



Fourth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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The Honourable Louise M. Dacquay
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHOU, David	Portage la Prairie	P.C.
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, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupertsland	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.
Vacant	Charleswood	

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 10, 1997

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Women's Resource Centres

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

An Honourable Member: Yes.

Madam Speaker: Yes. The Clerk will read.

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

THAT the Evergreen Women's Resource Centre provides services which focus on prevention and intervention in domestic abuse for communities within a 100 kilometre radius; and

THAT with only partial funding from the provincial government, Family Dispute Services, in the amount of \$37,600 and some funding from the communities it serves, the Evergreen Women's Resource Centre hires three part-time employees and provides telephone, counselling, training and seminar facilities in addition to education, information and outreach programming; and

THAT Evergreen Women's Resource Centre is also involved in referral services on a crisis intervention and second stage outreach level; and

THAT for years, the Evergreen Women's Resource Centre has struggled to provide these vital programs and services with limited funding or commitment from the provincial government; and

THAT during the 1995 provincial election, the Filmon government said, "The safety and security of the individual, our families and our communities is vital to the quality of our life."; and

THAT if the Filmon government is really committed to that statement, it must back it up with funding for the agencies that provide services to make it a reality.

WHEREFORE YOUR PETITIONERS HUMBLY PRAY that the Legislative Assembly of Manitoba urge the Filmon government to consider providing long-term, adequate and stable funding for the Evergreen Women's Resource Centre and other Women's Resource Centres in the province to ensure that the vital services provided by these organizations are continued.

Madam Speaker: I have reviewed the petition of the honourable member for Osborne (Ms. McGifford). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT the Evergreen Women's Resource Centre provides services which focus on prevention and intervention in domestic abuse for communities within a 100 kilometre radius; and

THAT with only partial funding from the provincial government, Family Dispute Services, in the amount of \$37,600 and some funding from the communities it serves, the Evergreen Women's Resource Centre hires three part-time employees and provides telephone, counselling, training, and seminar facilities in addition to education, information and outreach programming; and

THAT Evergreen Women's Resource Centre is also involved in referral services on a crisis intervention and second stage outreach level; and

THAT for years, the Evergreen Women's Resource Centre has struggled to provide these vital programs

and services with limited funding or commitment from the provincial government; and

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* (1335)

Madam Speaker: I have reviewed the petition of the honourable member for Swan River (Ms. Wowchuk). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT the Evergreen Women's Resource Centre provides services which focus on prevention and intervention in domestic abuse for communities within a 100 kilometre radius; and

THAT with only partial funding from the provincial government, Family Dispute Services, in the amount of \$37,600 and some funding from the communities it serves, the Evergreen Women's Resource Centre hires three part-time employees and provides telephone, counselling, training, and seminar facilities in addition to education, information and outreach programming; and

THAT Evergreen Women's Resource Centre is also involved in referral services on a crisis intervention and second stage outreach level; and

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Madam Speaker: I have reviewed the petition of the honourable member for Wellington (Ms. Barrett), and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

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THAT with only partial funding from the provincial government, Family Dispute Services, in the amount of \$37,600 and some funding from the communities it serves, the Evergreen Women's Resource Centre hires three part-time employees and provides telephone, counselling, training and seminar facilities in addition to education, information and outreach programming; and

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THAT for years, the Evergreen Women's Resource Centre has struggled to provide these vital programs and services with limited funding or commitment from the provincial government; and

THAT during the 1995 provincial election, the Filmon government said, "The safety and security of the individual, our families and our communities is vital to the quality of our life."; and

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WHEREFORE YOUR PETITIONERS HUMBLYPRAY that the Legislative Assembly of Manitoba urge the Filmon government to consider providing long-term, adequate and stable funding for the Evergreen Women's Resource Centre and other Women's Resource Centres in the province to ensure that the vital services provided by these organizations are continued.

* (1340)

Madam Speaker: I have reviewed the petition of the honourable member for the Interlake (Mr. Clif Evans) and it complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT the Evergreen Women's Resource Centre provides services which focus on prevention and intervention in domestic abuse for communities within a 100 kilometre radius; and

THAT with only partial funding from the provincial government, Family Dispute Services, in the amount of \$37,600 and some funding from the communities it serves, the Evergreen Women's Resource Centre hires three part-time employees and provides telephone, counselling, training and seminar facilities in addition to education, information and outreach programming; and

THAT Evergreen Women's Resource Centre is also involved in referral services on a crisis intervention and second stage outreach level; and

THAT for years, the Evergreen Women's Resource Centre has struggled to provide these vital programs and services with limited funding or commitment from the provincial government; and

THAT during the 1995 provincial election, the Filmon government said, "The safety and security of the individual, our families and our communities is vital to the quality of our life."; and

THAT if the Filmon government is really committed to that statement, it must back it up with funding for the agencies that provide services to make it a reality.

WHEREFORE YOUR PETITIONERS HUMBLYPRAY that the Legislative Assembly of Manitoba urge the Filmon government to consider providing long-term, adequate and stable funding for the Evergreen Women's Resource Centre and other Women's Resource Centres in the province to ensure that the vital services provided by these organizations are continued.

TABLEING OF REPORTS

Hon. Eric Stefanson (Minister of Finance): Madam Speaker, I have a number of reports to table, starting with the Manitoba Lotteries Corporation Annual Report for 1996-97; the Manitoba Lotteries Corporation First Quarter Report for April to June, 1997; Manitoba Lotteries Corporation Second Quarter Report for April to September 1997.

Manitoba Public Insurance Corporation Quarterly Report ended August '97; Crown Corporations Council Annual Report for 1996; Province of Manitoba Quarterly Financial Reports, April to June of '97; and the Annual Report for 1996-97 for Finance; Special Operating Agencies Financing Authority for '96-97; Other Appropriations for '96-97; Canada/Manitoba Infrastructure Works for '96-97; Community Support Programs for '96-97; Sport for '96-97.

The Fiscal Stabilization Fund for '96-97; Manitoba Foundation for '96-97; Public Accounts, Volumes 1 to

4, for 1996-97, as well as the Provincial Auditor Operations of the Office to March 31st, 1997; The Provincial Auditor Value-for-Money Audits in the Autumn of 1997; The Manitoba Hospital Capital Financing Authority of March 31, '97; Additional Expenditure Authorities for March 31, '97, and finally, The Required Statement in Accordance with Section 20 of The Public Officers Act.

Thank you, Madam Speaker.

Hon. James McCrae (Minister of Environment): Madam Speaker, I am pleased to table the Annual Report for 1996-97 of the Department of Environment, and I am tabling today the Annual Report for '96-97 of the Sustainable Development Innovations Fund.

Introduction of Guests

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have this afternoon eight English as a Second Language students from Red River Community College under the direction of Ms. Christina Gryz. This school is located in the constituency of the honourable member for Wellington (Ms. Barrett).

We also have forty-four Grade 5 students from St. Andrews School under the direction of Mrs. Sandra Mulholland and Mrs. Judy Maryniuk. This school is located in the constituency of the honourable member for Selkirk (Mr. Dewar).

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

* (1345)

ORAL QUESTION PERIOD

Manitoba Telecom Services Rate Increase

Mr. Gary Doer (Leader of the Opposition): On October 31, 1996, the Premier stated in this House that if a favourable tax ruling was arrived at by Revenue Canada dealing with the MTS employee pension fund, that would in fact allow us to instead of having

increases in phone rates, Madam Speaker—the Premier stated that that would forestall rate increases here in the province of Manitoba. In light of the fact that MTS is now applying for a \$3-a-month rate increase for the province of Manitoba, was the Premier misled by MTS when he made that statement or did the Premier mislead this House when he made that statement last year?

Hon. Gary Filmon (Premier): Neither. The fact of the matter is that rate increases are being applied for right across Canada. In fact, the rate increases that are being proposed in Saskatchewan, I think, vary from something like \$4.25 per month to \$6.25 a month.

Mr. Doer: I am sure the ratepayers in Saskatchewan will have lower rates than Manitoba after this government has—this rate increase is concluded, this applied rate increase.

Madam Speaker, on June 13 of 1997, the Manitoba Telephone submission to the CRTC says that the benefit from the tax ruling on employee pensions should go as a shareholder entitlement to the private shareholders of MTS, which totally contradicts the Premier's promise in this Legislature.

I would like to ask the Premier: why has he not kept his word with the consumers of Manitoba, and why has he not intervened at the CRTC to say that he committed himself to having that benefit there to forestall rate increases rather than going to his friends who are the private shareholders of the new telephone system?

Mr. Filmon: Madam Speaker, I believe the member opposite is misleading the House, although not deliberately, in the way in which he is putting that statement. My understanding is that the application to CRTC is asking for a small portion of the benefit to be applied to the shareholders, but even there CRTC must rule on it. They may well, in their wisdom, rule that all of it, not just 80 percent, has to be applied to the reduction of rates, to the general revenues and the benefit of the corporation.

Mr. Doer: Madam Speaker, the employee pension plan was paid for between the years of 1961 and 1996 by the consumers of Manitoba. It is our view, and the view that was stated in this House a year ago by the Premier, that 100 percent of that benefit should go to

the Manitoba consumers. No portion should go to the shareholder entitlement.

When questioned about this at the CRTC hearings, Manitoba Telephone System said that the commitments made by the Premier of the province were irrelevant for purposes of making decisions at the CRTC. Will this Premier now state to the CRTC, as he should have a year ago as we asked him, that his words in this House were relevant and the benefits from the employee pension plan and those entitlements should go a hundred percent to forestall rate increases in Manitoba, not any portion of it should not go to his friends that are private shareholders, contrary to his word in this Legislature last year?

Mr. Filmon: Madam Speaker, I believe that the benefit should go to the ratepayers, and I believe that CRTC will definitely take that into account.

Conflict of Interest Former Assistant Deputy Minister

Mr. Doug Martindale (Burrows): Madam Speaker, the Premier is aware that the former assistant deputy minister for income assistance negotiated a contract, while he was the assistant deputy minister, with IBM, then subsequently left the department and went to work for IBM and was found to be working on the same contract and in contact with government officials.

I would like to ask the Premier—who has some familiarity with IBM; he was a guest in Atlanta at their expense until he was caught and reimbursed IBM—if this is the kind of leadership he is providing to his ministers or whether he realizes that this is a conflict and a violation of The Conflict of Interest Act.

Hon. Gary Filmon (Premier): Madam Speaker, I think, as a man of the cloth, the member for Burrows does himself a disservice by the kinds of allegations and false accusations that he makes here in the House.

I attended at the Olympics as part of the delegation of the Pan American Games, a matter that is well known from Winnipeg. Any portion of any expenses that was paid in Atlanta for my housing was paid by me, Madam Speaker. The member opposite can do whatever he wants to try and colour the truth, but the facts are on the record.

* (1350)

Point of Order

Mr. Steve Ashton (Opposition House Leader): Once again, Madam Speaker, the Premier is engaging in the kinds of personal attacks—

Some Honourable Members: Oh, oh.

Mr. Ashton: Well, to talk about the member who asked the question, Madam Speaker, who indeed is a man of the cloth—in the end, we are all honourable members in this House. Even the Premier gets treated as an honourable member, and I would like to ask you to caution the minister about the choice of his words. Instead of answering the question, he chose to attack the member. That is absolutely unacceptable.

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

Mr. Filmon: Yes, Madam Speaker, if the member for Burrows objects to being called a man of the cloth, then I withdraw that reference.

Madam Speaker: I thank the honourable First Minister. The point of order has been dealt with.

* * *

Mr. Martindale: Madam Speaker, I do not think the First Minister understands The Conflict of Interest Act, so I would like to table three copies of Sections 19(2) and 19(3) which specifically state that no former civil servant is to have any contact or act on behalf of a company—

Madam Speaker: Order, please. I would remind the honourable member for Burrows that on a supplementary question, there is to be no preamble. Would you please pose your question now.

Mr. Martindale: I would like to repeat the same question to the Premier and get an answer this time, and that is: does he understand and appreciate that this former civil servant, who now works for IBM, attended meetings, meetings that have been confirmed by the deputy minister on the same topic, the one-tier welfare

system, that are clearly a violation of The Conflict of Interest Act, whereby he is supposed to have no dealings with the government for a one-year period. Is this the kind of leadership that this Premier is providing to his ministers?

Hon. Bonnie Mitchelson (Minister of Family Services): I thank the honourable member for the question because it allows me to clarify the record and indicate, Madam Speaker, that it is the Civil Service Commission that has the conflict-of-interest guidelines and manages those. The Department of Family Services checked with the Civil Service Commission for recommendations on how to deal with Doug Sexsmith, and those rules were followed.

Mr. Martindale: Madam Speaker, I would like to table pages from the request for proposals— [interjection] I am tabling pages from the request for proposals which say that the proposals are to be mailed to Mr. Doug Sexsmith—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Point of Order

Hon. James McCrae (Government House Leader): Madam Speaker, the honourable member for Thompson—

Madam Speaker: On a point of order?

Mr. McCrae: On a point of order. The honourable member for Thompson (Mr. Ashton) rises daily to remind the House of the rules of this place and some of the appropriate texts that go along with that. The guidelines that Speakers have followed with respect to the putting of questions in Question Period are well known but often breached, that being: the first question, there is more latitude; the second question is straight question with no preamble or anything else, and that certainly would not include a tabling in a subsequent question. If the honourable member—the appropriate way, if he wants to table something at a time when the rules do not allow for that, would be to ask for leave for that to happen.

The reason I rise has more to do with reminding honourable members opposite, who rise so often on points of order, that they are quite capable of breaching the rules of this place and do so more often than anybody else around here.

* (1355)

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

Mr. Ashton: Madam Speaker, on the same point of order, we are getting used to this government denying our ability to operate in this House. We were denied our ability to speak on the sale of MTS. Now they want to deny us the opportunity to table documents which are relevant to the very important question raised by the Minister of Family Services.

While on my feet on this point of order, Madam Speaker, I would like to ask you once again to call the First Minister (Mr. Filmon) to order, who talked about a member on our side being such a little man. I am wondering if I can raise that. I know we may not get him to withdraw it for another year or so, knowing his track record on this, but we expect this minister to stop making those kinds of abusive comments. We also expect that we should have the right to table documents, something that has been a long-standing tradition in this House, on any question that we ask in Question Period.

Madam Speaker: Order, please. On the point of order raised by the honourable government House leader, there is nothing that precludes a member from tabling a document. However, I would remind the honourable member for Burrows that he should not be reading from the document he is tabling when he is about to pose a second or third supplementary question.

* * *

Mr. Martindale: Madam Speaker, I would like to table another document, a page from Hansard, and ask the minister—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I would ask for the co-operation of all honourable members to not interrupt

once a member has been recognized to either pose or respond to a question. The honourable member for Burrows was recognized to pose his question and was rudely interrupted.

Mr. Martindale: Thank you, Madam Speaker. I would like to ask the Minister of Family Services or the Premier (Mr. Filmon), who apparently has not learned anything from the Mike Bessey affair, whether or not they understand and whether either of them can explain why Mr. Sexsmith received the proposals, worked on the proposals, went to work for IBM, attended meetings with department staff, even though the minister, in Estimates, said he is working across the country for IBM and he is not doing anything with the province of Manitoba. Can the minister explain that?

Mrs. Mitchelson: Madam Speaker, I will indicate to all members of this House exactly what did happen. Mr. Doug Sexsmith tendered his resignation on November 25, 1996. On November 29, 1996, the Civil Service Commission provided direction regarding the provincial government's conflict-of-interest guidelines regarding Mr. Sexsmith. He began attending some one-tier welfare project meetings in a resource capacity on July 2, 1997, following conclusion of negotiations with IBM and the signing of a term sheet that was dated on June 26, 1997.

If members opposite would grant me a little bit of extra time, I will read into the record what the Civil Service Commission did say when they contacted the department after November of 1996: Mr. Sexsmith is precluded for a period of one year from using his influence to secure new business for IBM. Mr. Sexsmith cannot involve himself in ongoing contractual discussions between IBM and the Manitoba government with respect to one-tier and better systems for a period of one year. He could, however, be involved in internal IBM discussions regarding these matters. Number 3, Mr. Sexsmith could also play an internal advisory role with IBM on how it may conduct its affairs with the Manitoba government. Number 4, Mr. Sexsmith would be permitted to play a more visible role with IBM in its dealings with the Manitoba government with respect to implementation of one-tier once negotiations of these matters have been concluded. Madam Speaker, negotiations were concluded when he became involved.

Physician Recruitment—The Pas Relocation Costs

Mr. Oscar Lathlin (The Pas): Madam Speaker, I would like to ask the Minister of Health a question regarding the shortage of physicians up north in The Pas. I have sat here and I have listened to the minister talk about his plans to recruit physicians for rural and northern Manitoba, and every time I listen to him I get encouraged for one day and then, of course, the next day I see that nothing is happening.

I would like to ask him specifically—The Pas, people in that community have been working very hard in the last little while trying to recruit doctors. Apparently they have three doctors from South Africa who are willing to relocate to The Pas, but they are running short of money because apparently the regional health authority does not have any money to pay for some of the relocation costs, and now they are stuck. I would like to ask the minister: will he come to the aid of The Pas and put some money into the regional health authority or instruct the regional health authority to help pay for the cost instead of relying on the community financially to help with the recruiting process, as the CEO of the Norman Region apparently told the community?

Hon. Darren Praznik (Minister of Health): Madam Speaker, first of all, my understanding is the same as the member's, that as a result of some of the initiatives in recruiting physicians to fill a variety of gaps in our system, some doctors have been identified to fill positions in that area. With respect to relocation costs and those types of matters, it has always been, going back many, many years in this province, a responsibility of a local community or institution to provide funds and assistance to bring doctors into their communities. That is not a new policy; that is not a change. In fact, the only change that has probably happened in our recruitment policy is that the ministry is now taking a more active role indirectly moving towards recruitment and dealing with the college.

So that has been a part of the traditional practice in our province going back over a number of governments over many decades in the recruitment of physicians to communities. I know that the mayor of The Pas has very publicly expressed interest from time to time in

involvement in the health care issues, and so I would hope that there is a willingness there within the community to be part of that strategy to recruit and, very importantly, retain physicians.

* (1400)

Mr. Lathlin: Madam Speaker, the point I want to make to the minister is some communities are in a position to pay for the cost of recruiting doctors; some communities just do not have the means with which to do it. I am asking the minister to help The Pas by way of financially supporting the recruitment process.

Mr. Praznik: Madam Speaker, we have been very much involved in assisting in the recruiting process by putting some resources into—rather than leaving communities, as has traditionally been the case. Going back over a number of governments, the recruitment issue by and large has been left to communities, so we have put a variety of resources recently into recruiting and identifying physicians to come here. We have also put in place with our new emergency services agreement I think a better tool to help finance doctors when they arrive in providing them with a better income.

We are also working on some new models with the Manitoba Medical Association in making it easier and faster to get doctors into communities with an income that makes it attractive to stay there, but there is an obligation. We do appreciate that some communities are in different financial situations than others, and as we develop and work through this, we certainly want to pay heed and attention to that. But I know the mayor of The Pas has actively expressed, on many occasions, his desire to be involved in health care issues, et cetera, and I would hope that he and his council now have an opportunity to play a positive role in recruiting and retaining physicians, and I would hope they would be there when their services are in fact required by their community.

Gurprem Dhaliwal Sentence Appeal

Mr. Eric Robinson (Rupertsland): Madam Speaker, last week three days running I asked questions with respect to the murder of Carol Hastings of Oxford

House to the Minister of Justice. Unfortunately, the minister had business out of the province, something I do respect. I did table a letter last week from the Okimow family of Oxford House and how they were outraged about the lack of communication that came their way with respect to the eventual conviction and sentencing of Mr. Dhaliwal.

I would like to ask the minister today if he has read that letter from the Okimow family and if he is prepared today to apologize publicly to the Okimow family and also appeal the sentence.

Hon. Vic Toews (Minister of Justice and Attorney General): Madam Speaker, of course, as we know, that was a very tragic death, and we certainly feel for the Okimow family. Being in Thompson, however, yesterday, I had occasion to speak with a number of people, including the RCMP, including victim services, and they expressed deep concerns about the misrepresentations that the member was making to the House here. I certainly think that he should be getting his facts correct before he makes the types of misrepresentations that he has been making.

Point of Order

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

The member for Rupertsland asked on behalf of the family for the minister to apologize for making statements in the House last week which misrepresented the family's position. This was a misrepresentation by the minister, nothing to do with the member for Rupertsland. In his answer, there was not one reference to the family, not one reference to the fact they were not happy with the disposition of the case and not the most appropriate thing, which was an absolute apology from that minister to the member for Rupertsland and the family for raising legitimate concerns about the case—the way it was dealt.

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

Mr. Toews: On the same point of order, I was simply giving the member from Churchill an opportunity to correct the misrepresentations that he has been making on the record. I certainly have given him the opportunity to do so, and I trust that he will.

Independent Inquiry

Mr. Eric Robinson (Rupert's Land): Madam Speaker, I think it is totally disrespectful, the comments that I hear from the Minister of Justice towards the Okimow family and aboriginal people in general.

Madam Speaker, I would like to thank you for the latitude. Sometimes we do not have an opportunity to respond to these silly statements that are sometimes made on the government side.

Obviously the government has not read the Aboriginal Justice Inquiry. I would like to ask the minister if he is prepared to launch an external inquiry to examine the circumstances around this case.

Hon. Vic Toews (Minister of Justice and Attorney General): Madam Speaker, I certainly have looked into this entire situation, both the involvement of the victims' services workers since July of this year, indeed the RCMP were involved with the family from the day of the discovery of the deceased's body, and indeed as late as December 4, the RCMP advised that the mother and the father of this deceased were upset about people coming to see them and putting words in their mouth. They indicated to the RCMP that they were not interested in an appeal, that they are satisfied with the sentence, and indeed even the Oxford House council indicated that they were not supporting Mr. Robinson's attempt to an appeal of the sentence.

Now, I have given this individual opportunity. I can tell you that the victims' services branch and the RCMP were very upset that members in this House called them racists. They were very upset about that.

* * *

Madam Speaker: Order, please. With the indulgence of the honourable member for Rupert's Land and for the record, I would like to address the point of order raised by the honourable member for Thompson (Mr.

Ashton). I apologize to the House; I neglected to make a statement.

I would remind all honourable members that this is a very sensitive issue and to use extreme courtesy and caution when both posing questions and dealing with responses. I would also remind the honourable minister to respond to the question asked and not provoke debate.

* * *

Mr. Robinson: Thank you very much, Madam Speaker, for your ruling. Obviously, the minister has not read the letter that I received from the Okimow family, so I will ask him to indulge in reading that letter. I get my information directly from the victims.

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

Mr. Robinson: Madam Speaker, I will table that letter again for the minister to read.

Simply, my question is: will he launch an independent inquiry, an outside, an external inquiry to examine the circumstances? Obviously, that was not done.

Mr. Toews: Madam Speaker, I appreciate that this is a very sensitive issue. I think some of the facts should be placed on the record in terms of the constant input by the RCMP, the victims' services office and indeed the Crown's office in respect of this particular case. Indeed—[interjection] Now, I know they do not want to hear the answer, but I am prepared to give the answer in any event.

The information that I have received is that the police updated the family daily upon the discovery of the deceased's body, and after Mr. Dhaliwal was returned to Manitoba the RCMP contacted the family on a weekly basis, sometimes several times a week. On July 17, 1997, was when victims' services became involved in this matter. On November 28, there was a meeting with 22 people—22 people to discuss this issue.

* (1410)

Point of Order

Mr. Steve Ashton (Opposition House Leader): A point of order, Madam Speaker. I will again appeal to you to call the minister to order. He is violating Beausnes Citation 417.

The question that was asked was a call for an inquiry. What the minister is doing is putting events which—we welcome the information placed on the record, but I get the feeling the minister does not even recall the initial questions from the member for Rupertsland, because the basic concern that was raised a week ago was whether the family was satisfied with the sentence and the plea bargain, not whether there was contact between the family and the RCMP and victims' services.

I would suggest that the minister answer the question and not try and question the integrity of the member for Rupertsland, who is the only one who has taken the opportunity here, not the minister, to talk to the family and is speaking out on behalf of that family.

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

Mr. Toews: Madam Speaker, I was simply trying to clarify the facts here. It appears that the facts that the member from Churchill put on the record yesterday—

An Honourable Member: Rupertsland.

Mr. Toews: Rupertsland, I am sorry—were not correct. I was simply putting the discussion into a context. So, Madam Speaker, there were allegations made in respect of a letter that was tendered in the context of the question, and I was simply responding to that aspect of the question.

Madam Speaker: Order, please. On the point of order raised by the honourable member for Thompson, indeed there is a point of order. I would ask that the minister respond specifically to the question asked.

Urban Shared Services Corporation Meals on Wheels

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Minister of Health.

Earlier this afternoon I had lunch with actually a volunteer for Meals on Wheels, and he indicated that one of the things that Meals on Wheels do is they go to the local community hospitals and they pick up meals to bring to individuals that are unable to otherwise have those meals.

My question to the minister is: can he in fact tell us how his decision to have hospitals no longer cooking meals will impact the good work and the efforts by many volunteers in delivering those meals?

Hon. Darren Praznik (Minister of Health): First of all, Madam Speaker, Urban Shared Services was a creation of the nine Winnipeg hospitals and is part of their efforts to streamline their operations. I am not saying I do not support their efforts; I do. This was a decision made by them, as opposed to one that was directly made in the Ministry of Health.

One of the questions that we have put to Urban Shared Services was the Meals on Wheels program, and it is my understanding that the meals for that program will be provided through the centralized operation of Urban Shared Services. So it will continue, Madam Speaker.

Mr. Lamoureux: Madam Speaker, will the Minister of Health then assure this Chamber that in fact there will not be any interruption to those individuals that need and rely on those meals?

Mr. Praznik: Madam Speaker, one of the benefits of this whole plan that Urban Shared Services has put together is by building a new centralized facility in the St. Boniface industrial park, it allows them to get that facility in operation and have a smooth transition before the current system of providing meals is phased out.

If we had proceeded to rebuild, and I think the estimated cost is somewhere in the neighbourhood of \$35 million of new capital that would have been required to refurbish existing kitchens, Madam Speaker, capital that we would much rather see invested in other places, during courses of renovation, it would have been more difficult to ensure continued services. So one of the benefits here is the smooth transition that this allows.

Mr. Lamoureux: Madam Speaker, what I am hearing is an assurance of a firm yes, that that will in fact occur.

Can the minister indicate to this House that he will instruct or request the Urban Shared Services Corporation to facilitate the community volunteers' desire not to have to go to a particular central location? This way we do not lose our volunteers in having them circulate the meals to people's homes.

Mr. Praznik: Madam Speaker, I am not familiar with the exact detail of how that will work out, but given the fact that I understand there will be regular deliveries to facilities throughout the day, I am sure that these matters can be worked out amicably between those who are delivering the service and running the program and those who are providing the food.

I thank him for raising this matter. This is one of a number of details for which people have, I think, very legitimate questions that require answers, and I will ensure that one is provided for the member with the specifics. I thank him for the question.

Multilateral Agreement on Investment Impact on Social Services

Mr. Gregory Dewar (Selkirk): Madam Speaker, my questions are for the Premier (Mr. Filmon).

I would like to table a legal opinion on the federal government's negotiating position on the Multilateral Agreement on Investment. This opinion is registered by a New York-based law firm that specializes in international law. It concludes that the Canadian government's reservations on the MAI are inadequate. It shows that the provincial government's commitments to protecting our health care, education, culture and the environment could in fact be undermined by the federal government's position on this treaty.

My question is to the minister: will he instruct his negotiator to reject the treaty in its current form, given that it undermines the province's ability to protect our environment, our health care, education and culture?

Hon. James Downey (Minister of Industry, Trade and Tourism): It is my understanding, Madam Speaker, there is no final agreement reached.

We have clearly indicated that we do not want anything that would jeopardize the province of Manitoba in any negotiations the federal government is carrying out, and we have basically used the NAFTA agreement as the guidelines as to which we are prepared to accept what is in the NAFTA agreement, nothing more.

Legal Opinion Request

Mr. Gregory Dewar (Selkirk): Madam Speaker, the Premier (Mr. Filmon) then, will he review that legal document that I provided them? Would he seek an independent legal opinion, and would he table that in the Legislature?

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, I am prepared to have the department look at the document that has been tabled.

Hog Industry Environmental Concerns

Ms. Rosann Wowchuk (Swan River): Madam Speaker, people of the Netley Creek area are very concerned that a hog barn is being built in a very sensitive area. They are concerned about the ground water, they are concerned about the natural habitat in the Netley Marsh, they are concerned that the area where the barn is being built is very low and floods every year. Given that this area is classified as a cautionary area on the Selkirk and District planning map, I would like to ask the Minister of Agriculture if he will assure the people of the area that the project will be put on hold until all proper environmental impact assessments are done and the sensitive areas that they are concerned about are protected.

Hon. Harry Enns (Minister of Agriculture): I want to indicate to the honourable member that it is my understanding that that area is covered with a planning program, a planning district. It is very much in the hands of the local government, the local administration where it ought to be, the decision as to what should or should not be built within their municipality and their jurisdiction, and I am assuming that all of these things will come into play.

If I were being asked for some advice, I would certainly advise the proponents and the council to undertake to find out specifically from the technical review team that consists of expert people from the Department of Environment, from the Department of Natural Resources, from the Department of Agriculture who will review the proposal for the municipality and provide their opinion as to whether or not it is appropriate to be built in that particular spot.

* (1420)

Ms. Wowchuk: Given that the technical review committee is still doing their work and the ground is being dug up at this time and the barn is being started to build, is this Minister of Agriculture prepared to put the hog industry in Manitoba here at risk by allowing operations like this to be built in sensitive areas and causing condemnation of the industry right across the province?

I will table an article from the Portage Graphic which tables just that, that we have to be very careful on how this industry expands.

Mr. Enns: Madam Speaker, I would invite her and indeed representatives from the municipality involved to provide me with any of the information that she is now in bits and pieces providing to the House. I am somewhat at a loss to explain why anybody is doing anything unless they received permission from the appropriate jurisdiction to do it. Has a conditional permit been provided by the municipality? If so, then the conditions obviously have been met.

TeleSend Gateway Inc. Funding

Mr. Jim Maloway (Elmwood): Madam Speaker, my question is to the Deputy Premier (Mr. Downey). My question concerns his lack of due diligence and proper credit checks on applicants for government grants under his department. When he discovered that the strategic planner and controlling mind of TeleSend Gateway Inc., John Ishmael, was in jail for fraud during the time of the application and the approval process, why did he overrule his department and send the final \$90,000 cheque? The minister had a choice. He could have

refused to release this \$90,000, but he overruled his department and he sent him the money. Why?

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, it is unfortunate the member tries to bring information to the House that is inaccurate. I did not overrule my department as it related to any activities in this regard. It was under the advice of the department that any monies would be released, and it was not to the individual to whom he is referring.

Mr. Maloway: Well, Madam Speaker, on February 20, 1995, Mr. Jim Mickelson and Gary Albo of his department were apprised of the situation regarding this grant, and yet he went and proceeded to order them to send or sent the \$90,000 to this company. Now I would like to ask the minister: why does this minister continue to claim that the grant monies were used for their intended purposes when credit card records show that the Ishmael family spent thousands of dollars using the TeleSend Gateway credit card for personal items such as cosmetics, suits—

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

Mr. Downey: Madam Speaker, I do not accept any of the preamble or the premise that the department was instructed to do anything. All of these activities come through the department from individuals who are responsible for carrying out the program activities. Again, I have no way of knowing how individuals spend their credit card money or how they use their credit card. That is not my responsibility. Our responsibility is to assess, as we did, the individual, which is not the one he is referring to as related to the program or which they were applying for the resources for.

Madam Speaker: The member for Elmwood, with a final supplementary question.

Point of Order

Mr. Maloway: Madam Speaker, on a point of order, I would like to know how it is that \$308.95 spent in a perfume shop on January 14, 1995, constitutes proper expenditure of money.

Madam Speaker: Order, please. The honourable member for Elmwood definitely did not have a point of order.

* * *

Madam Speaker: The honourable member for Elmwood, to pose a final supplementary question.

Mr. Maloway: On May 22, 1997, the minister promised to tell us how many employees other than members of the Ishmael family were hired under this \$200,000 grant, and after six months, would the minister tell us who, other than John and Helen and their daughter Shalesa Charron, were hired under this grant?

Mr. Downey: Madam Speaker, again, I have provided the information that is necessary to answer what the department has done. I will take under advisement the further question that the member refers to.

Public Housing Vacancy Rate

Ms. Marianne Cerilli (Radisson): We have more examples of mismanagement under this government, this time in the Department of Housing where they have an unstated liability of more than a hundred million dollars. They tear down perfectly good public housing to build a hardware store. They have an unacceptable length of time to fill vacancies, some 1,300 vacant units. I want to ask the Minister of Housing how much money they have been losing per month because they have been inept in developing a strategy to fill these high vacancy rates for eight to nine years.

Hon. Jack Reimer (Minister of Housing): Madam Speaker, I guess what we have to look back to a degree is the history of some of the public housing and how the construction and the application of the public housing, when it came about in the '60s, '70s and '80s under the previous government, where there was a high concentration of housing that was in the bachelor-suite end of the spectrum. This is where the majority of our vacancies are in our housing portfolio. We are working very hard in trying to fill that void in the vacancies of the bachelor suite, because we recognize too that there is a need sometimes, but the demand for bachelor suites

is not there. We have tried successfully at the prices to market these in some of the areas, so we are working continuously to try to fill those vacancies. I agree with the member that the vacancy rate is high, and we are working to try to bring it down.

Ms. Cerilli: We would like to ask the minister—considering their vague statements in the throne speech about changing the management as they negotiate to take over 17,000 or more homes managed in Manitoba, I want to ask him to table plans to fill vacant units, including the cost for those plans, including the cost for continuing to do nothing, and to explain to us how they can fill these vacancies now, in desperation, with people who really should be in other health care facilities.

Mr. Reimer: Madam Speaker, there were a multitude of questions there, and I will try to answer a few of them in some sort of sequence.

The member mentioned the vacancy rate and what we are doing to try to combat the vacancies. One of the ways that we are looking at is, like I mentioned earlier in my previous answer, the marketing, in a sense of going out and canvassing the areas. We have designated two people in the department to do some canvassing in certain areas to try to get people into the areas. We have advertised in some of the local community newspapers. We have put signs on some of our buildings, trying to encourage people to come in and take a look at them. We have brochures that we hand out to people in the area to try to get them to recognize that there are vacancies in some of the areas, and we have had some degree of success in this.

We will continue to do that, because we recognize that there is a need for it. But at the same time, as I pointed out earlier, when you have bachelor suites and people do not want to live in them, you really cannot force the people to move into these units.

Madam Speaker: Order, please. Time for Oral Questions has expired.

Speaker's Rulings

Madam Speaker: I have several rulings for the House.

I took under advisement on April 9 a point of order about the answer provided by the Premier (Mr. Filmon) to a question posed by the honourable member for Wellington (Ms. Barrett). The point of order was raised by the opposition House leader (Mr. Ashton), and both the First Minister (Mr. Filmon) and the Leader of the official opposition (Mr. Doer) spoke to the matter.

I have reviewed Hansard, and I am ruling that there was a valid point of order. The Premier did contravene Citation 417 of Beauchesne because he was not dealing with the matter raised, and he was provoking debate. I would ask the First Minister, when answering questions, to comply with the provisions of Beauchesne Citation 417.

I would also like to draw to the attention of the House that our Rule 38(2) states that debate must be strictly relevant to the point of order. Neither the Premier nor the Leader of the official opposition were strictly relevant in their submissions, and a portion of the opposition House leader's submission went beyond the procedural matter he was raising in his point of order.

I ask for all members, when raising and when speaking to points of order, to follow our Rule 39(2) and keep their comments strictly relevant to the point of order.

I am ruling on a matter of privilege taken under advisement on April 18, 1997. The honourable member for Radisson (Ms. Cerilli) raised a matter of privilege concerning a news release issued for the Minister of Urban Affairs (Mr. Reimer), and in doing so stated that the minister had put incorrect information in the news release and had not corrected it, despite having been given the opportunity to do so when questions had been asked of him during more than one Question Period. Thereby, the argument continued, the minister had misled the House. The honourable member for Radisson then moved "THAT this matter be referred to the Committee on Privileges and Elections."

The member did raise the matter of privilege at the earliest opportunity and did conclude her remarks with a motion. The other condition required for a matter of privilege to proceed is that sufficient evidence that a breach of the privileges of the House may have

occurred must be presented to warrant giving the matter precedence over all other business then before the House. Having reread Hansard, it is clear that this is a dispute over the facts. The member for Radisson believes that the news release indicates that the value of the materials to be reclaimed from the housing complex on Behnke Road was \$100,000, while the news release issued on behalf of the minister could be interpreted to read that the value of the materials is \$540,000.

* (1430)

Past Manitoba Speakers have ruled on several similar cases. Speaker Graham, on March 6, 1980, ruled that a dispute between two members as to allegations of fact did not constitute a breach of privilege. Speaker Phillips, on August 21, 1986, in her ruling referred to page 205 of Maingot's Parliamentary Privilege in Canada, which reads: "To allege that a Member has misled the House is a matter of order rather than privilege and is not unparliamentary whether or not it is qualified by the adjective 'unintentionally' or 'inadvertently'. To allege that a Member has deliberately misled the House is also a matter of 'order'."

Speaker Phillips went on to say, "it is clear that a Member has breached the privileges of the House or committed a contempt against the House by misleading the House only if the Member has clearly done so deliberately. A Member raising a matter of privilege which charges that another Member has 'deliberately misled' the House must support her or his charge with proof of intent. No such proof was presented by the Honourable Member."

Speaker Rocan reiterated these points in his ruling of June 13, 1991, when he said: "To allege that a Member has misled the House is a matter of order rather than privilege and a motion of privilege should be worded in such a way that another Member is alleged to have deliberately or intentionally misled the House." Speaker Rocan also stressed that the member raising the matter of privilege must furnish proof of intent to support the charge.

I must therefore rule, based on the parliamentary authorities and past rulings of Manitoba Speakers, that a prima facie case of privilege has not been established by the honourable member for Radisson (Ms. Cerilli).

Point of Order

Ms. Marianne Cerilli (Radisson): I thank the Speaker for her ruling. I just want to clarify for the record that the ruling does not deal with the other issue that I raised, and that is that the minister and the news release indicated that the units were vacant, and they were not vacant. They were filled when the government said the department had those tenants evacuated, which then led to the units being vacant. So that was also part of what was misleading to this House and to the public of Manitoba.

Madam Speaker: Order, please. I would remind the honourable member for—the honourable government House leader, on the same point of order.

Hon. James McCrae (Government House Leader): Thank you, Madam Speaker. As you have pointed out in your ruling, previous Speakers Rocan and Phillips and Graham—I am not sure if you named any others in the ruling—have ruled that statements which are not the subject of agreement, even incorrect ones, may indeed amount to a point of order but ought not to be the substance of a question of privilege.

So I am wondering if the honourable member, by raising this point of order, is asking that this be considered as part of the previous question of privilege already ruled on or if it is coming up as a new point of order. If it is a new point of order, then Your Honour might well want to look at that, but I would not want to see the question of privilege revived in view of the reasoning given in your ruling today.

Madam Speaker: Order, please. I would remind the honourable member for Radisson that if she disagrees, the appropriate procedure and practice in Manitoba—and only in Manitoba, I might add—is to challenge the ruling that she disagrees with, challenge the Speaker's ruling, and a point of order raised on a ruling is not in order.

Mr. Steve Ashton (Opposition House Leader): Yes, Madam Speaker, then we will challenge your ruling.

Madam Speaker: Okay. The ruling of the Chair has been challenged.

Voice Vote

Madam Speaker: All those in favour of sustaining the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Madam Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

Madam Speaker: In my opinion, the Yeas have it.

Mr. Ashton: On division.

Madam Speaker: On division.

* * *

Madam Speaker: The honourable member for Broadway (Mr. Santos) on April 11 raised a matter of privilege respecting his Resolution No. 5 being ruled out of order on the previous day. Advice was received from the honourable member for Broadway, the government House leader (Mr. McCrae), the honourable member for Inkster (Mr. Lamoureux), the opposition House leader (Mr. Ashton), the honourable member for St. Johns (Mr. Mackintosh), the honourable member for The Maples (Mr. Kowalski), and from the honourable Leader of the official opposition (Mr. Doer), for which I thank them.

When a matter of privilege is raised, it is necessary for the Speaker to examine two issues; first, was the matter raised at the earliest opportunity? I am satisfied that the member for Broadway did rise on his matter early enough to comply with his requirement. Second, the presiding officer must be satisfied that privilege appears to be sufficiently involved to justify giving the matter precedence, or as Beauchesne puts it, that there is a prima facie case that a breach of privilege has been committed.

I believe there were two major points made by the honourable member for Broadway in his submission. I will address first his argument that his privilege of freedom of speech had been removed because he was unable to debate private members' Resolution No. 5 as it had been ruled out of order. Joseph Maingot in his

book *Parliamentary Privilege in Canada*, on page 31 reads, "Freedom of speech cannot be a true freedom to a Member if he is not able to speak free of all constraints, save those imposed by the legislature itself."

On the matter of limitations on freedom of speech, J.A.G. Griffith and Michael Ryle in the publication *Parliament: Functions, Practice and Procedures* on page 88 say that freedom of speech "does not mean that Members can say whatever they like at all times, because the House itself, and the Speaker on behalf of the House, can restrict the content of speech in debate and other proceedings, such as motions and questions."

The honourable member for Broadway had a second point I believe should be commented on—that point being his procedural question of how could his private members' resolution be ruled out of order when it had been placed on the Order Paper. I wish to assure the honourable member that at the time his resolution was filed, March 3, indeed it was in order. However, events which occurred after the receipt of his resolution did render his motion out of order. Let me explain perhaps in more detail than I did on April 10.

On March 4, the honourable member for The Maples moved an amendment to a matter of privilege which read "that this House move immediately to the election of a new Speaker by secret ballot, following the current Standing Orders of the Legislative Assembly of British Columbia regarding the election of a Speaker." This House made a decision on that amendment when it was voted upon.

Also, another matter, that being Bill 200, sponsored by the honourable member for Thompson (Mr. Ashton), appeared on the Notice Paper on March 5. On March 20 Bill 200 was listed on the Order Paper under Second Readings during Private Members' Business. So, even although the text of the private member's resolution of the honourable member for Broadway (Mr. Santos) was seen by all members before the content of Bill 200, *Beauchesne Citation 566.(7)* is clear that "A motion dealing with the same subject-matter as a bill, standing on the Order Paper for second reading, cannot be considered."

In the Griffith and Ryle publication cited earlier, respecting the ability of a presiding officer to rule on

the admissibility of motions, on page 204 reads: "... motions which repeat motions which have already been agreed to or negatived in the current session, or which anticipate a matter already due to be considered by the House which is likely to be debated in the reasonably near future . . . may all be ruled out of order and not called for debate even though they have been allowed on the (notice and order) paper . . . Members can table motions on almost anything: whether they have a chance to move them and have a debate is quite another matter."

* (1440)

A review of past Manitoba Speakers' rulings shows that a number of Speakers have ruled on private members' resolutions; five were ruled out of order for anticipating a bill and seven were ruled out of order for reviving debate.

Therefore, for two procedural reasons. Private Member's Resolution No. 5 was ruled out of order when it was brought forward by the honourable member for Broadway (Mr. Santos) on April 10. According to the parliamentary authorities cited earlier in this ruling—*Maingot and Griffith and Ryle*—there was not a breach of the privilege of freedom of speech. I must therefore find that the honourable member for Broadway has not made a *prima facie* case for a matter of privilege to proceed.

I am ruling on a matter taken under advisement by the Deputy Speaker during Question Period on May 6, 1997. The opposition House leader raised a point of order concerning the content of an answer provided by the honourable First Minister (Mr. Filmon) to a question placed by the honourable member for Crescentwood (Mr. Sale). The First Minister said: "I am not going to make ad hoc policy here based on a critic's desire to get some publicity."

The opposition House leader's point of order was that the First Minister, in contradiction of *Beauchesne Citation 484*, was imputing unworthy motives to the honourable member for Crescentwood. I am ruling that indeed there was a point of order, and I am calling on the honourable First Minister to withdraw the words in question.

Hon. Gary Filmon (Premier): I will make the point that I accept unequivocally your ruling and I will absolutely withdraw the remarks, but I would point out, if I may, that throughout the period of time in this House and in our actions as members of political parties, I do not think that a desire to get publicity is an unworthy motive in the eyes of most people in this Chamber. Having said that, you have ruled that, and I unequivocally accept your ruling and withdraw the comments.

Madam Speaker: I thank the honourable First Minister.

MEMBERS' STATEMENTS

Ethel Maude Smith

Mr. Gerry McAlpine (Sturgeon Creek): Madam Speaker, it is my pleasure to rise today in the House and inform all members about a constituent who is celebrating a birthday this month. Mrs. Ethel Maude Smith is a Christmas Eve baby, a celebration in itself. However, the true celebration is the fact that Mrs. Smith turns 108 years old this year.

Born and raised south of Minnedosa, Mrs. Smith married a railroad engineer at age 21. Widowed in 1947, she moved to the city of Winnipeg to be closer to her two daughters. In 1985, she moved into Oakview Place where she still currently resides.

In her long life, Mrs. Smith has been an active community member in the Eastern Star and the St. Mark's Anglican Church. She particularly enjoys singing hymns. During her retirement years, she enjoyed travelling through the United States, the United Kingdom, as well as Canada. As well, she enjoys gardening and needlework.

Madam Speaker, Mrs. Smith and I have one interest in common, our mutual enjoyment of hockey. Nurses tell me that she can often be found watching the latest hockey game on television.

On behalf of all members of this House, I want to extend my best wishes to Mrs. Smith on the occasion of her 108th birthday, and I sincerely hope that she is blessed with good health and happiness in the

years to come. As the average life expectancy among Canadians increases, we need only to look to Mrs. Smith to know that a high quality of life is available to all of us in our senior years. Thank you.

Airplane Crash—Little Grand Rapids

Mr. Eric Robinson (Rupert'sland): Madam Speaker, I rise today to express our sorrow and also to extend our sincere sympathies to the Little Grand Rapids First Nation—and I do that on behalf of the official opposition—and also to the families of the people that were killed in that unfortunate accident at Little Grand Rapids yesterday.

I believe that many people in this House are aware of the condition of some of our northern airstrips and some of the dangers that are associated in travelling in northern Manitoba. As Councillor Nelson Keeper, who has done a tremendous job in the last 24 hours in keeping people aware of the situation at Little Grand Rapids—this cannot be described as anything less than a most unfortunate and devastating situation.

The airstrips we are talking about were built 20 to 25 years ago for medivacs primarily, and since then populations have expanded in northern communities and this has not been taken into consideration. It is not uncommon for airstrips to be shut down for periods of time as well in the springtime and the falltime because of weather conditions. Certainly I think that, if anything else, Madam Speaker, unfortunately this is a wake-up call for both levels of government and the First Nations leadership that the transportation systems in northern communities have to be examined, and certainly a task force to examine the northern transportation systems in Manitoba is not out of the question.

On behalf of the official opposition, we extend our sincere sympathies to the families and to the Little Grand Rapids reserve. We certainly support them morally, if anything, at this time. Thank you.

Mr. Peter Dyck (Pembina): Madam Speaker, I too would like to, together with my honourable colleague opposite, extend our condolences to those who have lost family and friends at Little Grand Rapids, also those who were injured, their families, friends and also

fellow employees. Certainly, at this time of year—at any time it is devastating—but at this time of year as we are approaching Christmas, as families and friends get together, we certainly also feel their pain with them.

On behalf of the government here, I would like to express our condolences, and our prayers go with the families that have been affected. Thank you.

Governor General's Award—Ian Ross

Ms. Diane McGifford (Osborne): Madam Speaker, I rise today to honour and congratulate Ian Ross, the Manitoba playwright who in November was awarded the Governor General's prize for drama. He was particularly cited for his play "Farewell" which was first performed at Prairie Theatre Exchange in January '96.

I had the privilege to attend the performance, and I can assure this House that Ian Ross's play is a challenging examination of reservation life, and by extension, a damning indictment of government policies. Historical and contemporary, federal and provincial, basically most government plans are weighed in the balance and found wanting.

The power of Ross's drama grows from his uncanny skill in developing character and revealing the heart. In his world, all characters—the odd and eccentric, the haunted and even the pedestrian—are humanized and adopted by audiences. He recognizes that the local is the only universal and writes about the life he knows—his people and the ground under his feet. Ian Ross has the rare ability to create drama which not only teaches and delights but accomplishes these purposes with humour and grace in order to win the minds and hearts of his audience. He is not a finger-wagging dramatist; a warm chuckle is more his style.

* (1450)

Members of the House probably know Mr. Ross as "Joe from Winnipeg." Joe makes weekly appearances on CBC Radio. He is a typical Ross creation. The naive and innocent ordinary guy, whose common sense and plain observation, whose forthright comments on city oddities give us all reason to pause and examine our lives.

Ian Ross joins a spate of aboriginal dramatists, for example, Yvette Nolan and Monika Marx. They appear to follow in the steps of Tomson Highway. Their presence is a sure sign that aboriginal dramatists have carved a place for themselves and are here to stay. NDP members think this is a good thing.

In closing, I ask all members of the Legislature to join me in congratulating Ian Ross on his Governor General's Award. Manitobans, I know, are proud of him.

Highways—Northern Manitoba

Mr. Gerard Jennissen (Flin Flon): Madam Speaker, this Chamber is quite used to hearing northern MLAs speak out on the poor condition and lack of maintenance of northern roads, but there are other voices.

On October 20 and 21, a constituent of mine and two other passengers were driving from Lynn Lake to Thompson for medical reasons. The 316-kilometre road was treacherous and icy. The four-wheel drive vehicle slipped off the road several times, and the vehicle was damaged. The trip back took six and a half hours. The Highways road report never mentioned icy road conditions. Here are excerpts of a letter my constituent addressed to the Minister responsible for Autopac and which was also published in the Northern Star on December 2 under the heading "Is there life after PR 391?"

Because of the nature of the tests the three of us were scheduled for, and because it takes months to get an appointment in Thompson, we had no choice but to travel on the day our appointments were scheduled. Now that the Manitoba government regionalized health care in northern Manitoba, and Thompson, Manitoba, is the central location, even more residents will find it necessary to travel the treacherous road between Thompson and Lynn Lake.

When will our government start taking their responsibilities seriously, and why are small communities throughout the North so badly neglected? Are we not part of Manitoba, Mr. Minister? There is life beyond the perimeter of Winnipeg. If the south deserves paved, double-laned highways, why are we

neglected to the point whereby the Highways department chooses not to maintain the highway between Thompson and Lynn Lake during treacherous conditions? We all pay the same taxes, and we all pay taxes on the petro we burn.

After reading my concerns, Mr. Minister, I urge that you investigate as to why our roads are not maintained during periods of rain, sleet, snow, and also under what authority is your department going to penalize me because I had to travel for medical reasons and the Highways department neglected to ensure that a warning be in place for the public not to travel and to have the necessary equipment in place to ensure the safety of travellers? Yours truly, Sherron Loewen, Lynn Lake.

Thank you, Madam Speaker.

ORDERS OF THE DAY

Hon. James McCrae (Government House Leader): Madam Speaker, would you be so kind as to call the bills as listed on today's Order Paper in the order they are listed with this exception: Bill 11 should follow Bill 3.

SECOND READINGS

Bill 2—The Elections Amendment Act

Hon. Gary Filmon (Premier): Madam Speaker, I move, seconded by the honourable Minister of Natural Resources (Mr. Cummings), that Bill 2, The Elections Amendment Act; Loi modifiant la Loi électorale, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Filmon: Madam Speaker, I am pleased to rise today in the House and introduce Bill 2, The Elections Amendment Act. The measures being introduced today update and modernize many of the provisions of the act since the last series of major amendments introduced in the mid-1980s. The efforts to date started with the acceptance in whole or in part of nearly 90 percent of the recommendations made by the Chief Electoral

Officer in his annual reports to the Legislature, including the 1995 annual report.

At this time, I would like to thank the Chief Electoral Officer and his staff for the assistance they were able to provide in the development and drafting of the legislation. Even with the recommendations, more policy work and consultations were necessary, and I am informed that the amendments are the product of consultations among all political parties in leading to this series of amendments.

One of the major updates incorporated in this bill is the authorization to develop an automated voters' list. In his report, the Chief Electoral Officer offered a number of options on how to modernize the processes involved in developing the voters' list. As honourable members will be aware, many jurisdictions have moved quickly to adopt the concept of a permanent voters' list. However, having moved in this direction, a number of jurisdictions including Elections Canada are encountering considerable difficulties. With these amendments, Elections Manitoba administratively will be able to put in place the necessary structures to allow for a smooth transition to a permanent voters' list should the province decide at some future time to move in that direction.

Amendments are being introduced which will enhance the personal security provisions which I introduced in 1995 and which were supported by all members of this House. Administrative measures which were employed by Elections Manitoba in order to address this issue have been incorporated into the act. An updating of how advance polls are dealt with is being brought forward in this bill in accordance with Elections Manitoba recommendations. In order to minimize any confusion surrounding the advance polls, the hours will be standardized and will coincide with the posted hours of the returning office.

The eligibility to vote at advanced polls will also be broadened to include all voters who expect for any reason to be unable to vote at their normal polling place on election day. With the time changes, it was felt fewer days would be required for the availability of the advanced polls. Updated provisions concerning the revisions of the voters' list will include the production

of interim and final lists. This will ensure accuracy of information for the benefit of all Manitobans.

In order to fulfill our legal requirements under the Charter of Rights and based upon successful constitutional challenges, judges will be given the right to vote. Further, the administrative practices concerning inmate voting will now be incorporated into the act.

Responding to concerns of some Manitoba voters and to assure consistency with how ballots are dealt with, amendments are being presented which will allow voters to endorse their declined ballots and permit a separate count of those ballots which have been declined. Provision has also been included in this bill to enhance the recount provisions, including the ability of judges to appoint court officials to assist them in the recount. Given that judges now have the right to vote, measures are included in order to ensure that a judge will not oversee a recount in the riding in which he or she resides. Judges will also be given the power to award costs for vexatious conduct or unfounded allegations or objections. These measures, Madam Speaker, together with the remaining matters in the bill which I have not raised, I would recommend for the consideration of the House.

Madam Speaker, because I regard this as being a nonpartisan matter, I am going to be offering for both Bill 2 and Bill 3 the spreadsheets which give all of the comparative amendments to the bills as they existed and with the changes for easier examination by the members opposite. I have one for the Leader of the Opposition (Mr. Doer) and one for the member for Inkster (Mr. Lamoureux) to be shared amongst their members to be able to allow for the consideration during the break period after the end of this portion of our current session.

* (1500)

Thank you very much, Madam Speaker.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I move, seconded by the member for Wellington (Ms. Barrett), that debate on the bill now be adjourned.

Motion agreed to.

Bill 3—The Elections Finances Amendment and Consequential Amendments Act

Hon. Gary Filmon (Premier): Madam Speaker, I move, seconded by the honourable Minister of Finance (Mr. Stefanson), that Bill 3, The Elections Finances Amendment and Consequential Amendments Act; Loi modifiant la Loi sur le financement des campagnes électorales et modifications corrélatives, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Filmon: I am pleased to rise again today to introduce Bill 3, The Elections Finances Amendment and Consequential Amendments Act, for consideration by the House. As I indicated in my earlier remarks on Bill 2, the majority of the amendments proposed in this bill were recommended by the Chief Electoral Officer in his previous annual reports, including the 1995 annual report.

As members review the bill, they will note that one of the first recommendations in the report from the Chief Electoral Officer concerning third-party advertising is not incorporated in these amendments. The reason for this is that during the drafting of the bill, the Supreme Court of Canada brought down a ruling concerning this issue and its application to the balanced budget law of the province. Given this situation, the Chief Electoral Officer was asked to review his recommendation in light of this ruling and what impact the decision of the court could have on other provisions of The Elections Act and this act.

The amendments being proposed today include amendments which will assist campaigns during an election period. Madam Speaker, in order to streamline and simplify the act, advertising will no longer be considered as a separate expense within the overall spending. This legislation provides for one spending limit which has not been increased but remains as is but incorporates those expenses relating to advertising. Parties will have one spending limit and will have, therefore, more flexibility to organize their campaign expenditures. Members may recall that there was a technical breach by a former member of this House, the member for Minnedosa, in which he did not exceed the

total amount allowed for in spending but did exceed that portion which was to have been allocated to advertising.

In this vein as well, amendments are being proposed to ensure that any special or related costs associated with the participation by disabled persons as candidates are reimburseable 100 percent.

This bill formalizes the requirement that authorization be obtained in respect of material distributed during a campaign.

Madam Speaker, through these amendments we are updating the legislation in order to, firstly, allow for the use of party logos, secondly, update the formula used for calculating the expense limits with reference to the adjusted consumer price index base year, and finally, provide for a general legislative updating of the act.

Madam Speaker, we will be shortening the time lines for reimbursement to candidates and political parties to effect a 90-day turnaround period. This allows for a more timely payment of accounts, and permits campaigns to close their books in an orderly fashion in a shorter period of time.

As with The Elections Act amendments, this bill also contains the flexibility for the chief electoral officer to file his report as either a separate report or in combination with his report under The Elections Act. Madam Speaker, these and other amendments contained in the bill I recommend to the House.

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, I move, seconded by the member for Wellington (Ms. Barrett), that debate on the bill now be adjourned.

Motion agreed to.

Bill 15—The Dutch Elm Disease Act

Hon. James McCrae (Government House Leader): Madam Speaker, on a procedural matter, with the leave of the House, I would move, seconded by the honourable Minister of Finance (Mr. Stefanson), that the French title of Bill 15, The Dutch Elm Disease Act,

as it appears in the Order Paper be altered to read *Loi sur la graphiose*.

Madam Speaker: Does the honourable government House leader have leave? [agreed]

Motion agreed to.

Bill 11—The Treasury Branches Repeal Act

Hon. Eric Stefanson (Minister of Finance): Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 11, The Treasury Branches Repeal Act (*Loi abrogeant la Loi sur les caisses d'épargne*), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Stefanson: Madam Speaker, this bill repeals The Treasury Branches Act which was originally enacted in 1974 but was not proclaimed by the government of the day or any succeeding government. When the bill reaches committee stage I will be prepared to go into some more details, but I would like to outline the rationale for the repeal of The Treasury Branches Act.

Before we proceed it might be of value to recall that the act was passed in 1974. All four western provinces were concerned about the apparent net outflow of capital from the west, and accordingly enabling legislation was passed in Manitoba because of the perceived success of Alberta's Treasury Branches and Ontario's government Savings Offices. A few years later, Madam Speaker, interest in treasury branches waned, and it was decided not to proclaim the act.

The decision not to proclaim the act was based on the fact that there was strenuous competition in Manitoba amongst chartered banks, trust companies, credit unions and *caisses populaires* with few locations in the province not adequately provided with banking services. There was also the fact that the cost of building a system to compete with the sophisticated systems in the banking services industry would be extremely expensive and hard to justify. The reasons for repealing the act today are the same as the reasons for not proclaiming it in the late 1970s. There is at present no demonstrated need for banking services in the province which cannot be

fulfilled by the financial community, being the banks, the trust companies, the credit unions and the caisses populaires. Banking services can be provided to all Manitobans through automated teller machines, the telephone and computer, but in addition to fully staffed offices, Madam Speaker, the cost of trying to compete with this would be prohibitive, as I am sure the Leader of the Opposition (Mr. Doer) recognizes.

In terms of the original concern about net outflow of capital, we now find Manitobans mobilizing their capital as never before to invest in the province of Manitoba in such areas as Builder Bonds, HydroBonds, Grow Bonds, the Crocus Fund and direct purchase of shares in Manitoba companies. In addition to that, we have seen an inflow in investment in Manitoba of headline-making proportions.

Madam Speaker, it is possible that someone, potentially the Leader of the Opposition, will try to make a case for the creation of treasury branches in Manitoba, but one only has to look at the problems which the Treasury Branches in Alberta—and I encourage him to look at Alberta—have suffered in recent years to see why it would be best for us to remove The Treasury Branches Act from our books.

Madam Speaker, I am pleased to recommend this bill for approval by this House. Thank you.

Ms. Becky Barrett (Wellington): I move, seconded by the honourable member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

* (1510)

Bill 4—The Child and Family Services Amendment and Consequential Amendments Act

Hon. Bonnie Mitchelson (Minister of Family Services): Madam Speaker, I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Radcliffe), that Bill 4, The Child and Family Services Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les services à l'enfant et à la famille et modifications corrélatives), be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Mitchelson: I am pleased to rise in the House today and speak to Bill 4 which amends the Children's Advocate's provisions of The Child and Family Services Act.

This bill implements the recommendations of the Subcommittee of the Standing Committee on Privileges and Elections which conducted a public review of the operations of the Children's Advocate legislative provisions in April and May of this year. The subcommittee presented its report to the Legislative Assembly on June 24 of 1997 making important recommendations, two of which require legislative amendments.

These two recommendations were that the Office of the Children's Advocate report directly to a committee of the Legislature, and that the Children's Advocate be appointed for a specific term of office. The term of office will consist of two three-year terms with a review of the position being completed after the initial three-year period.

Madam Speaker, on December of 1992 our government appointed the first Children's Advocate for the Province of Manitoba. Throughout the past four years of operation of the Office of the Children's Advocate there has been an increased awareness of the services, not only among children but with family members, friends and different care providers that work with children.

The advocate's office not only receives and investigates complaints, but the staff work to empower the children that they come in contact with and help the children to understand what their rights are within the Child and Family Services system. The Children's Advocate has prepared three annual reports over its current term of office as was required by the legislation. These reports have covered a range of issues including reviews of how the office is operated, the volume and profile of clients, reporting on services of Child and Family Services agencies and the Child and Family Support branch, aboriginal child welfare and the availability of information from the Chief Medical Examiner related to the deaths of children known to the Child and Family Services system.

These reports have been given careful consideration by my department in its regular review of its mandate and services. As part of the original legislative provisions of the Office of the Children's Advocate, there was the requirement to conduct a legislative review of the operation of these provisions. Accordingly, the Standing Committee on Privileges and Elections established a subcommittee to conduct public hearings and receive written submissions on the operation of the Children's Advocate's legislation.

These hearings were held throughout April and May of this year. With the assistance of video conferencing, the subcommittee was able to receive presentations from individuals and organizations throughout the province. As well, the subcommittee travelled to northern Manitoba for a day of hearings in Thompson. The subcommittee heard and received a broad range of views and issues related to the Office of the Children's Advocate. Overall, the presentations confirmed the important role and value of having a Children's Advocate for children who are receiving or who are eligible to receive services under Manitoba's Child and Family Services system.

With regard to recommendations for improving the legislation and, therefore, the effectiveness of the office, many presenters raised the matter of the reporting relationship of the Children's Advocate, which was to the Minister responsible for The Child and Family Services Act. These presenters suggested that the Children's Advocate could be more effective in carrying out his or her mandate if the office was independent of the minister and reported directly to the Legislative Assembly.

Madam Speaker, I would like to take this opportunity to highlight some of the key features of Bill 4 that established the Children's Advocate as an independent officer of the Legislative Assembly. The appointment will be by the Lieutenant Governor in Council on the recommendation of the Standing Committee on Privileges and Elections. The annual report of the Children's Advocate will be submitted to the Speaker, who will table the report in the Assembly. The Assembly will be responsible for making general rules for the Advocate in exercising his or her powers, and the Standing Committee on Privileges and Elections or

the minister may refer a matter to the Children's Advocate for a review, investigation, and report.

Madam Speaker, the second recommendation of the subcommittee, which requires legislative amendment, is the establishment of a term of office for the Children's Advocate. Therefore, Bill 4 introduces a term of office, as recommended by the subcommittee, of three years that may be renewed after a review by the Standing Committee on Privileges and Elections for one more three-year term.

Finally, as a result of establishing the Children's Advocate as an independent officer of the Legislative Assembly, there are certain consequential amendments required to be made to The Legislative Assembly Management Commission Act and The Freedom of Information and Protection of Privacy Act, which has yet to be proclaimed.

Madam Speaker, I look forward to this bill moving into the next stage of detailed consideration by a committee of this House. This stage will provide us again with the opportunity to hear from the public and to listen to their views and comments about the changes that are being made to the Children's Advocate's office.

Madam Speaker, I believe that some members of the Assembly may think that these amendments to the Children's Advocate's office, contained in Bill 4, do not go far enough in meeting their expectations. I hope that members who feel this way will recognize that these amendments reflect the subcommittee's report and will acknowledge that the legislation is a move in the right direction.

I recall that the member for The Maples (Mr. Kowalski) had indicated that the majority report contained a workable balance, and I am sure he will be pleased that the legislation reflects the elements in that report. I would like to thank the honourable member for The Maples for his constructive approach to the sometimes challenging process of working to achieve a consensus in our jobs here as public legislators.

As well, Madam Speaker, I hope members opposite will recognize and appreciate that, with Bill 4, we are moving forward in the direction that the public has asked us to.

As this legislation resulted from an all-party committee of this House, I hope that all members will give their support to this bill, and I look forward to debate on this in second reading and public input through the hearing process. Thank you, Madam Speaker.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Wolseley (Ms. Friesen), that debate now be adjourned.

Motion agreed to.

Bill 5—The Agricultural Credit Corporation Amendment Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, my seconder has just vacated the premises, but I will ask my good friend the Minister of Labour (Mr. Gilleshammer), that Bill 5, The Agricultural Credit Corporation Amendment Act (Loi modifiant la Loi sur la Société du crédit agricole), now be referred to a committee of this House and be read a second time.

Motion presented.

Mr. Enns: Madam Speaker, just a few comments at this time, because the amendments to The Agricultural Credit Act are really housekeeping and of a minor nature. They, in essence, transfer some of the requirements that have existed since the initial passage of the bill, to enable the minister responsible for The Manitoba Agricultural Credit Corporation to approve and to enact some of the administrative regulations that from time to time are required in this act. Currently, all of the regulations, all of the regulations have to go to cabinet and be approved by a formal Order in Council. It is in keeping with the kind of streamlining—if you like—of other legislation. It has been deemed appropriate that some of the more administrative types of regulations are more appropriately handled at the ministerial level.

I recognize, of course, that in opening up the act for even these relatively minor housekeeping bills, it is an opportunity for both members of the opposition and, indeed members of my group—I am looking to the upper benches or something like that—to pass comment as to what, in general, they think is good or wrong or bad

about the way the Manitoba Agricultural Credit Corporation is functioning. I think Manitoba Agricultural Credit Corporation has the same kind of challenges facing it that all of us in agriculture have as a result of some of the changes that are going on out there, and it is an opportunity.

* (1520)

I invite my critic, the honourable member for Swan River (Ms. Wowchuk), to feel free to examine with me the role of this, what I continue to believe is an important agricultural support tool that the Ministry of Agriculture has. It is playing a role in providing, in some instances, not the actual cash but putting the support of the province behind some of the diversification that is going on, particularly in livestock and potato production and so forth.

I can indicate to the honourable member for Swan River that our diversification program, a modest program as she will recall that was announced in 1995, is pretty well fully subscribed. I think I have to look seriously at that program to see whether or not it ought to be expanded, to enable us to continue to provide what I consider to be an excellent way of assisting farm operations to expand or to commence operations by not necessarily having to put up actual dollars but providing that gap that sometimes exists between what the proponent of a hog or a potato farm expansion—a farmer who is transferring from dry-land farming to irrigation farming—requires in the way of capital. There is often a missing gap that will be to the level of equity that a private lending institution, whether it is a credit union or a bank, will provide what the proponent has, and if there is a 20 or 30 percent gap missing, that, in my opinion, can and has been demonstrated to be usefully filled by the loan diversification program as currently operated by the Manitoba Agricultural Credit Corporation.

So, Madam Speaker, with those few comments, I certainly invite the honourable members to look at the Manitoba Agricultural Credit Corporation in its broader form, because the amendments before you, upon reading them, you will find that—really very little that you can talk to about. It is simply transferring, giving the minister who has the responsibility for the Manitoba

Agricultural Credit Corporation to pass some of the housekeeping regulations.

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

Bill 6—The Animal Liability and Consequential Amendments Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the Minister of Natural Resources (Mr. Cummings), that Bill 6, The Animal Liability and Consequential Amendments Act (Loi sur la responsabilité des propriétaires d'animaux et modifications corrélatives), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Enns: Madam Speaker, this is a new bill. It arises, or the need for it arises, out of actions that I took and have been taking the last several years in this Legislature when we in effect brought in new legislation that called for the repeal of some of the old legislation. Some of these features that were in the legislation currently before you that I am presenting to the House and one that was passed last year, if the honourable member were to recall the animal welfare act, that set out more specifically the kind of responsible care that livestock, both commercial or agricultural, and companions as pets, should receive more specifically, and updating and bringing into the 1990s the kind of, I think, concern that we all have that animals in our care be treated humanely, that animals in our care be not subjected to unacceptable treatment. That was the bill that I presented, the honourable member will recall, last year.

This bill deals specifically with a liability that an animal owner has in the term of animals that are his or hers that trespass on neighbours' property or get out on the public roads and highways and can, and do regrettably from time to time, cause serious accidents, and the issue of liability is addressed in the bill before you.

Madam Speaker, I am satisfied that the bill before us strikes an acceptable balance that clearly indicates the livestock owners' liability. We have had, regrettably, some instances where livestock owners should simply accept it or refuse that responsibility. We have had situations where—and, it is surprising, I do not want to single out a particular group, but the wild pigs, the wild boars have caused difficulties in some areas where I gather that they are difficult to fence. They escape frequently, and owners—and understandably they have literally terrorized some of the neighbours when these animals have strayed off the premises where they belong and caused difficulty for other people in the area that then did not have sufficient recourse. There was not enough teeth in the old laws that specifically pointed the finger of responsibility to the owner of the animals in question, that the owner had to be liable for damages, that the owner had very specific responsibilities for the animals under his ownership.

However, having said that, and being still involved modestly in a livestock venture myself, I am only too well aware that accidents do happen, and sometimes they are not at all caused by the owner. The honourable member who is from the farm and is active in farming fully appreciates that regrettably sometimes it can be caused by the wilful neglect of others, hunters trespassing through your land and leaving gates open, unknown to the owner of the animal in some instances, and then these animals straying onto public thoroughfares or roads and then causing an animal—the bill specifically exempts the owner from liability under those circumstances. Call them acts of God, call them negligence on the part of somebody else, but it does provide that provision, and I am sure we will have a good debate on that issue as well.

Again, Madam Speaker, I invite not only the member for Swan River (Ms. Wowchuk) or other members from the opposition, but these are issues that involve many of the constituents that are represented by members on this side of the House, and I do invite honourable members to feel free to make comment and to make suggestions either in second reading of the bill, certainly at committee stage. Second reading of this bill will hopefully be referred to and passed, but it is part and parcel of the bringing up to date of the old animal husbandry acts that we had in place before, some of them which have been repealed, new legislation has

been put in, in different sections. This is one more step in that process.

* (1530)

Ms. Rosann Wowchuk (Swan River): Madam Speaker, I move, seconded by the member for Dauphin (Mr. Struthers), that debate be adjourned.

Motion agreed to.

Bill 7—The Public Utilities Board Amendment Act

Hon. Mike Radcliffe (Minister of Consumer and Corporate Affairs): Madam Speaker, I move, seconded by the honourable Minister of Northern Affairs (Mr. Newman), that Bill 7, The Public Utilities Board Amendment Act; Loi modifiant la Loi sur la Régie des services publics, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Radcliffe: Madam Speaker, the import and impact of this bill is very straightforward and very simple. What it is proposing to do is to allow the Public Utilities Board to set the rates for their special advisors who advise the board on applications by the utilities to the Public Utilities Board. These people would be chartered accountants, engineers, lawyers, people of this nature who assist the board in understanding the complex and extensive nature of the applications that are set before them.

Last year, we enhanced the power of the Public Utilities Board by allowing the board to charge directly through to the applicants themselves the bills for the special advisors, but we did not change the rate, and the concept or philosophy behind this is to give the Public Utilities Board a little bit more direct control over their costs of doing business, and to empower them at the committee stage or committee level, which is in fact really an arm's-length committee from government or an arm's-length board from government I should say—and further, which is probably the most important, is that the Public Utilities Board are probably the best individuals to assess the nature and quality of the

services that are being offered to them from the special advisors.

The last time there was any change in fees was 1985, and due to the truncated and complex way in which government expresses itself and issues are advanced to the table in government for it to consider on a collegial environment it makes it often very difficult for any change in government. So therefore I commend this bill to my colleague's attention and look forward to the debate on it. I think that it will prove to provide better government, more direct and responsive government for the people of Manitoba, and, in fact, it will allow more immediate control and more up-to-date administration.

Mr. George Hickes (Point Douglas): I move, seconded by the member for Dauphin (Mr. Struthers), that we adjourn debate.

Motion agreed to.

Bill 8—The Real Property Amendment Act

Hon. Mike Radcliffe (Minister of Consumer and Corporate Affairs): Madam Speaker, I rise again to move, seconded by my colleague the Minister of Northern Affairs (Mr. Newman), that Bill 8, The Real Property Amendment Act; Loi modifiant la Loi sur les biens réels, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Radcliffe: Madam Speaker, I rise again to give a very brief outline of what is involved with this bill, and this is a bill of a very technical nature, legal nature. It refers to The Real Property Act, as I previously mentioned, and it refers specifically to what could be perceived as a conflict in two different sections of The Real Property Act at the present time. The issue is the title vesting in Land Titles Office to a new registrant or owner after there has been a mortgage foreclosure. Section 137 of The Real Property Act gives the authority to the district registrar, after there has been a foreclosure proceeding, with all the pertinent safeguards and constraints and publications thereto that a new title issued to an individual who has been the successful applicant therefore, and the new title is to be

free and clear of all registrations subsequent to the encumbrance that gave rise to the foreclosure proceedings.

However, there is a subsequent section, that is Section 137 of The Real Property Act. Section 141 of The Real Property Act says that where land is sold pursuant to an order for sale made by the district registrar or vests in a mortgagee by order of foreclosure, which are the two ways in which title passes under this process, issued by the district registrar, it shall be deemed to have been sold or vested subject to a number of instruments or interests in the land and for the purposes of public policy. I just give my colleagues an idea of what the interests in land are that we would propose be transmitted and perpetuated into the new title, they would be such items as utility and pipeline easements, building restriction covenants, easement agreements, party wall and right-of-way agreements, zoning caveats, subdivision or development agreements, caveats or agreements filed and related to the expropriation. So these are all interests in land, and of course as Madam Speaker and then my colleagues in this House know, the ownership of land is a bundle of rights. In fact, although we think in our system that we have absolute ownership of land, in fact fee simple, which is the most complete type of ownership that one can have, is a divisible and very complex system.

There are many other interests at stake through the Crown, through various levels of government in all the lands that are owned in the province of Manitoba. I have just outlined by that, be they land management or interests of the public which must be represented, it is to the benefit of the public wheel that these issues be perpetuated in our land titles fabric. So it is for these reasons that it is very important that our Real Property Act be abundantly clear and there not be a scintilla of conflict between the different sections. So therefore we would propose by this new bill to make Section 137, which is the general empowerment under foreclosure to be subject to the qualifications set forth in Section 141 of The Real Property Act, so that the interests of the public can be better served and be served very clearly.

I would expect that my honourable colleagues across the way upon due review of—[interjection] Consideration. