training course. That is assisted, I think, quite substantially. We still have some areas like Gimli. Gimli, I believe, is experiencing some difficulties, but generally across the province, I have to say that that new regime of ambulance funding, which put us to about the middle of the country in terms of dollars per capita but focused on certain areas, has been quite well received and has solved some potential volunteer recruitment problems, but not all of them.

**Ms. Wasylycia-Lels:** With respect to the Air Ambulance program, my understanding is that there has been a fairly significant demand on that program. I am wondering if the minister could indicate what the uptake was for the latest year possible and what kind of increase of demand that we are looking at. Given the fact that there is really no increase in this line from last year, how will the minister be able to deal with what I perceive to be an increase in demand?

**Mr. Orchard:** We seem to have a levelling off of demand, I am informed. I do not know whether we can dig right now the number of trips last year and the number of trips we anticipate this year. Did we resolve that issue with billing to the federal government? That is not resolved yet, but we are also working on resolution of an issue of charge back to the federal government in terms of what we charge them, because we do not charge them full cost.

**Ms. Wasylycia-Lels:** On the Northern Patient Transportation Program, I will not go into this too much since it is a controversial issue, and I said I would keep my questions short and to the point. Just simply to ask the minister if it proves to be a difficult provision, the \$50 user fee that this government has introduced, and patients are being denied access, will the minister monitor, assess the program after a certain period of time and make a commitment to reverse this decision if it proves to be a problem in terms of denying people access?

**Mr. Orchard:** A number of things have happened since the announcement of the program. For instance, I have had discussions with—I believe it is the executive director of Leaf Rapids Health Centre or the chairman of the board—the chairman of the board who chastised me, I have to say, on Monday two weeks ago when I was in Brandon at MHO, indicated that if only we had given them some forewarning they could have achieved the kind of savings we are talking about because we expect about a \$220,000 recovery through the \$50 charge and then spend \$2.8 million in the program. The indication she made is that there were many areas in which that could have been done without the method we used. I said, look, if you wish to have those suggestions come down, I am open to listening, but we believe that we have got the policy parameters in place to protect against all eventualities that have been raised to us in the House and by the patient transportation committees.

We do not “believe” that anyone will perish or die because of this program, because of the way it is being implemented. Naturally we are going to monitor it, and naturally we are going to ask those people who have approached me, for their ideas, if they have other ideas on how the program can be streamlined, because since making the announcement we have had calls in the office that it was about time the program got taken a look at because it was not being used solely always for patient transportation, that there was abuse of it. That was not the reason we introduced the charge, but there is certainly not universal disagreement with where we are going. If there are suggestions from those organizations that have experience with it on how to make the program more effective, we are open to listen.

**Ms. Wasylycia-Lels:** Just before going onto hospitals, I am wondering if the minister could just

briefly tell us what the funded Health Services Accountability Bureau will do? I would be happy to receive that information later.

Under hospitals, I wonder where the proposal for a school of ophthalmology is with respect to this government, and whether or not some consideration is being given to some sort of joint effort between Health Sciences Centre and Seven Oaks General Hospital?

**Mr. Orchard:** The issue has been under substantial discussion ever since we came into office because the ophthalmology program was—what would be the terminology? It is not deinsured but was lost in '87, or lost accreditation in 1986-87 for a number of reasons.

There are two issues. There is an issue of cost in terms of reinstating the program, and that is not a small issue nowadays. There are those who are making the case that we can no longer afford to have every training program in every province, that the provinces, particularly the western provinces, ought to be pursuing an opportunity where we train each other's medical students in disciplines and build excellence in some programs in Manitoba and excellence in some programs in Saskatchewan. So that is an option that also is being pursued and we have not made any decisions, but we have been certainly in discussion over the last period of time with SEE as an advocate group who would sincerely want to see the reinstatement of the teaching program that was lost in '86, '87.

**Ms. Wasylycia-Lels:** Is this area now also being considered by the Urban Hospital Council?

**Mr. Orchard:** No, Mr. Deputy Chairman.

**Ms. Wasylycia-Lels:** I would like to ask a question about how the process around tendering for laundry services is carried out. I have had a concern expressed to me about the process not being open in terms of people getting information about the tendering process. Sorry, it is the tendering process for the hospital laundry services. Maybe I should be more specific. The concern raised to me was that information is not provided about who the lowest bidder is and to whom the tender was awarded, and I am just wondering if that is something that the minister is able to comment on or give me some advice about.

\* (1610)

**Mr. Orchard:** Well, my honourable friend has struck upon a very interesting issue, because most

of our laundry is done by regional laundries and, per se, there is no tendering for the vast majority of our laundry in the system anywhere.

**Ms. Wasylycia-Lels:** The individual who contacted me indicated that for the past three years this company has submitted tenders to the Winnipeg hospital laundry services and they wanted to get information about the lowest bidder and to whom the contract was awarded.

**Mr. Orchard:** I do not know the issue, so—

**Ms. Wasylycia-Lels:** Okay. I can send you this.

**Mr. Orchard:** Yes, that might be the best way to do it.

**Ms. Wasylycia-Lels:** Another small issue, or not small but a very specific issue. I have had a number of concerns expressed to me about the situation at a facility in the minister's constituency, the Manitou centre, concerns being raised about how some staff are being treated and feeling that the administration and the board is being very arbitrary and insensitive to some of those concerns. I am wondering if the minister has heard those concerns, if any action is being taken and if he would like more information.

**Mr. Orchard:** The Manitou health centre has gone through a number of months of public concern, and as with every issue that comes up in a smaller community, there are two sides, and pretty quickly you can have the sides quite substantially opposed to one another. There were a number of issues which were not accurate in terms of some of the allegations that were made, and we have attempted to work with the board, the administration, to resolve some of the allegations to bring them to light. I think if my honourable friend were to discuss that issue with the people in the community—I think there is a new physician who is in the community and I think there is a fairly substantial lessening of concerns in the community and the community is coming back together around that new facility and its operation.

**Ms. Wasylycia-Lels:** Thank you, I appreciate that. I will pursue this further, and if I have any further questions, contact the minister directly.

With respect to the Dauphin situation. The issue, it seems to me, is partly around the whole reproductive health question, but also a question of community involvement and ownership and so on. One of the concerns that has been expressed in that area has been in terms of working towards elected hospital board. That has also been a recommendation of the interim rural task force

report. On page 5 it suggests that the Manitoba Health and the Manitoba health organizations examine the benefits of elected local facility boards similar to the school board trustee elections. I am wondering if this issue is being at all looked into by the minister and his department and what provisions now exist for elected boards and what is possible down the road?

**Mr. Orchard:** Well, generally, most of the boards, so there has been no change in the process probably for—what?—10 years, or the last time that the legislation was even looked at. So that the board governance is by the same method, which is generally appointment throughout all of the hospitals. I await recommendations from the Health Advisory Network and will test those recommendations should they contain recommendations to go to elected boards as we have with school or municipal councils.

If my honourable friend is suggesting that might resolve a Dauphin-type situation, I think in other jurisdictions where there are hospital board elections, it has done exactly the opposite. It has had elections to hospital boards narrowed on one issue, generally the abortion issue. It has been the only issue that has been subject to an election to hospital boards and has taken away, in fact, from the opportunity to have people run for and seek election to hospital boards for what they can contribute to improvement of health status and all the other reasons one would hopefully have as an aspiration to seek service on a hospital board.

I would have to carefully consider any recommendation that might come on elected boards.

**Ms. Wasylycia-Lels:** With respect to the shortage of anesthetists, I know that minister had appointed some consultants to review this matter. I am wondering if the report is in and what recommendations have been made.

**Mr. Orchard:** The review is going to be completed this month, hopefully with a report reaching us by mid-August. From thence, depending on what the findings and the recommendations are, we will have to take some steps because we have some concerns expressed and some of them are very real around the issue of anesthesiology.

**Ms. Wasylycia-Lels:** With respect to dialysis, I understand that there has been a 20 percent increase in number of patients over the past couple

of years but no increase in staffing. I am wondering if that is the minister's analysis and what is being done in terms of lack of staff and resources in the dialysis area.

**Mr. Orchard:** We have got some interesting dynamics around hemodialysis in the province of Manitoba. We have one of the highest per capita rates of hemodialysis. We certainly have one of the highest expenditures per capita, or any other indicator one might have, in terms of hemodialysis and dialysis in the province of Manitoba. That has included expansion of service, for instance, in Thompson which is to serve northern Manitoba patients. Of course, it is in several rural areas, Brandon and others inclusive.

We have a unique phenomenon in that we have more hemodialysis as a percentage of patients than we do peritoneal dialysis. That certainly causes the kind of issues that hit us from time to time, such as the individual who is unstable and had to go to Saskatoon to be stabilized for hemodialysis. Should some of those patients, for instance, be suitable and medically able to undertake peritoneal dialysis, naturally our capacity or our staff commitments would be lessened.

Secondly, we do, for instance—when that individual was to—it was decided to fly to Saskatoon, February, I guess it was, we did have capacity for hemodialysis throughout the province, but we did not have capacity at St. Boniface. That begged the question: Are there patients who drive in, for instance, from eastern Manitoba to St. Boniface whose drive could be just as easily accommodated with the dialysis at Morden, for instance, where we have competent staff, a very, very excellent ability to provide dialysis?

\* (1620)

One of the issues that emerged is that we do not have a patient registry, if you will, showing where patients receiving dialysis come from so that we have got a better co-ordination and can have the kind of capacity that we need from time to time in the circumstance with the gentleman who had to go to Saskatoon. The issue is not that we underspend. We, in fact, spend more than most other provinces. We are one of the higher spenders in Canada.

The second issue that emerges is that it is a higher percentage of hemodialysis versus peritoneal.

**Ms. Wasylycia-Lels:** Has a protocol been developed and circulated to all hospitals or emergency departments of hospitals for wife abuse?

**Mr. Orchard:** I do not know whether—I do not think there is a specific protocol, but the issue just sticks in my mind. It was in Question Period a while ago or maybe earlier on in the Estimates. We will check on that for you.

**Ms. Wasylycia-Lels:** Thank you. Related to that, several proposals have been made over the years for a hospital advisory program for battered women. I think there was recently an article in the Free Press about such a proposal being developed by Osborne House and I am wondering if and when that proposal comes to this government or specifically to this minister, if he would look at it seriously. Secondly, if it would be, say, eligible for funding under the Health Services Development Fund.

**Mr. Orchard:** Certainly, we will take seriously the report or analysis and recommendations when we receive it. Whether it would be appropriately funded through Health Services Development Fund, I simply cannot pre-judge.

**Ms. Wasylycia-Lels:** With respect to the issue of nurse abuse, has any kind of protocol been developed since that conference of, what?—I think maybe two years ago. Supplementary to that is, in the absence of a firm policy or protocol, what happens now in terms of someone coming forward with complaint, a nurse abuse case?

**Mr. Orchard:** Well, each facility handles within their staff relations, to my knowledge, nursing abuse and most incidents are handled either internally, or if the abuse is severe enough, outside help, i.e., police help is sought. There is even the potential, with severe enough circumstances, of having charges laid.

I am not aware of any charges that have been laid recently. I do not think any have been advanced that far, but each hospital has a protocol. In terms of any recommendations emanating from the Nursing Symposium from last fall, we are expecting the report in—the Steering Committee for the Nursing Symposium is indicating about mid-September for the report on that. That is very anxiously awaited, as you might appreciate, by all the participants across Canada.

**Ms. Wasylycia-Lels:** While we are on nursing, I just want to get a clarification about the nursing

adviser position. The minister seems to have contradicted himself in Estimates, and I just wonder where he falls on it.

He said on June 24 that there was a clear distinction between the nursing adviser that he is proposing and the chief public health nurse. He said one is a program line; one is an advisory line.

Then on July 2, he said, when I asked him about the Chief Public Health Nurse and the director of the branch we were on, he said, "Joan Bickford will undertake the directorship here, and functions of Chief Public Health Nurse, in part, we anticipate will be undertaken when we fill the position of nursing adviser."

Which to me seems to suggest he is not clearly differentiating between a program position and an advisory position. I am just wondering if he has been able to clarify that.

**Mr. Orchard:** Well, the nursing advisory position will have liaison with our public health nursing staff that are within the department. I mean, that is part of the role, as well as liaison with institutional nursing staff. Joan Bickford has responsibility within the department and has responsibility as the head provincial health nurse—the Chief Public Health Nurse; but the liaison is between the office's nursing adviser and Joan Bickford in a capacity of Chief Public Health Nurse.

**Ms. Wasylycia-Lels:** It is still not clear, and all I would ask is the minister check the Hansard for July 2, where he said "the functions of Chief Public Health Nurse, in part, we anticipate, will be undertaken when we fill the position of nursing adviser."

It just seems to be a bit cloudy there. Perhaps he could look at that and we could talk about it later.

I would like to ask about, just a quick follow-up on the question of the whole consultation with the MMA on the fee schedule. Just to get a clarification, has Dr. Ginsburg been agreed to by both the department and MMA? Has that person been contracted?

**Mr. Orchard:** Not as we speak.

**Ms. Wasylycia-Lels:** Mr. Deputy Chairperson, with respect to, very quickly, personal care homes—and I wish we had much more time here—my understanding is that based on the report of the Extended Treatment task force, there was put in place upper limits in terms of acute care beds that hospitals could use for personal care home beds. It

is also my understanding that those limits generally are exceeded. I am wondering by how many, and how the minister will deal with that area.

**Mr. Orchard:** Those numbers of acute care beds which facility by facility are targeted, if you will, for panelled patient placement, have not changed for a number of years and, I am advised, are not exceeded right now, at least across the system they are not exceeded. There may be an individual facility which from time to time exceeds it, but in general terms, have been staying fairly close to the designated number of acute beds that have been set aside.

**Ms. Wasylycia-Lels:** Just back to hospitals—although this does not really fit there either—the minister has announced in the Capital Estimates, I think, the establishment of a biomedical waste centre and I am just wondering how he envisages that centre once it is built. Who will run it, and what area will it cover?

**Mr. Orchard:** Right now we are in the, I guess it is fair to say, mature planning stage on what a biomedical waste disposal facility ought to do. Originally, we considered for the urban hospitals. We have subsequently expanded that analysis to include the province so that we may well, if is appropriate—and by appropriate I mean with related economics of transportation and operation—have a proposal for one facility that then we would seek approval for construction on.

The issue is in this year's capital budget for several reasons. There have been some individual hospital requests, because that is the way it has been handled before is individual hospitals have had their own disposal incinerators and some of those, I think it is probably fair to say, given the time they have been in service, do not meet current standards. We are anticipating federal standards which will be much more stringent, and we are ahead of the planning cycle. We are anticipating tougher and more stringent disposal criteria and are attempting to plan around that, originally for an urban facility to deal with the urban hospitals and now including the possibility of a facility or disposal facilities which would serve the entire province. That is the architectural planning process that has been asked approval of in this year's capital budget.

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

**Ms. Wasylycia-Lels:** With respect to community health, I am wondering if—and I asked this earlier and the minister said he would get back to me, in terms of if he has approved proposals before him for the establishment of community health centres or district development, where it is at. Is that area expanding? How do proposals sit right now?

\* (1630)

**Mr. Orchard:** The last one we approved was Deloraine-Melita as a health services district. In terms of the community health centres, my honourable friend was in attendance yesterday at the newly renovated Health Action Centre on Elgin, a tremendous investment, 10 years in the making, and I think already with some fairly tangible benefit to the residents and to the staff that are there. That follows upon the renewal, as my honourable friend knows, of Klinikon Portage with relocation to a much larger facility with parking and ability to serve. That follows on, I guess, construction in '80-81 where the government, after many years of back and forth under Bud Sherman's leadership, built Mount Carmel centre. So we have certainly done our share in terms of acceding to longstanding requests that have been before all governments, of making things happen in the community health centres.

**Ms. Wasylycia-Lels:** With respect to the future in this area, does the minister have a process in place for expanding community health centres generally?

**Mr. Orchard:** Madam Acting Chairman, that is certainly a proposal that we deal with, and as I indicated already, in the very short length of time that this government has been around we have dealt with it very progressively with two of the community health centres, Klinik and now the Health Action Centre. Both of those proposals, I do not need to remind my honourable friend, were ones that were on the books and governments of many years had been lobbied to undertake construction of.

I think Ms. Edwards, the Executive Director of Health Action Centre, said that 10 years ago they tried to have that reconstruction done. I was certainly pleased to be the minister there who announced the construction and funded the construction and helped participate in the ribbon cutting.

**Ms. Wasylycia-Lels:** With respect to health district development, it is my understanding that there are a number of proposals before the minister for sponsorship from this government; I think

particularly in terms of moving from a fee-for-service arrangement to salaried program. Could the minister indicate how many requests he has before him, and what is the status of those applications?

**Mr. Orchard:** I cannot give you the number that are before us, but those requests and those discussions are ongoing. I want to tell my honourable friend that one of the very first discussions I had with people outside of the city of Winnipeg around the issue, they wanted to know if I was going to insist on salaried doctors or if I was going to insist on fee-for-service doctors.

I indicated to them that in each health district you make the decision that fits the service delivery patterns in your area. I do not have a philosophical hangup that it must be salaried or it must be fee for service. If the community can make either/or or a blend of the two work, I have no objection. It is what works in the communities that we are seeking to further.

**Ms. Wasylycia-Lels:** Could the minister just indicate briefly when he will be making decisions on the half dozen or so proposals he has before him from health district boards?

**Mr. Orchard:** Madam Acting Chairman, they are in various stages of approval, and some probably will be approved very shortly, some of the arrangements that were requested.

**Ms. Wasylycia-Lels:** Just a couple of quick more questions, and I will pass it over to the member for The Maples (Mr. Cheema).

With respect to the regional branch, service—I do not know what you—

**Mr. Orchard:** It is okay. I know what you mean.

**Ms. Wasylycia-Lels:** Okay. Two questions. One, the minister talked before about reporting lines in terms of the Department of Health. How does this now all fit in terms of Family Services and reporting lines going that way? Is that clear?

**Mr. Orchard:** Basically the same sort of reporting structure in each of the regions. Some of the services and individuals deliver a program funded through Family Services the same as before, so our relationship, Family Services to the ministry of Health, remains consistent.

