



Second Session - Thirty-Sixth Legislature  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
**and**  
**PROCEEDINGS**  
**(Hansard)**

*Published under the  
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The Honourable Louise M. Dacquay  
Speaker*



**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Sixth Legislature**

**Members, Constituencies and Political Affiliation**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

**Tuesday, October 1, 1996**

**The House met at 1:30 p.m.**

### **PRAYERS**

### **ROUTINE PROCEEDINGS**

### **PRESENTING PETITIONS**

#### **Pharmacare**

**Mr. Doug Martindale (Burrows):** Madam Speaker, I beg to present the petition of Peter Korbutiak, Esther Finkle and Gerry Finkle requesting that the Legislative Assembly of Manitoba may be pleased to request the Premier (Mr. Filmon) and the Minister of Health (Mr. McCrae) to consider reversing their plan to cut Pharmacare in 1996.

### **PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES**

#### **Standing Committee on Economic Development Second Report**

**Mr. Peter Dyck (Chairperson of the Standing Committee on Economic Development):** Madam Speaker, I beg to present the Second Report of the Standing Committee on Economic Development.

**Mr. Clerk (William Remnant):** Your Standing Committee on Economic Development presents the following as its Second Report.

**Madam Speaker:** Dispense.

*Your committee met on Friday, September 27, 1996, at 10 a.m. in Room 255 of the Legislative Building to consider the Annual Report for the Communities Economic Development Fund for the year ended March 31, 1996.*

*Mr. Wakeling provided such information as was requested with respect to the Annual Report for the Communities Economic Development Fund for the year ended March 31, 1996.*

*Your committee has considered the Annual Report for the Communities Economic Development Fund for the year ended March 31, 1996, and has adopted the same as presented.*

**Mr. Dyck:** Madam Speaker, I move, seconded by the honourable member for Riel (Mr. Newman), that the report of the committee be received.

**Motion agreed to.**

### **TABLING OF REPORTS**

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, I am pleased to table two reports. The first is the Report to the Legislature pursuant to Section 56(3) of The Financial Administration Act at March 31, 1996. The second is the Report to the Legislature pursuant to Section 7(2) of The Loan Act for the fiscal year ended March 31, 1996.

**Hon. Glen Cummings (Minister of Environment):** Madam Speaker, I would like to table the Annual Report of the Manitoba Hazardous Waste Management Corporation for '95-96 and the Annual Report of the Sustainable Development Innovations Fund for '95-96.

### **Introduction of Guests**

**Madam Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members, firstly, to the Speaker's Gallery, where we have this afternoon His Excellency Volodymyr Ferkalo, Ambassador of Ukraine to Canada.

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

Also, seated in the public gallery, we have 10 visitors from the Applied Linguistics Centre under the direction of Ms. Greta Gibson. This centre is located in the constituency of the honourable member for St. James (Ms. Mihychuk).

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

\* (1335)

## ORAL QUESTION PERIOD

### Regional Health Authorities Act Withdrawal

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, my question is to the Premier (Mr. Filmon).

Last week, we talked about the autocratic policies that were described by management groups in the regional health bill as being undemocratic and abhorrent. Over the weekend we have been made aware that a number of religious organizations and churches have been circulating letters and other material dealing with the government's proposed autocratic superboards and calling on their parishioners and supporters to write the government, write the Premier and write letters to the editor calling on the government to reinstate the values of their community and reinstate the rights of the community in the health care area.

Would the Premier, today, please agree that this bill is undemocratic, autocratic and it should be withdrawn from this Legislative floor on behalf of Manitobans?

**Hon. James McCrae (Minister of Health):** Apart altogether from the fact that the Legislature has before it Bill 49, which can be the subject of debate and is the subject of debate, Madam Speaker, we have consistently as a government recognized the role, the tradition and the history of faith-related organizations in the delivery of health care in Manitoba.

The Premier (Mr. Filmon) and I and others have been working very closely with representatives of the Interfaith Council to ensure that their concerns, as put to us in meetings we have had with them, are appropriately met through amendment to the legislation. This is something I told the Interfaith Council last June that I would be considering this fall, which is what we are doing. We are engaged in discussions with them to find accommodations to meet their legitimate requirements.

**Mr. Doer:** Madam Speaker, this letter circulated through the Mennonite churches over the weekend and other letters that have been circulated speak to the competency of this Minister of Health. We have seen the

Minister of Health close emergency wards in community-based hospitals before he consults with the public. We have seen this minister propose to privatize a hundred percent of home care and, of course, we witnessed the public reaction. We witnessed the debacle on the two different pamphlets that were out on Pharmacare changes from this minister, and now we hear that this government is going to consult with the communities after they table the bill in the Legislature.

Will this Premier withdraw this bill and give us a minister who will consult with the public, consult with the patients before legislation is introduced in this Legislature rather than after the fact, as we see from this incompetent Minister of Health?

**Mr. McCrae:** The honourable Leader of the Opposition is quite incorrect in most of the things that he said in his preamble, Madam Speaker.

For example, he referred to a proposal for 100 percent contracting-out in home care when he knows full well that the original proposal was 25 percent. Even the Manitoba Government Employees Union agrees that 20 percent ought to be the subject of contracting-out, so the honourable Leader of the Opposition ought to get his facts straight before he comes in here making judgments about the government.

Madam Speaker, the points that he has raised respecting faith-related organizations are appropriate to be raised, and they are being settled as we speak in discussions with the Interfaith Council and their representatives.

**Mr. Doer:** Madam Speaker, we have people that are experts on medicare concerned about the two-tier elements of this health care bill and what it will mean for user fees in the future. We have workers that are concerned that they no longer will have the right to determine their bargaining agent; it will be determined by a government, a Premier-appointed czar of the workplace, which is probably contrary to the ILO. Not that this autocratic Premier cares about that.

\* (1340)

We have management saying that this bill is undemocratic and abhorrent. I would like to ask the

Premier (Mr. Filmon), in light of the fact that the Minister of Health has had to do a full reversal on his ill-thought-out plans on the religious-based, community-based boards, will he be withdrawing all the other disfavourable, autocratic and authoritarian elements that are contained within this bill and go back and give us a bill in health care that all the community can work with rather than just the dictatorship that we see across the way from this Premier?

**Mr. McCrae:** If you check the record, Madam Speaker, you will see that at every step towards the reconstruction of a quality health care system, we have been opposed by honourable New Democrats opposite. In no area, other than perhaps in certain areas of mental health reform, and even then you have to poll each and every individual New Democrat separately because their policies do not mesh with that of their Leader or that of their Health critic—they have relegated themselves simply to a party of protest. They offer no constructive counterproposals or alternative proposals or even constructive criticism. They have relegated themselves to being a party of protest. In fact, NDP probably now stands for Neanderthal dogmatic protesters.

#### **Regional Health Boards Aboriginal Representation**

**Mr. Oscar Lathlin (The Pas):** My questions are for the Minister of Health, as well.

Madam Speaker, a week ago I attended the Aboriginal Nurses Association of Canada Annual General Assembly in The Pas, at which health care issues in the North were the major issues.

As the minister is aware, Madam Speaker, the majority of the population north of the 53rd parallel is aboriginal. I was also present at a meeting between departmental health officials and the community people of The Pas, in 1994 I believe it was, the fall of 1994, where I listened to people like Jerry Henderson from the Cree Nation Tribal Health Centre advising the ministerial staff who were there that when they formed the regional health boards they had to ensure that at least 50 percent of the representation on a board be aboriginal people to properly reflect the population.

I would like to ask the minister, Madam Speaker, to advise the House as to how many First Nations people are sitting on the Norman board, for example, on the Burntwood board, and on the Churchill board. I would like to ask the minister to advise the House as to what those numbers are.

**Hon. James McCrae (Minister of Health):** Madam Speaker, in my discussions with MKO and other organizations representing First Nations and/or aboriginal people in Manitoba, the subject of representation on regional health authorities has indeed come up. We advertised quite widely for nominations for the regional health authority boards, and frankly we were disappointed that there were not more aboriginal people nominated for positions on those boards.

I have communicated that disappointment, and I have also said to the leadership that when vacancies arise that will be an opportunity for us to address the shortfalls that we acknowledge exist. But, Madam Speaker, as I have to repeat, we were quite disappointed that there were not more aboriginal nominations made at the time that the nominations were called for, but we are finding that there is an interest. We are delighted with that and we have undertaken to attempt to address the shortfall that does exist.

#### **Health Care System Northern Manitoba**

**Mr. Oscar Lathlin (The Pas):** Madam Speaker, I would like to ask the Minister of Health if he is aware that under the new regime of these regional health boards that he has created a lot of difficulties for the aboriginal people in northern Manitoba, as difficult as things are now.

For example, in the Norman region people from Pukatawagan who normally travel to The Pas for services, their tribal council and Cree Nation Tribal Health Centre is headquartered in The Pas but under the new regime they now will have to be required to travel to Thompson instead of to The Pas like they have always had.

Could I ask the minister to explain if that is fair?

**Hon. James McCrae (Minister of Health):** Madam Speaker, I did not quite understand what the honourable member was getting at. He said people now have to travel to Thompson when at one time they would only travel as far as The Pas. If there are some reasons that are unbeknownst to myself about why someone should have to take that sort of circuitous route, I would be very happy to look into any individual problems that have arisen. This is something that I, my office and my department do on a regular basis. The honourable member and some of his colleagues regularly inquire about individual-type things that arise, and we certainly try to deal with them on that basis. If it is something more of a structural or systemic matter, I would be happy to discuss that further with the honourable member, too, if he could provide me with more details.

**Madam Speaker:** The honourable member for The Pas, with a final supplementary question.

#### Regional Health Boards Aboriginal Representation

**Mr. Oscar Lathlin (The Pas):** Madam Speaker, I will table a document here that I received from the Cree Nation health board in The Pas. It illustrates some of the representations that were made to the ministerial staff who were in The Pas that I witnessed and also it expresses a lot of the concerns that I was just raising here this afternoon.

Lastly, I would like to ask the Minister of Health if he could provide this House documentation of any sort about these nominations that he has talked about recently. Could he table, if not now, later on at a later date, any documentation that he has as far as inviting aboriginal people to be nominated and any documentation that he may have received from those organizations in terms of their nominations of people and any documents, such as the one that I have tabled this afternoon, expressing those concerns?

**Hon. James McCrae (Minister of Health):** Madam Speaker, I will make available, I will give the honourable member a recitation of the various efforts that were made to try to encourage nomination. I will also give the honourable member the numbers of nominations from known aboriginal organizations so that he will know a

little bit about the problem that we face as we attempt to structure our regional health authority boards.

#### Pharmacare Costs

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, when the government destroyed the Pharmacare program in the spring, they said they were saving money and that they were improving the program. Of course, as usual, we find out that the government was wrong on both counts. We found out in the annual report that the government has spent an additional \$19 million on the Pharmacare program because of their hasty change, because of their poor planning and because of the fact they did not consult with anyone prior to changing this program.

Can the minister today confirm that at least \$10 million of that \$19 million is as a result of citizens going out and buying drugs in advance to quite rightly try to save money as a result of this government destroying the Pharmacare program?

**Hon. James McCrae (Minister of Health):** Madam Speaker, I do not have the exact number of dollars that were the cost that were the result of people stockpiling medicines as a result of changes. I think steps are being taken to try to ensure that does not happen again, and at the same time that people use the Pharmacare program in a way that is safe and in a way that is appropriate to the program.

I have to take issue with what the honourable member said first. We have a program in Manitoba, even after the changes that were made earlier this year, which provides a better and fairer type of coverage that you see pretty well anywhere else in Canada. I do not know what the honourable member—how he can be against providing more protection for poor people and people who need more medicine and less protection for people who are not poor and do not need as much medicine. What is it about that principle of Pharmacare that the honourable member opposes? I would like to know.

\* (1350)

**Mr. Chomiak:** Madam Speaker, my supplementary, perhaps to the Premier (Mr. Filmon): Can the Premier try

to explain to the public of Manitoba how their improved Pharmacare program that was supposed to save millions of dollars is costing \$90 million more, has caused chaos in the system, has cut off two-thirds of the people who get Pharmacare from the benefits, how this Premier can keep this minister responsible for a program like that and have any confidence that the health care of Manitobans is being protected?

**Mr. McCrae:** Madam Speaker, it is not enough for the people of Manitoba for the honourable member simply to say, well, now, here are all the programs and here are all the ones we are opposed to, without giving a reason. You cannot do that anymore. The people of Manitoba want to know why the honourable member is against providing more coverage for people who are poor and less coverage for people who are rich. The honourable member should answer that question so we can understand where his credibility comes from.

### Consultations

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, can the minister who finally today, six months after they gutted the Pharmacare program, introduced some changes to the Pharmacare program to take care of this difficulty, explain how it was that they went about doing this without consulting with Manitobans, without consulting with people involved in the pharmaceutical industry, and why these changes were brought in, except that the government was attempting to make savings on the backs of sick Manitobans?

**Hon. James McCrae (Minister of Health):** Clever phrases like the kind the honourable member resorts to—and his Leader from time to time—no longer work with the people of Manitoba. They are a little smarter than the honourable member for Kildonan or the Leader of the Opposition combined.

The people of Manitoba know that we need to provide health services for people, including Pharmacare services for people who need that, who cannot afford the expensive drugs that are out there and that structuring the program in the way that we have has been done with regret, yes, but with support, yes, too. The honourable member is out of touch with the people of Manitoba. He is one of those Neanderthal dogmatic protesters I talked about a few minutes ago.

### Workplace Safety Inspector Reduction

**Mr. Daryl Reid (Transcona):** Madam Speaker, yesterday, another very serious workplace accident occurred when an excavation site collapsed, trapping the worker inside. Our thoughts today are with Mr. Nickoshie and his family, considering the seriousness of the accident in which Mr. Nickoshie was involved. Also yesterday, it was my understanding that another scaffold collapsed at a worksite, endangering lives in the city of Winnipeg here.

I want to ask the Minister of Labour to explain why one of the first acts of his government upon assuming power was to cut the number of Workplace Safety and Health inspectors, the construction inspectors who would normally go out and inspect sites such as these. Why did this government cut these inspectors?

**Hon. Vic Toews (Minister of Labour):** The member for Transcona is wrong. The number of inspectors has remained constant.

**Mr. Reid:** It is the minister's own document, and he says here clearly that it is a reduction in the construction inspection and training activities.

I want to ask this minister a supplementary question. Can this Minister of Labour explain why his government has reduced the total number of Workplace Safety and Health field inspectors from over 58 in 1989 to just 42 officers today, 16 less officers, when there are over 40,000 companies in operation in this province? How can we expect to inspect all of those companies with 16 less officers?

\* (1355)

**Mr. Toews:** The member, I note, did not table the document he referred to, and I assume that he in fact will table that document.

In respect of the activities that the inspectors are required to perform and the nature of their duties—

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

**Madam Speaker:** Order, please. The honourable Minister of Labour, to complete his response.

**Mr. Toews:** —the number of hours dedicated to field activity has in fact remained constant.

**Mr. Reid:** That does not jibe with his own budget document of this year.

**Madam Speaker:** Order, please. The honourable member for Transcona, with a final supplementary.

### Fines

**Mr. Daryl Reid (Transcona):** I want to ask the Minister of Labour to explain what message his government is sending to the employers of this province who violate The Workplace Safety and Health Act when companies continue to risk the lives of their workers by working in unshored excavation sites when documents from the courts show that employers and companies with employees working in unshored excavation sites are charged and fined only \$150? What message is that sending to the workers and to the companies of this province?

**Hon. Vic Toews (Minister of Labour):** If my learned friend would care to review the statistics, it is clear that accidents and serious time-loss accidents and deaths in this province in workplace-related matters have steadily decreased as a result of this government emphasizing an internal responsibility system.

For example, at a time when we now experience, regrettably, yes, one or two deaths in the mining sector, in the 1970s when that party was in power, there were 17 deaths a year.

We have reduced and we will continue to reduce deaths and injuries in the workplace because that is in the best interests of Manitobans.

### Health Care System Funding

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, the withdrawal of Bill 49 in fact would be a very positive thing for all Manitobans. My question is for the Minister of Health.

The creation of the regional health boards is in fact to allow this government to avoid taking responsibility. In

fact, in Alberta where they have the same model, they starved the system of over \$100 million.

My question to the Minister of Health: Is it this government's intention also to cut back on money going into health care and allow for the super regional boards to take the blame? I will table the document that clearly demonstrates the types of cutbacks that have been implemented through the regional health boards in Alberta.

**Hon. James McCrae (Minister of Health):** The honourable member makes comparisons that are not justified by any facts that exist here in Manitoba. I understand that the figure in Alberta is that some \$500 million have been taken out of their health care system in Alberta, and I suggest to you that no matter what system of governance you might have in a jurisdiction where you take out that kind of money, the effects are certainly going to be felt all down the line.

That is not the case here in Manitoba. In fact, in 1995-96, the last fiscal year for which we have the complete report, we spent \$60 million more than we actually spent in the previous fiscal year in the Department of Health. In Manitoba, at 33.8 percent of all spending being on health, Madam Speaker, that is the highest level anywhere in the country.

So the honourable member is certainly not making any valid comparisons at all here today.

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

### Regional Health Boards Overspending

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, can the Minister of Health indicate—with the Alberta experience, the regional health authorities overspent by \$100 million—is it this government's intentions to put in a permanent cap that would not allow them to overspend?

**Hon. James McCrae (Minister of Health):** Responsible governments do their best to live within their means in the same way as responsible individual citizens do, and that is not going to change in Manitoba. There are times when we are a little over budget in Health and that is always a concern, but it is driven very much

by the demand for the health services that we have in our province, so that whatever structure is set up under the regional health authorities, we are not going to be able to avoid trying to live within our means in the health system and in every other system. When I say that, I remind the honourable member, too, that nowhere will you find more of a financial commitment to health care than you will find right here in Manitoba.

\* (1400)

### Cost of Implementation

**Mr. Kevin Lamoureux (Inkster):** Can the Minister of Health tell us how much is this useless level of bureaucracy that this minister is creating through Bill 49 going to cost the taxpayers of Manitoba? That money is coming out of the same health care budget that should be administering health care to Manitobans.

**Hon. James McCrae (Minister of Health):** Madam Speaker, if there was any lack of clarity before about the honourable member's position about regionalization, that has disappeared with his last question.

You know, he does not mind standing in his place and going against the advice of the Northern and Rural Health Advisory Council, which went throughout—in the fundamental recommendations to set up regional health authorities, and after all of that work, involving thousands of Manitobans, public hearings and all the rest of it, the honourable member stands here today and condemns the whole thing. So much for his credibility.

### Point of Order

**Mr. Lamoureux:** Madam Speaker, Beauchesne's—

**Madam Speaker:** On a point of order?

**Mr. Lamoureux:** Yes, on a point of order, Beauchesne's is fairly clear in the sense that the minister has an obligation to answer the questions as briefly and as directly as possible. The minister imputed motives on my behalf and stayed a mile and a half away from the actual question itself.

The question was, how much money was being spent by this government for these boards, and the minister did

not even make any recognition of that whatsoever, Madam Speaker.

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

**Mr. McCrae:** Madam Speaker, on the same point of order, I certainly did not intend to impute any unworthy motive to the honourable member and if I did that I would certainly like to withdraw that, but I do not see any other motive than a motive here to try to see which way the wind is blowing.

**Madam Speaker:** On the point of order raised by the honourable member for Inkster, I believe that the honourable Minister of Health was attempting to apologize to the honourable member for Inkster, but I am not certain that he accomplished that with the last portion of his statement. I would ask the honourable Minister of Health to unequivocally restate the first portion of his apology.

**Mr. McCrae:** Madam Speaker, I do that without hesitation.

**Madam Speaker:** I thank the honourable Minister of Health.

### Rail Line Abandonment Impact Study

**Mr. Gerard Jennissen (Flin Flon):** My questions are for the Minister of Transportation.

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

**Madam Speaker:** Order, please. The honourable member for Flin Flon was recognized to pose a question, and I am experiencing great difficulty hearing him.

**Mr. Jennissen:** Thank you, Madam Speaker. My questions are for the Minister of Transportation.

Recently the member of Parliament for Dauphin-Swan River has been putting out information claiming that the abandonment by CN of the Winnipegosis and the Cowan subdivisions are windows of opportunity for the region.

Has this government done an impact study on the cost to the provincial taxpayers of the loss of these lines, and

if so, has he shared it with the federal Liberal M.P.s from this province?

**Hon. Glen Findlay (Minister of Highways and Transportation):** Madam Speaker, the member addresses the issue of abandonment of lines in various locations in Manitoba. Clearly it is of concern to the government because it is a road bed that can carry significant tonnage that would then end up on the roads if the lines were closed.

We have been strong advocates that these lines should be offered for short line opportunities for other people to invest in to operate them as profitable economic return lines for that particular area. In that context, our staff has worked with interested parties who want to look at short line operations, and we have legislation in place to facilitate that process.

#### Bayline

**Mr. Gerard Jennissen (Flin Flon):** Madam Speaker, can the minister tell the House whether CN has agreed to consider the bayline network as a complete unit or is CN still attempting to portion off all lines north of The Pas?

**Hon. Glen Findlay (Minister of Highways and Transportation):** Madam Speaker, I am sure the member is aware that we have met with very senior officials of CN the last two or three weeks here. I met with some more of those officials last week in Vancouver. Certainly we have been asking that they offer it in that fashion as a complete unit. That is a process that they will ultimately do in the way they want to market the lines, but I am very confident that they will offer the lines in northern Manitoba for short line opportunities for the betterment of the mining industry, in terms of the grain export industry and in terms of the people that live along those particular lines currently there.

I am also of the opinion that several interested parties are viewing those lines and looking at the opportunity of making that investment.

#### Government Involvement

**Mr. Gerard Jennissen (Flin Flon):** Since several people on the Sherridon line told my colleagues and

myself over the weekend that CN was in fact attempting to sell the Flin Flon and Sherridon line as a separate package, can the minister tell the House what direct role his government is playing in these negotiations?

**Hon. Glen Findlay (Minister of Highways and Transportation):** We have offered our services to CN and to the interested parties, and where it is deemed appropriate, we participate. We are not going to be involved directly in terms of the financial side of the package. We are there to facilitate to help the two parties come to some process that leads to an agreement that those lines will be operated by somebody else.

#### Manitoba Telephone System Privatization

**Mr. Steve Ashton (Thompson):** Madam Speaker, it is ironic that the Minister of Highways and Transportation, who is concerned here about the impacts of privatization of CN and the potential loss of service, is also the Minister responsible for MTS, which is privatizing.

I would like to ask the minister if he will show the same kind of concern, and indicate to Manitobans why there is virtually no guarantee under the privatization of MTS that in the future northern Manitobans, rural Manitobans will not be faced with exactly the same situation, in the fact that they will not get the investment in the new technology under a private company that they have been getting very successfully under publicly owned MTS.

**Hon. Glen Findlay (Minister responsible for the administration of The Manitoba Telephone Act):** Madam Speaker, the member mentions pressure on capital investment. Yes, we have invested some \$600 million in private lines, but that modernizes us to today, and that technology that is there that the public wants in the future is going to require several hundred million more of investment. That is fundamentally the issue. The member for Concordia (Mr. Doer), in the past, has made this statement, going back to 1987 when he recognized: We have pressure in terms of a capital plant that I believe needs massive infusion of capital, and that is precisely the issue. [interjection]

Madam Speaker, if the member for Concordia wants to take such pride in what they might have done, let me put

the figures on the record. The figures on the record from '81 to '87, when they were in power, Manitoba Telephone System lost \$19 million, in the eight years subsequent, made \$160 million. In their tenure they took the debt to—

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

**Mr. Findlay:** Madam Speaker, if the members want the facts, I want to give them the facts.

**Madam Speaker:** Order, please. The honourable Minister responsible for the MTS, to complete his response.

**Mr. Findlay:** Madam Speaker, along the way they took the debt to equity ratio from 83.9 up to 91 percent. That is because they were losing money. They did not have the resources for capital investment. Since we have been in power we have brought it down from 91 to 78, plus we have funded the pension plan, which they never did.

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

\* (1410)

**Mr. Ashton:** Madam Speaker, I note the minister did not quote his own Leader in 1995, who said they would not sell MTS, and I would like to ask the—

**Madam Speaker:** The honourable First Minister, on a point of order.

#### Point of Order

**Hon. Gary Filmon (Premier):** Madam Speaker, I know that the member opposite does not want to put falsehoods on the record, and so I want to correct him to tell him that when I was asked the question, I answered it directly and said that we had no plans to sell the Manitoba Telephone System, which was absolutely accurate and not as the member has put it, which is absolutely a falsehood, and I would ask him to withdraw it.

**Madam Speaker:** The honourable member for Thompson, on the same point of order.

**Mr. Ashton:** On the same point of order, I have absolutely no intention of withdrawing that, because the

Premier not only made the comments during the election campaign, the first question in this session of the Legislature. The first session after the election I asked him again, and again he said he was not going to sell MTS, and, in fact, I think the Premier should be the one apologizing to the people of Manitoba for misleading them in the provincial election, Madam Speaker.

**Madam Speaker:** Order, please. On the point of order raised by the honourable First Minister, the honourable First Minister does not have a point of order. It is clearly a dispute over the facts.

\* \* \*

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

**Mr. Ashton:** Madam Speaker, I would like to ask the minister then, which way are we supposed to believe on MTS? Are we supposed to believe his comments now which suggest that MTS is in good financial shape, or are we supposed to believe the comments the minister makes outside of this House in suggesting we have to privatize because it is not in good shape? Which way is it? Since we are making a profit in MTS, why did we sell it?

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

**Mr. Findlay:** Madam Speaker, the member clearly leaves out certain basic facts that he just fails to realize. This is no longer a monopoly telephone company. As recently as 10 or 15 years ago, yes, it was a real monopoly. Today, 70 percent of the revenue base is under competition and hundreds of millions of new investment is required. I think it is a lot safer if that investment comes from investors from the private sector as opposed to using government dollars which are badly needed in health care, in education, family services.

We do not need to put taxpayers' money at risk in a Crown corporation when the investment capability—

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

**Madam Speaker:** Order, please. A very serious question was asked, and I would appreciate the co-

operation of all honourable members in permitting the minister to respond to the question asked.

The honourable Minister responsible for MTS, to complete his response.

**Mr. Findlay:** Madam Speaker, when this privatization is complete, eight out of nine telcos in Canada will be in the private sector. Six out of those nine have been in the private sector for umpteen years.

We operate very well under the umbrella of the Stentor group of companies in Canada, and we have really followed the example all over the world where 36 telephone companies that were government owned either have been privatized or are in the process of it, because of the competition that it is under, because of the need for capital, because we want to guarantee to our Manitoba citizens they will have the best telecommunication services in the future without putting the taxpayer at risk along the way.

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

**Mr. Ashton:** Madam Speaker, I am wondering if the minister will explain to Manitobans that in the vast majority of cases where telephone systems have been privatized, it has led to dramatic increases in rates, reduced service, particularly in rural and northern areas. In fact, if he would only look at the province of Alberta where it was privatized under the Conservative government only five years ago, that is exactly what happened in that province, and that is exactly what will happen in Manitoba when MTS is privatized.

**Mr. Findlay:** Madam Speaker, it is most unfortunate that the member continues to try to present to the public falsehoods, statements that do not have any basis in fact.

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

**Madam Speaker:** Order, please.

**Mr. Findlay:** Rates are not controlled by the Manitoba government; they are not controlled by the Public Utilities Board of Manitoba. They are controlled by the one regulator that serves eight of those nine telcos,

CRTC. No rates can increase without their approval; no change in service can happen and there is a mandated level of service required to serve not only all Manitobans under CRTC but all Canadians.

**Madam Speaker:** while I am on my feet, may I answer a question that the member raised yesterday in terms of whether MTS was meeting with people in Manitoba?

As the result of inquiries that came in, letters were sent out to people, and senior staff have had meetings in 48 locations all over Manitoba—generally initiated the meetings because of falsehoods put forward by that member when senior—

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

**Madam Speaker:** Order, please. Order, please. I would remind all honourable members that “order, please” has been called at least three times and the clock is running.

#### Point of Order

**Mr. Ashton:** Madam Speaker, on a point of order, I would, first of all, ask that the time not be taken off our Question Period since the disturbance was coming from that side.

Second of all, on the point of order, the minister used the term “falsehood” which, under Beauchesne’s Citation 489 and Beauchesne’s Citation 492, has been listed as being unparliamentary.

Madam Speaker, I would also like the minister to correct on the record the fact that in fact in Alberta rates have gone up because of the privatization. That is a fact, and I am wondering when the minister will start telling the truth to Manitobans about what will happen once MTS is sold off.

**Madam Speaker:** On the point of order raised by the honourable member for Thompson, I will take the point under advisement. I have been advised that it appears and has appeared on both lists, but I want to review the context within which the word was used.

The honourable member for Dauphin.

\* (1420)

**Mr. Stan Struthers (Dauphin):** Thank you, Madam Speaker—

**Madam Speaker:** Order, please. The honourable Minister responsible for MTS.

**Mr. Findlay:** Madam Speaker, if “falsehood” is a word that should not be used, I withdraw it. But I was not quite finished my answer, if you please.

**Madam Speaker:** Order, please.

I have indicated to the House that I will take the point of order raised by the honourable member for Thompson under advisement and report back to the House.

\* \* \*

**Mr. Findlay:** Madam Speaker, I was not finished my answer when the member for Thompson—

**Madam Speaker:** I had recognized the honourable member for Dauphin. Regrettably, I stopped my watch and I cannot ascertain how much time the honourable minister had consumed in responding to his answer.

Order, please. There is approximately one minute remaining in Question Period.

The honourable member for Dauphin, with a very short question.

**Forestry Industry  
Cutting Allowances**

**Mr. Stan Struthers (Dauphin):** Madam Speaker, the First Minister should take some kind of responsibility for the statements that he made in this House.

This government got an F from the Sierra Club and a D-minus from the Endangered Spaces campaign because, in their words, it became clear that Manitoba's commitment to forestry and mining exceeded its commitment to biodiversity. This government signed an L-P agreement behind closed doors before public hearings. It failed to consult First Nations on the Repap licence. It failed to hold public hearings on Pine Falls, and it continues to

muzzle department officials whose science does not fit with their corporate deals.

I ask the Premier again, why is he allowing any Forestry branch official to increase annual timber cuts by 20 percent without any consultation?

**Hon. Gary Filmon (Premier):** Madam Speaker, this administration has ensured that very major projects such as Louisiana-Pacific and such as the forestry plans for Repap or Pine Falls are able to go before a full public hearing and evaluation by the Clean Environment Commission.

That administration approved the largest forestry complex in Manitoba without public hearings, without Clean Environment Commission hearings. They went and they approved their forestry plans, their harvesting plans for 20 years at a time—no public hearings. They approved the largest single development project in the history of this province—Limestone—with no public hearings and no Clean Environment Commission process, and they have the audacity to say that we are not doing something in the environment. It took us millions of dollars of clean-up to clean up their mess at Manfor.

They had the worst record in environment in this entire country, and he ought to be ashamed to get up and put anything on the record with respect to the environment.

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

**MEMBERS' STATEMENTS**

**Centre Medical De Salaberry  
District Health Centre**

**Mr. Frank Pitura (Morris):** Madam Speaker, it is indeed my pleasure to rise in the House today and tell my fellow members about the official opening ceremonies of Centre Medical De Salaberry District Health Centre, opening last Saturday. I had the pleasure of attending, along with the Minister of Health (Mr. McCrae) and the member for Emerson (Mr. Penner).

In 1994, Manitoba Health approved the construction of a new 14-bed hospital, major renovations and construction of 22 personal care beds to better serve the residents of the De Salaberry health district. The new

combined facilities offer a maintenance-free setting, with departments that easily integrate and allow for any future expansion or alteration. There is office space for four physicians and expanded community service office space. Included is a dental clinic that has up-to-date equipment and dental suites to accommodate increased volumes of clients. Very recently the health district board was successful in receiving approval for a salaried-physician program. This program provides for the employment of 2.5 equivalent full-time physicians to serve the health district.

Madam Speaker, it was commendable to see the support that the residents of the district have already shown. The board itself has raised \$120,000 and the hospital guild has raised about \$125,000. These significant contributions have been generously given by the public, which acknowledges the benefits that the new hospital and personal care home will bring today and in the future.

Madam Speaker, I believe that the opening of this wonderful facility is an example of what can be accomplished when government and community work together. This government is committed to doing just that, and the opening of this facility proves that we are dedicated to working with communities in providing all Manitobans with accessible and high-quality health care.

#### Winnipeg School Division No. 1

**Ms. Becky Barrett (Wellington):** Madam Speaker, this morning the member for St. James (Ms. Mihychuk) and I had the honour of attending the Winnipeg School Division No. 1 125th anniversary celebration, the opening ceremonies of a month-long celebration for 125 years of service to the people of Winnipeg.

Madam Speaker, several hundred students, teachers, principals, administrators and supporters of the public school system in the city of Winnipeg celebrated this morning. As well as greetings and other comments, we heard the Elmwood High School band, which was a remarkable band, showing us what can be done with extracurricular activities in the public school system. The Tyndall Park choir made up of Grades 4 and 5 students did an amazing job of not only singing the national anthem but sharing with us several other songs. They were a very well-disciplined delightful choir.

We also heard from a very unique group called the Neebin Nobin Singers, six young women from Children of the Earth, and they did a drum song for us that was quite remarkable.

Madam Speaker, Winnipeg School Division No. 1 has served the city and the students for 125 years. In 1871, 25 students under the direction of Mr. Luxton met for the first time. Since then, the school division has served the community in a number of ways, with unique programs such as nursery school, language immersion and alternative schools such as Argyle and Children of the Earth.

I hope all honourable members will join with us in celebrating, for the month of October, 125 years of public school system in the city of Winnipeg, Winnipeg School Division No. 1, and we wish them another 125 years of good health. Thank you.

#### Keeping Safe at Work Program

**Mrs. Shirley Render (St. Vital):** I am pleased to tell the members of the House about a program that our government introduced on September 24 called Keeping Safe at Work. This is a campaign that is aimed at people who work alone or who travel to and from work by themselves and who may be unaware of some of the things that they can do to make the workplace more safe for them. This initiative is primarily focused on women but obviously it can be used for any of us.

The campaign has three parts to it.

First of all, there is a brochure with practical information, such things as what to be aware of, safety tips to consider when going to and from work, what employers can do to maximize safety and a business security checklist.

The second part of the campaign is public information sessions. These are provided by specially trained staff of CIBC and the staff of the Women's Directorate. These sessions can provide assistance in developing a safety plan for every workplace as well as tips on how to conduct a workplace safety audit.

The third part of the campaign is a display portion. These will be posters that can be put up at participating

worksites to help create a wider community awareness of this very important issue.

Madam Speaker, Keeping Safe at Work would not have been possible if it had not been for a number of partnerships. These were very innovative partnerships involving both government, CIBC and the police services. CIBC provided the funds and staffing to help in both distributing the pamphlets and the posters and also by participating in the train the trainer sessions at their employment development centre.

Workers Compensation provided funds for this campaign and Workplace Safety and Health contributed their expertise in ensuring that the information contained in the pamphlet reached a large audience through their workplace WorkSafe bulletins and by placing this material on the Internet.

So once again, Madam Speaker, we are pleased to be a part of an effort to make people involved in keeping themselves safe, to bring everybody in the community involved into this very important initiative. Thank you.

\* (1430)

### Dreams of the North Youth Conference

**Mr. Gerard Jennissen (Flin Flon):** On September 27 I was privileged to attend the opening ceremony and banquet of the Dreams of the North Youth Conference in Cranberry Portage. The opening ceremony, banquet and dance were held in the Frontier Collegiate Institute gymnasium.

Ninety-one students from such diverse communities as Hollow Water, Grand Rapids, Norway House and Flin Flon were in attendance. Live entertainment was provided by Cranberry Portage's own accomplished singer, Ms. Rikki McLean, and the capable young fiddlers from Sherridon, the Kississing Lake Metis Fiddlers under the direction of Mr. Blaine Klippenstein. Mr. Gary Settee was the master of ceremonies.

The next day, Saturday, was a working day, and the youthful participants could choose six out of nine available workshops at Frontier Collegiate Institute. There were workshops on AIDS, on traditional culture,

on physical fitness, on staying in school, on gambling, on youth and the criminal justice system, on aboriginal self-government, on planning for post-graduation and on diabetes in northern Manitoba.

It was particularly gratifying for me personally to see two of my colleagues, the honourable member for Rupertsland (Mr. Robinson) and the honourable member for The Pas (Mr. Lathlin), acting as facilitators for this conference. The member for The Pas in fact is a graduate from Frontier Collegiate Institute.

It was a very worthwhile weekend for our young participants from the North. I thank Frontier School Division in general and Frontier Collegiate Institute specifically for hosting this Dreams of the North Youth Conference. I thank the workshop facilitators and the young participants and their supervisors. I know many travelled long distances and slept on cold gymnasium or school floors.

Also, a big thank you to the key organizers of the conference, Tina Umperville, Gloria Whitford and Gary Wesner. Thank you, Madam Speaker.

### Police and Peace Officer Memorial

**Mr. Gary Kowalski (The Maples):** On July 11, 1977, Constable James Kirkwood, 21 years of age, was shot and killed in the line of duty. He only had four months on the job when he was shot and killed. This dramatically affected the Ottawa police force. As a result, at his funeral that was held—

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

**Madam Speaker:** Order, please. I wonder if I might ask for the co-operation of those members having private meetings to do so in the loge or outside the Chamber.

**Mr. Kowalski:** At Constable Kirkwood's funeral that was held three days later, the officers of the Ottawa police force decided to have a memorial service the following September. So, on September 24, 1978, a service was held to commemorate the death of Constable James Kirkwood. This has now resulted in an annual memorial service for all police officers killed in the line of duty that is held in Ottawa, and this last Sunday, September 29, the service was held again.

The memorial recognized the 331 peace officers who have been killed in the line of duty in Canada since Confederation. At this year's service, the names of six officers who had been killed since last year were read, and I would like to read their names into the record for Hansard so that in the Manitoba Legislature we recognize the contribution made by these officers.

Those officers were: Killed on November 27, 1995, Constable Odette Pinard of the Montreal police force; killed on February 17, 1996, Patricia Sharber of Saskatchewan, Department of Social Services; killed on April 2, 1996, Constable Michael Gula of the Ontario police; killed on April 29, 1996, Constable André Lalonde of the Montreal police force, and Sergeant Derek Burkholder and Constable Leo Francis of the RCMP.

I know all members of this House join all politicians and all members of the public to recognize the sacrifice made by these 330 police officers. Thank you.

### Committee Changes

**Mr. Edward Helwer (Gimli):** Madam Speaker, I have some committee changes.

I move, seconded by the member for Turtle Mountain (Mr. Tweed), that the composition of the Standing Committee on Agriculture (for this evening at 7 p.m.) be amended as follows: the member for Turtle Mountain (Mr. Tweed) for the member for Ste. Rose (Mr. Cummings); the member for La Verendrye (Mr. Sveinson) for the member for Morris (Mr. Pitura).

Motion agreed to.

### ORDERS OF THE DAY

#### House Business

**Hon. Darren Praznik (Deputy Government House Leader):** Madam Speaker, first of all, I would like to announce that the Standing Committee on Municipal Affairs will meet on Thursday morning at 9:30 a.m. to consider, in this order, Bill 21, The Oil and Gas Production Tax and Oil and Gas Amendment Act, as well as Bill 43, The Municipal Assessment Amendment, City of Winnipeg Amendment and Assessment Validation Act.

I would also like to ask you to call, when we have finished these announcements, bills in the following order: Bill 25, Bill 11, Bill 66, Bill 52, Bill 62 and Bill 67.

Madam Speaker, if you could canvass the House, I think you will find that there is agreement at 4:30, instead of going into private members' hour, that we revert to or we enter into Opposition Day Motions and consider the motion as it appears on the Order Paper. I believe it is the motion of the member for Thompson (Mr. Ashton), and I would also ask if you could canvass the House at that time. I believe under the rules it calls for the vote on this matter to be put one-half hour before adjournment. Given that that would reduce the time for debate, you may find that there is agreement to have that vote called at 5:15 instead of five o'clock which would allow members more time to debate the matters at hand.

**Madam Speaker:** Firstly, I will make the announcement regarding the standing committee. The Standing Committee on Municipal Affairs will meet on Thursday, October 3, at 9:30 a.m. to consider Bills 21 and 43.

Is there leave of the House to waive Private Members' Business? [agreed]

Is there leave of the House at 4:30 p.m. in lieu of Private Members' Business to have Opposition Day Motions dealt with? [agreed]

Is there leave of the House to change the rule regarding the time of the vote preceding the end of Opposition Day Motions to 5:15? [agreed]

**Mr. Marcel Laurendeau (St. Norbert):** Madam Speaker, it has been brought to my attention by the Clerk that I had made a slight error yesterday when Bill 47 was before the House for second reading. I had stood the bill in the name of the honourable member for Transcona (Mr. Reid) when it was still standing in the name of the honourable member for Radisson (Ms. Cerilli). I apologize to the House.

**Madam Speaker:** Order, please. I thank the honourable member for St. Norbert for that clarification.

**DEBATE ON SECOND READINGS****Bill 25—The Jury Amendment Act**

**Madam Speaker:** To resume debate on second readings, on the proposed motion of the honourable Minister of Justice (Mrs. Vodrey), Bill 25, The Jury Amendment Act (Loi modifiant la Loi sur les jurés), standing in the name of the honourable member for Osborne (Ms. McGifford).

Is there leave to permit the bill to remain standing?

**An Honourable Member:** No.

**Madam Speaker:** No. Leave has been denied.

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, I believe this bill was adjourned for me to make comments before any other comments from the other parties in the Legislature.

\* (1440)

We are dealing here with amendments to The Jury Act. It is interesting; I came across a Manitoba government news release that boldly proclaimed: Jury act amendments to protect jobs while on jury duty, and later, in the local newspapers, the headlines: McCrae puts some teeth into jury law. Indeed it was under the name McCrae because that news release was back in 1992. What happened? Because there is a new press release out now, in May of 1996, promising that The Jury Act amendment would protect jobs. What happened, I think, reflects on the incompetence of the other side and I think reflects on how the former Minister of Justice was not paying close attention to what his duty was.

In 1992 The Jury Act was amended to protect the employment of people who are summoned to serve on jury duty because an individual in Thompson lost her job when she was so summoned. Why is it that amendments had to be brought back into this House so soon after those other amendments? Well, it was not long ago that Mary Goodwin, an employee of Best Care Cleaners on Main Street, a place I go by every day, lost her job when she told her boss that she was called on to serve her duty as a citizen and serve her duty on a jury. When she was fired, lo and behold, those 1992 amendments caused

great difficulty. It was unfortunate that it was only a short time after the 1992 amendments were enacted that Ms. Goodwin was fired.

Unfortunately, the case of Ms. Goodwin went to the Provincial Court; it went to the Court of Queen's Bench and it went to the Court of Appeal and then was sent back again to trial. At both the Provincial Court and the Court of Queen's Bench, it was found that nothing could be done to prosecute Ms. Goodwin's boss. Fortunately the Court of Appeal saved the day and with some innovative thinking, with a liberal interpretation being applied to the written laws, they were able to find that prosecution was possible.

But, Madam Speaker, this bill is really responding to not just the inconvenience, if you will, of the great burden put on Ms. Goodwin as a result of the uncertainty of law, but was because of the damning indictment by both the Court of Appeal and the Queen's Bench. In the Court of Appeal, although the majority, as I stated earlier, came through and saved the day, the judgment of Mr. Justice Kroft I think is a very strong indication of the problems of the amendments from 1992. After noting how the Queen's Bench judge demonstrated the inadequacy and uncertainty of the Manitoba legislation, he went on to talk about the Manitoba legislation being, to use his words, poorly drafted. He concluded by saying, and I quote: Notwithstanding that I have been persuaded that Justice Clearwater, Queen's Bench, applied the wrong standard of interpretation, I am convinced that the Legislature would be well advised to reconsider the language which it used in attempting to pursue what is undeniably a laudable social objective. He said: Surely those employed to draft our statutes should be able to use words that say what the legislators mean.

I would add that I think it is important that legislators also review what the drafters say. I think what we see in this Legislature today, and not just with the banter that is taking place in this Chamber but the decision, the conscious decision of members opposite, to either not speak at all, which was the original advice to us, or to speak to only 10 bills or so or those that they find most in need of defence, speaks loudly to the problem.

When this Legislature is not vigilant, when this Legislature and its members are not both answering concerns of the opposition and are not reading statutes

that are brought in here in bill form, problems as occurred following 1992 are apt to reoccur.

There were two issues that were discovered at the court level stemming from the 1992 amendments. The first issue was whether an individual, in this case Mr. Loscerbo, Ms. Goodwin's boss, could be classified as her employer, when in fact Mr. Loscerbo was a principal of a corporation. Justice Clearwater laments that the Manitoba law did not include the good definitions of "employer" and "employee" that are found in Saskatchewan legislation. If the Saskatchewan definitions had been included in the Manitoba law, Justice Clearwater said that clearly Mr. Loscerbo would have been an employer.

The second issue raised is, I think, more troublesome. As Judge Clearwater noted, the act either deliberately or inadvertently worded the sanction section different than the prohibition section. In The Jury Act, as amended, in 1992, a response to a summons is required before the legislation can come in and provide a remedy or provide an offence and penalty. Of course, Judge Clearwater found that Ms. Goodwin was only summoned to serve as a juror and not responded to a summons and therefore could not find against Mr. Loscerbo. He laments that the Manitoba wording did not accomplish the intention of the legislation.

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

So it is important, and we agree with the government, that the legislation be clarified. Although the Court of Appeal did save the day, it is important to avoid future uncertainty but what an unfortunate series of events. Ms. Goodwin was fired on July 28 of 1992, and the Court of Appeal had not even finished its deliberations by April of 1994, almost two years later, and even then the Court of Appeal referred the matter back to trial.

I think this is a good instruction for members, to be careful of the legislation that they are agreeing to, that they have within their hands. It shows the impact of uncertainty on the lives of individuals, the people that we are here to give tools to and to protect.

Now will the government get it right this time, Mr. Deputy Speaker? Upon reviewing the legislation it appears that the objective is adequately reflected in the wording, but then that is just with regard to the issue of definitions of employer and employee and the issue of not requiring a response to a summons before the legislation kicks in.

There is another issue that is raised in the bill, and that is the one I want to address right now. As a preliminary matter, the bill imposes a penalty of \$5,000 on an employer who threatens or dismisses an employee because of jury duty. We ask if this is a serious deterrent. Why \$5,000?

There is other legislation in this province that deals with discriminatory decisions made by employers, for example, under The Workplace Safety and Health Act. The sanctions there go way beyond any \$5,000. It talks in terms of penalties of \$15,000 for a first offence and \$30,000 for subsequent offences.

But the main issue that I want to address now is, why did this government create the ability of the court to order compensation to a victim, to an employee who is fired because of jury duty, but has so halfheartedly done so that it really brings into question the ability of this government to understand either the needs of people, of employees and the importance of juries in our system of government.

What the government says here is that now employees will be able to claim—in other words have a compensation order—for wage loss up to \$5,000. Why \$5,000 is set as a limit I have no idea. The government went partway and recognized a principle, the principle being that the court should take affirmative approaches to these issues and, on behalf of the victim, seek compensation, not just an offence and a penalty.

But why cap it at \$5,000? If the loss for being fired because of serving on a jury is greater than \$5,000, then there should be an award for the amount that is lost. If \$10,000 is lost, if \$20,000, if someone cannot get back into the workforce for a year because of market conditions, because of other factors, then why is that individual not compensated? To go further, why is there not compensation for all losses incurred, not just wage loss?

The Law Reform Commission, it was back in 1980, made recommendations to better protect the employment of people serving on juries. They acknowledged that the recommendations must provide for a remedy of reinstatement because, it said, in many cases it is unrealistic to expect that liquidated monetary compensation can compensate for loss of continuing employment. Did the government not read that recommendation? Did they not think this through? Why not order reinstatement in this bill?

There are other ramifications of being fired for discriminatory reasons. They can be loss of benefits, loss of seniority. They can be personal expenses. There is injury to dignity, to feelings, self-respect, and we ask, why is the government rejecting the notion of full compensation rather than requiring the individual to have to go to the civil courts, hire a lawyer and pursue a wrongful dismissal case? Having gone part way and acknowledging that at least there should be some wage loss compensation, it has a duty to fully embrace a principle of compensation and do, for example, as the Human Rights code enables, and that is to include the ability to order that an employer refrain from doing anything contrary to the purposes of the act, to rectify the circumstances, to fully compensate all financial losses sustained and expenses incurred and benefits lost, general damages for injury to dignity, feelings and self-respect. Indeed, in Manitoba, in wrongful dismissal actions, general damages, albeit modest, can be awarded, and why not the ability to order exemplary or punitive damages? It has been ordered in Manitoba. I think of the UGG case, for example, Mr. Deputy Speaker.

I go back to the Law Reform Commission report, which not only recommended a fuller compensation package but recommended a legislative provision to make officers or agents of corporations personally liable if they have authorized or acquiesced in the contravention of the prohibition section. The Law Reform Commission also recommended that it would be advisable to include a provision putting the onus of proof on the defendant if the employee was dismissed while serving on jury so that the defendant had to prove the employee's jury service was not the cause of the dismissal.

So it is important, not only for compensation but for deterrents, and it is important that there be full compensation because of the importance, Mr. Deputy

Speaker, of jury service. Why this half-hearted commitment to juries? This half-hearted commitment is not compatible with a society's need for the jury system to operate without protecting the employment. You know, it was Blackstone that called the jury "the glory of the English law."

Sir James Stephen wrote that trial by jury interests large numbers of people in the administration of justice. It makes them responsible for it. It is difficult to overestimate the importance of this. It gives a degree of power and of popularity to the administration of justice which could hardly be derived from any other source.

Mr. Deputy Speaker, I suggest that now more than any other time in recent history it is important to pursue that objective. I refer you to a document, and I do not think the members opposite have ever read this, the Aboriginal Justice Inquiry report. It states there on page 377 that a jury "guarantees community scrutiny of the criminal justice system."

\* (1500)

The whole objective of the Law Reform Commission report in 1980 was to point out that we had to have substantial improvement to the jury system. It said: The personal well-being of jurors seems at times to be neglected under the present practices. So it recognized the need for not only increased protection of the juror's employment, but also the need for juries to more nearly represent the random cross-section of the community and a system to ensure that jury duty was not a hardship for jurors.

Now what is the fear on the part of the government on giving effect to the recommendations of the Law Reform Commission report from 1980 and from giving meaning to the observations of many, including those from the Aboriginal Justice Inquiry, who note the importance of juries? It is a great democratizing institution, juries are. Are they afraid of greater community scrutiny? Do they not want to fully embrace the educational role of juries, the participation by ordinary people in the criminal justice system? Are they afraid of empowerment in a real way?

I think that one of the best observations of the role of the jury was in the Law Commission report. It said: Jury

service requires the public to participate directly in an important government process. It informs people about the workings of the criminal justice system. It educates them about the aims of the penal system, the values of procedural due process. It engenders a sense of efficacy among the public by permitting them directly to influence the implementation of the criminal law and do so on an equal basis with everyone else. It reaffirms the duties of each individual owing to society. It compels judges and lawyers to proceed in a manner understandable to laypersons. By permitting people to view and participate in the system firsthand, the jury decreases the mystique of a criminal justice system and increases its acceptability.

Why does not the government embrace this? Where is the full compensation that should be available to jurors, not by having to go to the civil court system, not by having to hire a lawyer and carry the burden of litigation? It could be accomplished simply by coming through on the bill that is currently before the House.

There are some other issues, Mr. Deputy Speaker, that we regret are not being addressed in the amendments to The Jury Act. Way back when the Aboriginal Justice Inquiry said, and I quote: "We believe the jury system in Manitoba is a glaring example of systemic discrimination against Aboriginal people. . . . Aboriginal people are significantly underrepresented on juries in northern Manitoba and are almost completely absent from juries in the city of Winnipeg.

"Of all the ways that aboriginal people are underrepresented in the justice system, this is one of the most disturbing."

Then it concludes, in accordance with the conclusions of the Law Reform Commission: "If a significant portion of that public is not properly represented on juries, it would not be surprising to discover that a portion of the public never comes to view the justice system as anything other than a foreign and imposed system."

There are many excellent recommendations in the Aboriginal Justice Inquiry report dealing with juries. What a sad comment. One of the darkest clouds over this government is how it has responded, or failed to respond, to the inquiry's report. It is an affront to all Manitobans, not just aboriginal peoples.

How can they bring in amendments to The Jury Act, these niggardly amendments, Mr. Deputy Speaker, in the face of the recommendations from the inquiry report, recommendations that ask after a solid research and investigation throughout this province that juries should be held in local communities, that people who cannot serve be replaced by people from local communities, that jurors be drawn exactly from within 40 kilometres, they said? I think that is a statement of objective, 40 kilometres of the community in which a trial is to be held.

They urge that the Manitoba Jury Act be amended to permit an aboriginal person who does not speak and understand either French or English but who speaks and understands an aboriginal language and is otherwise qualified to serve as a juror that in such cases translation services be provided. That was modelled on legislation enacted in the Northwest Territories that resulted in a significant change in the representation by aboriginal peoples and juries.

One other matter that has been ignored by this government up to now and unfortunately is not addressed by the amendments to The Jury Act is the need to better deal with the financial pressure on jurors who serve and indeed deal with the pressures on small businesses and others when jury service is called for.

You know, the per diem rate for jury service has not changed in Manitoba since 1987. The government has frozen. Despite the intelligence that is offered from the Law Reform Commission to deal more effectively with how we can ensure supports and income for jurors, this government goes on its merry way and ignores these issues.

In Newfoundland salaries must be paid by employers when one serves on a jury. That raises lots of questions. What is the impact on small businesses if that legislation is enforced? What happens, for example, to the per diems that are paid? Should they be paid in the event that wages are paid?

But I would urge the government to consider the recommendations on page 68 of the Law Reform Commission report, particularly Recommendation No. 2, that the daily remuneration, in order to remain relevant in terms of the cost of living and to avoid frequent adjustment by legislation could be based on the provincial minimum wage or expressed as a percentage of that sum.

But these are issues that must be canvassed. Unfortunately the government has not had the gumption or seen it as a priority to pursue despite the importance of juries to our system of government and the criminal justice system. We should also deal, of course, with trying to reduce the waiting time for jury selection and unnecessary trips to court, but the government here across the way did not get it right the first time back in 1992, and are they going to get it right this time?

**An Honourable Member:** No.

**Mr. Mackintosh:** No, Mr. Deputy Speaker, they are not. This legislation misses the mark and they should come in with amendments. We will certainly be proposing those as this moves to committee. Thank you.

**Mr. Gary Kowalski (The Maples):** Mr. Deputy Speaker, just to add a few more comments to the member's for St. Johns, and I think we agree with his position on this bill, that it is a step in the right direction, but it is like the first step in a marathon, there is a long way to go.

We wonder why the government has not gone further in this amendment to The Jury Act. Is it because, after listening to the member for River Heights (Mr. Radcliffe) talk about the resolution yesterday about benefits to part-time employees, that maybe they are scared that by making it more harsh for employers not to give fair benefit to people serving on juries that they will create a hostile environment for business? From the member for River Heights' comments, I think he would like the minimum wage to be dropped by half, to have the workweek be 80 hours a week, have no workplace health and safety regulations, and we would double the jobs in Manitoba. I do not know how long the people would survive in those jobs, but it makes me wonder if that is why this Jury Amendment Act does not go much further to make employers recognize the value of their employees doing their civic duty and serving as jurors, and it does not go anywhere near what the Law Reform Commission said on this subject.

So as the member for St. Johns said, there is room for many amendments when this goes to committee and we welcome it to go to committee so that can be done. Thank you.

\* (1510)

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading, Bill 25. Is it the will of the House to adopt the motion?

**Point of Order**

**Mr. Mackintosh:** On a point of order, I am just wondering if the government House leader can advise this House whether the Attorney General (Mrs. Vodrey), who is responsible for this legislation, is going to respond to the issues raised by this side of the House.

**Mr. Deputy Speaker:** The honourable member for St. Johns did not have a point of order.

\* \* \*

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House—

**Point of Order**

**Mr. Mackintosh:** On a point of order, it is a time-honoured and tested tradition in this House that when significant matters are raised on the second reading of a bill, the minister who is responsible for piloting the legislation through the House will get up and respond to those points, so there is full discussion on this. It does not have to happen all the time, but I think in this case there are significant issues raised. I ask, will the Attorney General not do her job and stand up here and defend her bill?

**Mr. Deputy Speaker:** Order, please. I have already advised the honourable member that he did not have a point of order.

\* \* \*

**Mr. Deputy Speaker:** The question before the House at this time, is it the will of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

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

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Justice (Mrs. Vodrey), Bill 11, The Court of Queen's Bench Surrogate Practice Amendment Act (*Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine*), standing in the name of the honourable member for Osborne (Ms. McGifford). Is there leave that this matter remain standing?

**An Honourable Member:** No.

**Mr. Deputy Speaker:** No. Leave has been denied.

**Mr. Gord Mackintosh (St. Johns):** Mr. Deputy Speaker, the principle of this bill is to increase the value of an estate from \$5,000 to \$10,000, that can be administered in an expedited way without all those formal requirements to post a bond or a surety or pursue a formal grant of probate or administration and without the need to conduct an extensive search for errors. The amount increasing from \$5,000 to \$10,000 does not seem out of line with inflationary trends. We note that the threshold was \$1,000 until 1983, when then it became \$5,000. In other words, the amount has been \$5,000 from 1983 to 1996, so we see no reason to oppose this amendment on these grounds.

The executor still is bound by the terms of the will, bound by the duties on an executor, and the beneficiary still has the right to the passing of accounts. With the increase in the threshold, beneficiaries arguably must become more vigilant, but we will certainly see this bill to committee. If any concerns are raised either there or beforehand from the community, we will be interested in hearing those. Thank you.

**Mr. Gary Kowalski (The Maples):** The member for St. Johns, once again, has outlined the main points of this bill, and we are looking forward to seeing it going to committee and see if the public brings presentations or any concerns that should be addressed at the committee stage. Thank you.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading Bill 11. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Bill 66—The Boxing and Wrestling Commission Amendment Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Consumer and Corporate Affairs, and Sport (Mr. Ernst), Bill 66, The Boxing and Wrestling Commission Amendment Act (*Loi modifiant la Loi sur la Commission de la boxe et de la lutte*) standing in the name of the honourable member for Elmwood (Mr. Maloway).

Stand? Is there leave that this matter remain standing? [agreed]

**Ms. Marianne Cerilli (Radisson):** Mr. Deputy Speaker, I am, as you can see by my desk here, trying to prepare to deal with a variety of issues, including a lot of documentation that is related to this bill. It raises a lot of issues related to the regulation of violence as entertainment, particularly related to boxing and wrestling. I am speaking of Bill 66, which is an amendment to The Boxing and Wrestling Commission Act.

We have a number of issues that we want to raise in relation to this bill, but I want to begin by just describing what this bill does and then talk a little bit about another bill that was passed by the Legislature in 1993, which has a more substantive number of amendments to the Boxing and Wrestling Commission, and which has not yet been proclaimed. I am hoping we would have some clarification from the minister as to how that legislation could have been left sitting without being proclaimed, and now we have more amendments. I am wondering if they are all going to be proclaimed in one bunch or if we are going to see these outstanding issues not addressed.

It was disconcerting when I first was reviewing the bill. It was amending sections of the acts that were not in the legislation that we had on our books, and it was necessary to go to the library and discover that there was this other, more lengthy bill that has not yet been proclaimed.

The government is, in this bill, deregulating wrestling. What that means is it is no longer going to be licensed

under this commission; it is going to be considered entertainment. There are some issues, I think, that are related to that that are of concern. I am going to speak in detail later about the emergence of a number of new types of combat—some would call them sports; some would call them just brutal violence—that are emerging.

One of the concerns that we have with the deregulation of wrestling is that there will be ongoing new types of wrestling that will be considered entertainment and will not have any regulation at all under the commission and are going to proceed to show very violent, disturbing activities, and we do not have any indication from the minister of how that is going to be dealt with, especially if it is live bouts. I mean, some of us may be surprised to find out that they are saying now that wrestling is choreographed, that it is not necessarily real, that it is not a real fight, and some may think that is hearsay, but that is in fact what the commission and, I would suggest, the minister are doing with this bill: saying that wrestling is entertainment. It is interesting, though, that I have been assured when, talking with the commissioner for the Boxing and Wrestling Commission, these deregulated wrestling bouts could still be in violation of the Criminal Code with respect to assault, I would think, because now they are also going to require the Criminal Code to deal with other areas with respect to this bill.

\* (1520)

The other thing that this bill does that is of concern is that it changes the definition of boxing, and it is going to broaden the definition of boxing and the ability for the commission to regulate in the area of kick boxing and other martial arts and any similar sport. This is part of the area of the bill that I find also disconcerting. We know that, when the Boxing Commission regulates a bout, they have regulations around safety. They also will then receive 3 percent of the revenue from the bout, and that is all going to come to bear on these new forms of combat sport, kick boxing. I am told there are four different types of kick boxing, and there is one muai-Thai that is particularly a problem that needs to be monitored. So there is going to be some framework to regulate those, and that is positive.

I am concerned that the consultations for those regulations on the bill would have public consultations, as well as only consulting with the parties that promote

and train and put on the bouts, because I think that the public would have a great deal to say about the type of violent entertainment that this bill is dealing with. One of the things I wanted to put on the record is that as the minister is going forward in bringing in the regulations with respect to that section of the bill that he broadens his consultation to include a general input from the public and not just those who are directly involved in putting on and staging these kinds of events.

The other section of that part of the bill that is also a concern in terms of changing the definition for boxing is where it says, or any similar sport, and what that means is then the Boxing Commission can get into the business of developing regulations and licensing any new violent sport, combat sport, that is emerging. I am going to get into some detail in a few moments talking about extreme or ultimate fighting, because we know that one of the big concerns right now in this whole area is how to regulate these emerging combat events, very violent combat events.

I am concerned that with the way that this bill is worded right now that some other commission, perhaps under some other government at some time in the future, could license and could develop regulations to license more brutal, violent sports like this ultimate and extreme fighting which have very limited rules. I have some definitions here that talk about ultimate fighting as mayhem, where two combatants are locked in a steel cage with the understanding that only the meanest will survive. I have information about how one young man was killed by fighting in one of these contests. He was not really aware of what he was getting into. He was in his early twenties in the United States, and his mother has now taken upon herself to try and bring in some regulation of this type of brutal sport, if you want to call it sport.

The promoters of this kind of violent entertainment bill it as the most brutal event in the history of sport. They describe it as a 15-minute contest of human cockfighting, and they have some pretty graphic descriptions in some of the information that I have about the kinds of holds and moves that are undertaken. I have never seen any of this. I understand that you can get it on video. There are lots of ways you can have access to this type of event, but I would think that those of us who are concerned about limiting violence in our society would take a keen interest in ensuring that this bill is not in any way going to open

the door for an increase in the licensing of any additional types of these kinds of violent sports.

I see the minister is shaking his head, negatively he is shaking his head, and I want to suggest, and I am going to get into this, that there are many other jurisdictions that are out and out banning these kinds of bouts. There are 30 states and provinces in North America, including Quebec, that have banned this kind of ultimate or extreme fighting by their boxing commissions. I have with me a regulation from Minnesota, where they have in the regulations dealing with their Boxing Commission specifically listed the kinds of holds or moves that are not allowed. That is the kind of thing I think that we should have in Manitoba so that it is very explicit that this kind of thing can be prohibited in our province.

Now, in Manitoba the way that this is going to be dealt with is simply by not licensing these events under this current commission and under this current government, and then the police or RCMP authorities would have to be called to intervene and to lay charges and to use the Criminal Code to deal with any kind of fight. I think that that could be strengthened by specifically ensuring that there is a banning on the kinds of fights that I have been describing.

Other jurisdictions are dealing with this as well. I know that in British Columbia there was recently a fight that was in a field. There was a biker gang that was involved in hosting it. They gave out handbills to try and promote the fight. There was also another instance in British Columbia where a fight was stopped because they were trying to host it in a publicly funded venue, and I am going to follow up to see the current ownership at the Walker Theatre because, the minister knows because I raised this in the House, there are concerns about the broadcasting of one of these bouts at the Walker Theatre. Perhaps we could use that same approach in dealing with that fight that occurred.

The Tacoma, Washington state, the general assembly there is seeking to limit combat sport known as ultimate fighting. The lawmakers there voted 138 to three to increase the regulatory powers of their Consumer Protection commissioner to ban this. There are a couple of U.S. senators that have taken upon themselves to try and sort out how both the broadcasting and the live bouts can be controlled. I have with me also something from

the American Medical Association, which is opposed to these new kinds of fights and are doing their part to try and ensure that the proper regulation is put in place.

I also want to make mention that the last council meeting on September 25 in our own city of Winnipeg, the City of Winnipeg passed a resolution unanimously. It was introduced by Councillors Vandal and Thomas that the City of Winnipeg urge the Province of Manitoba to explicitly outlaw extreme fighting in their current revision of The Manitoba Boxing and Wrestling Act and urge the federal government to regulate the broadcast of extreme fighting in the public venue.

So I think that there has been a lot of concern at different levels of government in how to deal with the regulations of this. In British Columbia the Attorney General has released September 16 a commitment to ensure that there is an investigation into the bouts that occurred in British Columbia.

\* (1530)

I want to speak a little bit more specifically about the difficulty of the dealing with the regulations around the broadcasting side of this. We know that we can try and ban, through our own Boxing Commission here, the licensing and the fights that are going to go on live. The problem is, as occurred at the Walker Theatre, when they are brought in through closed-circuit TV, when they are linked in live via satellite.

I was interested to find out, unfortunately after I asked the minister the questions in the House the other day, that the section of the Boxing Commission regulation I was referring to, Section 25, was repealed in 1995, and I am wondering if the minister has followed up on that to contact the CRTC to ensure that they will close this loophole and make sure that there is going to be some regulation to deal with the closed-circuit broadcasting by satellite of these kinds of violent fights?

The Canadian Association of Broadcasters also has taken an interest in this area. They have guidelines that have an outright ban on broadcasting of gratuitous violence. They have, as of this past spring, April or March, banned the pay-per-view broadcast of this kind of violent entertainment.

The Canadian Advertising Foundation, in its code of practice, responds to public complaints about advertising in the media. They have a section on taste and public decency that says advertising must not present demeaning or derogatory portrayals of individuals or groups and must not exploit violence, sexuality, children, the customers, et cetera. So I am also concerned about the way that this is promoted and if there are not, through CAF, the Canadian Advertising Foundation, ways that they can limit the way that it is promoted.

But I want to focus a little bit more on the CRTC and what they could do. Yes, I have just been reminded that this is on video for rental. Those of course would have to be classified by our Film Review Board. It is interesting that the bout that occurred two Fridays ago in the Walker Theatre, they contacted our Film Review Board and they tried to figure out if they had to classify it. Because it is not taped, it is via live satellite, they do not have to get a classification for it. They gave it their own classification of PG17. It seems that they are being quite confident as they go about phoning the different regulatory bodies that they are going to be able to continue to broadcast this type of event.

So what we need then is an amendment to the broadcast act, which currently does not include regulations on or jurisdiction over transmission of programs that is made solely for performance or display in a public place. I would think that if the minister is serious, as he and his Boxing Commission and his Sport Manitoba have said, that they want to make sure that these kinds of violent combat sports are limited, that they would follow through with the federal regulatory bodies and make sure that this is going to be dealt with, especially since they were told by their legal department to repeal the sections of the boxing regulation that previously had dealt with closed-circuit broadcasting of boxing and wrestling.

I want to speak a little bit about the use of the Criminal Code in regulating this. I am glad the City of Winnipeg has gone as far and put forward their resolution, because it would be the City of Winnipeg police that would have to go in. It is Section 83 of the Criminal Code which prohibits any prizefight from going on that is not licensed by the Boxing and Wrestling Commission, and infractions under that section of the Criminal Code have two years of incarceration.

Section 264.1 of the Criminal Code also has two years penalty, and that deals with the issuing of threats. That has been used in other jurisdictions to close down some of the bouts that have gone on. Section 265 of the Criminal Code has a 14-year penalty, and that is for aggravated assault. So all of those also could be used and should be used to deal with these fights.

The problem is, and this is where we have to look at the whole issue of broadcasting of these bouts, the logic of allowing something in Manitoba to be broadcast live by a satellite that would not be allowed if it was live. I think that we have to try and make sure, with the challenges of the new technologies that are being developed very rapidly, that we keep up with regulation. If they can do it for Pay Per View, they can do it for the kind of bout that occurred here at the Walker Theatre.

I might also make mention that there was also a tough man—a You Think You're Tough contest they called it—in the Clandeboye gravel pits not too long ago. I would think that if the Boxing Commission knows about these things, then they have to make sure that they use the regulatory powers that they have to enforce the regulations and make sure that these types of bouts do not get a foothold and get a following. I know that the minister and the members opposite would be concerned about the problem of having a gang-related—biker gangs or whoever, other unseemly characters involved in this kind of event or activity.

We are calling on the government then to have something similar to what they have in Minnesota, where they explicitly define the bouts or the kinds of holds that are prohibited, and that there would be a clarification in Bill 66 that the words “any similar sport” that could be brought under the auspices of this commission will not include that kind of violent fight.

With that said, I want to turn my attention to what time is left to deal with some of the other issues that have faced the Boxing and Wrestling Commission in Manitoba over the years, and I want to urge the minister, as he is developing new regulations and legislation in this area, to turn the attention to enforcement.

We have in this House also had discussions about the inadequacy of the enforcement of the Boxing Commission to ensure that boxers have EKGs and a heart test

and an EEG, which monitors the waves of the brain prior to being able to fight. We know that there have been many cases where the boxers have not properly had their health certified. We also know that there have been violations of agreements on the weights of boxers. When the cards are developed, a boxer is mandated only to fight boxers of a similar size and weight, and in Manitoba we have had examples of where that is not in force. The cards are allowed to be quite imbalanced, and, of course, that puts the safety of the boxers at risk.

So I think it is important that the Boxing Commission would take seriously its role of ensuring that we do not have a return to the era of the gladiators and the kind of brutal violence that is being billed as entertainment. When I was reading through some of the material, I could not believe how some of the promoters were exalting this on the one hand and saying it is the most brutal and violent thing you could ever imagine, and then on the other hand they were saying, but it is only entertainment; no one is getting really hurt here.

But the blood has been real and the deaths have been real, and we know that there are also deaths in boxing which is more regulated and I guess culturally accepted by some members of the community. I think we want to move in the direction of reducing the kinds of violent combat sports that we have in our community, the kind of violence as entertainment, not paving the way for increasing the kind of violent entertainment that many of us find so disturbing and so distasteful.

I have with me, as well, a number of documented studies that show very clearly, particularly with children, that watching violence affects their behaviour; it affects their attitudes; it affects their relationships, and I am horrified to think that children will have access to this kind of fighting on videotape and that they will then try to enact that in their play with their siblings or their peers. That is what we want to try and make sure we are avoiding, so whether it is via satellite, whether it is via videos, we have to make sure that these kinds of violent entertainment events are regulated and not influence particularly children.

\* (1540)

There are many of us who still shade our eyes and turn our heads when there is violence in a movie or violence

on a television show. Statistics Canada shows that by the time most Canadian children are 12 years old, they have seen up to 12,000 violent deaths on TV. They show that children's TV programming actually contains 68 percent more violent scenes than programming for adults. You can bet that the children who watch those kinds of programs are going to have that affect their behaviour and their attitudes. I think that as responsible representatives of the public, we want to do everything we can to follow up on the kind of research that has been done that shows very clearly the relationship between the consumption of violent entertainment and the behaviour and actions of individuals.

So with that I think I will conclude my remarks and just once again urge the minister to get back to me. I notice that I have sent him other letters as far back as March 12, 1996, which I do not think he has responded to, or I raised a number of issues with respect to the Boxing Commission, including some irregularities respecting the Auditor's Report. I will look forward to the committee hearing on this bill. I do not know if we will have very many presentations. This is something that has not got a lot of attention, but I will do my utmost to make sure that Manitobans know that we can have better regulation of violence as entertainment and we want this government to do as much as it can. Thank you.

**Mr. Gary Kowalski (The Maples):** Mr. Deputy Speaker, I do not know if it has already been outlined that this act sets out a structure and responsibility of the Boxing Commission in Manitoba. All professional and amateur fights fall under its jurisdiction.

Amendments to the 1987 Boxing and Wrestling Commission Act have not been proclaimed. This act will correct that omission.

Nevertheless, boxing is sometimes a very politically sensitive topic. Boxers have been known to die in the ring. It does have a popular following, but a great many people would like to see boxing banned outright. Medical doctors have spoken out against the sport, but it is our opinion that if boxing was banned outright, it would just go underground. You will never do away with the sport. So it is important to have a strong Boxing Commission to prevent the emergence of extreme fighting and other unregulated events.

This act does nothing to explicitly ban extreme fighting, although it is unlikely any promoter will be given permission to stage such an event as long as we have a strong Boxing Commission. So we look forward to seeing this bill go to committee and hearing public presentations. Thank you.

**Ms. Diane McGifford (Osborne):** Mr. Deputy Speaker, I am pleased to rise today and join with my colleague from Radisson in order to make a few remarks about Bill 66. I am speaking today particularly as a critic for the Status of Women. I have discussed this bill with women and with women's groups in the community, and they have some concerns, and so I am speaking in that capacity.

I understand from the minister's remarks at second reading that the bill removes professional wrestling from the act but broadens the Boxing Commission's jurisdiction to include other forms of combat sports and kick boxing, full contact martial arts or any other similar sport and, here I am quoting, any other similar sport in which blows may be struck by the fist or by both the fist and the feet.

Personally, I cannot even pretend to understand combat sports like boxing or like martial arts. As I have been telling my colleagues, personally, they have neither charm nor interest for me, nor do I think that the vast majority of women in the province of Manitoba are terribly interested in those sports, but perhaps those remarks are irrelevant to this particular bill. Martial arts are properly and effectively regulated that they do have a place in amateur and professional sport. That is what I have been told.

What really disturbs me in this bill is the language and particularly that ominous phrase and, again, I am quoting, or any similar sport in which blows may be struck by the fist or by both fists and the feet. The phrase disturbs me because it appears to me, and I could well be corrected, but it appears to me that this phrase may well make room for extreme or ultimate fighting in the province of Manitoba and especially because it is not specifically banned by the bill.

Like my colleague from Radisson (Ms. Cerilli), I want to take this opportunity to congratulate the Winnipeg city councillors who last Thursday unanimously agreed on

two points, and these, I understand, are they: first of all, to urge the government of Manitoba during this current revision of the act explicitly to ban extreme fighting; and, secondly, to urge the federal government to ban radio and television transmission of extreme or ultimate fighting.

Mr. Deputy Speaker, I specifically want to extend my personal congratulations to Councillor Daniel Vandal from St. Boniface for his leadership in this matter. It was through his initiative that these matters were brought to City Council, and I think he deserves our admiration and our respect for doing this. I trust that the Minister of Sport (Mr. Ernst) will now follow Mr. Vandal's example and either introduce an amendment to this bill or possibly support amendments regarding extreme fighting that the opposition might choose to propose at the committee stage.

I also want to take the opportunity to speak to the Minister of Culture, Heritage and Citizenship (Mr. Gilleshamer) and suggest that he get together with the Minister of Sport so that they might work as a team and work with other provincial ministers in pressuring the federal government and the CRTC to ban the transmission of extreme or ultimate fighting. My most recent information, like that of my colleague for Radisson (Ms. Cerilli), is that a couple of weeks ago when the Walker Theatre screened extreme fighting they were not required to obtain a broadcast licence, but I am told that the theatre arbitrarily dreamed up a new film classification PG17-Plus and labelled the performance with this new classification. Now clearly this kind of arbitrary action flies in the face of the Film Classification Board and insults the work that these excellent people do at the Film Classification Board, and I am sure that the Minister of Culture, Heritage and Citizenship will agree that this matter requires his immediate attention.

\* (1550)

Most of us have some familiarity with the excesses of extreme or ultimate fighting. They have been well documented by the media. I think we have all read about them in the print media. Some of us have seen them on television or pieces of them on television or certainly heard about them via television or via radio. The phrases that appear to be connected with extreme or ultimate fighting are words like "blood sport," "cockfighting," "bashing," "brawling." These are the kinds of words that

are used to characterize this kind of fighting. Commentators, and this is based on my research and reading, frequently link this kind of sport, and I use the term advisedly, link this kind of activity with the gladiatorial combats of a declining Rome, and I think they do this for some pretty obvious reasons.

Personally what I want to do today is link extreme fighting with the violence that generally characterizes our society and increasingly characterizes our society. For example, link it with violence in the media, violence in movies, street violence, violence in our schools, gang violence, child abuse, and domestic violence, and I mention domestic violence at the end because women are so often at the end of the pecking order and women are so often on the receiving end of fists swung in anger and, of course, I do not mean to forget kicking, slapping, pinching, burning, strangling, biting, eye-gouging, torturing and even murder. This kind of activity, we are told, and we know from research, goes on in one out of 10 Canadian homes. If one hears a litany of the crimes committed against women, it certainly sounds a lot like extreme fighting.

It has been frequently said that a society can be properly judged by its aberrations and by its extremes, and personally, while I hope for a world where we will not feel a need to bash each other about even in the carefully regulated manner prescribed by the Boxing Commission, I know that that world is not with us yet.

Mr. Deputy Speaker, lest we be judged by barbarians and show ourselves to be barbarians I do ask the Minister of Sport (Mr. Ernst) to take the necessary steps to ensure that extreme and ultimate fighting are banned in the province of Manitoba. You know, as politicians, I think we often shake our heads and wring our hands and wonder, especially these days, what we can do to stem the tide of violence. Here is one very small concrete step. So I do again urge the Minister of Sport to demonstrate some moral, social and political leadership and ask him to signal thumbs down on this most recent version of gladiators in the arena, that is, of course, extreme fighting.

I want to add that when he is done, I ask him to take the next step and work with the Minister of Culture, Heritage and Citizenship (Mr. Gilleshamer) to ensure that the transmission of these violent and cruel brutalities are stopped.

Finally, let us remember that it is illogical to condemn violence on the street and violence in the home and violence in the school; it is illogical to brag about zero tolerance and at the same time to allow the transmission of extreme violence and not explicitly to ban extreme fighting in this current Boxing and Wrestling Commission Amendment Act.

With these remarks I will take my seat, and I welcome the opportunity to have spoken today and brought the concerns of women of Manitoba to this House.

**Mr. Jim Maloway (Elmwood):** Mr. Deputy Speaker, I am pleased to rise to make a few comments today regarding Bill 66, and I think at the outset that the government here has the opportunity to do the right thing and specifically ban extreme fighting in this bill. The minister just minutes ago muttered a comment about censorship, and I really think that it is incumbent upon this government to take a stand against violence in sport. That is what this boils down to, and at the root of the problem is that it is all about money. Violence sells in this society. We have violence in sports like hockey, football, in fact all sports, and as much as we try to restrict the violence in the sports and do something about it, at the end of the day unless the sport is violent it does not sell tickets, and it does not go anywhere in society. That is one of the fundamental problems.

In fact, every time that violence is regulated or attempts are made to curb violence in hockey, for example, rules are made to limit it in some ways but promote it in others, because the owners of the sport, the promoters of the sport, know that is what sells the tickets and that is what puts people into the sport.

Now, it is—[interjection] Well, the member for Portage la Prairie (Mr. Pallister) talks about volleyball. This is a very, very serious issue. Society is grappling with a problem of widespread violence, increasing violence in society. When we have an opportunity—at every opportunity that we have to deal with the issue we should deal with the issue decisively. The City Council of this city has made a move in the right direction with Councillors Vandal and Thomas passing a resolution on the matter, encouraging the province to do something about it. We are encouraging, and the city is encouraging, the federal government to amend the broadcast act to take care of the broadcasting part of the

issue. These issues have to be dealt with; you cannot simply hide your head in the sand and hope that they are going to go away.

Children learn from what they see, and we cannot allow this trend to continue. I mean, we are paying for it in so many different areas right now with the youth gang violence problem, and these things are connected. They are all interconnected, and they feed upon themselves. When we are in a position where we can do something about it, then it is incumbent upon us to do so. Now our side of the House is proposing, has proposed an amendment to this bill that will specifically exclude extreme fighting.

\* (1600)

The member for Radisson (Ms. Cerilli) has pointed out that there are at least four different types of kick boxing that probably should be outlawed as well or at least monitored, and we are in a situation, the government is in a situation, where it is basically a permissive—it is essentially attempting to facilitate what it sees as business. For these people, that is what it all boils down to—business. When they consult on the bills, they consult the business sectors to see how it affects them; they consult the business sectors to get the rules set up as favourable as possible for the businesses, all the while knowing that it is self-defeating, that at the end of the day when this bill is passed and over a period of time there will be more violence in society and not less.

The member for Radisson talked about Minnesota as being an example of a jurisdiction that has prohibited and defines certain types of bouts, fairly restricts different types of bouts that can occur, and that is essentially what we need. She made reference to a number of states, I believe 30 states, that have banned extreme fighting outright, Mr. Deputy Speaker. These are examples of jurisdictions that are attempting to deal with the problem, the general level of violence in sports and the increasing level of violence in society in general.

There is no use pretending that somehow you can compartmentalize it and departmentalize it and say, well, we will deal with it through the Justice department, we will deal with the gang issue over here, but then on the other side of the coin in the area of the Sports department, we will promote aggressive behaviour in sports, we will

promote various types of violence in sports. That is essentially what the state is doing in this area—[interjection] Well, you know, the member for Lakeside (Mr. Enns) talks about kids. The fact of matter is that the system is structured in such a way that coaches and referees in hockey—coaches in the hockey system in this country push the kids to act in violent ways. So the minister certainly cannot sit there—the member for Lakeside (Mr. Enns) cannot tell me that somehow the system is not organized in such a way that promotes violence in sports. You tell me how it is or why it is that hockey violence is not promoted. It certainly is. [interjection]

Now, Mr. Deputy Speaker, the member for Lakeside talks about this as socialist tinkering. The result of action not being taken. Let us suppose for a moment, the member for Lakeside, that the 30 states in the United States had not banned extreme fighting. If they had not banned it, and they were allowing extreme fighting in those states, does he not feel that would promote violence? Does he want to live in a society, as in southern Florida, in Miami, where the murder rate is very high, where people are afraid to walk on the streets?

Now I know he is a very big fan of the American system and he has done many things to promote the integration of Canada into the United States. I have always suggested he wants to be a senator. His desire is to be a senator, and he understands that it is an American senator, not a senator in the Canadian House that he is interested in. So we have to understand here that violence in sport is at all-time levels. It is fuelled by a system that promotes the violence.

For example, Mr. Deputy Speaker, when fights are promoted out of Las Vegas, if the fights do not last very long or if the fights are not bloody enough, the tickets are not sold. The Walker Theatre will be empty. It is in the interests of the system to promote a bit of blood and gore in these bouts. The promotion of this blood and gore and violence sells the tickets and allows the promoters to fill the stands. This is what we have to fight against, and I know that we are basically just chipping at a very big problem. We are not going to solve the problem overnight, but we have to start somewhere.

I would suggest that this government and the members of this government wake up and recognize that it is a

problem, recognize it is a problem and perhaps even introduce the amendment themselves or support our amendment to ban extreme fighting and to try to clean up sports in this province and show Manitoba in a good light, show Manitoba as an example for other jurisdictions in this country to follow in terms of trying to restrict and diminish the amount of violence in sports in this province.

And with that, Mr. Deputy Speaker, I would like to conclude my remarks.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 66. Is it the will of the House to adopt the motion?

**An Honourable Member:** Agreed.

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

#### **Bill 52—The York Factory First Nation Northern Flood Implementation Agreement Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Northern Affairs (Mr. Praznik), Bill 52, The York Factory First Nation Northern Flood Implementation Agreement Act (*Loi sur l'accord de mise en oeuvre de la première nation de York Factory relatif à la convention sur la submersion de terres du Nord manitobain*), standing in the name of the honourable member for Transcona (Mr. Reid). Stand? Is there leave that this matter remain standing? [agreed]

**Mr. Eric Robinson (Rupertsland):** I just want to make a few remarks on Bill 52, The York Factory First Nation Northern Flood Implementation Agreement Act. This, like Bill 53, which we spoke about last week, The Nelson House First Nation Northern Flood Implementation Agreement Act, these two bills, with this one that we are going to touch on this afternoon, Bill 52, formalize the Hydro flooding settlement agreement with these two communities, with two remaining, Cross Lake and also Norway House.

It stems back, of course, to the Northern Flood Agreement that occurred in 1977, an agreement that took place between the Manitoba government, Manitoba Hydro and the five affected First Nations, which

included, of course, Nelson House, York Landing, Split Lake, Norway House and Cross Lake. We on this side are very pleased that these agreements have been finally reached with the approval of both these communities, the bills that are currently before us, Bill 53 and this one, 52.

We have had the opportunity in the past to be in York Factory and also in Nelson House, and both these communities, including the York Factory First Nation, were very seriously affected by past hydro development. My colleague the MLA for Thompson (Mr. Ashton), the member for Thompson, talked in detail about how these people came to be in the current community they are now in. These people originally came from York Factory, which was the capital of northern Manitoba at one point in Manitoba's history. It was a central location, much like Norway House was the capital of northern Manitoba at one point, but York Factory being situated near the bay, near Hudson Bay, served as a trading post to many of the northern First Nations people who occupied much of northern Manitoba. In the '50s, of course, the people of York Factory were moved to where they are currently located now at York Landing, which is not too far of a distance from the Split Lake community.

(Madam Speaker in the Chair)

One has to consider the human and social costs that hydro development placed upon these people and other communities affected by projects, and it cannot be rectified by simply dollar figures, because indeed the hydro development that is now benefiting many southern Canadians and southern Manitobans particularly, many will never see the devastating effects it had on the people of York Landing and the other affected northern communities that were part of the northern flood bands, as we come to know them today.

\* (1610)

Unfortunately, as well, it has become apparent that as negotiations have gone on and on, it has become more than clear to us that lawyers and professional negotiators themselves have been the chief financial beneficiaries of many of these agreements. Madam Speaker, these communities need and deserve the funds that will flow due to the signing of these agreements, because there is a lot of work to be done in the communities as far as catching up with the rest of the world and being ready to

tackle the 21st Century, is how many of the elders and also the current day leaders view what is going on in northern Manitoba.

Chief Eric Saunders and, prior to him, the previous leaders of the York Landing First Nation have been patient, and they have undergone many, many hours and many days and years of negotiations in realizing this objective, and remote northern communities like York Factory, not only have much higher costs of living than southern communities, but they also have very few government resources and services that they can draw on, perhaps many southern Manitobans take for granted, and accordingly these cutbacks have a much higher impact in northern Manitoba.

The traditional way of life, trapping and hunting, have greatly declined throughout northern Manitoba, due to both hydro development and animal rights activists who have greatly hurt prices of fur, for example. Additionally the federal government eliminated the freight subsidy for northern fishermen, and the provincial government cut back the province's freight subsidy for fishermen, and that hurt a lot of people in that industry. These actions have had a devastating effect upon northern communities, and it is our hope that the revenue from these flood agreements will be able to fund economic development, and communities be developed to catch up with the rest of the world. Many times members like myself have talked about the Third World conditions that exist right in our own backyard.

York Landing is no different than those other communities that we have described in comments that we have made. We have been to York Landing and many improvements and many new developments are occurring in that community that we are very much proud of. We are very proud of the current day leadership that is undertaking these initiatives for the good of the future and for the good of the young people that are going to be replacing our leaders in those positions.

It should be noted that this legislation is quite identical to the previous Split Lake agreement and the one that we talked about and are currently talking about in this House, Bill 53. It is also in the interest of all Manitobans, particularly those in southern Manitoba, that Bill 52 and Bill 53 be ratified very quickly. The

agreements upon which these bills were drafted have been approved for some time now and, as such, Bill 52 and Bill 53 could be more accurately termed simply official rubber-stamps of the agreements, not original debatable legislation. Similar bills are now in the House of Commons and, as I understand, will soon be made into law in the time to come in the House of Commons.

We hope, of course, that agreements between the remaining northern flood communities, Norway House and Cross Lake, will soon follow and be finalized in the near future.

As well, we want to stress that we on this side of the House are mindful of the negotiations that occurred, and we are very mindful of the fact that the Northern Flood Agreement and the implementation agreements that are now occurring are viewed as modern day treaties, above and beyond what was signed in 1875, Treaty No. 5, that was signed with the Crees and the Ojibway Indians at Norway House and Berens River and the adhesions after that date. So the view of the First Nations in these communities, including York Landing and others, view this as a modern day agreement. I recognize it as such and my colleagues certainly in the official opposition view it as such as well.

We have listened with great interest to the stories of elders and other residents of the northern flood communities who have told us about the irreversible damages that have been done to these communities, and there are things that will never be replaced that have been lost because of flooding and because of any interest of development. We are, of course, in a position and in a situation where we cannot go back and correct some of the past wrongs that have occurred. However, we can, I believe, be mindful, if we are going to embark upon any future initiatives, to be much more careful than we have been in the past. Although we would like to correct some of the wrongs that have been done on, particularly, aboriginal people in the past, certainly, I believe that we are more mindful today that these things will not recur again.

Having said that, Madam Speaker, I would like to conclude my remarks by expressing my sincere congratulations to the efforts of the elders, the leaders, the council members and particularly Chief Eric Saunders of the York Landing-York Factory First Nation on their

perseverance and their hard work, their dedication in ensuring that an agreement be finally agreed upon.

We move that, certainly, this bill now move into committee to allow the members of the community the opportunity to perhaps express their views on how they view this and perhaps give other people in this Legislature an opportunity to hear about the effects that northern flooding has had on aboriginal people in northern Manitoba. Thank you, Madam Speaker.

**Mr. Neil Gaudry (St. Boniface):** Madam Speaker, just a few comments on this Bill 52, The York Factory and Nelson House First Nation Northern Flood Implementation Agreement.

This ratifies the agreement related to the Northern Flood Comprehensive Implementation Agreement. It is a companion legislation to be passed in the House of Commons. It is modelled on the Split Lake agreement passed last year. The effect of this legislation, Madam Speaker, is to prevent any claims for compensation against Manitoba from being brought forward by individuals from York Factory and Nelson House First Nations under the terms of the Northern Flood Agreement, this legislation with the claims of the citizens of that community on a comprehensive basis. Under the terms of this legislation, Manitoba is released from any future obligation under the Northern Flood Agreement. Any claim or matter under dispute shall be settled in accordance with the terms of this settlement agreement between the federal government and the provincial government, Manitoba Hydro and the York Factory-Nelson House First Nations.

Madam Speaker, of course, this bill obviously is another step in settling one of the Northern Flood Agreement, this one involving the York Factory and Nelson House. As many—in fact, I am sure all this House—recognize, there has been far too long a process, settlement of these claims under this agreement, for the previous five affected communities, First Nations. I think it is very important, regardless of the moment, just leaving the specific details of this agreement and some of the others being negotiated, so that you will reflect the history of this. I think 25-years-plus is way overdue since the damage which incurred, which led to this agreement, is now only leading to some of the final settlement of these claims.

\* (1620)

Madam Speaker, I think it a tragedy of really unspeakable proportions that this has gone far too long with reconciliation without understanding of the consequences of those hydro projects. I think the member for Rupertsland (Mr. Robinson) has very well detailed what it has cost these communities.

I would like to think that Manitoba Hydro and the members of this Legislature who are represented in this House have learned that it is not the way hydro development should have occurred and should not occur in the future. The members of this House, I hope, will take a second look at the tragedy which all parties, I think, understand that has occurred in the past and will support this bill so that, once and for all, our communities, First Nations, will be settled for the better and go forward in the communities for themselves and for the children of the future.

Thank you very much, Madam Speaker.

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

### Bill 62—The Jobs Fund Repeal Act

**Madam Speaker:** To resume second reading debate on Bill 62, The Jobs Fund Repeal Act (*Loi abrogeant la Loi sur le Fonds de soutien à l'emploi*), on the proposed motion of the honourable Minister of Environment (Mr. Cummings), standing in the name of the honourable member for Swan River.

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

**Mr. Leonard Evans (Brandon East):** I would like to put a few words on the record with regard to this particular bill which virtually legally eliminates the existence of the Manitoba Jobs Fund. The Manitoba Jobs Fund was originally set up around the early 1980s. In fact, it came out of a conference convened by the Pawley NDP government at that time, an economic summit conference in Portage la Prairie in 1982 involving leaders from the business community, from industry, labour and generally from a broad section of

Manitoba's society, to deal with the question of job creation because at that time, '82, '83, Canada was experiencing a very serious recession causing a great deal of unemployment and causing a lot of economic strife throughout the country.

In Manitoba we decided in government at that time that we would take initiatives to combat the unemployment of the time, to combat the economic recession of the time, and I suppose, in good Keynesian economic policy fashion—in other words, to utilize the power that the provincial government has to do whatever it can to offset the business cycle, thereby helping everybody in the province; helping business, helping employers, helping employees, helping Manitobans get jobs at a time when jobs were disappearing because of the national, indeed continental, economic recession that we were experiencing at that time.

In the very first year of the Jobs Fund, records show that 21,000 jobs were created through various initiatives taken by the fund. The fund was actually an umbrella organization which went way beyond straight job creation programs; it involved grants to industry, to small business. It involved projects involving the municipalities, in fact, involving the federal government as well. As a matter of fact, with the monies that were put up by the provincial government, we have a figure here of 40 percent of the Jobs Fund related projects coming from the private sector and from municipal and federal governments. In other words, they were persuaded to put money into initiatives that the province undertook and, at that time, we were able to get \$157 million put into the Jobs Fund related projects from the private sector and from municipal and federal governments. As a result, Madam Speaker, we did stimulate the economy. We did see jobs created, primarily in the private sector, but with the assistance of the province and, subsequently, with some federal money and of course municipalities who were involved in partly financing some of the projects.

I guess it is pretty fundamental that jobs means income and income means demand for goods and services that we produce and jobs mean output at a time when we have a great deal of idle and underutilized capacity, which we did at that time. Of course, providing jobs gives confidence to our people, particularly for young people

struggling to find work for the first time, as well as for experienced workers, many of whom had families to support and whose livelihoods were lost or were in jeopardy because of the recession. Jobs were important because it means, in our view, it was a productive alternative, a positive alternative to simply collecting unemployment insurance or welfare or social allowances. That is why we felt it was totally imperative that we direct every available resource to creating and protecting as many jobs as we can.

I happened to do a little bit of statistical research, and I note that throughout the NDP years in government, from December '81, from the time that the Pawley government first took office, to March 1988, 37,000 jobs were created in Manitoba. This is total jobs, according to the labour force statistics. These are not government jobs. These are total jobs provided by the Manitoba economy, 37,000.

Under the present government, Madam Speaker, from April of 1988 right through till August of this year, only 15,000 jobs have been created. In other words, in the period of 6.3 years we were able to create 37,000 new jobs compared to only 15,000 with the present government, which has been in office for 8.4 years. We were in office for 6.3 years. This government has been in office for 8.4 years and have only provided a fraction of the number of jobs that we created.

As a matter of fact, when you compare what was going on in Manitoba with the national scene, and because it is important to compare with the national situation, we did not get the increase in jobs in Manitoba that we got in the country as a whole, but this has been typical. We only achieved roughly two-thirds of the national job creation rate but, unfortunately, under the present government from April '88 to August of 1996, the present government has only created about, well, 3 percent increase. It is about half or less than half of the Canadian rate. So you cannot say that the jobs were created under us because of what was happening to the national economy, because what we have done is compare what was going on in Manitoba with what was going on in the nation as a whole. So we did much better. We created about two-thirds—we, I mean all of Manitobans during the NDP administration—we created two-thirds of the national rate of job creation compared to less than one-half under the present government.

I submit, Madam Speaker, the reason for this is that under the previous NDP government, we had the Manitoba Jobs Fund and we had other initiatives to tackle the problems of unemployment dead on with the co-operation of the private sector. These are mainly private jobs. These are not public, government jobs. These are mainly private jobs. So with the co-operation of the municipalities and laterally with some federal government money as well, we did get the stimulus. I believe today we still have a serious unemployment problem and we have a problem whereby we just do not have enough jobs, particularly for the young people, and they are leaving the province, which is very, very regrettable, losing one of our most precious resources. In fact, the figures that we have so far this year—

\* (1630)

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable member for Brandon East (Mr. Leonard Evans) will have 22 minutes remaining, and as previously agreed, this bill will remain standing also in the name of the honourable member for Swan River (Ms. Wowchuk).

As previously agreed, the hour being 4:30 and time for Opposition Day Motions.

## OPPOSITION DAY MOTIONS

**Madam Speaker:** The resolution moved by the honourable member for Thompson (Mr. Ashton), standing in the name of the honourable Minister of Health (Mr. McCrae) who has seven minutes remaining. I will just remind all honourable members that since it is a while since we dealt with this that the speaking time is 10 minutes. I will give you a two-minute warning signal, and as previously agreed, at 5:15 the question will be called.

The honourable Minister of Health, who has seven minutes remaining.

**Hon. James McCrae (Minister of Health):** Madam Speaker, honourable members in the Legislature are now aware that significant change is in the works for health care in our province. The expectation of those who are involved in consulting with government and other health agencies is that we can do, as has been suggested by the

honourable member for Crescentwood (Mr. Sale), that we can do more with less. He has made that clear in his comments in this House, and it is good to have someone in the New Democratic Party who can recognize that there are indeed efficiencies to be found within our health system. Sometimes one is led to think, well, they do not really believe that, but I think in their heart of hearts they do.

If New Democrats were on this side of the House and not on the other side, they would know, as governments right across this country know, that there are real—

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

**Madam Speaker:** Order, please. I am experiencing difficulty hearing the honourable Minister of Health.

**Mr. McCrae:** —challenges, not imaginary ones out there, that there are fiscal realities, not imaginary ones, there are realities we cannot just wish away. Honourable members opposite daily in this House raise questions and have for eight years now that call for the spending of more and more taxpayers' money. They never talk very much about how we are supposed to raise the money, but they do talk a lot about spending more, more, more.

Well, I have commented that that is a somewhat dated approach to things. It was a popular means of governing during the '70s and '80s, a lot of the time when New Democrats in Manitoba were in office and there were ways to raise money in those days. You either borrowed money, which was a favourite resource for New Democrats, or they taxed them, which was another favourite of New Democrats. I remember 1987, the greatest tax grab in the history of Manitoba was imposed on Manitobans by a New Democratic government of the day.

I know that the resolution here is couched in language which is as negative as anyone could possibly imagine. Even the honourable member for River Heights (Mr. Radcliffe) cannot find words to be more negative than what we would find in this resolution today, and the honourable member for River Heights is very skilful in this area, so here is a real challenge to try to find more negative language than we have in this resolution here today, but I know that the honourable member for River

Heights has a greater and higher calling, and that is to pay more attention to health care than trying to put a bunch of negative words together to try to put that across to people.

Madam Speaker, at the beginning of this year, the honourable member for Kildonan (Mr. Chomiak), as reported in the Winnipeg Free Press, suggested that the changes that we would embark upon would be more significant than anything happening since medicare began. He is right. I agree with him about that. The changes we announced on August 20, in my mind, go far enough that you could say that it was the most significant alteration in direction in the way we deliver health services since the beginning of medicare.

The honourable member for Kildonan also said in the same article that balanced budget legislation takes from us the flexibility that he suggests we ought to have. Well, that was the most telling thing that any New Democrat has said, I suggest, in the last number of years about the approach of the New Democrats. They do not want any commitment to live within our means. The honourable member for Kildonan's comments on that day reveal that and betray their true agenda, which is to go back to the old tax and spend and borrow method of government.

That is okay with me for them to feel that way. That is why I refer to them as the Neanderthal dogmatic protesters, NDP. That is not available to them. They can campaign on that and talk about that every day in this House if they want, but it is an illusion. It is. As sure as I am standing here before you today, that is not something anybody can deliver on in this country anymore, and thank goodness for that.

The people of Canada have said no to that style of government, and they will not have any more of it. So that regardless of the rhetoric of honourable members opposite, their intentions have to be different from their rhetoric because their intentions have to be tempered by reality. So that is why I say they should, in order to be believed, in order to have the credibility you need, they might want to adjust their approach. Far be it from me to tell them what to do, mind you, but if they want to enjoy any creditability at all, then they should get a credible line going. They have not got that yet, and I wish them well in their efforts.

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, I think that the minister missed the entire point. In fact, I sometimes have the impression that the minister misses the whole discussion about health care largely because his government and the minister are totally isolated in their office and do not seek to actually talk to anyone who is out there in the health care system, who is in the front lines or anyone who is dealing with the system and have no idea of what the reality is.

The reality is, after eight years in office you have the longest waiting lists in this country. The reality is that halfway into the budgetary year you decided to cut back chiropractic visits. The reality is that halfway through the fiscal year you decided to cut back eye examinations. The reality is that you put out a Treasury Board submission that said you are going to privatize home care 100 percent and said we are going to save \$10 million. Oh, no, we are not going to save \$10 million. Oh, then, we are not sure if we are going to save \$10 million.

You call that managing health care? This is the worst managed health care system in the history of the province of Manitoba, the worst.

Madam Speaker, the minister has the gall to stand up and talk about negativism, being negative. We are talking about reality. We are talking about a government that promised in its August 20 so-called new plan, about the seventh or eighth shift in programming they have done since they have been in office to try to find a solution, that they are going to reduce waiting lists. We are going to put in place a Central Bed Registry. That is going to reduce waiting lists. We indicated in this House that the Minister of Health in 1990 promised it. The Minister of Health in 1993 promised it. The Minister of Health promised it in 1994. The Minister of Health promised it during the election campaign, and now this new Central Bed Registry is going to reduce the waiting lists that are the longest in this country by reannouncing it August 20.

What kind of credibility do this minister and this government have? What do they expect us to say, to say thank you? Thank you for eight years of drift. Thank you for eight years of the longest waiting list in the country. Thank you for a health care system in which no one has confidence. Thank you for a health care system where you promised hundreds of millions of dollars in capital programming before an election campaign and then after

an election campaign withdrew? Do you want us to thank you for taking that capital program and using that to make the savings that you are trying to achieve this budgetary year when you could not decide what to do? Do you want us to thank you?

\* (1640)

Does the minister want us to thank him for announcing changes to a Pharmacare program before consulting with caregivers, before consulting with the people in the pharmaceutical industry, for changing and gutting the program, promising \$20 million in savings and finding out in this year's annual report that it cost them \$19 million more because they screwed up the application of that program so badly? And the minister wants us to compliment him? The minister wants us to say you are doing a good job. I am sorry. You are not doing a good job. You are not managing health care well in this province. You put in a plan in 1992, and you did not adhere to that plan. You put a plan together and now in August, Madam Speaker, that is a rehash of old plans.

I often go out in the community and I ask people at public meetings, can you name one community-based service that this government has put in place to somehow reflect the changes, the closure of hospital beds, the hundreds and hundreds of beds that they have closed since 1992? I have never yet received a response from the audience. I will tell you some responses. Yes, they have put in place a nurse-managed care system that was promised but is very, very minuscule and very, very small. Yes, they have put in a little bit more money to home care, but we suspect and we suggest—

**An Honourable Member:** A little bit.

**Mr. Chomiak:** A little bit. The minister says a little bit. Does the minister not realize that until last year there were fewer unit hours and fewer people getting home care than in 1992? Does the minister not realize that? If he does not know that, he should look at his own annual report and it will show him that in fact there were fewer people receiving home care in units of service last year than 1992. Now, I admit, with the new privatized, expanded home care, so-called expanded home care of the minister, there will be expanded services, but what do you expect when you close hundreds and hundreds of beds? Surely, there will be need for expanded home care. But, Madam Speaker, we suggest in this motion, the fact

that they are privatizing, the fact that money that should be going to health care is going to be going to lining the pockets of profit-making companies who have done very, very well under this government. That is where the home care dollars are going to go.

This government doubled the fees that people pay for personal care homes. They doubled the fees that people pay for personal care homes, and do you know this budgetary year they are giving less money to personal care homes, which is supposedly one of the priorities, which is supposedly one of the community-based services that they are supposed to put in place? In the big plan, which the minister is so proud of, announced August 20, he talked about expanding community-based care by expanding the number of personal care home beds. Yes, but who is paying for those? It is coming out of the pockets of residents of those personal care homes, and the government's contribution to personal care homes has declined.

The minister points to federal cutbacks. Madam Speaker, if you added up all of the money that the minister has cut off in health care and attribute it to federal transfer payment cutbacks, I suspect two or three times the amount of cutbacks have occurred than the minister's recognition, the minister's indication of the money that supposedly is not coming from Ottawa. Yes, there have been cutbacks, but they have spent that money over and over again in trying to justify their massive cuts to the system.

So, Madam Speaker, after eight years, after eight years of waiting, I think we can be a tad bit critical. In fact, if you look at the poor mismanagement of health care in this province, I think it is incumbent upon us to continue to criticize the government. Now the minister talks about positive. The minister says, well, what are the positive alternatives? We listed a whole series of positive. I want to give a couple of examples. The child health care plan, Healthy Child, for years the government has been studying it. They put out a report. They promised action in the election campaign. We have heard not a word on the Healthy Child plan. We put together a proposal that shames the government's proposal, and the government has yet to take initiative or direction from that.

We have been talking about waiting list concerns in this province for year after year after year. The

government responded by putting in place a \$500,000 plan a couple of weeks before the election, and that plan was in place through the election and shortly after the election. Since that time I have asked the minister on numerous occasions, will you institute a plan that will deal with the serious problems and shortages regarding waiting lists in the province? There has been nothing, and the reason we have long waiting lists is, the government has refused to take action.

So the minister cannot stand up here and constantly say, oh, you are only being negative. We have made suggestion after suggestion, and it has fallen on deaf ears, because the government agenda is to cut services overall, to cut back health care, to put it down to a core of services, a small core of services that the government believes should be funded and the rest will be funded by individuals out of their pockets, and that is the destruction of medicare and health care as we know it. That is why we are fighting this fight and we will continue to speak up on behalf of all Manitobans in this regard.

**Mr. McCrae:** Oh, you are talking fast, David.

**Mr. Chomiak:** Further—the minister says I am talking fast, because I have a lot that I have to say in a short period of time, and I want to make clear to the minister that our opposition to this is fundamental to the nature of how we see government functioning.

No better example of that exists than the minister's poorly conceived regional health policy bill that is before this Chamber right now. It is so poorly conceived that virtually no one in the health care system has agreed with that plan, and we have said to the government, withdraw the bill, go back, meet with people in rural Manitoba, meet with people to talk about the terrible shortcomings of this bill, but still the government insists on ramming through the Legislature an ill-conceived, poorly planned, retroactive bill.

I only ask the minister, you know, the minister constantly refers to jurisdictions out of this province. I only ask the minister to look at Manitoba and to look at what you are doing to the health-care system and your poor management in this province of Manitoba. Take a step back. Talk to people that are on the front lines. Talk to patients. Do something about the longest waiting

list in the country. Do something about the fact that absolutely nobody who is a caregiver in this system has any confidence whatsoever in this government or this minister with respect to delivering health care. Talk to some of those people, talk to some of them and see how perhaps they can suggest that we improve the system.

Madam Speaker, the minister is going on a course of privatization in home care. We have raised that constantly in this House. The minister can deny all that he wants that they were intending to privatize 100 percent, but the minister's own Treasury Board submissions, signed off by the minister said, 100 percent privatization, and it said, user fees.

I am afraid we are going down that path, and—[interjection] The minister talks about the NDP report. It is the Treasury Board submission signed by the Minister of Health saying, user fees, and saying, we are going to privatize 100 percent. Fortunately, Manitobans stood up en masse and said no to the privatization of home care and they will continue to do so, and the minister and the government at its peril will continue down its path.

I ask the minister re-examine his August 20th proposals that are basically rehashes of the proposals of 1992 and attempt to put them in a new light, to go back to the public of Manitoba and get their input. Thank you very much.

**Mr. Mike Radcliffe (River Heights):** Thank you, Madam Speaker, for giving me this opportunity to put a few words on the record with regard to this resolution.

I am astounded at the temerity of our honourable colleagues on the opposite side of the House that they would have the audacity to present such an illusionary message to the people of Manitoba.

**An Honourable Member:** Illusory, Michael, illusory.

**Mr. Radcliffe:** Illusory, yes. I stand corrected by some of the honourable colleagues. That is right, she is a schoolteacher.

Madam Speaker, I think that one of the essential issues that is not being discussed here is that our government, the Filmon government, has put \$60 million more into

the Health budget than was originally contemplated. I do not know how many times we have to repeat this until our honourable colleagues, until it can penetrate their crania, that they will comprehend this issue. We are not cutting back on a global demonstration and presentation of health care. We are spending overall in our budget over one-third of our revenue on health care.

You look at the changing world today in the health care world, and I wanted to tell my honourable colleagues and my friends in this Chamber that I had the opportunity to go to St. Boniface Hospital with a colleague of mine and I had the opportunity to witness brain surgery. Perhaps that would be of benefit to some of my honourable colleagues on the other side of the House, I do not know, but I would not be so rash as to suggest that. Nonetheless, I saw cutting-edge technology.

If we are going to move ahead in this province and furnish accurate, technologically advanced, superior care to the people, we have to be changing the structure and the facilities that we have here in Manitoba.

\* (1650)

Madam Speaker, I stood in an operating room no more than two feet away, the distance I am from the honourable Minister of Housing and Urban Affairs (Mr. Reimer), and I watched somebody open, a physician open a thoracic cavity and I saw a person's heart beating right in front of me. [interjection] The honourable member for The Maples (Mr. Kowalski) is insinuating that—[interjection] The abuse and the slings and the arrows to which we are put in this Chamber are outrageous when you consider—

**An Honourable Member:** You should be a federal Liberal. Then you would know what abuse is.

**Mr. Radcliffe:** Madam Speaker, I had another opportunity to witness an operation or procedure over at the Pan Am clinic, when I saw a physician, a surgeon with arthroscopy insert a tube, two tubes into an individual's joint in their knee, and the whole joint was cast up on the television screen right in front of us, and he proceeded to cut out the damaged cartilage. These people walked into the Pan Am clinic, and I note that this is a for-profit facility, and I hesitate to use the p-word in the environs of our honourable colleagues over here, because I would not want to taint the environment in which they

operate. Nonetheless, this was a for-profit facility. These patients walked in in the morning. We had no more than a 40-minute operation of procedure. There was a spinal anesthetic. These people were wheeled out.

Madam Speaker, you know what fascinated me? I saw the surgeon perform this technical, high-precision process, surgery for these patients, and then the circulating nurse took the patient out, and he went into the recovery room. And then do you know what the surgeon did next? The surgeon that I saw went and got a pail and a mop and proceeded to wash the effluvia down the drain. Rather than employing another whole person to do this, the surgeon was standing around there, and he said, I can do this, I am multifaceted. God forbid that this would be written into a collective agreement, but if there was a job to be done, this physician did it.

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

**Madam Speaker:** Order, please.

**Mr. Radcliffe:** I think I should perhaps step up the volume to—

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

**Mr. Radcliffe:** Well then, Madam Speaker, I would ask my honourable colleagues on the other side not only if they can hear but if they are in fact listening, or if they can perceive the wisdom that is actually being laid before them. One would allude perhaps to that simile of casting pearls, but I would not want to be so salacious as to—

**An Honourable Member:** You would not want to call them a bunch of hogs.

**Mr. Radcliffe:** Now the honourable Minister of Health (Mr. McCrae) has perhaps been a little emotional here, Madam Speaker, but I would not want to repeat what he said.

But there was another aspect to this process in the Pan Am Clinic that I noted was that during the process of the surgery there was a post wheeled into the operating room and a sling put on the post. The patient's leg was inserted in the sling, and that held the limb while the

surgeon was operating on the person's limb. And do you know what that did? They called that the dumb orderly. And I do not mean that to be deprecating of any individual who would be assisting in such a procedure, but in this case, because they were running this operation as efficiently and as economically and as technologically advanced as one could, they were using machinery to replace outmoded and old-fashioned process. And this, I would suggest, is the wave of the future of where we are going with health care in this province.

I was told by the people who were operating this clinic that they could actually make a profit out of this process.

**An Honourable Member:** Oh, no. He did it again.

**Mr. Radcliffe:** I know, and this is-[interjection]

Madam Speaker, I see that this simulates the processor experience that we run through in the Supreme Court where the light flashes as they wrap up. So I will conclude by saying that-

**An Honourable Member:** No, the effluvia . . . .

**Mr. Radcliffe:** There is some effluvia emanating from the orifice of the honourable member for Crescentwood (Mr. Sale) on the other side of the Chamber, but I must advise this Chamber that I could in no way support this resolution and this should be voted out of hand immediately. I thank you, Madam Speaker, for this brief opportunity.

**Mr. Kevin Lamoureux (Inkster):** We support the resolution as it is being put on the Order Paper. This is an issue in which I can recall not that long ago, just a few months back, where we saw a government that was really doing a lot of damage within the health care area. Many would still argue today it is still doing some damage.

But, Madam Speaker, at the time, we attempted to introduce emergency debates. We tried to raise the issue during the Health Estimates, and we in fact argued and requested the Leader of the New Democratic Party to request an opposition day. So we were quite pleased that an opposition day was in fact requested, because we feel very strongly that the issues in which the resolution deal with are very important, critical. We wanted to have that debate back then.

Madam Speaker, even though a lot has happened since then, what I thought I would do is just focus a couple of minutes on the most recent development in terms of it as an issue that came up in today's Question Period, and that being the super-regional health boards that are being created by this minister through Bill 49.

Madam Speaker, I have argued in the past and will continue to argue into the future that in fact this is indeed a bad idea. It is duplication. That, in essence, we are going to see the community being taken out of our community health clinics.

The Leader of the New Democratic Party earlier today talked about the religious orders that are out there that are contributing in a very significant way, either nonreligious organizations to a certain degree that participate in our community health facilities, and how their efforts are in fact going to be marginalized, but also the way in this bill is going to be an additional cost and a complete duplication of services. Everything those superboards are doing, are being proposed to be doing, in fact can be done today through the Ministry of Health in the current community health boards.

Madam Speaker, that is why we questioned the minister today in Question Period. That is the reason why, in essence, we are going to continue to lobby this government and hold this government accountable for the administration of health care. We are not going to accept the passing of the buck or the passing of responsibilities, if you like, to our federal counterparts in Ottawa or now these newly created boards by this government. Ultimately this is the government that has to be held accountable for the actions and for the administration of health care in the province of Manitoba.

Madam Speaker, at the time of this opposition motion, we were looking very seriously at strikes that were occurring within health care, in particular, the home care services. We believe that the government has lost out on an opportunity in terms of getting nonprofit organizations more involved in the delivery of home care services which would have been the much more efficient caring way to deliver this particular service. In particular, we believe that our community health clinics could have played a leading role in the development of health care services.

Other issues facing health care today are indeed very serious. The whole way in which the reorganizing of our urban hospitals has been questioned no doubt will continue to be heavily scrutinized, but let there be no doubt that the Liberal Party will do whatever is possible from within its means to hold this government accountable for the actions it takes in health care. Thank you, Madam Speaker.

\* (1700)

**Mr. Tim Sale (Crescentwood):** Madam Speaker, I am pleased to rise in support of my colleague's resolution.

Madam Speaker, there is a long, long history of health policy evolution that has been well written about and well studied in the United States, Britain, Canada, other places in Europe as well, and I think that the direction of this literature very clearly points to the failure of this minister and this government in terms of its inability to manage effectively the scarce and valuable resources that we allocate for our health care.

Most fundamentally, Madam Speaker, this government has spent its time preoccupied with the machinery of health care delivery instead of with the needs of patients and the possibilities of changing health care delivery patterns by working with people and working with primary caregivers to change the demand for service. The government has been preoccupied, as have other Conservative governments in Canada, with the supply of services, with rationing supply, and so that is why my honourable colleague for Kildonan (Mr. Chomiak) points out that we have terribly long waiting lists. It is why we have shortages of doctors. They have been trying to ration supplies to squeeze the health care system.

Now, they have done this for two misguided reasons. One, they think that this will save money. Madam Speaker, it is very clear that this does not happen. The government has closed already over 600 hospital beds. They propose in their latest closures to close another 460, and yet, having closed those 600 hospital beds in Winnipeg, they have not reduced the spending at hospitals by one single dollar. They have not been able—in spite of laying off hundreds of staff, inconveniencing thousands of patients and reducing the quality of care for Manitobans, they still have not saved much money. So they have been wrong-headed in the

approach of trying to ration care, thinking that they could squeeze dollars out of the system in that way.

But, even more fundamentally, they ignored their own advice which they gave to themselves in 1992 in the previous Minister of Health's document, Quality Health for Manitobans: The Action Plan. Madam Speaker, that document, in its first chapter, correctly analyzed the problem and then cheerfully managed to completely ignore its own analysis in the second chapter. The document made it very clear that it was in the demand for health care, that is, how we help people to manage their own health, how we teach them preventive measures, how we provide primary health care, that the real possibility of changing the direction of health spending lies.

Therefore, Madam Speaker, when you ration care, when you propose to close hospitals, when you do not move to get our community clinics into the kind of shape that Quebec's and Ontario's and Saskatchewan's community clinics are in, when you ignore that possibility, when you do not touch private labs, you simply miss the boat in terms of what all of the government's own advisors told them in 1991 and '92, as well as what the rest of the developed world says about changing the spending patterns in health care.

Madam Speaker, this government has failed utterly to manage the resources that Manitobans have entrusted them with. They failed on the emergency room issue. They failed by proposing first to close some hospitals and then realizing that that was not possible. They have managed to completely mess up the implementation of their Pharmacare program—absolutely ludicrous that they have put Manitobans in a situation where \$19 million more has been spent when they talked about saving, and yet, in the midst of having spent that much money more from Manitoba taxpayers, we have also put a lot of families in financial hardship who no longer can get the Pharmacare coverage on which they depended. I think particularly of diabetic patients, whose costs have skyrocketed, particularly if they have any kind of reasonable income at all; many diabetics, of course, do. They are suddenly paying thousands of dollars more for health care this year than they were last.

Madam Speaker, I want to talk particularly about the failure around the community-based options. It is very, very clear that Evelyn Shapiro knows what she is talking

about. She has a publication record as long as your arm, and she is internationally sought out as an expert in the whole area of geriatric care. She and others have pointed out that it is not just the high-need care that one must provide to people who require home care, that is the Minister of Health (Mr. McCrae) has taken great delight in pointing out that the patients getting home care are sicker, they are more acute, they need a higher level of care. That is true, and that is useful, but when you cut out the services that enable seniors to stay in their homes in the first place, you simply invite the institutionalization which we have tried to avoid in this province and which, until this minister got his hands on the system, we were doing a fairly good job at.

Madam Speaker, you have to provide the home attendant services, the upkeep of stairs and the shovelling of sidewalks and the maintenance of the basic house or apartment itself so that it is a safe place for a senior to live in. If it remains that way, their demands for health care will be much lower. If you wait until they get good and sick and then have to provide them with very high levels of care, which the government is now committed to doing—this government has jeopardized the health care system in another more fundamental way by destroying Manitobans' confidence in the health care system, and I know their confidence has been destroyed because I have spoken with many, many of them at the door here in Winnipeg and in other communities in Manitoba.

The minister has succeeded in getting many Manitobans to start investigating private insurance. The minister has succeeded in creating a market for private top-up insurance where none existed and none ought to exist in this country of ours. He has made people fearful that they cannot count on medicare, and so, out of desperate concern for themselves and their families, more and more Manitobans are buying private insurance in order to assure themselves of care they do not believe will be available through their medicare system in future. That, Madam Speaker, is what will destroy our system quicker than anything else, because, as average Manitobans lose confidence in their health care system and begin to buy private insurance, they resent even more paying for the system which they cannot count on. So the underlying cement that has glued our medicare system together begins to erode and soften, and medicare itself begins to come apart, because no longer can Manitobans be assured that they will get the care which they formerly

could count on and on which they absolutely depend for their quality of life in this province.

So the minister has created the conditions for the end of medicare through his mismanagement and his government's mismanagement. He is setting the ground for user fees. He is setting the ground for de-insuring services. He is creating the grounds in which seniors will no longer have confidence that they can in fact afford to maintain their own homes. They will wind up, just as American seniors do, losing their assets to the user fees of that absolutely horrible system to the south of us, Madam Speaker. This minister is creating the grounds for that system to grow in a very unhealthy way in this province. So I am very pleased to support this resolution.

We need this government to take a step back, particularly from the regionalization bill on which I want to close my comments, Madam Speaker. I think it is not inadvisable to use the word "totalitarian" when we talk about the regionalization bill because, when the minister and the government put themselves in the position of being the funder of the service, the determiner of its standards, the director of the clinical service, the evaluator of the service and the keeper of the data, we have a perfect circle here. Nothing escapes to the public's scrutiny. We have gotten rid of volunteers. We have gotten rid of accountable board members. We have gotten rid of the possibility of holding the government accountable because they control every element of this system.

They have failed to provide an adequate health care system. They have failed to provide an accountable health care system. Now, in their failure, they are going to take total control, just like they did with the Child and Family Services system, where they killed all the volunteers, took all of the services in-house, and prevent any kind of real information about the damage being done to children escaping for public scrutiny. That is a very serious and detrimental direction in which the government is taking our health care system. The government should be condemned for this. It is a totalitarian bill, and it must be defeated, Madam Speaker. It should be withdrawn. It must be defeated. I thank you for the opportunity to put these comments on the record.

**Mr. Peter Dyck (Pembina):** Madam Speaker, I am pleased to rise in the House this afternoon to speak in opposition to that resolution. The reason that I stand here to speak in opposition is to illustrate to the members opposite that in fact our government has spent \$60 million more in health care this past year than they did in the previous year.

Madam Speaker, 33.4 percent of our budget, and our budget being \$5.5 billion, is being spent on health care, and if that is not a deep commitment towards health care, I do not know what is. So I believe that in fact our minister, our government, is taking the whole area of health care extremely seriously.

The other thing that I listened to intently in the last few minutes was the comments made regarding dollars spent on projects in this province. I believe that, again, our Health minister has taken a good look at the capital project within the province and, in taking a good look at them, has not used the political process in order just to put projects out there. So I believe that we are looking very seriously and very carefully at all aspects in our health care system, whether they relate towards personal use of it or whether they relate towards other projects.

Madam Speaker, I would like to just add a few more things to the record, and that is my own personal experience this past year with our health care facilities and the care that I received. On June 8, I was diagnosed as having necrotizing fasciitis.

**An Honourable Member:** What is that?

**Mr. Dyck:** That is a disease known commonly as the flesh-eating disease, and we have the calibre of physicians within our community who are able to detect the problem. They were able to do this within a matter of hours. From the first feeling of something that was wrong, of pain that I felt just below my kneecap, within six hours, the doctors were operating. That is our health care system. It is a system that is able to act expeditiously, very quickly, and I just want to pay a special tribute to the two doctors who were present at the time of the surgery. They are Dr. Jacobs and Dr. Bob Menzies. These doctors had the ability to diagnose, they had the ability to act, but further to that, they also had the ability to call in the staff immediately to assist them. It

was not a procedure where they needed to wait for hours and hours, but it was done immediately.

Again, I oppose a resolution here stating that our health care system, in fact, is being cut back to the point where they cannot act. I have experienced exactly the opposite; I have experienced tremendous results in our medical system.

So I just want to put those few comments on the record just again to show that our medical system is, in fact, intact and is working well. I just want to mention that and give this information to the members opposite, so that they know what is taking place. Thank you very much, Madam Speaker.

**Mr. Gerry McAlpine (Sturgeon Creek):** Madam Speaker, I, too, am a little dismayed at the resolution, when we talk about health care in terms of our commitment as a government and what this government has done and the care and the concern that we put to the health care system in Manitoba. It has been said before, but it does not appear to be sinking in in terms of the amount of money that is spent in the province of Manitoba on the health care budget.

**Madam Speaker:** Order, please. As previously agreed and in accordance with subrule 22(12), the Speaker shall interrupt the proceedings and forthwith put the question.

The question is the motion that has been moved by the honourable member for Thompson (Mr. Ashton),

BE IT RESOLVED that this House condemn the provincial government for seriously jeopardizing the future of our health care system by privatizing home care, making dramatic cuts to Pharmacare, making major cuts to our hospital system and eliminating coverage for such services as eye examinations.

#### Voice Vote

**Madam Speaker:** All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

**Madam Speaker:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

*Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers.*

**Madam Speaker:** In my opinion, the Nays have it.

**Nays**

**Formal Vote**

**Mr. Steve Ashton (Opposition House Leader):** Yeas and Nays, Madam Speaker.

**Madam Speaker:** A recorded vote has been requested. Call in the members.

**Division**

*A RECORDED VOTE was taken, the result being as follows:*

**Yea**s

*Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lamoureux, Lathlin,*

*Cummings, Derkach, Downey, Dyck, Enns, Ernst, Filmon, Findlay, Gilleshammer, Helwer, Laurendeau, McAlpine, McCrae, Mitchelson, Newman, Pallister, Penner, Pitura, Praznik, Radcliffe, Reimer, Render, Rocan, Stefanson, Sveinson, Toews, Tweed, Vodrey.*

**Mr. Clerk (William Remnant):** Yeas 24, Nays 28.

**Madam Speaker:** The motion is accordingly defeated.

**Hon. Jim Ernst (Government House Leader):** There may be a will, Madam Speaker, to call it 5:30.

**Madam Speaker:** Is it the will of the House to call it 5:30? [agreed]

The hour being 5:30 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

# **LEGISLATIVE ASSEMBLY OF MANITOBA**

Tuesday, October 1, 1996

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