**Ms. Wasylycia-Lels:** Has the reorganization helped deal with the problem identified in the Price Waterhouse report about home care in terms of reporting lines between home care workers not

being—that there are no direct reporting lines between field staff and office of continuing care and the problems in terms of reporting to the regions?

**Mr. Orchard:** The reporting lines in each region and the continuing care program are through the regional director. Although one can always find glitches to the system, I think there has been a focus of efforts at improvement over the last several years.

**Ms. Wasylycia-Leis:** Does the minister have any future plans in terms of dealing with the concern identified clearly in the task force report on home care?

**Mr. Orchard:** If my honourable friend is referring to the most recently received Health Advisory Network Task Force Report, no, we have not made decisions around the recommendations, and we will naturally be giving them consideration.

**Ms. Wasylycia-Leis:** My last question is, if the minister is able to provide us with some of the outstanding matters that he committed himself to: the adult day care, bed costs, information around people who seek reversal of sterilization, Heart Health, Morden, criteria for the life-saving drug program, status of the Pukatawagan proposal, the Mamchuk home care case in Fisher Branch.

**Mr. Orchard:** I have, and I will have this passed out to my honourable friends. I have information on home care case co-ordinators, average costs for health care. I could read these into the record if my honourable friend wants. Do you want me to read these into the record?

**Ms. Wasylycia-Leis:** No.

**Mr. Orchard:** I have information on the number of patients on the life-saving drug, diabetic drug program, the nobody's perfect program, the antipartum Home Care Program; and here is the Tupperware work site, Manitoba Heart Health Project; and here is infant death rates, Manitoba versus Canada. Now, there are some others I think that are outstanding that we will provide as quickly as we put them together.

**Mr. Gulzar Cheema (The Maples):** Madam Acting Chairperson, my first question is going to be as I have discussed with the minister yesterday and today and, with his assistance, I called the Health Services Commission and talked with Dr. McBeath. There is a problem, possible problem, in terms of the Manitoba regulation by the health insurance service, the amendment by Order-in-Council of June 12.

Myself and Dr. McBeath do disagree with some of the elements of the provision, that is the cost medical removal of benign or asymptomatic naevi wart and skin lesions, except for a person aged 15 and under. I think it was a good discussion that Dr. McBeath told me. I was not aware of that. They have a similar provision in Ontario, also, with some modification there. He said that probably we should look at both the provisions and make sure we come to some conclusion, because he does have some difficulty in terms of who is going to be covered and, basically, who will be covering the pathological reports. If we remove the word benign or asymptomatic, leave the removal only for cosmetic reasons, then that could be one way of doing it. I think the minister did—let me just have a look at the—probably that is the information we got from Dr. McBeath.

\* (1640)

**Mr. Orchard:** My honourable friend drew that to my attention yesterday, and I am naturally going to defer to the superior wisdom of two professionals, Dr. Cheema and Dr. McBeath.

**Mr. Cheema:** Madam Acting Chairperson, I would leave the minister to make a decision. I do not want him to stand up in the House every time and say that it was a decision made by us. Simply, I think we brought the issue, at least we had a good discussion. I think if we go through the appendix d. The minister has a copy of that appendix d under 4.(a). That is from Ontario. I think it was 1988, their fee schedule, and it says that under the heading 4—benign lesions such as naevi keratosis spinal naevi papilloma and neurofibromata. Number (a) is face of . . . or destruction of this lesion is a benefit of OHIP where there is any suspicion of disease or malignancy.

I think, you know, that may solve the problem under (a). If we include that special word, or we remove the word "benign" or "asymptomatic," I think that could be acceptable to adopt at least that, so there is no confusion from the patient as well as from the physicians. We look for the minister to make certain changes. I would certainly share the information with the member for St. Johns (Ms. Wasylycia-Leis) if she would like to go through it and probably come up with a proposal of her own, whether that is acceptable to them or not.

Certainly we would like to see the total change, but I think as long as cosmetic removal—and now it

has become more clear that that has been done in other provinces too. Manitoba was not the first one to do it.

**Mr. Orchard:** Madam Acting Chairman, look, on these issues I do not take any exception to advice from my honourable friend, and if we can work that to greater clarity, we will. When my honourable friend brought up the reversal of sterilization with sudden loss of a spouse, I took that issue back to government and my colleagues, and they suggested yet another suggestion in terms of tragic loss of children. Both of those suggestions have been incorporated into the changed regulations, and without the open discussion of Estimates and the advice of honourable friends, we would have missed that one. So I am quite willing to explore the issue he has raised and come to a better wording or a better decision.

**Mr. Cheema:** Madam Acting Chairperson, we thank the minister for that approach, because I think that was very helpful. We had a good discussion through the Health Services Commission, and they were very open. Certainly we have learned that Manitoba was not the first one to do it, so I think that may be solving some other problems as well.

My next question is in terms of a very specific question from the urologists, and I think the Minister of Health (Mr. Orchard) and the Health Services Commission may have received a letter from Dr. Krahn, who is a very well-known urologist, who has a very good reputation, and who has served Manitoba very well.

They have a major concern, not only from his side but the other urologists from Manitoba, that their technique where they are using ultrasound biopsies of prostate—and they have done good research and more of a factor—is able to detect the cancer at an earlier age. Of course, it is saving tax dollars.

They have been doing it outside the hospital in their own clinics, but they do not have a tariff number which will cover some of the expenses. According to their research, it will cost a minimum of \$250 in the hospital not for an admission; outside the hospital, it is costing about \$47.65, but that does not cover the basic cost for some of the instruments they have put in place.

I think it would be advisable to go through their proposal which is very constructive. It would save money in the long run. It would also take some load off the OR rooms. Certainly we will share the paper;

I am sure the minister has it. It is one of the research papers by Dr. Krahn, and it is very self-explanatory. I would like to hear from the minister whether they have made any decision on their proposal.

**Mr. Orchard:** Madam Acting Chairman, I am aware of that proposal because it came in just a little while ago, and I have the same kind of professional respect for Dr. Krahn as my honourable friend the member for The Maples (Mr. Cheema) does. I have sent the matter over to the commission, because sometimes we can play ping-pong, if I can put it bluntly, on some of these issues. The MMA has an involvement in terms of working with government in terms of fee schedule approval, so that is in process. I do not know what the decision will be at this time.

Secondly, the other thing that I want to attempt to find out—and we are not certain whether the Centre for Health Policy and Evaluation can give us information and advice as to whether this investigative procedure, particularly as it relates to prostate malignancies, has advantages over other methods of investigation, and I am very interested in seeking that advice.

**Mr. Cheema:** Madam Acting Chairperson, I think I am willing to share a paper by Dr. Krahn, an associate, which is very self-explanatory. It has good research and it indicates the procedure which is done in other parts—it has been done in other parts of Canada as well. It clearly indicates the number of biopsies they have done in their own clinic, up to about I think 800 or so, Dr. Krahn has done. Because he is doing those biopsies outside the hospital, the number of the biopsies inside the hospital has decreased from 650 in 1987 to 540 now. That information was given to us by the Manitoba Health Services Commission.

I think it clearly indicates that this is a very effective procedure, it will save money, and above all it will save some lives. I think we should have a very serious look at this procedure, and whatever arrangements can be made to compensate for the amount of capital expenditures or the amount of money they will spend for some of the instruments. It is not a major amount, but I do not think the physician should be subsidizing the government of Manitoba. In fact, this group is going to save money in the long run, so I want to re-emphasize what we have said, and we want to support this proposal.

**Mr. Orchard:** Look, I thank my honourable friend for his advice on that, and I will give it full and careful consideration.

**Mr. Cheema:** Madam Acting Chairperson, I just want to indicate our support for the Pharmacare card, which was our policy in 1988 and 1990. The minister, I think, for the last two years has tried to skirt around the issue because they were not sure how they are going to do it, whether it will come as a separate Pharmacare card or whether it will come as a part of a smart card group.

(Mr. Deputy Chairman in the Chair)

I think the minister touched briefly in response to a question from the member for St. Johns (Ms. Wasylycia-Leis), but I would like him to come up with a proposal. It has been three years, and certainly it has been the experience in other provinces. In Saskatchewan the program has been very effective.

What we would like him to do, at least to start with the seniors and people with chronic diseases should be also included. It is going to be expensive to start with. It is not going to be free to start with the specific program, but it will save money in the long run, it will cut the cost, it will cut the gray period and it will help the seniors to manage their limited resources in a much better way. So I would like the minister to make a quick response. It has been three years.

\*(1650)

**Mr. Orchard:** Well, I accept my honourable friend's advice here, and I cannot add any more than what I did earlier on today with the two answers to the member for St. Johns (Ms. Wasylycia-Leis).

**Mr. Cheema:** Mr. Deputy Chairperson, can the minister tell us also whether this administration is going to look at the smart card program as well?

**Mr. Orchard:** Well, I do not want to get hung up on terminology of smart card versus others, but given that we have a report out of the Plastic Card Technology Conference, there are two choices: One can narrow it to the Pharmacare program for target groups, seniors being one of them, or one can go the extra mile and introduce it across the system. That really is the decision we have to make.

Now, backgrounding that decision is cost, because the installation costs are pretty significant, and what the benefit will be. Right now there is some indication that it may well be beneficial, but then on the other hand, beneficial enough to offset

the cost, we do not know. We just do not have that answer today. There is also the ability to implement across the province, because one would want to try and have as complete a coverage across the province as possible. You are going to have that if you move even narrowly with just a Pharmacare card because, no doubt, most of the areas where there would be a pharmacist on-line, there would also be a physician. So most communities would be covered with that. What we are seeking is, what is the incremental cost and what might be the potential benefit of having it a universal card system?

**Mr. Cheema:** Mr. Deputy Chairperson, I think it is interesting to note the NDP government in Ontario is also having a look at the Smart card.

**Mr. Orchard:** They have had about seven or eight months to try to pick up some of our good ideas, yes.

**Mr. Cheema:** Can the minister tell us that—the minister has tried to answer this question, I think, many times about the northern transport program and this \$50 fee. Certainly, from our point of view, I am still not satisfied because the rationale is not very clear at present, how this \$50 fee is going to eventually fall to the patients, and I do not think it is going to save money. I will give him the examples.

I think it is going to be somebody who is going to wait, and if they do not have money, and even if they are not covered by social assistance, but somebody with a middle or a low income may not be able to come and visit a physician because for consultation purposes or for some procedures they were delayed. Eventually, they may get sick more, and it will cost us more money.

From that point of view, we are not convinced that is the right approach. The arguments given by the minister that the rest of the province is still paying, the rest of the people are doing the same thing, why not have the Northerners pay their share? I think the circumstances in the rest of Manitoba are very different. There is easy access to most of the primary care services. There is easy access to some of the diagnostic procedures which may not be true in some of the northern communities. So I would like the minister to tell us and justify, try once again and maybe review this policy which is going to be very detrimental in the long run.

**Mr. Orchard:** Mr. Deputy Chairman, I feel like a member of one of those old crews that used to go from farm to farm. They thrashed wheat day in and

day out, and they always separated the wheat from the chaff. I have been doing that consistently but, unfortunately, my honourable friend is on the end of the blower, and he is just getting the chaff. We are catching the grain. I will try to give my honourable friend some indication.

In all of Manitoba, all citizens have available to them ambulance service. That is supported by the government of Manitoba, by the taxpayers of Manitoba, under a granting formula. That is one area of patient transportation support to access the health care system that is all across the province.

In the city of Winnipeg, there are clearly our most complete medical services available, but even despite that, citizens in the city of Winnipeg must take a taxi, a bus, their own car, to access those services in Winnipeg. Sure, a modest cost, but they pay it.

In rural Manitoba, all of us drive to see our physician, go to the hospital for the emergency, anything. We get there, and we drive. We have a neighbour drive. We do not have taxis. We do not have transit buses.

In northern Manitoba where those similar services are provided, there is the Northern Patient Transportation Program wherein the taxpayers of Manitoba pay the cost of ground transportation or air transportation for those individuals to access health care services. That program will continue, and it will be absolutely of no cost to anyone in northern Manitoba or in the designated area for emergency services, for repeat procedures like chemotherapy dialysis, for the escort of a child to medical services.

There will be a request for those individuals to pay the first \$50 for elective procedures. That is not paying it all as other Manitobans do in Swan River, northern Interlake, et cetera. It is paying the first \$50. That can mean, for instance, going from Gillam to Thompson under—say you take your car, it would mean that you would receive \$122 from the taxpayers of Manitoba to make that trip from Gillam to Thompson, whereas before the program you would have received \$172. I mean, it is not exactly as if we are making them pay the entire costs. It is only the first \$50.

I am told that in the first experience with the program, for instance in Flin Flon, there have been 58 warrants issued under the Northern Patient Transportation which would meet the criteria of

contribution. Fifty of those warrants paid cash on the issuance of the warrant, and the other eight have agreed to pay within the 30 days. Every expectation is they will.

I think the allegation made by some members of the House, and I will not point my finger because she is not here in her capacity as the Leader of an opposition party, where she left the impression that northern Manitobans would not pay their bills. That is false. Northerners want to pay their fair share, as well. That seems to be demonstrated, the experience to date that we have seen in Flin Flon.

**Mr. Cheema:** Mr. Deputy Chairperson, last year there were about 13,599 transferred under this northern transport program.

Can the minister tell us how many were during an emergency and how many were the elective transfers last year?

**Mr. Orchard:** I cannot give you anything but an estimate. We expect \$220,000 to be the contribution by elective warrants, those receiving elective warrants. The balance of the program is paid entirely if it is an emergency or for dialysis or chemotherapy or for a companion to travel with a child. That cost is going to be \$2,800,000. So in rough figures, we have 1/14th of the program subject to some contribution. I realize that is imprecise. It is not 1/14th of the warrants because some warrants are bought with a \$50 contribution, but they may be a \$700 warrant. So rough figures—could one say 50 percent might be subject? It looks like about 12,000 warrants would be elective.

\* (1700)

**Mr. Cheema:** Mr. Deputy Chairperson, the minister has said their aim is to reach a level of \$220,000. So that means, you know, once you reach that level and if more people would require services, that will be covered then?

**Mr. Orchard:** No. Whenever you budget, you do not know what the expectations are. In terms of budgeting the impact of this program, it is expected that there would be a \$220,000 contribution by elective users of Northern Patient Transportation warrants if the criteria will be followed. If that revenue comes in at \$200,000, then we are not going to go back and say, well, you know, we thought there was another \$20,000 and try to get it somewhere. We are going to apply the criteria

evenly, but the projected dollars around the program change are \$220,000.

**Mr. Cheema:** Mr. Deputy Chairperson, that was the reason I asked the first question, how many would they transfer under the emergency program and how about the other one for normal cases. So I think that will give some indication how much money is going to be brought into the program, and maybe it could be calculated very easily at how many patients were transferred and multiply it by \$50. I think it is a very easy calculation. The minister should have known how many patients would be requiring the elective transfer based on the average for the last five years.

**Mr. Orchard:** Mr. Deputy Chairman, yes, except that under our elective warrant, under the way we kept the numbers before, there was, for instance, the escort for child. That was under an elective warrant, but that is not going to be charged. Under elective was chemotherapy and dialysis. Those are not included under the charges, so that the best estimate we could have was in the \$220,000 range. Bear in mind that the taxpayers in Manitoba are still providing, or are budgeted to provide, \$2,800,000 of support in addition to the air ambulance and in addition to the ambulance pass.

**Mr. Cheema:** Mr. Deputy Chairperson, I will go to the section under Manitoba Health Services Commission Medical Program. As the member for St. Johns (Ms. Wasylycia-Leis) did ask the question that the consultant who was supposed to come from United States, and it is my understanding the person met with the MMA board of directors. I was told that the person did not know why he was here in terms of whether he had the time to do the work, in terms of being on the committee which is going to be a part of the so-called Manitoba fee schedule reforms.

Can the minister tell us why the person was brought here if the person was not aware of his commitment and how much time he is going to be devoting? As I understand, this person is also very busy with the U.S. Congress and advising them on major health policies.

**Mr. Orchard:** Most of what my honourable friend says is correct. The individual is very busy with the U.S. Congress. He is one of the pre-eminent investigators and advisers in terms of reimbursement systems for physicians in the U.S. My honourable friend may not be getting an accurate relay of the information since he was not

at the meeting, because—I am not going to relay what I heard about the meeting and how it was substantially different than what my honourable friend has indicated, because I will have my discussions on that issue directly with Dr. Ross and Dr. Cleghorn at my next meeting, and I will not—

**Ms. Wasylycia-Leis:** Are you going to have another meeting?

**Mr. Orchard:** My honourable friend from St. Johns (Ms. Wasylycia-Leis) says, are you going to have another meeting. My office door is always open, and if Dr. Ross and Dr. Cleghorn wish to have a meeting, we will have a meeting. That invitation is open to them at all times.

From what we can see, if we could have Dr. Ginsburg undertake that study, we would certainly have an individual with substantial credentials behind him undertaking that study.

The visit to Manitoba was to come to an understanding of what our system is, what the study was to involve and undertake so that he can get an idea as to what his time commitment might be, because my honourable friend is correct, he has a commitment to the Congress of the U.S.A.

I am hoping—and I lay this out quite pragmatically—the Congress of the United States sees sufficient value in having the ability to take a look at our complete fee schedule under a publicly funded system that they will wish to have Dr. Ginsburg and his associates undertake the reform study, because I think we both can learn a significant amount and benefit taxpayers in both nations and benefit practitioners in both nations.

**Mr. Cheema:** Mr. Deputy Chairperson, when they made the agreement with the MMA last year, part of the agreement was to study the fee schedule and the reforms. Can the minister tell us who is going to pay for the study? Given that Bill 69 may have some impact in terms of the revenues, the MMA may not be able to afford the full cost of the study program. I think that is causing a lot of ill feelings among the group, and I think Bill 69 has not pleased many individuals. I would like the minister to tell who is going to pay for the study.

**Mr. Orchard:** The agreement we had with the MMA was that we would jointly split the cost of both studies, fee schedule reform and factors driving volume.

Mr. Deputy Chairman, I realize that is the current issue around Bill 69. When I discussed Bill 69, and

in subsequent pronouncements I believe Dr. Cleghorn made when he had his press conference with the NDP, it was indicated that there would be very little impact on their revenues because most doctors supported the MMA. Now it seems as if when it comes to issues they think government might be interested in, they seem to be saying now, well, it is going to have an impact on revenues.

I quite frankly do not know which it is going to be. Only the MMA knows that. I simply make the point to you that Bill 69 does not deny any doctor the freedom, the right, the privilege, the opportunity to contribute not only his fee but double his fee to the MMA if the MMA is representing them skillfully with quality. I know my honourable friend as a physician will be wanting to double his contribution to the MMA.

**Mr. Cheema:** Mr. Deputy Chairperson, on a very serious note—I am already having difficulty to pay my own bills.

**An Honourable Member:** He wants to retract that.

**Mr. Cheema:** No, I am just saying the time I am devoting to my role as an MLA—I think it has taken a lot of time and it is a very serious job. I take it very seriously. I am giving almost full time.

Can the minister tell us, if there will be any deficiency of funds on the part of MMA, whether the government will be willing to accept the responsibility to share the cost then of the study?

**Mr. Orchard:** Mr. Deputy Chairman, I am one of the most reasonable people the MMA will ever deal with. Should they wish to come with a legitimate financial problem that the MMA representing doctors has that they are short of money, I will undertake to have my staff work diligently with them to go through their books, to see how this shortage is impacting upon their ability to deliver services and help them in any way I can.

**Mr. Cheema:** Mr. Deputy Chairperson, that is very generous support. I am sure the MMA Board of Directors will be very happy to hear that the minister is going to support in all that action with his books and with his money and with his ideas and will be able to come up with a policy which will help all people of Manitoba.

Mr. Deputy Chairperson, my next question is in terms of the shortage of professionals. I will not go into anesthesia manpower, the member from St. Johns (Ms. Wasylycia-Leis) has already asked questions. I will go into the other areas of specialty

where there is a shortage. So far, we have not heard the minister making any statement for the last two years in terms of dealing with the shortage of specialists, for example, in rheumatology, in psychiatry, and some of the other areas, for example, urology. I will just give a few examples.

Can the minister give us an update on what specific measures they have taken in place to make sure that we attract more people? He is going to say that the Liberal Party did not support the special fund and that is not true. We did support the special fund that was a part of the last year's agreement. I would, just to correct—to put my words on the record because the minister is going to say the same thing.

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

\* (1710)

**Mr. Orchard:** Mr. Acting Chairman, I mean my honourable friend must be feeling terribly guilty about past actions if he is already defending himself before I have even said a word.

There are some specific specialties which are currently in shorter supply than we would like to see in the province of Manitoba. There are a number of factors around that in dealing with, for instance, anesthesiology—you know, I have received correspondence from a retired anesthetist. He was stimulated to write and his letter was very, very direct. He said government does not own the problem. The problem is because the MMA, their ability over the past number of years of distribution of the fee schedules, left anesthesiology to the bottom of the heap. The MMA in its distribution ought to resolve the problem instead of laying it at government's feet and simply saying, we need more money. I thought that was quite a bold statement for the individual to make, and he had practised anesthesiology at one of our major hospitals for a number of years.

We have made that case with the MMA. We attempted in the last fee schedule to see that they would put extra money into such areas as anesthesiology within their distribution. We insisted on three areas, which we have resolved, as some of the problems, but we were not able to resolve the rest. The MMA rejected, without reference to their members, the guaranteed services fund concept that we had proposed in the November '89 fee schedule package. This, no doubt, will be an issue that will again be subject to negotiation and resolution.

I simply want to tell my honourable friend this is not government's problem in isolation. This is a problem that has been created by the method with which the MMA has distributed fee schedules amongst specialist groups. We will assist them, in reasonable ways to the taxpayer, to try to come around that problem but they cannot make the argument that government has a responsibility of simply pouring more money at the fee schedule because it is already in excess of \$300 million.

**Mr. Cheema:** Mr. Acting Chairperson, I will just deal briefly with the problem in terms of the anesthesia manpower shortage. In some ways the minister is right, the fee schedule has been lagging for the last 10 years. It has been persistently behind and then it was never addressed to the extent it should have been. Now we have ended up with a very low fee schedule and it is having a serious impact to retain the new graduates. We have one of the best programs in this country for the anesthesia postgraduate program. It is really unfortunate that the fee schedule is so much different from Ontario and Saskatchewan and the rest of the country.

So we are having a difficult time retaining even our own graduates, but still, I think, the one aspect could be addressed, as they have done in terms of the psychiatry shortage, that there was an increase in the \$10,000 for the psychiatrists, and on the same issue it could be addressed to boost the fee or it could be done on an individual hospital basis. Seven Oaks has done it very successfully, and the other hospitals are trying to follow the same guidelines.

It would be worthwhile to explore all the possibilities, because ultimately the Minister of Health is responsible to have the adequate number of specialists in this province. The minister has not addressed the other issue of rheumatologists. Can he give me some idea of what they have done in terms of solving the problem for rheumatologists?—because I think we are the lowest in this country, probably numbering about four to six and that may have a serious impact in terms of the postgraduate training program as well in the long run. So can the minister tell us what they have done?

**Mr. Orchard:** Mr. Acting Chairman, that is one area that we were able to make some progress, for instance, on the fee schedule side, with rheumatology as a specialist discipline having a 20

percent increase to the office visit tariff schedule. That hopefully will contribute towards recruitment retention efforts.

**Mr. Cheema:** Mr. Acting Chairperson, the member for Concordia (Mr. Doer) has just come and he has made a certain statement I will not repeat on the record. I think it will look very, very bad on the opposition Leader to make such a statement, and I will not repeat that on the record—very distasteful from the Leader of a party.

I will go on with my next question. Mr. Acting Chairperson, I am not going to stop asking questions. If somebody is having a problem, then they should discuss it with the House leaders. I still have some questions.

Mr. Acting Chairperson, can the minister tell us what they have done in terms of the walk-in clinics study?—because the minister promised us even in the last session that they will come up with a policy after the study is completed.

**Mr. Orchard:** We are only closer to having that issue in a usable recommendation form, and I want to tell my honourable friend that I regret that, because I think it is one of the issues that can help us get around other issues that are troublesome within the provision of physician services in the province. It is causing—there is no question it is exacerbating some of our rural northern recruitment retention problems, et cetera. I say with regret that I am no closer—well, I am closer, but I do not have a usable report that I might take some action or at least have some discussions with MMA, the college and others to see if suggested resolutions are appropriate.

**Mr. Cheema:** Mr. Acting Chairperson, can the minister tell us in terms of the chiropractors fee schedule, and what is the average number of visitors the chiropractor is allowed, and what is our ratio as compared to the rest of the country?

(Mr. Deputy Chairman in the Chair)

**Mr. Orchard:** Mr. Deputy Chairman, we are right around the 15, and I do not think any province now has unlimited coverage. Some provinces do not have any coverage, and other provinces have varying degrees of coverage. Ours is in the neighbourhood of 15, but that does not include X-rays and some other initial examination costs which the patient has been bearing.

**Mr. Cheema:** Sorry, I missed the last part of the answer.

**Mr. Orchard:** Our program is in the 15-visit range where government will provide coverage, but our coverage does not include, for instance, X-rays on the initial investigation by a chiropractor. Some provinces do not provide any insured benefits. We are probably, in the provinces that provide services, in about the middle range of the value of services that we will provide under chiropractic.

**Mr. Cheema:** My final question in terms of the medical program. We did discuss the issue of the Standing Committee on Medical Manpower, and certainly there has been some progress made, but I will just go back to my issue that I have been raising with the minister for the last two years. I still have difficulty in terms of how this program could be more effective in terms of the foreign medical graduates who have been in this country and in this province. Some of them may have passed exams, some of them have not passed exams, but I think they should have access to this fund because right now the policy is that you must secure an internship position, you must secure an outside sponsor, and sometimes it is very difficult to secure an outside sponsor who will say that I will pay you \$30,000 if you go through an internship program.

I would like the minister to review that policy with the intention to make sure that people who are qualified could get the necessary training. It could be five years or 10 years in a given community; we have no difficulty with that as long as they could get the opportunity to serve Manitoba.

\* (1720)

**Mr. Orchard:** Mr. Deputy Chairman, as we have discussed with my honourable friend on past occasions where we have dealt with this issue in Estimates, through the Standing Committee on Medical Manpower we have made deliberate efforts to attempt to marry, to match I guess is the proper word, foreign-trained physicians and communities that wish to recruit physicians with an attempt of having the community support the physician in his residency years so that the community is served by that individual once able to be licensed in the Canadian medicare system. That is part of the effort that we are trying to take on, and I certainly accept my honourable friend's advice.

**Mr. Cheema:** Some of those students have gone through English as a second language program, and they were able to secure good skills last year. I guess about 20 students. Some of them did pass

their exams, and some of them were not able to pass the Canadian evaluation exam, but with the new exam at the University of Manitoba they have to pass both of them, and they can get accepted in the internship program. Certainly the funding from the Standing Committee on Medical Manpower could be made available to them so that they can serve people.

Mr. Deputy Chairperson, I did have a lot of questions, but there has been some source of irritation on my left side. I would certainly stop it here. It is very unfortunate that the Leader of a party would make comments which do not suit to any member in this House.

**Mr. Deputy Chairman:** 6.(a) Manitoba Health Services Commission: Provides medical, hospital, personal care home, pharmacare, ambulance, air ambulance, and northern patient transportation services.

Gross Program Costs \$1,534,927,000; Less: Recoveries \$7,121,000; Net Program Costs \$1,527,806,000—pass; 6.(b) Community Health Services: 6.(b)(1) Salaries \$28,709,200—pass; 6.(b)(2) Other Expenditures \$3,946,600—pass.

Resolution 71: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,560,461,800 for Health for the fiscal year ending the 31st day of March 1992—pass.

By the agreement of the committee on July 9, AFM could be discussed after passing Resolution 71, so we will now revert to the AFM. That is Appropriation 5. It is one full department. The total department costs will be \$10,293,600. Shall the item pass?

**Mr. Edward Connery (Portage la Prairie):** We are dealing with the AFM at this point?

**Mr. Deputy Chairman:** That is correct.

**Mr. Connery:** I have a couple of questions I would like to ask the minister relating to the St. Norbert Foundation. The youth group has now gone into the St. Norbert Foundation now, is that not true—the new youth centre?

**Mr. Orchard:** Just this fall we have modestly—Housing, generously, has provided funding so that Kirkos House, which is the first adolescent women's treatment centre, is now in operation. That builds upon the adolescent male treatment centre that has been in operation I am not

sure how many years as part of the St. Norbert operation.

**Mr. Connery:** Is it under the direction and guidance of the St. Norbert Foundation?

**Mr. Orchard:** Yes.

**Mr. Connery:** I guess my concern with the St. Norbert Foundation, and I am not criticizing the people who are trying to do a job, it is my understanding that the St. Norbert Foundation does not believe in a follow-up program or does not utilize a follow-up program after the people leave the St. Norbert Foundation, such as the AA support group. My concern with the adolescent being there is, if they are not referred to a support group after, that they are not going to have the success rate that they should have.

**Mr. Orchard:** Mr. Deputy Chairman, given that their youth clients can be from all over the province, that is one of the weaknesses of their follow-up program. It is not as mature as it could be.

**Mr. Connery:** I do not know if I am wrong or not, but it is my understanding that the St. Norbert Foundation does not believe in the AA program. Is this true, because anything that I have heard or understand of the St. Norbert Foundation is that you go there for treatment. It can be a prolonged period of time. It can be for families, which is good, that particular treatment, but then after discharge there is no follow-up program and support group. I think statistics show that people being treated for drug or alcohol substance abuse, if they do not have a support group following discharge, there is a higher percentage that goes back to it.

**Mr. Orchard:** I am advised that they do not attach strongly to the AA post-treatment model and have their own follow-up program. One can say, it is not adequate enough or it is not successful enough, but appreciate that no matter where you go in terms of, particularly, youth addiction treatment services, your success ratios are in the low 40s, high 30s. Any information I have seen of St. Norbert's program is that they are within that range as well. It is a most difficult age group to achieve higher success ratios regardless of program and support services.

**Mr. Connery:** Is the department going to expand on the St. Norbert Foundation and take away from AFM, or will AFM continue to be the dominant treatment for alcohol and drug abuse?

**Mr. Orchard:** I think the AFM has a very mature and established program in adult services. We

have just recently turned the sod in Brandon on a new Sun Centre which gives us, through the AFM, a significant commitment to their program and their service provision for Westman. If one wants to read anything into that, that means the AFM has a solid future behind it. That contrasts quite significantly to '87 when administrative decisions were proposed to fold some of the administrative function out of Brandon.

In terms of youth program, the St. Norbert Foundation has an expanded capacity in role for adolescent youth women, and that was a decision that was made by this government to fill a niche which we did not have filled in the province of Manitoba. We had adolescent male program, but we did not have adolescent female program, and St. Norbert has filled that gap for us.

\*(1730)

**Mr. Connery:** Just in final, Mr. Deputy Chairman, I understand there was a void and there was a need to fill that void. It was a very significant improvement. I do hope that the minister would carefully monitor the various success rates of groups and to consider, and I do not understand why the St. Norbert Foundation does not use the AA program as a follow-up after treatment.

This is something difficult for me to understand but, nevertheless, I would ask the minister to carefully monitor it. If we are going to be using them, such as the adolescent women, then there might be other expansions. I would hope that we would be very careful, because in the end result, it is the success rate that is important.

**Mr. Orchard:** Agreed.

**Ms. Wasylcia-Lels:** Just for the record, let me indicate that we have many questions under this area that we would like to have asked. We are under time constraints due to the hours remaining for a good number of other departments. We will be anxiously awaiting the war on drugs report and expecting imminent proclamation of the anti-sniff legislation, and we will pursue this whole area in other ways. Thank you.

**Mr. Deputy Chairman:** Appropriation 5. Net Program Costs \$10,293,600—pass.

Resolution 70: RESOLVED that there be granted to Her Majesty a sum not exceeding \$10,293,600 for Health for the fiscal year ending the 31st day of March 1992—pass.

Appropriation 7. Expenditures Related to Capital  
7.(a) Acquisition/Construction of Physical Assets:  
7.(a)(1) Manitoba Health Services Commission  
\$1,325,000—pass.

7.(b) Capital Grants: 7.(b)(1) Manitoba Health  
Services Commission \$47,693,300—pass; 7.(b)(2)  
The Alcoholism Foundation of Manitoba  
\$1,248,500—pass.

Resolution 72: RESOLVED that there be granted  
to Her Majesty a sum not exceeding \$50,266,800  
for Health for the fiscal year ending the 31st day of  
March 1992. Shall the resolution pass?

**Ms. Wasylycia-Lels:** I believe the minister said he  
had something else to table on adult daycare  
programs, and I would like him to do that if he could  
before we conclude, and also just to ask when we  
might be getting the other information in terms of  
deinsurance. I had asked about the numbers of  
reversals of sterilization that now take place and  
under what circumstances the request is made. I  
had also asked about the Mamchuk home care,  
Pukatawagan request, and I think that concludes my  
requests.

**Mr. Orchard:** Mr. Deputy Chairman, I have the  
adult daycare program accumulated statistics.  
They go up to '89-90, where there has been steady  
and significant progress in the number of individuals  
served under the adult daycare program.

**Mr. Deputy Chairman:** Tabled?

**Mr. Orchard:** I do not have '90-91. That is '89-90.

**Mr. Deputy Chairman:** Shall the resolution  
pass—pass.

We will now revert, as is customary, to the  
beginning, which will be dealing with the Minister's  
Salary, on page 83.

Item 1.(a) Minister's Salary \$20,600—pass.

Excuse me, we inadvertently missed Lotteries  
Funded Programs on page 90, so we will have to  
revert to that.

It is appropriation 8. Lotteries Funded Programs  
\$7,538,900—pass.

Resolution 73: RESOLVED that there be granted  
to Her Majesty a sum not exceeding \$7,538,900 for  
Health for the fiscal year ending the 31st day of  
March 1992—pass.

**Mr. Orchard:** Mr. Deputy Chairman, I wonder if I  
might just thank my critics for their time and effort  
they put into the debate. We did not always agree,

but I think we had some pretty reasonable  
discussions around the issue of health care. I know  
those will continue, and I want to thank staff who  
spent quite a few hours here over the Estimates  
process. Thank you.

**Mr. Deputy Chairman:** Resolution 66:  
RESOLVED that there be granted to Her Majesty a  
sum not exceeding \$10,021,200 for Health for the  
fiscal year ending the 31st day of March  
1992—pass.

This concludes the Department of Health. Thank  
you very much.

**Mr. Orchard:** Thank you, Mr. Deputy Chairman.

**Mr. Deputy Chairman:** The next set of Estimates  
that will be considered by this section of the  
Committee of Supply are the Estimates for Fitness  
and Sport.

Shall we briefly recess to prepare for the  
commencement of these Estimates? Agreed?  
Agreed.

\* (1740)

## SUPPLY—FITNESS AND SPORT

**Mr. Deputy Chairman (Marcel Laurendeau):**  
Order, please. Will the Committee of Supply please  
come to order?

This afternoon this section of the Committee of  
Supply, meeting in Room 255, will be considering  
the Estimates of the Department of Fitness and  
Sport.

Does the honourable minister have an opening  
statement?

**Hon. Eric Stefanson (Minister charged with the  
administration of The Fitness and Amateur  
Sport Act):** Mr. Deputy Chairman, with unanimous  
consent of the committee, I am prepared to table my  
opening statements under Sport and Fitness so that  
they appear in Hansard. I have some very, very  
brief highlights of the opening statement.

We were very pleased in the month of June, June  
11, to bring in Manitoba's first sport policy. I think  
many members of the House received copies and  
have seen the sport policy in terms of outlining the  
future direction of sport here in Manitoba. We  
recently reached a new agreement with the  
Manitoba Sports Federation, a three-year funding  
agreement starting in '92 running until 1995. Major  
thrusts of that agreement would be—one would be  
the development of a joint task force to develop an

action plan for sport, basically taking the sport policy and now turning that sport policy into an action plan with the co-operation of the Sports Federation and the sport governing bodies throughout our province.

We were also fortunate that we were able to establish a facility development fund in conjunction with the funds available from the Manitoba Sports Federation. It is a minimum of \$4 million that will be utilized for facility development throughout Manitoba.

Those are some of the initiatives and I certainly will welcome the opportunity to respond more specifically in Sport, certainly in the area of Fitness. The Fitness Directorate has been in place for some two years I believe now, and some of the initiatives, I think, are starting to show signs of being very positive and productive for the citizens of Manitoba in terms of Fitweek participation and the whole focus and initiatives in terms of the awareness of fitness, the benefits of fitness from health, social, cultural and so on. We are very pleased with the initiatives and the direction that we are taking in the area of fitness.

With that, Mr. Deputy Chairman, I look forward to the comments from the opposition.

**Mr. Deputy Chairman:** Thank you, Mr. Minister.

Is there unanimous consent for the minister's comments to be printed in Hansard in their entirety? Agreed? Agreed and so ordered.

\* \* \*

Mr. Deputy Chairman, it is my pleasure today to place before the House Estimates for the Department of Fitness and Sport. I also welcome this opportunity to highlight a number of the accomplishments the department has achieved.

On June 11 of this year the details of a sport policy for Manitoba were announced. The sport policy clearly defines the roles and objectives of the government with respect to sport. It will also help to promote and ensure that a cohesive approach exists among all members of the sport community and ensure that the province's role in promoting the value of sport is integrated into the government's overall strategies and priorities. The sport policy for Manitoba addresses the 10 most critical issues facing sport in our province this decade.

In order to more effectively promote and develop sport in Manitoba, the government will pursue, on

an ongoing basis, a better understanding of the needs and requirements for development of athletes, coaches and officials. We will ensure that the delivery of sport is cohesive and consistent with an overall plan for sport to enable all members of the sport delivery system to have a clear understanding of the roles within the system. We will continue to recognize the integral links between sport, physical recreation and fitness and ensure a co-ordinated approach to their delivery.

The government will recognize a wide range and level of sport activities and will continue to provide for varying resources to these activities based on their role within Manitoba society. We will seek to ensure that the highest standards of fair play are maintained at all levels within the sport system. We will communicate the value of sport and its contribution to building and enhancing healthy lifestyles, preventative health promotion, community participation, volunteerism, partnerships and socioeconomic benefits throughout the government, the sport community and the public.

Recognizing that the education system is an integral component of our sport delivery system, we will encourage the educational system to enhance the role of sport in education and education in sport. The government will ensure a cohesive, comprehensive approach to the development and use of our sport facilities. The government will ensure that resources designated for sport are subject to the highest levels of fiscal, administrative and program accountability and seek to ensure the professional and volunteer administrators of sport provide the appropriate support to the sport system, with adequate resources, in an efficient and effective manner.

Amateur sport provides significant health and social benefits to our participants and cultural and economic benefits to all of Manitoba. These values have become increasingly important to society if sport is to meet future challenges. The value, contributions and image of sport will have to continue to be promoted and communicated to all citizens of our province.

I was pleased to announce a new three-year agreement between the province and the Manitoba Sports Federation on June 14. The level of funding in the first year, effective April 1, 1992, will be \$8.092 million. This agreement emphasizes the co-operation and partnership necessary for amateur sport to flourish. It will provide for mutual

acknowledgement of the province's and the federation's responsibility in the development and promotion of sport in Manitoba and will lead to a joint action plan for sport. In this regard a co-ordinating committee will be established comprised of representatives of the province and the federation, which will facilitate the achievement of the objectives of the agreement.

A Manitoba task force will be established in the fall of 1991. This task force will also have joint representation from the province and the federation. Responsibilities of the Manitoba sport task force will include:

Research, consultation, review and evaluation of all organizations, agencies, communities and events in the Manitoba sport system contributing to the development of sport policies and programs;

a review of all financial and human resources available in Manitoba necessary to effectively meet sport policy and program objectives;

and development of a planning mechanism which would include an ongoing process of evaluation to ensure a co-ordinated approach to the delivery of sport in Manitoba.

The term of the Manitoba sport task force will be for six months. Upon its findings and recommendations, Manitoba will implement a Manitoba action plan for sport to achieve the combined objectives of the province's sport policy, the federations's strategic plan and the new agreement.

A facility development fund will be established for the purpose of assisting with the acquisition, construction and upgrading of amateur sport facilities throughout Manitoba. The Manitoba Sports Federation will make a contribution of approximately \$4 million to the fund, will act as its financial manager and, with the province, will have representation on an advisory board that will make project recommendations based on applications.

The challenge before all of sport is to evaluate and plan, clearly identify all of our roles and responsibilities, set goals and objectives and achieve results by making the most effective use of the human and financial resources that are available. Sport in Manitoba is a partnership between the province, the Manitoba Sports Federation, provincial sport organizations, regional sport organizations, professions, volunteers, schools, communities and sport related agencies.

We all have a part to play in the continuum of sport development from the grass roots to high performance level with a focus on our athletes, our coaches and our officials. We must be prepared to change. We may have to take some risks. Most importantly we must share a vision and take pride in what we are trying to achieve.

The 1990 Western Canada Summer Games, 1991 World Curling Championships and the World Diving Championships provided us with recognition, increased tourism and economic benefits and rekindled community spirit and pride. We will continue to receive benefits provided through the legacies of events like: the World Youth Baseball Championships; many confirmed and international events this year and next; the 1992 Manitoba Summer Games; Manitoba's hosting of the 1997 Canada Summer Games; and a strong possibility of the hosting of the 1999 Pan American Games.

Forty-three Manitoba athletes are now nationally carded, more than ever before, and well ahead of provinces with similar populations. Team Manitoba won more medals than ever before at the 1991 Canada Winter Games and, by winning the Centennial Cup, showed the greatest improvement from one Games to the next.

Manitoba continues to be a leader in the co-ordination, promotion and development of coaching in Canada. Manitoba must continue to take a strong leadership role on other issues. We have recently been presented with an opportunity for consultation on the federal sport policy. A strong provincial consensus will be presented at the table in Ottawa.

We have a responsibility to promote the virtues of amateur sport, the value of sport in building and enhancing healthy lifestyles, preventative health care, community participation, partnerships and socioeconomic benefits. Our Manitoba action plan for sport will create the best possible sport environment and truly make the 1990s the decade of amateur sport in Manitoba.

Mr. Deputy Chairman, I will now take the opportunity to highlight the accomplishments of the Manitoba Fitness Directorate and to present Estimates for Fitness Directorate programs for 1991-92.

The Fitness Directorate has been effective in promoting Active Living for Manitobans of all ages and abilities and will continue to promote active

living, fitness and healthy lifestyles throughout the 1991-92 fiscal year through the provision and communication of resource materials and consultation with government and nongovernment organizations at the community, regional, provincial and federal levels.

The Fitness Directorate, through a grant to the University of Manitoba and ongoing consultation, delivered the provincial fitness leadership development program to all communities in Manitoba. To date, 553 fitness leaders have been certified, with an additional 100 fitness leader trainees in the process of being certified. Performance standards have been established to assure an acceptable quality of fitness leaders and specialty interest courses have been designed to prepare fitness leaders in meeting the needs of specific target groups such as fitness and the older adult, fitness and pregnancy and training of fitness trainers.

The Manitoba Fitness Directorate has been instrumental in the establishment of the Manitoba Fitness Leadership Development Association, a mechanism which will assure high standards of fitness leadership programming for all fitness leaders in Manitoba. The Fitness Directorate will continue to consult with the Manitoba Fitness Leadership Development Association, which recently became incorporated.

Canada's Fitweek will continue to be a major promotional series of events throughout the province. Approximately 523 community-driven events for the 1991 Canada's Fitweek were officially registered. Each event was designed to encourage regular physical activity. Many communities, for example, challenged other communities of the approximate same size to achieve as high a percentage as possible of residents doing some form of physical activity for at least 15 minutes.

The Fitness Directorate will continue to respond to the requests for the Fitness for Seniors Leadership Development Program in which retired people can participate in a three-day course to learn the basics of fitness and nutrition relating to the older adult. The course conductors are seniors themselves, in keeping with the program's thrust of "for seniors, by seniors." The courses will continue to be conducted on a regional basis to maximize the impact and the exposure to as many seniors groups in a region as possible.

Through consultation with related professionals and community groups, the Fitness Directorate has designed and developed the Fit-4-Fun program, which will involve partnerships with community recreation, public health and the corporate sector. This Fit-4-Fun program will encourage sedentary adults to become involved in regular physical activities of their choice and to ease into fitness in a safe and enjoyable way.

Of major significance will be Active Living promotion initiatives. In collaboration with Fitness Canada and the other provinces and territories, an Active Living community resource guide is being designed to assist in the planning and support of community-based programs. The Fitness Directorate will be consulting with related departments, municipal organizations and individual community groups to facilitate Active Living programs, which will represent Manitoba's contribution to the "Focus on Active Living" initiatives being held across Canada throughout 1992.

In co-operation with Manitoba Health, the City of Winnipeg Parks and Recreation Department and the University of Manitoba, the Fitness Directorate is developing a fitness and pregnancy resource. Other resource development includes an introductory fitness program for early-year and preschool students, being discussed with Manitoba Education, and input to the revised Canada Fitness Award Program, aimed at school-age children and youth. The focus of the majority of the resources aimed at improvement of personal fitness are in keeping with the Active Living focus, which values the individual's interest and life experiences and includes all forms of physical activity, from gardening to walking the dog to running in the marathon. The Fitness Directorate is striving to promote Active Living so that it can become an integral part of our daily lives and central to our beliefs and attitudes.

The Fitness Directorate once again will be a partner in a series of 13 made-for-television educational videotapes entitled "The Family Fit Parade," which focus on fitness activities within reach of most Manitobans.

The Fitness Directorate is an example of a directorate which can effectively work in co-operation with the related areas of Health, Recreation, Sport and Education to improve the health and well-being of all Manitobans. The efforts

of the Fitness Directorate will continue to provide preventative programming which will significantly enhance the health status of Manitobans.

\* \* \*

**Mr. Deputy Chairman:** Does the critic for the official opposition party, the honourable member for Radisson, have an opening comment?

**Ms. Marianne CerlIII (Radlsson):** No, Mr. Deputy Chairperson. I will just work my opening comments right in with my questions.

**Mr. Deputy Chairman:** Thank you.

Does the critic for the second opposition party, the honourable member for The Maples, have any opening comments?

**Mr. Gulzar Cheema (The Maples):** I will just go to the questions.

**Mr. Deputy Chairman:** Thank you very much.

At this time we would like to invite the staff to come forward, and if the minister could introduce that staff, please.

**Mr. Stefanson:** With me immediately beside me is Mr. Ted Bigelow, the Director of Sport; Mr. Jim Evanchuk, the Director of Fitness; and Janet McMahon, who is one of our senior sport consultants. I am pleased to have them here.

**Mr. Deputy Chairman:** Thank you, Mr. Minister.

**Ms. CerlIII:** Are the Fitness and Sport Directorates in the same office? Are they sharing staff, or are they separate?

**Mr. Stefanson:** A tough first question. The reason we discussed it is that right now the Fitness Directorate is at 155 Carlton and the Sport Directorate is on Broadway. We are in the process probably by around the end of August of having the Sport Directorate move over to Carlton as well, so they will both be housed in the same building by around the end of August. Right now they are not.

**Ms. CerlIII:** I would like the minister to comment on what he sees as the advantages from having the Fitness Directorate particularly in the Department of Health and moving it into a directorate which reports directly, as I understand it, to the minister and would now be blended with the Sport Directorate?

**Mr. Stefanson:** Mr. Deputy Chairman, it has accomplished a couple of things. I think certainly it has helped to raise the awareness of fitness by establishing its own directorate and the

co-operation and working relationship it has with Sport.

Sport, Fitness and actually the Department of Culture, Heritage and Citizenship work very co-operatively on a series of initiatives that relate and affect the whole are of fitness and healthy lifestyles and so on. So from that perspective it is given the opportunity to increase the profile, to work co-operatively with those two departments in terms of the importance of fitness in society. That does not mean it does not interact with the Health department and officials in Health but, clearly, we find in the time that it has been functioning as its own directorate it has worked very well in the short term.

**Ms. CerlIII:** Can the minister clarify? He says moving the directorates together and into a body that will report directly to the minister has raised awareness. What evidence does he have that it has raised awareness of healthy lifestyles or fitness consciousness, and whose awareness has been raised?

\* (1750)

**Mr. Stefanson:** Mr. Deputy Chairman, I am prepared to share some of the statistical information on some of the particular events and activities. Clearly, just the participation alone through initiatives such as Canada's Fitweek and the inclusion of some 600 community groups, the establishment of the Fit-4-Fun and the whole involvement of the community in those kinds of initiatives and, obviously, the increase of the level of awareness, exactly where to go and who to turn to in the whole area of fitness, has definitely led to the increase in participation, exposure and involvement.

**Ms. CerlIII:** I do not understand how that has been helped by having it separate from the Department of Health and having it mixed with a Sport Directorate.

**Mr. Stefanson:** Mr. Deputy Chairman, I guess without repeating myself, I think by establishing a directorate unto itself, it has helped to focus on it. It has also probably increased the level of awareness within government in terms of the other departments that interact with it. Clearly, as I say, we certainly have statistical information and background in levels of participation.

Certainly, our staff are pleased and satisfied with the involvement of the community that we have had over the last couple of years. I think the record can

speak for itself in terms of what the establishment of the Fitness Directorate has done in terms of community involvement and participation. As I say, there are several initiatives that I would be more than pleased to provide the details to the honourable members.

**Ms. CerlIII:** The reason I am spending a little bit of time on this is I think that there is a philosophical argument or position to be taken of having a fitness branch or a fitness area in the Department of Health. I would say that fitness is more than sport, that there are a number of other ways rather than participating in, certainly, competitive sport to become fit. There are all sorts of other lifestyle considerations, and I would be concerned that putting fitness back with sport is going to go in the opposite direction of what we should be going of trying to encourage people to have a healthy lifestyle, and that does not necessarily mean engaging in competitive sports.

Can the minister respond to that?

**Mr. Stefanson:** Mr. Deputy Chairman, I do not necessarily disagree with some of the comments of the honourable member, but I do not want to leave any confusion. Fitness is a directorate unto itself, as is Sport. They are not a combined directorate and one does not report to the other. Unquestionably, there is the direct relationship to health, but I think fitness goes beyond only relating to health, it goes into social; it goes into other activities, it goes into educational.

In fact, the sport policy we have tabled suggests very clearly that there has to be or there should be a great deal of co-operation, in terms of Sport and Fitness and recreation and Education and Health, really straddling several departments within government. Clearly, Fitness as it relates to Health is an extremely important component, but it is not the only component.

You have a Fitness Directorate unto itself that is able to interact with Sport, it is able to interact with Health, it is able to interact with Education, other departments within the system, and ultimately get the co-operation of all of them. I think the system, in the short term, has worked well and I think it is capable of working very well.

**Ms. CerlIII:** Yes. I would think that a lot of people who are turned off by sport can be turned on to fitness through other activities and through different approaches. I would just encourage the government to keep that in mind. Perhaps the

minister could tell the committee what initiatives the Fitness Directorate has undertaken that will deal with fitness in a lifestyle approach. What kind of specific programs? I am familiar with the leader training program for fitness leaders, I am familiar that there is some involvement with corporate fitness and the Fitweek. What else is being done?

**Mr. Stefanson:** This is probably the only disadvantage of not having read my opening comments, because I go into some detail with that in my opening comments. Clearly, again, I will provide in my opening comments any additional background material. The honourable member has touched upon Canada's Fitweek which is very important.

We have a Fitness for Seniors program, we have the Rural Fitness Leadership Development Program, the Manitoba Fitness Leadership Development. We have Regional Fitness, we have the Corporate Challenge which involves the community, and an extremely important initiative is the Fit-4-Fun initiative, so those are but a few. There are several others that I could read into the record or I could certainly undertake to provide the honourable member. There are a series of initiatives. The department is currently designing a fitness and pregnancy resource in co-operation with other groups, so those are some of the initiatives.

**Ms. CerlIII:** We only have four minutes left before the committee closes for the day, and I would just like to say, in terms of the Fitness Directorate, I have always thought this area has been woefully understaffed and underfunded. I cannot imagine how three staff people can deal with anything that is province-wide. I am wondering, before we look at some of the details of some of the specific programs that the minister has just mentioned, are there some plans for expanding the Fitness Directorate?

**Mr. Stefanson:** What was that I heard, Mr. Deputy Chairman, quality not quantity? There are no immediate plans in terms of staff increases. Clearly, a major part of the Fitness Directorate is working with communities, working with volunteer groups, working with organizations throughout our province, and that is a very effective and important way to enhance fitness in terms of participation, in terms of awareness, in terms of all of those kinds of things.

In the short term that has served us very well. In terms of some of the very specific initiatives I have

touched on, some of them involve working with the federal government in the active living project for 1992. In terms of some of the specific initiatives we will be looking at, there might well be a need to interact with an organization or individual on a fee-for-service basis over a short term on a particular project, but in terms of the core staff of the Fitness Directorate, we are very pleased with the performance of the staff we have and think they are doing an excellent job. At this point in time, we do not see any need to increase the core staff of that directorate, Mr. Deputy Chairman.

**Ms. Cerilli:** They must be doing a great job. I mean, to have two staff that are dealing with a program that is province-wide is quite remarkable. I would think that the needs, the fitness needs in our population are humongous, and the kind of sedentary lifestyle that has become more and more common is demanding that people make a concerted effort in their leisure time to take care of themselves. I would like to have a better idea of what kind of activities make up the majority of work time of the two staff that are not responsible for the clerical function.

**Mr. Stefanson:** In terms of the individuals, Mr. Jim Evanchuk, as I indicated, is our fitness director and has some 16 years experience with the provincial government. He is, obviously, the office manager, reports directly to the minister. In addition to these administrative responsibilities, Jim supervises the fitness consultant and the secretary. A portion of his workload also involves consulting with fitness-related organizations, departments and agencies.

We have a fitness consultant, Brenda Vilhaber. She has a Bachelor of Physical Education. Her major responsibilities include Canada's Fitweek promotion, Corporate Challenge promotion, Fit-4-Fun program promotion and distribution of materials, and general fitness promotion through the design and development of fitness resource materials.

We also have an administrative secretary, obviously, who has been employed with the Fitness Directorate since fitness was transferred from Health back in March of '89. Obviously, she provides secretarial, administrative and, I am sure, support to the other two individuals in the organization as well as—certainly because of the interaction with Industry, Trade and Tourism and the Sports area, support is provided to a certain extent

from personnel and so on within those departments as well.

**Mr. Deputy Chairman:** The hour being 6 p.m., committee rise.

## SUPPLY—JUSTICE

**Madam Chairman (Louise Dacquay):** Order, please. Will the Committee of Supply please come to order. This section of the Committee of Supply is dealing with the Estimates for the Department of Justice.

I will invite the minister's staff to take their places at the table. We are on item 4, page 116, Corrections 4.(a) Administration.

**Mr. Dave Chomiak (Kildonan):** Madam Chairperson, within the section, I have basically concluded all the questions that I am going to ask within Section 4. I am not certain if my Liberal counterpart has concluded. I am wondering if the minister would be prepared to proceed to 5, to deal with the questions in 5 until we can determine whether or not the Liberal critic has any questions remaining in 4.

**Hon. James McCrae (Minister of Justice and Attorney General):** I am prepared, Madam Chairperson, to move on to item 5 on page 117 and then perhaps when the member for St. James (Mr. Edwards) returns we could deal immediately with the Corrections issue so that staff can get away, if that is going to happen.

**Mr. Chomiak:** I thank the minister for that accommodation. I take it then we are now dealing with—

**Madam Chairman:** Order, please. Just one moment. Just for the record, we have deferred dealing with item 4. Corrections, and will now proceed to deal with item 5. Courts, in the interim. Agreed? Agreed.

**Mr. McCrae:** That is agreed, Madam Chairperson, and if the honourable member has detailed questions I would hope that he would wait for a moment or two for staff from the Courts Division to arrive. If he has general questions, fire away.

**Mr. Chomiak:** Madam Chairperson, my questions in this area are basically going to revolve around the Family Violence Court, and I am wondering if the minister is prepared to entertain some general questions in that area at present. He is nodding in the affirmative.

The minister indicated that the Family Violence Court has now been expanded recently to take in more judges. Can he just provide me a little bit of an update as to what that expansion entails?

**Mr. McCrae:** It was not expanded to take in more judges. It was expanded to take in an additional Crown prosecutor and one support staff.

**Mr. Chomlak:** Madam Chairperson, does the minister have access to any studies that have been undertaken about the operation of the Family Violence Court?

\* (1550)

**Mr. McCrae:** Yes, and I would be happy to share the report that I have on the operation of the Family Violence Court. It was prepared by Jane Ussel of—I believe it is the Department of Sociology of the University of Manitoba. I made reference to it one day in the Legislature in response to a question from the honourable member for Fort Garry (Mrs. Vodrey). The study, which I will make available to honourable members—the two critics—with statistical data, makes the point that the rate of stays of proceedings in that court is reduced, the traffic in that court is increased, and that sentences, the incarceration type sentences, have increased not only in number but in length of the term of the sentences.

Now these can be viewed in various ways, but I think one of the statistics can be viewed that way. I think one of the things that can be said is that this specialized court has had the effect, I believe, of seeing offenders treated perhaps a little more severely than previously. It has had the effect—I can assume that the reduction in the rate of stays of proceedings has to do with the will of the Crown to proceed with more cases than in the past. Perhaps, combined with the Women's Advocacy Program that is working there, victims of family violence are receiving the kinds of services they need, such that maybe their willingness to testify is more prevalent than it was at one time.

The report seems to indicate, if I recall all the words of the report, that, you know, the court was set up to deal in an expeditious manner and, of course, the report deals with that, too. The time that it takes to process cases, that time has not increased to any point that would cause any concern, but the warning signals are there about the growth and the activity in that court. That is why we have resourced the court a little bit more. Actually,

when you consider the number of people involved, it is not little. It is a significant resourcing increment.

The other thing is the sensitivity of our dealings with the victims in that court, and I believe implicit in all of the statistics that I have given the honourable member, or referred to in general terms, implicit in that is a sensitivity that is being built into that court, which is allowing victims to be treated more sensitively when they come before this particular court to tell of their experiences.

**Mr. Chomlak:** Madam Chairperson, I thank the minister for that informative answer. I look forward to receiving that report. Most of the questions that I had in this area, I suspect, will be answered in the context of that report, and I appreciate the minister highlighting it for me.

I only have one other general question in this area, and that is: Can the minister outline for me what the process is for matters being referred to that court, just so that I understand which matters go to that court and how the process works that a matter goes into that particular stream of the court system?

**Mr. McCrae:** As a result not of the Courts Division reorganization, but of the Prosecutions Division reorganization of 1989, we have this unit of the Prosecutions branch which more or less drives what is known as, I think it is called the screening court. It is through that vehicle that family violence cases are channelled to the family violence court.

**Madam Chairman:** The honourable member for St. James, I would just like to draw to the honourable member's attention that we have deferred and are dealing with item 5. Have you been made aware of that? We will revert to 4 upon conclusion of 5.

**Mr. Paul Edwards (St. James):** Yes, I have.

**Mr. McCrae:** May I ask, if honourable members are able, if it is going to take a while to get through Courts, then I would ask that we revert to Corrections now on the return of the honourable member for St. James (Mr. Edwards). If we are going to take a short period of time on Courts, and I do not want to hold—if there is any question, why could we not revert to Corrections and get that done? Otherwise, if Courts is not going to take very long, we have no problem to complete Courts and then come back, but I will leave it in the hands of honourable members.

**Madam Chairman:** What is the will of the committee?

**Mr. Chomlak:** To 4 and deal with 4 and go back to 5, Madam Chairperson.

**Madam Chairperson:** Agreed? Agreed and so ordered.

**Mr. Edwards:** Thank you to the minister and to the member for Kildonan (Mr. Chomiak) for that leeway. I do not have many questions remaining on sub 4, Corrections. I had been speaking to the minister about the open custody arrangements, and he had indicated that they had found that the use of open custody was declining slightly. I wonder if the minister can give any reasons he may know of, or that his department may know of, as to why we would be having less open custody placements as opposed to more.

**Mr. McCrae:** Without the immediate benefit of the assistance of Mr. Demers, who I see is coming in, my first response would probably be the sentences that are imposed by the courts. The courts are the ones that say whether it is open custody or closed custody, and that would be the short answer, that it is the trend in the court system. I do not know that the trend is a significant one. As I recall in my discussion with Mr. Demers last day, it is a moderate trend in that direction and not something that you could take out of context in any one given year, I would suggest.

**Mr. Edwards:** Can the minister indicate how many inmates are presently taking educational training at Headingley institution?

**Mr. McCrae:** There are various ways that education services are delivered to inmates at Headingley. For example, to answer the member's question right off, in the classes that are held at Headingley, as a general statement you could say that somewhere between 30 and 40 inmates are enrolled in classes, but that does not say anything about correspondence courses that are embarked on, it does not say anything about adult literacy programs that are delivered separate from the 30 to 40 inmates whom I have referred to.

**Mr. Edwards:** I am not quite sure I heard an exact answer from the minister.

**Mr. McCrae:** 30 to 40.

**Mr. Edwards:** 30 to 40? It is my understanding, and I may be wrong, perhaps I will just ask this. How many inmates are there at Headingley institution on average at any given time?

**Mr. McCrae:** An average number would be about 350, populations being higher in the winter and generally lower in the summer.

\* (1600)

**Mr. Edwards:** Just so I am perfectly clear—I was out at Headingley a couple of times and visited. So that is roughly 10 percent, give or take, are in some kind of formal educational training. There must be others who are involved in work projects of one kind or another. How many are actively involved on a daily basis in training of some other kind, vocational training? I know there are some facilities for certain trades to be taught at Headingley. As well there are those who actually work at the institution in return for certain benefits. How many are actively involved in that type of training?

**Mr. McCrae:** Well, it is very hard to answer in a specific way when you are dealing with a prison population or a jail population, 50 percent of which are only there for two months or less, so you have to keep that in mind when you ask the question.

There is a kitchen area where work, you could call it on-the-job training, happens in this correctional setting; there is a woodworking shop; there is a clothing manufacturing shop and the paint shop. There are four areas where work and training is being done and it is quite difficult, if not impossible, for me to give the honourable member an accurate number. I can take a snapshot of each one and tell you how many are in there at any given time, and the honourable member has visited there. It is hard to give you that number.

Those four areas of activity in the jail itself are in addition to day pass working programs, potential day pass training programs, and there is general maintenance work going on at the institution with which inmates become involved, so I hope that gives a kind of an answer, but it certainly does not put any numbers on it.

**Mr. Edwards:** Can the minister perhaps then indicate, say in the last year on average, how many people have been in those four areas, that is the kitchen, woodworking, clothing and painting? I would like to associate some numbers with it. I appreciate exact numbers are not possible, that they must fluctuate, but if we could have some generalizations, that would at least give us some guidance.

**Mr. McCrae:** I think we should do a little better than that and try to bring some specificity for the

honourable member by way of an appropriate answer in writing that I can send over to him. If it is for the purpose of developing an argument of some kind today, I am sorry, I am not able to help the honourable member with the kind of, discussion shall I say? I am not able to give him that kind of statistical data right here and now, but I will undertake to get an answer to that question.

**Mr. Edwards:** Similarly, Madam Chairperson, I wonder if the minister could indicate how many are presently taking educational training at Milner Ridge and what the population at Milner Ridge is and perhaps indicate—I appreciate he may not have those numbers as well, but in terms of the trades, what they do there. Do they have facilities for certain trades to be taught at Milner Ridge?

**Mr. McCrae:** The average population at Milner Ridge is 100 to 120. There is a kitchen there, a carpenter shop, an auto mechanics area, in addition to the work being done by the inmates there for the Department of Highways and the Department of Natural Resources.

If you went there on any given day, you might not find very many people around because they are all out working.

**Mr. Edwards:** Madam Chairperson, the minister indicated the last time we were meeting, that there is a Living Unit Officer program which is being embarked upon or been embarked upon recently at Headingley and presumably other penal institutions run by the province.

Can the minister indicate how that transition is taking place? In particular, are existing staff being put into new duties as living unit officers which, of course, entails a substantially different, in my experience anyway from the federal system, skills and different obligations and duties, roles, other than straight security of security guard capacity? How is that transition taking place? Are existing staff being retrained to take on those new positions or are new staff being employed? How is it occurring?

**Mr. McCrae:** The reorganization that came about which brought in the unit management system is complete, complete in all of our institutions. From the point of view of the staff, it is a positive development. Extremely positive is the word I have heard.

That reorganization included reclassification of people. It was an internal reclassification and

competition process, so it did not mean bringing in a bunch of new people. It meant using the resources that we had. It included retraining for the people who were taking these new and different duties. Those duties, actually, have all along been in the job description of correctional officers. It calls for correctional officers to be involved with more than just a security aspect, actually interfacing, if you like, working with inmates to a greater degree than had been previous. So the evaluation that I hear is that it has been an extremely positive move, a good direction to take.

**Mr. Edwards:** Madam Chairman, was there a compulsory retraining requirement before someone could become a living unit officer? If so, or even if not, what training was given? What was the process that was gone through with people to train them to become living unit officers in the new system?

**Mr. McCrae:** As a result of a competition, Madam Chairperson, if you were to be the successful candidate in a competition for a unit manager position, training for that would flow from that and, in that sense, you could say it would be compulsory. Then, of course, those who come work under the direction of a unit manager would be, as a result of this process of moving to a new system and working under a newly trained unit manager, a certain element of training and instruction would flow from that arrangement.

**Mr. Edwards:** So there was no formal training as such, except for what the minister—

**Mr. McCrae:** The word "formal" comes into this. Yes, there was a formal training program for the unit managers who were the successful applicants in the competitions for the unit manager positions.

\* (1610)

**Mr. Edwards:** Where did they take that training, who did the training, and how long was it?

**Mr. McCrae:** The training was carried out at Milner Ridge at Portage, at Building 30 of the Fort Osborne Complex. The training was administered by our own corrections training people and by senior management, and the duration of the training was two weeks.

**Mr. Edwards:** Madam Chairperson, can the minister indicate how internal disciplinary hearings are conducted at Headingley institution and other institutions? Specifically, who adjudicates? Are inmates afforded the right to counsel? Do they on

occasion retain counsel or bring counsel with them or even next, a friend, to assist them in the deliberations? Who prosecutes as such? Is it the adjudicator him/herself or is there someone separate and apart who puts the case forward for the institution?

**Mr. McCrae:** The adjudicator is the superintendent or the deputy superintendent of a correctional institution. An inmate who is the subject of a disciplinary action is given the opportunity to have counsel if they want to have counsel. The prosecutor, if you like, is the person who made the complaint in the first instance.

**Mr. Edwards:** Can the minister indicate whether or not anyone has ever challenged the fact that the deputy superintendent of an institution is the adjudicator in these disciplinary hearings? Even if that has not occurred, does he have concerns about the due process of a hearing in which the senior official of the institution is adjudicating on a matter which directly involves the institution, another staffperson of the institution and an allegation brought forward by that person?

**Mr. McCrae:** Before I give specific answers, it seems to me that it would not be too terribly unusual if in the course of dealing with disciplinary procedures, an inmate might have complained about some aspect of it. That would not surprise me, no. Now I will just pause a moment. You asked if I had received any complaints. Is that what the honourable member asked?

I recall, Madam Chairperson—I just needed reminding, but there was an actual court case in Brandon dealing with the issue raised by the honourable member, and he may know about the case too. The court in that case advised or gave direction that whoever it is that is arbitrating these things or chairing these things or acting as the judge, if you like, in these circumstances ought not to be someone who is also involved in any way in the complaint.

**Mr. Edwards:** I am not actually familiar with that case, but there are lots of other cases, and most of the ones I am familiar with are out of the federal system, where there have been serious concerns raised and in fact decisions have come down. The federal system runs somewhat differently, of course. There are outside adjudicators. People are retained to come in and adjudicate on these, and that was the result of some litigation in the federal

court. As well there is a provision that there has to be some respect for process, that is, there has to be a case put in, a defence, rebuttal, there has to be some disclosure of evidence before people come in.

It is not a full-blown trial, of course, but there has to be some due process because, unlike a normal employment disciplinary situation, the inmate is the captive and so those concerns are raised. I ask these questions just simply to compare, for my own knowledge, the provincial system to the federal system. What is being taken away is probably not as great in many circumstances in the provincial system because of the lesser sentences but, nevertheless, it is in many cases equivalent to increased incarceration, because what you are taking away is good time, time earned that otherwise would qualify you to be let out early. So it can have the effect of increasing the sentence.

Can the minister indicate—he knows about this Brandon case. Presumably his counsel in his department have reviewed it. Does he have legal opinion? Has he sought legal advice from his officials as to the constitutionality of the internal disciplinary hearing process as it now stands in Manitoba penal institutions?

\* (1620)

**Mr. McCrae:** I can obtain for the honourable member the citation for that case so that he can look it up himself, but I believe it was Justice Oliphant, now Associate Chief Justice Oliphant, formerly of Brandon, who gave the decision and, as happens in so many judicial decisions, there are good tips for how we might proceed in the future, and that is exactly what we did with that particular decision. We have used that decision to benefit our system and have brought our system into conformity with the concerns laid out in that decision.

**Mr. Edwards:** Madam Chairperson, that concludes my questions on the corrections area, and perhaps we can revert now to—I understand we were into the Courts Division. Perhaps I can seek your instruction where we were. Had we just started? Okay, we had just started.

**Madam Chairman:** Is it the will of the committee to proceed in clause by clause in 7?

**An Honourable Member:** Yes.

**Madam Chairman:** Okay. Item 4.(a) Administration: (1) Salaries \$504,700—pass; (2) Other Expenditures \$168,400—pass.

Item 4.(b) Adult Corrections: (1) Salaries \$23,941,500—pass; (2) Other Expenditures \$5,176,700—pass; (3) External Agencies and Halfway Houses \$498,700—pass; (4) Less:—I am sorry.

**Mr. Edwards:** My apologies. I had indicated that I had finished. As we were going through this, I recalled one more question I did want to ask. There was recently a story and a press clipping about the purchase of certain items at the Headingley institution, TVs, VCRs and that kind of paraphernalia. -(interjection)- Yes, okay. I will start over.

There was recently some talk and some allegations arising out of purchases of TVs and VCRs and whatever, electronic materials, for Headingley institution. Can the minister indicate whether or not in that case—I understand many thousands of dollars were spent, purchased many items. Can the minister give us any details of that purchase? Specifically, was it tendered? If so, how many tenders were received and is that the normal process?

**Mr. McCrae:** We will review the honourable member's question and provide answers to each of the individual components of the question.

**Madam Chairman:** Item 4.(b)(4) Less:—I am sorry.

**Mr. Edwards:** I thank the minister, and if I could just ask if he would, not just that specific purpose, but perhaps give us an outline generally of how purchases are done. I am sure there is a policy in place that says, up to a certain dollar amount this is the way you purchase, up to another dollar amount this is the way you purchase. There may be a guideline in place. I wonder if we might have a copy of the guideline, as well as the details of this specific purchase.

**Mr. McCrae:** As the honourable member knows, there are a variety of ways to obtain services and goods for government, and this department operates like any other and operates under the general policy guidelines of the government. There again, if there is something specific in the honourable member's question we can respond to, then we will obtain the answer for him, but it operates like any other department in that respect.

**Mr. Edwards:** I am unclear what the minister is going to get me. He is going to come forward with the specifics of this particular purchase, is that what

I understand? Okay. With respect to the general purchasing, the answer is that there are various ways in which that is done?

**Mr. McCrae:** Just as there are various ways in other departments of obtaining goods and services, if you need one ball-point pen, I do not think it is useful to get into a formal tender process to find out from various companies in writing by way of sealed bids and so on, what you could obtain this ball-point pen for. That is what I mean when I say there are various ways.

I assume that a staff member working for the Department of Corrections or the Corrections division who needs something and he is not available to a central storage warehousing area for the department or he is on the road or something, can obtain a ball-point pen and maybe send in a chit for it. I do not know if he has to explain how many places he shopped around to get prices and stuff for it. I do not know how that works.

I have to be quite honest with the honourable member and tell you that I am assuming that these things are accounted for in an appropriate manner. If they are not, then changes obviously need to be made. The Corrections division of our department obtains its goods and services in the same way as other departments, as laid out for the government by the Department of Government Services. Beyond that, I can only review Hansard and review the honourable member's specific questions and give him specific answers to them.

**Mr. Edwards:** Yes, of course, and if someone is buying one pen, what the minister says makes sense. If someone is buying 50,000 pens, it is a bit of a different matter.

In any event, perhaps I could ask the minister to undertake to provide information in addition to the specifics of that purchase when the department actually embarks upon a tendering process. In what circumstances, what level of purchase, whatever the criteria are, what leads them to embark upon a tendering process?

**Mr. McCrae:** Well, the written answer we have provided to the member will take account of this discussion we are having. However, you know, we plan for our institutions on an annual basis. We buy goods as our ability to keep them and other considerations which might come into play. As those things work, that is how we make our purchasing decisions.

Other goods are more durable and you can buy in larger quantities than perishable goods, for example. You know, we have a milk contract. We have a contract for bacon and eggs or whatever is brought into the institution, large quantities like that, and it is done by way of tendering process. I know that.

Government Services actually does the tendering. The Government Services department does tender for the needs and then when the decision is made on the bids, then our department is directed to use that particular supplier which has already made contractual agreements with the government.

**Madam Chairman:** Item 4.(b)(4) Less: Recoverable from Other Appropriations \$170,700—pass.

4.(c) Correctional Youth Centres: (1) Salaries \$8,053,700—pass; (2) Other Expenditures \$1,198,500—pass.

4.(d) Community Corrections: (1) Salaries \$5,975,200—pass; (2) Other Expenditures \$841,100—pass; (3) Program Development \$1,226,000—pass.

Resolution 98: RESOLVED that there be granted to Her Majesty a sum not exceeding \$47,413,800 for Justice, Corrections, for the fiscal year ending the 31st day of March 1992—pass.

Item 5. Courts (a) Court Services: (1) Salaries \$2,618,900.

**Mr. Edwards:** Madam Chairperson, I am not sure if the member for Kildonan (Mr. Chomiak) had already gotten into asking some questions about court reporters. I wanted to ask some questions in this area on that.

Can the minister indicate how many trained court reporters will be working with the Department of Justice or are working with the Department of Justice in view of the new regime?

\* (1630)

**Mr. McCrae:** The proposal is to have 12 positions in Manitoba. Currently, nine of those positions are occupied.

**Mr. Edwards:** How many court reporters were there a year ago, for instance?

**Mr. McCrae:** Forty-eight, Madam Chairperson, including part time and per diem.

**Mr. Edwards:** Madam Chairperson, for the minister, in what cases will court reporters still be present in court proceedings? What is the new system?

**Mr. McCrae:** Madam Chairperson, the decision as to the priority accorded to the various types of proceedings has been made. It should come as no surprise to the honourable member that cases like cases involving persons' potential loss of liberty would—yes, criminal and civil jury trials. As you know, there are virtually no civil jury trials, but those ones. Then, legally complex civil cases, matters involving litigants or witnesses with language problems—that would mean trouble understanding or communicating so that the court reporter would be involved in that, matters involving children, for example, involved in abuse situations and custody and protection. Of course, if every single case on this week or today is one of those kinds of cases, then you have to look at the ones—if there are more than the number of court reporters we have available then we have to also make decisions from that point as to which ones would be monitored and which ones would not.

**Mr. Edwards:** Madam Chairperson, the minister has referred to a list. I wonder if I might ask him for a copy of that list -(interjection)- if he is unwilling, I heard it when he read it. I wanted to have it, but I wonder if he could tell us how that list came to be drawn up. Was the Bar Association consulted, Law Society? Were the judges consulted? Were the court reporters themselves consulted? What was the process which led to the drawing up of that list?

**Mr. McCrae:** The priority order was arrived at through consultation with the chief justices and Chief Justice Stefanson and, of course, where there are problems or difficulties in making decisions about which cases should have the court reporter and which could manage with a monitor, the justices would be involved in those decisions too, the justices having a greater role than they used to in the operation of our division.

**Madam Chairman:** The honourable Minister of Justice, to complete his answer.

**Mr. McCrae:** I do add to what I have said that it is the department that is charged with making these decisions. Our consultation is an advisory situation with the justices.

**Mr. Edwards:** How does the process work on a day-to-day basis? Who is going to monitor the

courts to make the request and to make sure that court reporters are present in those specific cases where they should be? How does that work? Of course, civil cases where there are language problems or other problems, the Crown may not be directly involved; likely they are not. Does the judge make the request in those cases? How is the decision made on a regular basis?

**Mr. McCrae:** Madam Chairperson, a trial co-ordinator is working within the system and those co-ordinators bring together people like the judges and people like the directors of the various units: the director of the court reporters, the director of the monitors, the director of—I suppose even the transcription unit people would be involved in these day-to-day decisions.

**Mr. Edwards:** Will counsel be asked when they set a matter down with the trial co-ordinator if there are special circumstances which would warrant the attendance of a court reporter?

**Mr. McCrae:** I would prefer to ask the director more directly involved with the court reporting function to get an answer for that question. We are always interested in suggestions from the bar. The program is going ahead in the way that we are talking about. Certainly the day-to-day operation of it, we are always open for suggestions on how we can improve our system.

**Mr. Edwards:** Will there be any provision for counsel to bring in their own court reporter to proceedings? In particular, it seems to me that is much more likely to happen now. I guess one of the things that struck me was what happens when a court reporter who private counsel brings—I think that will happen more often—that transcript does not completely correspond with the transcript gleaned by the new system, the clerk, who is going to be running the machine. Has the minister contemplated that problem and thought about what the ramifications of that might be?

\* (1640)

**Mr. McCrae:** If the honourable member's level of confidence in the services provided by our Courts division is so low that he feels that he wants to bring his own court reporter when he comes to court, he could ask the judge and see what the judge has to say about it. If there were ever a difference between the honourable member's court reporter's transcript and that of the official recording function, our position is that the official transcript is the one

prepared by the staff of the government. I guess you would have to argue your case if you think it is a good enough case to make and want to go to that kind of trouble on behalf of your client and put your client to that expense. I suppose that is something that you could consider.

I say very painfully that we have put into place a system that we feel is going to do the job for us, get the job done in a way that is efficient and is good. There is no system that is without potential for problem because systems are mechanical, No. 1, and they are also run by human beings. I know as a court reporter of some twenty years standing that human beings sometimes make mistakes.

I stand here as a court reporter who has had occasion to make a mistake or two as a court reporter and to deal with them as they come along in an appropriate way. I wonder if there is any other court reporter out there who can say different. There might be, but I do not know who they are. I suppose if the honourable member had become a court reporter he could say that, but I do not know about others. I say to you, Madam Chairperson, that when I said these decisions were arrived at painfully, I am sure, I know the honourable member would not question that because, indeed, that is the case.

I have worked with court reporters. I have worked with people under the title of court reporter who have used nothing more than an open microphone, which is not anywhere near the quality or the state of the art of the equipment that we have placed into our courtrooms in this province. I have worked with mask reporters. I have worked with people who use pencils. I have worked with people who use inkwells, and stick pens. I have worked with people who use stenograph and people who use the GrandJean method of stenograph in the House of Commons of Canada. I mentioned the steno mask, I think.

I think that is about all the systems I have worked with and in each and every system, whether it be the open mike—oh, I have worked with people who operate with the computer-assisted transcription method of court reporting, as well. People have various degrees of skill and I have always been happy to work with people who were dedicated to their work, like the people we had here in the province of Manitoba, dedicated to their work and dedicated to excellence, no matter which system they happen to use, but there are times when

systems are not perfect and there are no—my test, I guess, is are we less perfect today than we used to be? I guess the answer is no, we are not less or more perfect. We are going to provide, to the best of our ability on a day-in, day-out basis, the best level of service we can provide to the bench, the bar and the public, and the best product that we can on a consistent basis.

Since setting up the program, we have developed a manual to provide for a consistency which I suggest, court reporters being human, have—the honourable member does not practise law in the same way as the Deputy Minister of Justice, for example, if you know what I am saying. Different people have a different way of approaching their work, but I am just saying that we believe that we have put in enough safeguards that we can say that the product and the service we are delivering is going to be the best that we can provide and that it will be at a standard acceptable.

Now, people like Rocky Pollack are going to come along and want to bring their own counsel in. I do not know if that is going to be the general feeling amongst the members of the bar. Rocky Pollack and I probably disagree on things once in a while, just like the honourable member and I are not going to agree on everything. I am not going to agree with everything Rocky Pollack says either.

So, within that kind of framework of differences of opinion, I do not think the Department of Attorney General is a bush-league kind of department. I think our department in Manitoba is probably among the best in this country, and I am led to believe that because others from outside this province frequently ask us for our advice because of the reputation we have built up in the last few years for the way we do things and the way we do things as well as we do.

So, you know, I take all of that as sort of a backdrop to comments of the kind that we get from people like Rocky Pollack who later on have to make apologies for it. They make those apologies unequivocally. We do not read those unequivocal apologies on the front pages of the newspapers, but that is the environment within which we work.

I think it needs to be said that sometimes what we get are cheap shots, even from the honourable member sometimes, in a moment of fervour to make a point about something he is very close to and knows a lot about obviously. He will make a point

and sometimes say, well he will not say it often enough, sometimes maybe he will be persuaded that he overstated his case. I do that sometimes, and sometimes it is just good to say, I overstated the case.

So what I am saying very, very seriously is that this department is very concerned about any perception that moving to a new technology is somehow going to create a product that is not as good. I have taken a very personal interest in this issue, and I can tell the honourable member that his concerns have been mine and we have taken many, many steps to ensure that we put out an acceptable product for the people of this province so that our justice system operates properly.

**Mr. Edwards:** What training will the clerks who are going to be monitoring the machines in the courtrooms get?

**Mr. McCrae:** Madam Chairperson, the training for the clerk monitor transcribers, the clerk monitors, is not something that just started recently. As the honourable member knows, this clerk monitor program started way back in 1987 or so. In fact, it was the previous government that built all the infrastructure into the new courthouse for all of the tape-recording machines. So I suppose that is why we are not getting too many questions from the honourable member for Kildonan (Mr. Chomiak), who was not here then, so we can say that.

The point is, this clerk monitor program has been ongoing for a long time already, and what we have announced recently is an expansion of that program. In doing that, we are bringing in new people and those people are being trained by other people working in the operation and by senior people who have certain standards who know what the standards are that have to be met and use the services of the people who are already in the system, including, I presume, court reporters, who share with me and share with the new people a concern about the quality of product.

So with the help of various people in the system already we have developed this manual which sets out the standards that are to be met. People have to have a certain level of keyboarding ability to come in and be part of the transcription unit, which is a pool of people who prepare the transcripts from the taped recordings. So the training is something that is done on an ongoing basis as more people come into the system.

\* (1650)

Many of our clerks who became clerk monitors were trained on how to operate a tape recorder by people who knew how those tape recorders worked. Now that may have input also from the suppliers of the tape recording companies, but I am told by senior people in the department that the equipment that we are getting is high quality and about as good as you can get, four-track systems. I hear the odd suggestions about improvements that we can make too and, when I do, I do take those suggestions seriously.

To bring in your own court reporter could be seen in a couple of ways. It could be seen as a person who is genuinely concerned for the rights of his client, so therefore brings in this court reporter because he has no confidence whatsoever for the system that we have put into place, which has been put into place under the guidance of our executive management committee which is composed of Chief Justice Hewak, composed of Chief Justice Scott, composed of Chief Judge Stefanson. For some people, I guess those kinds of assurances are not sufficient, so they bring in their own court reporter, and I am sure it has a lot to do with concern and protection of the rights of the client when that happens.

I am wondering if Mr. Pollack brings somebody in, a court reporter, on every appearance that he makes, is he prioritizing his cases and saying that some of his clients' rights are more important than other clients' rights? I do not know. Maybe he does, and if that is the case, then he does have a real problem with our system because it is not up to his standards nor those of his clients. So if he brings a court reporter on each and every court appearance, then I would tend to believe that Mr. Pollack has a genuine concern.

**Mr. Edwards:** What is the starting salary for a clerk monitor?

**Mr. McCrae:** Madam Chairperson, clerk monitor positions are typically classified at the Clerk of Court 1/2 level. That is \$23,962 to \$30,563. Clerk monitor transcriber positions are typically classified at the Clerk of Court 3 level and that is \$27,140 to \$32,209.

**Mr. Edwards:** What is the starting salary and perhaps the ranges for the court reporters?

**Mr. McCrae:** I do not have the specific number, but the maximum for a court reporter is in the range of \$39,000.

**Mr. Edwards:** The minister mentioned there are 12 court reporters left. Can he indicate how many clerk monitors will be hired? When the system gets up to full capacity, what is anticipated what the numbers will be for clerk monitors as well as for clerk transcribers?

**Mr. McCrae:** While my staff attempts to help me get the answer to that, I will answer by correcting the honourable member. There are only nine reporters right now. We need three more to complete the 12-member complement. Of the total number of court reporters we had in Manitoba, 11 have been retained as clerk monitors.

**Madam Chairman:** The honourable member for Kildonan.

**Mr. Chomiak:** Madam Chairperson, the—

#### Point of Order

**Mr. Edwards:** On a point of order, I do not want to cut off my friend, the member for Kildonan (Mr. Chomiak), but I do not think the minister was finished answering my question. I think he was still talking to his officials. I would like him to finish the answer.

**Madam Chairman:** I apologize.

\*\*\*

**Madam Chairman:** The Minister of Justice, to answer the question.

**Mr. McCrae:** Madam Chairperson, there was a pause and that is probably why you stopped and recognized the honourable member for Kildonan (Mr. Chomiak). The reason I did not finish answering the question is because I did not have the rest of the answer to give to the honourable member, but I will get that information for him if that is satisfactory, that information being how many monitor positions it is proposed to have in the province of Manitoba, how many are presently occupied, how many still need to be occupied. Is that the information the member is looking for? He has asked also about the clerk monitors and clerk monitor transcribers, and I will get that breakdown for the honourable member.

**Mr. Chomiak:** Madam Chairperson, I will phrase this question carefully in light of the fact there may be litigation in this area, so I am phrasing my

question accordingly. I am wondering if the minister can outline for me when the decision was made to let go of the court reporters.

**Mr. McCrae:** Madam Chairperson, I was not aware that there was litigation pending, so on that basis I will not answer any more questions related to this matter.

**Mr. Chomlak:** Madam Chairperson, out of caution, I simply suggested that knowing that people have lost their jobs and perhaps, in that event, litigation could result. I will withdraw my question at this point.

I am prepared to pass this item, the whole Estimates at this point.

**Madam Chairman:** Item 5.(a) Court Services: (1) Salaries \$2,618,900—pass; (2) Other Expenditures \$608,300—pass.

5.(b) Winnipeg Courts: (1) Salaries \$7,382,200—pass; (2) Other Expenditures \$1,142,500—pass.

5.(c) Regional Courts: (1) Salaries \$3,567,800—pass; (2) Other Expenditures \$1,484,100—pass.

5.(d) Judicial Services: (1) Salaries \$5,963,000—pass; (2) Other Expenditures \$357,900—pass.

Resolution 99: RESOLVED that there be granted to Her Majesty a sum not exceeding \$23,124,700 for Justice, Courts, for the fiscal year ending the 31st day of March 1992—pass.

Item 6. Protection of Individual and Property Rights (a) Manitoba Human Rights Commission: (1) Salaries \$950,200—pass; (2) Other Expenditures \$276,900—pass.

Item 6.(b) Canada-Manitoba Legal Aid.

**Mr. Edwards:** Madam Chairperson, one of the things that has consistently been a problem is the setting of the legal aid rates. There are problems between the bar and the Legal Aid board. Whether or not there is a process going to be in place soon which keeps being promised, was promised by former Minister Penner, now Dean Penner, a regular process to canvass the issues of the legal aid rates for the private . . . so that we do not have to go through a crisis-to-crisis situation, setting rates where lawyers get upset, threaten to withdraw services, the Ministers of Justice respond.

Originally there were some commitments, I think, a number of years ago to put a process in place, of

some regular increases. Is there any process that the minister is working on that he can tell us about?

**Mr. McCrae:** Joining me, Madam Chairperson, is Mr. Ron Perozzo, who is the Assistant Deputy Minister for the Justice Division of the Department of Justice, and Irene Hamilton, who recently became the Public Trustee for the Province of Manitoba, and joins us, I believe, for the first time at this table. I would like to welcome her and express the confidence that our Public Trustee's office and the clients thereto will be well served for a long time to come. We are pleased to have Irene Hamilton with us.

The honourable member asked a question about Legal Aid rates for lawyers and asked about a process being put in place. I have to say that there is no formal process in place for the setting of rates that would go beyond having some kind of control on the part of the government who has to approach the taxpayers to look after those expenditures. I really wonder though if the honourable member is saying that the lawyers of this province would threaten or would actually withdraw their services. I would be very concerned if I thought there was such a suggestion out there on the part of these professional people who are doing such a good job for the people in this province who need Legal Aid services. I would be very concerned about that.

\* (1700)

**Mr. Edwards:** The minister knows that is not what I was saying. I was not saying, and he knows I was not because we have discussed this before, that the government should relinquish control over what the rates should be, or in any way should give that over to the bar. That is not what I am saying. The issue is communication. The issue is having a process in place whereby rates are canvassed, concerns are canvassed.

There is a board in place, the Board of Directors of Legal Aid. There should be some regular process whereby the rates are canvassed as either too high in certain areas, and the minister unilaterally made that decision some time ago that one of the rate structures was too high. There may be ways in which certain things can be given more money, certain less. The whole issue of tariffs has to be canvassed on a regular basis. All I am saying is it cannot be driven by crisis, which is the way it is now. Nothing happens until lawyers get upset, pass resolutions at their bar association meetings or

something, and show up at the minister's office. There must be a better, more civilized way to do it.

Actually, Minister of Justice Penner, I am told, agreed with that and did meet and did put in place a process for gradual increase. I do not know what the numbers were, but that was there. I might say to the minister that in my experience there are enormous problems, not just with the rates. There are a lot of problems with how billings are dealt with by Legal Aid and how fees for certain procedures are set. It tends to come a lot from the domestic side. A lot of the family lawyers are very upset with the way that the Legal Aid tariff is set up. It does not reflect, necessarily, the conciliation work they do, the work they do to try and keep a matter out of court. So those kinds of discussions, I think, have to take place on a regular basis if we hope to make this work for both sides. That is what I am saying.

Mr. Orle has indicated at one point, I think, they wanted \$70, to jump from 45 to 70. That has never been advocated by me, but to get away from those kinds of statements, there has to be some dialogue. There has to be some process whereby that dialogue can happen in an orderly fashion. That is my suggestion. Is the minister willing to contemplate that type of a process?

I understand that from the Legal Aid point of view, by the way, in my discussions with many of the senior officers at Legal Aid, many of the members of the board, they are looking for that kind of a process. I assume they have communicated that to the minister in some way or fashion. This would not be a new idea to the minister because, at the very least, I have communicated it to him. Is there some move to put that kind of a process in place, whereby once a year, once every two years, there is a meeting, no giving up of jurisdiction or authority, but simply a discussion to review the tariffs so that we do not have to wait for a haphazard approach, which tends to promote conflict?

**Mr. McCrae:** I can only conclude—and the honourable member can and will correct me if I am wrong, I know. I need not worry about that. I can only conclude that the honourable member is standing in his place today to seek more money for the lawyers. I appreciate very much the work done by the lawyers. I tell them that when I see them at very lengthy meetings that we have when we discuss this and other matters of importance to them. The lawyers share with me the bottom-line concern, that being providing legal aid services to

people in this province who cannot afford them. Let that be said.

Surely the honourable member knows that there is a tariff, that the tariff is there which makes billing a more efficient process for the profession as well as, also, the Legal Aid Society. There is a Legal Aid liaison committee which provides for frequent contact between Legal Aid Manitoba and members of the bar. I make myself available for meetings with representatives of the bar association whenever that is requested of me.

The fact that there is no money right now does not mean that we do not have these systems in place to monitor. This is something the executive director and the Legal Aid board people do. They monitor the performance of the program. That is what they are there for. They do a good job of that, by the way. There is no reduction in the subscription rate of the people who use the system, those being people who need legal services. The rate of participation by the legal profession is not decreased. The actual levels of income derived from the plan by the legal profession have not decreased.

The fact that we have the liaison, the meetings with myself whenever they are asked for, the informal liaison, I am sure, between officials at Legal Aid Manitoba and the legal profession—all of that is going on all of the time, and then the honourable member raises that we should have some kind of a formula. I do not think he said formula, but mechanism—that really only tells me that he is standing on his feet to ask for more money. I am asking him to correct me about that because I am sure that he would want to correct me if I am wrong. We do have those processes; and, if he did not know we had them, I really have trouble understanding that one, too.

**Mr. Edwards:** Madam Chairperson, the minister does not have those processes, in the way in which he states, in place. They are not there to afford a regular, credible means by which the government, the Legal Aid Society, and those members of the bar who practice under Legal Aid certificates regularly meet and discuss the tariffs. The tariffs—I am not even going to respond to the minister's allegation which is so nonsensical and insulting, Madam Chairperson, that it only, I think, reflects on him and does not bear a response.

\* (1710)

The issue is, Madam Chairperson, with respect, as the minister well knows, that it is in the interest of all to avoid conflict between members of the bar, and members of the Legal Aid Society, and the users, and the Minister of Justice (Mr. McCrae). Of course, the subscription rate for people wanting Legal Aid services has not gone down. Did the minister seriously expect it to go down? Does he think, Madam Chairperson, that there will be fewer people wanting Legal Aid Services? There will be more people wanting Legal Aid Services. That is certainly not the issue.

The Legal Aid board has canvassed the issue, as they did under the former minister, as to what regular meetings there might be put in place to discuss tariffs. I remind the minister that—and I saw him shaking his head in agreement when I was saying this because it is something which I believe will be reflected in the minutes of meetings of the Family Law subsection. I am aware of discussions that have taken place in that forum.

The block tariff, block fee system does not work in some cases, not necessarily because they want more money, but because there should be a different way of allocation. In particular, settlement, negotiation, mediation time used to avoid court is not properly compensated which inevitably saves so much money because, of course, you get so much per day in court, so much per contested motion and that kind of stuff. I assume—and maybe the minister can correct me if I am wrong—that he would not want to have a Legal Aid tariff in place that promoted or at least did not do anything to build in a disincentive for more court action, more litigation. Can the minister indicate when he last met with members of the Legal Aid board, the executive director and members of the Bar Association as a tripartite group?

I will repeat my question. Will the minister indicate when he last met, as a tripartite group, with members of the Legal Aid board and the executive director, as well as members of the bar representing those who practise under Legal Aid certificates, and when he plans next to meet with that group in the future, if ever?

**Mr. McCrae:** Madam Chairperson, to make my answer shorter than the honourable member's question, I will just say that we differ on a number of items; there is no question about that.

This is not the time, when we are experiencing difficult times: layoffs in the public sector; we are talking about holding public sector salaries to certain levels for people who in general terms are not at the higher end of the income scale. This is not the time for us to be looking at the kinds of demands the honourable member seems to be wanting to make. As I said, liaison is there with the profession, not only the one I have personally and the Legal Aid has as an agency, but also the fact that on the Legal Aid board itself there are representatives of the bar there. I just think that this is not the time for me to be taking any criticism from the honourable member about spending thousands, if not hundreds of thousands of more money to remunerate members of the legal profession for the work that they do for the people of Manitoba.

The work is appreciated. It is understood that legal aid rates for some cases do not come to the point of even reimbursing the cost that sometimes lawyers go to. On the other hand, we know that there are some lawyers who work for clients under this program more than other lawyers. The bottom line consideration is that the clients, the people of Manitoba who cannot afford legal services are provided those services under this program.

I say to the honourable member, there is no lack of communication with regard to issues with the bar unless the bar is saying so, which I have not heard them say that to me, because I have been available to them. I know that when the tariff, the block fee was reduced, representatives of the bar came to see me. We had a long discussion and, as they say in diplomatic circles, a frank and open discussion was held. We had that, and I think we had an appreciation for their views and they for mine. Flowing from that were further discussions with the members of the bar and Legal Aid Manitoba with respect to certain suggestions the bar had to make and we are in that process now, that sort of back and forth. It is not a negotiation, but it is a question of suggestions being made and Legal Aid looking at those suggestions.

So I just disagree with the honourable member when he says there is something missing here. Here again in the space that we have for Estimates, I find the honourable member spending an inordinate amount of time on an issue relating to the remuneration of the legal profession under the Legal Aid program at a time when revenues in this province are next to nothing and at a time when we

are freezing the salaries of more poorly paid employees in the public service of this province.

Even members of the bar understand that this is not the time, so I cannot understand why the honourable member would spend such an inordinate amount of time during these Estimates to want to raise issues relating to the remuneration of lawyers. I leave it for the honourable member to explain that for himself. This is not an issue for today, and I suspect and I suggest to you that while members of the bar will feel that Legal Aid rates are not adequate to properly compensate them even at a pro bono kind of relationship for the good work that they do—I do not quarrel with that, because we appreciate the participation by members of the bar in this program which helps poor people. Let us face it, that is what it is there for.

I appreciate the professional integrity that would cause lawyers to be associated and participate in this program. I ask them on the other side to be mindful of our situation as a government here in Manitoba, and I believe that for the most part, members of the legal profession would agree with that, while at the same time not putting aside their claim for a better deal. I am not arguing with anybody about that, but I do not know why we need to spend this much time in this Chamber discussing the remuneration for lawyers under our Legal Aid program when there are so many other things that perhaps might be of interest to the honourable member.

I do not know how much time his colleagues are giving him for discussion of these Estimates. I know he told me the last time that we were into them that we would be finished that day. We were not. He told us that we would be at it for another half an hour and then we would be done. We are not, and that half an hour has long since passed.

So, Madam Chairperson, I remember working in the courts for a number of years, and it was the lawyer who came forward and said, my Lord, my submission will be brief, that I knew in most cases we were going to be there for some time to come. It is those ones who stood to their feet and made their submissions and got it done who were usually the ones who won their cases, too.

**Mr. Edwards:** Well, we will count the lines that the minister records in Hansard this afternoon. The Minister of Justice has filled more pages with rhetoric this afternoon, and this is usual, and that is

saying something, Madam Chairperson. The fact is that the questions are pertinent, and he maligns and misspeaks what is really being said here. He knows that. It strikes me that he is defending a system blindly, which may not be in the interests of settlement, may not be in the interest of conciliation, may be adverse to the interests of the people he claims to want, the poor, the disenfranchised to have to go to the Legal Aid system, oftentimes for these domestic squabbles. I assume from his comments he is speaking in favour of turning a blind eye to the tariffs which may or may not work for those people, may or may not keep them out of court. That appears to be what he is saying.

\* (1720)

I simply ask the minister to set aside the political biases which he brings to this particular discussion and to listen to those in the community, those on the Legal Aid board, the executive director, as well, who, to my knowledge, have made known their desire that there be some regularized process, not just for consultation between the Legal Aid Society and the lawyers, not just for consultation between this minister and the bar association and law society, but with all the stakeholders with those three parties. I would ask the minister to consider that again, which makes imminent sense.

He wants to put a financial taint on this. He knows that simply is not credible. This is not the minister, but this is the same government that gave a guy a job as head of MTS and paid him \$20,000 more to come, 15.4 percent increase, and talks and talks about tough times—gave the Pines project \$325,000 and talks about tough times. It is absolutely two-faced, always has been, Madam Chairperson.

**Mr. McCrae:** Madam Chairperson, I did not hear a question in there, so I assume the honourable member was inviting me not to respond, so I am going to accept that invitation.

**Madam Chairman:** Item 6.(b) Canada-Manitoba Legal Aid (1) Salaries \$3,957,500—pass; (2) Other Expenditures \$7,166,800—pass.

6.(c) Public Trustee: (1) Salaries \$2,296,100.

**Mr. Edwards:** Madam Chairperson, it was with some pleasure, I am sure on behalf of the member for Kildonan (Mr. Chomiak) as well, that we saw that there is now an appointment as a full-time Public Trustee for the province of Manitoba, Ms. Irene Hamilton. We welcome her to that post, wish her all

the best in that new position. We also want to thank Ms. Alex Morton for filling in as the acting Public Trustee for the period of time that she did. We have no doubt that the Public Trustee office was well-served during that time and will be in the future.

**Madam Chairman:** Item 6.(c) Public Trustee: (2) Other Expenditures \$608,800—pass

6.(d) Land Titles Offices: (1) Salaries \$5,171,100—pass; (2) Other Expenditures \$1,057,400—pass.

6.(e) Personal Property Registry: (1) Salaries \$576,600—pass; (2) Other Expenditures \$505,100—pass.

Resolution 100: RESOLVED that there be granted to Her Majesty a sum not exceeding \$22,566,500 for Justice, Protection of Individual and Property Rights, for the fiscal year ending the 31st day of March 1992—pass.

At this time, I would request the minister's staff to please leave the Chamber.

Order, please. We are now dealing with 1.(a) Minister's Salary \$20,600—pass.

Resolution 95: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,994,300 for Justice, Administration and Finance for the fiscal year ending the 31st day of March, 1992—pass.

This concludes the Estimates for the Department of Justice.

## SUPPLY—LABOUR

**Madam Chairman (Louise Dacquay):** Order, please. We will now proceed to deal with the Estimates for the Department of Labour, page 121. At this time I would ask if the honourable Minister of Labour has an opening statement.

**Hon. Darren Praznik (Minister of Labour):** Madam Chairperson, thank you for this opportunity to present the Estimates of the ministry of Labour.

The ministry of Labour consists of three divisions: Labour Services, Workplace Safety and Support Services and Management Services. If I may just take a few minutes to address some of the responsibilities of these divisions and then welcome questions from my colleagues on the committee.

With respect to the Labour Services Division, public safety is an important function of Manitoba Labour. The department is responsible for a number of statutes and regulations aimed at ensuring reasonable safety standards whether

under The Steam and Pressure Plants Act or The Elevator Act, to name but two.

In fact, there are approximately eight statutes and 16 regulations in the Labour Services Division impacting on public safety. To ensure that these laws and regulations are current and effective, departmental staff will be undertaking a substantive review and assessment of these regulations and acts beginning in the coming year. This is a major task, not one which I expect will be concluded over the course of one fiscal year. It is also a project which will require input from a number of interested parties who will require thorough consultation. Another branch of the Labour Services Division

-(interjection)-  
**Madam Chairman:** Order, please.

**Mr. Praznik:** Madam Chairperson, my apologies I saw a member of his party signal that you were about to step in and perhaps I misunderstood the signal. My apologies for that. It was not intentional.

The only thing that I mention to bring the critic up to date is that I have just outlined the three branches of the particular areas of the department and made the point that we are beginning a major process of reviewing our public safety legislation.

Another branch, Madam Chairperson, if I may continue, of the Labour Services Division is undertaking a significant review of existing legislation. The Manitoba Pension Commission, as part of its mandate to promote the establishment, extension and improvement of pension plans in our province, issued a public discussion paper entitled The Promotion of Private Pension Plans in Manitoba in March of this year. The discussion paper served as the basis of two days of public hearings in May of 1991. At that time presentations were made to the commission by representatives of the pension industry, labour and pension plan sponsors. In total, 34 submissions have been received, reflecting the views of most interest groups. Commission members have already begun to analyze the responses, with the goal of recommending regulatory changes. I look forward to hearing the results of their deliberations.

\* (1730)

Returning for a moment to public safety measures incorporated in the Labour Services division, I would also mention the work of the Office of the Fire Commissioner. The Fire Commissioner's office, as part of an ongoing commitment to providing the

highest level of possible service to the fire service of the province, has undergone an internal reorganization. The role of the fire services officer has been expanded so that clients need only contact one individual for assistance from the Fire Commissioner's office. As part of the mutual aid system, the Fire Commissioner's office is continuing to provide financial training incentives which are developing an increased inventory of locally trained fire emergency response personnel.

On a special note on the heels of the successful Nero and Ashcan matches and lighter safety kit for daycare and kindergarten children, which I believe my critic from the New Democratic Party had an opportunity last year to take home and test in his own household, the Fire Commissioner's office has a companion kit aimed at children in Grades 1 to 3. This new kit, called Nero and Ashcan's Home Fire Safety Safari is in its final preparation and should be available for distribution around July 15 of this year, the next few days.

In other areas, the Apprenticeship and Training Branch continues to encourage employers and labour representatives to participate in program development and in the development of training curricula both on the job and in school. The branch has undertaken pilot projects through special initiatives to meet rural, aging, Native, immigrant and female population needs and, in co-operation with the University of Manitoba, has researched new literacy needs in the construction trades. In addition, with the co-operation of the federal government and a volunteer committee, two new promotional efforts, one for teenagers and one for women, have been developed.

The Pay Equity Bureau in co-operation with management and labour partners is implementing pay equity in school divisions. Policy and funding guidelines have been shared with key players from school divisions. The department will continue to work closely with all stakeholders on the implementation of this important area.

Conciliation and Mediation Services continues to provide the labour relations community with unparalleled service. A tribute to the branch and its staff is the fact that they are resolving approximately 87 percent of the grievance mediation cases and 96 percent of conciliation cases without any work stoppages. The branch's record on resolution of grievance mediation cases continues to further

harmonious relations between labour and management.

The Manitoba Labour Board has once again experienced an extremely active year in regard to the administration and adjudication of various statutes within its jurisdiction. Last year the board initiated the practice of assigning its officers to act as mediators in the settlement of labour disputes with the intent of reducing the volume of cases which come before the board. As in the previous year, 1991 has seen a 75 percent-plus success rate from this practice. The board is encouraged and delighted by these results and would like to acknowledge not only the efforts of the board officers, but also the continued co-operation of both labour and management in achieving such a high success rate.

The board has also distributed the first issue of its index of written reasons for decision. The index provides the labour relations community with a concise description of all written reasons for decision issued by the board under the various statutes. This was not done in the past. The reaction of its clients groups has been extremely favourable as it provides them with a quick and efficient research tool.

Turning to the Workplace Safety and Support Services division, I would wish to acknowledge the major effort in this field of an Inspection branch of Workplace Safety and Health to cross train all of the officers to broaden their skill levels. The intent is to equip all field inspection staff with the ability to inspect any site in the province of Manitoba, whether it be industrial, commercial, or construction. This will improve the efficiency of the division and maximize our ability to direct resources to the area with the greatest need.

For example, during the high construction period, we will be able to use a significantly higher number of officers in this area than we had in the past while, at the same time, maintain the utilization of these people in the slower construction period by using them in other areas of concern within workplaces in the province. This move is in conjunction with our establishment of regional offices which are staffed by safety and health officers with a broad range of responsibilities.

The Occupational Health unit, under the direction of the Chief Occupational Medical Officer Dr. Theodore Redekop, has devoted a considerable

amount of time this past year in updating our protocol through the medical monitoring of workers exposed to lead. The branch has assumed full responsibility for the hearing conservation legislation, as well as the training of audiometric technicians and certification of audiometric technicians in the province of Manitoba.

The Silicosis Survey program is under review by the occupational medical unit in conjunction with the Manitoba Lung Association and the Workers Compensation Board. The chief occupational medical officer intends to set up a three-year study of this survey to examine its effectiveness as a worker health program.

The department will continue to benefit from the advice of the Advisory Council on Workplace Safety and Health. As one example of the council's advice, I would mention the introduction of a regulation this year to ensure that industrial equipment be fitted with roll-over-protection structures and seat belts.

We will also be focusing the attention in the coming year on the agricultural community on safety issues. The Advisory Council on Workplace Safety and Health has developed a subcommittee on agricultural safety, and one safety and health officer is devoting considerable time to agricultural safety issues. It is our intent to develop a better methodology to address this diverse industry and to increase our efforts in delivering our message to the agricultural industry.

The Labour Adjustment unit this year has played a key role in addressing issues arising from the downsizing and closure of plants related to the economic conditions existing in North America. This unit has been successfully expediting retraining and re-employment of a significant number of displaced employees and, in addition, has acted as a catalyst in assisting employees and employers in the restructuring of their businesses.

In this process, the Worker Adjustment unit has acted as the intermediary between organizations within the government of Manitoba, such as Industry, Trade and Tourism, as well as putting employers and employees in touch with other agencies within the federal government or private sector.

Elsewhere, the Employment Standards branch has introduced procedures to address some of the key concerns that come before the branch. Through the adoption of a triage process, the branch

is now able to expedite actions on the most critical issues which are affecting large groups of employees and, in doing so, has been quite successful in the resolution of these concerns to the benefit of the employees affected.

Within the inquiry intake section, greater emphasis has been placed on problem resolution by telephone. When a complaint is received over the phone, the inquiry intake officer attempts to contact the employer in question immediately. This has resulted in achieving a significantly higher success rate in getting an immediate resolution of the problem. These actions have resulted in a significant reduction in the backlog of claims to be addressed by the Employment Standards branch.

The branch's continuing goal is to assist employers and employees in respecting and maintaining our Employment Standards legislation. The branch will benefit from the proposed amendments to The Employment Standards Act and I would like to thank both opposition parties for their co-operation in getting them through this House.

Madam Chairperson, these are but a few of the areas touched upon in the department and I have been happy to go over some of the highlights and some of the changes that we have been making in administering the responsibilities given to the department by the Legislature and I look forward to the questions and discussion that will take place during the course of the Estimates. Again my apologies to the member for Thompson (Mr. Ashton) on beginning when we did.

**Mr. Steve Ashton (Thompson):** Madam Chairperson, I want to begin by saying that I intend to touch on both the administrative aspects of the Department of Labour, as well as its policy role, because I believe that any Minister of Labour should be more than a trustee of the Department of Labour, should also be a trustee of the interests involving labour in this province. I intend on touching on a number of areas that I feel are going to be adversely affected by other government moves in my opening comments.

I want to begin by saying that the department has once again, while not being targeted for the major type of reductions that some other departments have, continued the trend as established, as outlined in the report the minister tabled before the Legislature that has seen—probably the most

objective measure of it is the reduction in the number of staff years. We have seen a further reduction this year. In fact, there are some 28 fewer positions than there were when this government brought in its first budget as compared to the previous budget. Even in this year, Madam Chairperson, once again we find further reductions.

I will be raising concerns in that particular area because if one looks at the detailed Estimates, one will see a range of staff reductions, ranging from management services, mechanical engineering, fire prevention, virtually all the sections of the department. Major sections have been affected. In particular, there has been a noticeable reduction in the number of staff people in the Workplace Safety and Health positions and engineering safety as well, positions that had been held vacant and should have been filled, to my mind, and should not have been eliminated at this point in time.

Looking at the budgetary process that is being followed by this government, I cannot see any way, shape, or form that the Department of Labour will be able to re-obtain those positions in the future and I see it as a very serious potential erosion in an area. The minister or other government members could accuse me of wanting more spending, if they like. Indeed, in some areas one needs to prioritize them. I think if there is one area that needs to be prioritized, it is in terms of Workplace Safety and Health and indeed, in terms of the type of safety that this department in its combined role these last couple of years deals with.

\* (1740)

I want to stress that because the minister at the same time is bringing in major changes to Workers Compensation and I believe the best Workers Compensation legislation, programs, etc. are those that are aimed at preventing accidents. How does one prevent accidents? It is through a whole series of things in terms of public awareness, in terms of workers awareness of those issues, but also it is very much a part of the whole inspection system that is in place. It is an inspection system that is already taxed to the limit, and I am very concerned about those trends. I think it is also perhaps interesting to note that this is coming in a year when working people are facing other attacks, Madam Chairperson, in terms of legislative rights and, indeed, I say once again that this department is more than a trustee of a number of programs.

This is the department that should be vitally concerned about the interests of the working people in the workplace and working with both management and labour and workers themselves in terms of those concerns.

I point to the fact, and I have raised this with the minister in the context of the Civil Service, that we are seeing Bill 70 introduced in part of this session and, not only are we not seeing the Department of Labour, which should be a trustee, Madam Chairperson, for the interests of working people, not speaking out on this issue through the minister, we are seeing the minister actively supporting the bill. That is not acceptable to the working people of this province. That is not acceptable.

I will say to the minister that he should look beyond merely running the reduced level of programs that we are seeing, and I say that we have major, major problems with the government's action in this area. The fact that they are not only reducing the size of programs dealing with working people, they are fundamentally eroding the collective bargaining rights.

Madam Chairperson, my apologies. I was involved in a discussion with my Leader, and I was somewhat distracted, but I am sure that you can understand that he had a very important point to raise. My apologies to the members of the committee.

In fact, part of the discussion was in regard to exactly what I was talking about, Bill 70. I am not here today to debate Bill 70, but I am going to debate the role of the Minister of Labour. I do not believe that the Minister of Labour of this government should be acting as a cheerleader, and I realize it is not his bill, but a cheerleader for Bill 70. I do not believe that a Minister of Labour should be supporting a tax on working people by the erosion of the collective bargaining process.

I look back to a previous Conservative government when the Minister of Labour then, Ken MacMaster, whom I knew well—I defeated him in the 1981 election—stood at least for the protection of the status quo, if not for the enhancement of the rights and opportunities of working people. He stood for the status quo. I will say that that minister received a great deal of respect from the labour movement, from working people for having the courage to stand up to the kind of pressures he must have been faced with in that caucus, because I

cannot believe, Madam Chairperson, that the Conservatives have really changed their spots that much. I do give him credit.

I even give credit to Sterling Lyon. This must be about the third time I have said this in the session—the sixth time. It amazes me that with the perspective of history now that I would be saying that Sterling Lyon—I do not think I would go as far as saying he was not all that bad, but he is not as bad as this government. He was not as bad as this government in terms of labour issues. Whether it was the Premier or whether it was the Minister of Labour or whether it was other pressures, Madam Chairperson, they did not introduce the kind of legislation we are seeing on issue after issue that is going to roll back, in this case, the rights of working people 40 and 50 years.

I asked that question at the beginning of Estimates, and I am going to ask it during Estimates, and I will ask it at the end of Estimates. I will ask of the minister the question why he has chosen to become a cheerleader for Bill 70. When I asked in committee, Madam Chairperson, on Civil Service Commission for the minister's view, I gave him the benefit of the doubt. I said perhaps I have been wrong.

Perhaps the reason he is not introducing this bill—one of the most vicious attacks on our fabric of labour relations—is because he did not agree with the bill. Perhaps that was the deal in the cabinet. Perhaps the minister spoke out vehemently against Bill 70 and then decided and argued and pleaded with the government not to have to introduce it, and that is why the Minister of Finance (Mr. Manness) brought it in.

Did the minister give any equivocation, any equivocation whatsoever in regard to Bill 70? No, Madam Chairperson. Not only did the minister not give equivocation, the minister went and made one of the most bizarre statements I have heard during the session by suggesting that somehow government workers were quite happy to share their part of the tough times, et cetera. Well, we are seeing, in another context in the committee on Bill 70 that they are now happy, but the minister presumed to speak for the civil servants of this province.

I will asking this minister, in the broader context with his responsibilities as the Minister of Labour, is he also presuming to suggest that many other

people, working people of this province, feel that it is acceptable for this government, enthusiastically cheered on by the Minister of Labour to roll back the collective bargaining process, to kill the collective bargaining process in a way that we have not seen in this province since 1919 and the general strike and the attempts of the committee of 1,000, the establishment of Winnipeg at that time, to break the labour movement, the rights of working people, because that is how serious this is.

I will be going beyond that, Madam Chairperson, because I will be asking the minister directly on the question of labour law review. It has been indicated that this government is looking at labour law review. My God, have they not done enough thus far. They have killed final offer selection after breaking their word about the time in which it would be put in place, after deceiving members of the Legislature, including myself, this government deceiving members of the Legislature about when that bill would pass. I use that word, because that is the only word that is strong enough that I am entitled to use in this Chamber. Members of the opposition were deceived by this government.

It goes beyond that. They have now brought in Bill 70 which I just referenced, a vicious attack on the collective bargaining process. It does not stop there. They have brought in a Workers Compensation bill that cherry picks recommendations that were made jointly out of a review process that was an excellent review process, one of the individuals who is now in the minister's staff. They have cherry picked that. They have ignored other recommendations and thrown in a whole series of their own suggestions, ideas.

I do not know where some of the particular sections have come from in terms of the specific wording. The impact of the bill is creating a great deal of concern amongst working people, because many working people will lose benefits. They will lose benefits as a response to this bill. Yet, this government still has more. This government now has a labour law review, Madam Chairperson.

I will asking some very specific questions about who is going to conduct that labour law review. I will be asking some very specific questions to this minister about what the parameters of that labour law review are. I will be asking on what basis, what criteria will be used in terms of that. I will be asking the minister whether he will be living up to the words

of the Premier who said before the election that he would involve his government in a broad consultation with management and with labour and concerned individuals about any changes to labour laws, any changes, Madam Chairperson. Those are the words of the Premier as signed by that Premier in August of 1990, and I recognize the election has since passed, and I recognize that this government does not live up to its word in terms of promises, whether they be campaign promises or signed documents on the bill that repealed final offer selection.

I will be asking the Minister of Labour (Mr. Praznik), what next? I will be asking the Minister of Labour, what will he do to ensure that the rights of the working people of this province are not going to be trampled as part of a behind-closed-doors review which the government can then bring in in the form of legislation and then can ram through, given its majority? I want to ask the minister as well, what he will be doing to defend the interests of working people to ensure that their interests are not trampled on, because that is the key responsibility of this Minister of Labour.

\* (1750)

This is the Minister of Labour, not the minister of big business. No matter what the bias is of this government, no matter what campaign promises it made to the Chamber of Commerce, no matter what back room deals it may make with the Chamber of Commerce and other interested individuals in Manitoba whose concerns are more for the big business interests, no matter what back room deals it has made, it does not have the right to now use its majority and go in the face of campaign promises made and accepted in good faith by the people of this province.

So I will be asking some very pointed questions to the minister about labour law review, his involvement in that, his department's involvement in that and the extent to which there will be full and open consultation and the extent to which there will be some sanity, the kind of sanity that we saw at least from the Sterling Lyon government, and I want to repeat this again for the minister. The Sterling Lyon government did not touch The Labour Relations Act of this province. The Sterling Lyon government brought in only one legislative change, basically, of any significance affecting working people. It rolled back in a special session in 1977 a provision brought in in the latter part of the Schreyer

government's last term to bring in time-and-three-quarter overtime. It negated that in that special session.

At least, I will say, Madam Chairperson, that was a provision that had not been brought into effect in 1977. It was not yet in place. It rolled back something that would have been, but did not go back 10, 20, 30 and 40 years in terms of history.

This government already, in the space of less than a year, 10 months since the election, has now rolled back labour legislation, and not only rolled back final offer selection that was brought in in the 1980s, but is now rolling back labour legislation in the form of Bill 70 that has been in place, principles of The Labour Relations Act, principles of free collective bargaining, is rolling back provisions that have been in place in this province since the 1940s.

So I say to the Minister of Labour, in the limited time that we have available, the Minister of Labour should be prepared to answer these very serious questions, and I hope he will take the opportunity to say publicly that he is going to stand up for the interests of working people, which he should as Minister of Labour, that he will fight within his government. He will use the resources of his department to ensure that labour relations in the province of Manitoba are not rolled back 10, 20, 30, 40, 50 years because of some behind-closed-door secretive campaign promise to some Tory group of supporters that was made during the election, something that was not made to the people of Manitoba. With those comments, I am prepared to proceed through the Estimates. Thank you, Madam Chairperson.

**Mr. Praznik:** I understand that Mr. Edwards has left. I think I should just call in my staff and we can—you have a few questions?

**Madam Chairperson:** Is there leave of the committee to permit the honourable member for St. James (Mr. Edwards) to make opening statements, if he so desires, when the committee next sits?

**Mr. Ashton:** If the member for St. James might use by leave of the committee on the first line to make any general comments.

**Madam Chairperson:** Agreed and so ordered. Would the minister's staff please enter the Chamber. Would the honourable Minister of Labour like to introduce his staff.

**Mr. Praznik:** If I could introduce my staff, at least we will get these things over with: Roberta Ellis

Grunfeld, who is the Deputy Minister; Jim Wood, who is our financial person; Tom Bleasdale, Assistant Deputy Minister in charge of the Labour Services area; and Jim Nykoluk, who is the director of the Management Services branch of the department.

**Madam Chairman:** 1. Labour Executive (b) Executive Support: (1) Salaries \$299,600.

**Mr. Ashton:** To ensure that we do stay on a pretty general item to give the member for St. James (Mr. Edwards) a chance to ask or to make an opening comment, I will ask a number of questions under this item to deal with some overall policy, questions which actually are relevant in the sense that the executive support of the department is obviously going to be involved, working very closely with the minister.

I want to ask the minister on the issue of a labour law review whether he can, indeed, confirm whether there is a continuing process of labour law review, something that has been indicated publicly on a number of occasions and, I believe, by the Premier as well, and what the time frames of that review are?

**Mr. Praznik:** Yes, Madam Chairperson, I know there was some reference by the member in his remarks to a labour law review. Perhaps I took it out of context as to the member intending some sort of formalized review process with a panel that would go through all of the statutes relating to labour in the province of Manitoba.

I do not think that was ever the intention per se of the government or the remarks of the Premier. I think the comments going back some time was that the government would review our labour law internally and present any changes that we wanted to undergo or put before the Legislature.

Just to put in perspective some of the things that are happening, because that process is ongoing, part of that review was the changes to The Employment Standards Act and The Payment of Wages Act that we have now brought forward. Those have been sitting around the department for some 13 years, I understand, coming from the Labour Board itself as to recommended changes.

We are also undergoing now in our public safety area, which is part of the Department of Labour, a review of our eight or so statutes that we have in place on the public safety side, and my intention as minister, what I would like to be able to do, is see

those public safety statutes eventually amalgamated into one code.

With respect to our general labour law, the repeal of final offer selection was one plank and I know we have been through that debate and that discussion certainly has done, and as minister looking at our general legislative scheme in Manitoba I think our Premier (Mr. Filmon) has made comment to the fact that he wanted to see Manitoba generally in line with what other provinces do.

I do not think, and I have said this to the labour community, if one is expecting draconian removal of all our labour law, et cetera, in the province, I do not think they should expect that. We do look at our labour law in relation to other provinces in this country. I know there were some amendments and changes that were made in 1985 to labour law that changed a few things, and as minister I spend a fair bit of time, as time will allow, looking at those and looking at what has happened in other jurisdictions, what the case is in other jurisdictions. Certainly as minister I have not come to any conclusions of my own that I would make recommendations at this time to cabinet with respect to what changes I would propose.

But I do say this, I have always made this commitment, that whatever kind of changes the government would want to see or want to see discussion with respect to, that we would be prepared, and part of that process would be taking it to the Labour Management Review Committee. I should just say to the member, I know that committee has gone through a rough couple of weeks because of Bill 70, and perhaps we can get into that a little bit more from another question, but I wanted to put it in a broader context.

**Mr. Ashton:** My specific concern as regards to changes to The Labour Relations Act and there are conflicting signals that have been made. The Premier has indicated that any changes would be subject of wide consultation. There is pressure on this government from the Chamber of Commerce. I have seen the Chamber of Commerce bulletin. I have seen the public statements made by the members of the chamber. There are ongoing discussions. The Premier has certainly not hidden the fact that there is an internal review going on at this point in time. What I am asking is, is this government considering changes to The Labour Relations Act that are a part of this internal review? Is this government contemplating changes to The

Labour Relations Act which is part of discussions with the stakeholders, shall we say? If so, what process does the government intend on following, if any, in terms of consultation beyond the normal consultation processes that take place? Will the government be ensuring that the words of the Premier will be lived up to in terms of full and open discussion and consultation before any changes are brought in?

**Mr. Praznik:** Madam Chairperson, I know the member for Thompson may have a hard time accepting this statement from a minister, but I say this very sincerely to him. Given the Premier's comments about the need to look at our labour law, as minister, within our department with our research staff, have been looking at our labour legislation comparing it to other jurisdictions, et cetera. I, in my own mind, have not come to any conclusions as to what recommendations I would make to my cabinet, because there are a lot of perceptions and there are a lot realities and often they are very different.

I am sure the member for Thompson would encourage me, as the Minister of Labour, to make sure before I made recommendations to my cabinet colleagues that I was doing it on the basis of reality

and not on the basis of perceptions that exist out there in the ongoing battles between the Chamber of Commerce and the Federation of Labour, because reality is sometimes very different from perception.

**Madam Chairman:** Order, please. The hour being 6 p.m., committee rise, call in the Speaker.

### IN SESSION

**Madam Deputy Speaker (Louise Dacquay):** The hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Friday).

### ERRATUM

On Monday, July 8, 1991, Hansard No. 80A, Mr. Oscar Lathlin (The Pas), in his question to the Minister of Health (Mr. Orchard), on page 4328, right-hand column, fifth line of his question, was quoted as saying "...that men in northern Manitoba simply cannot afford the user fee program...". The question should have read: "...that many northern Manitobans cannot afford the user fee program...".

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, July 11, 1991

## CONTENTS

### ROUTINE PROCEEDINGS

### ORDERS OF THE DAY

#### Presenting Petitions

The Pines Project  
Reid 4497

#### Reading and Receiving Petitions

The Pines Project  
Martindale 4497

#### Oral Questions

Hazardous Goods Transportation  
Doer; Cummings 4497

Health Care System  
Wasylycia-Leis; Orchard; Carstairs 4498

Aboriginal Peace Village  
Hickes; Ducharme; Filmon 4501

South African Products  
Firesen; McIntosh 4502

Multicultural Secretariat Office  
Lamoureux; Mitchelson; Filmon 4502

Agriculture Ministers' Meeting  
Plohman; Findlay 4503

Rail Line Abandonment  
Plohman; Findlay 4503

Port of Churchill  
Plohman; Findlay 4504

Northern Manitoba Trappers Festival  
Lathlin; Derkach 4504

Clearwater Lake  
Lathlin; Enns 4505

#### Second Readings

Bill 2, Amusements Amendment Act  
Mitchelson 4505

#### Debate on Second Readings

Bill 47, Highway Traffic Amendment  
and Consequential Amendments Act  
Reid 4506  
Gaudry 4509  
Driedger 4509

Bill 48, Highway Traffic Amendment Act (2)  
Reid 4510  
Gaudry 4514

Bill 64, Energy Rate Stabilization  
Repeal Act  
Carr 4515

Bill 58, Development Corporation  
Amendment Act  
Ashton 4516  
Lamoureux 4517

Bill 45, Securities Amendment Act  
Maloway 4517  
Gaudry 4517

Bill 57, Horse Racing Commission  
Amendment Act  
Lamoureux 4519  
Edwards 4519  
Doer 4519

#### Concurrent Committees of Supply

Health 4521  
Fitness and Sport 4537  
Justice 4543  
Labour 4557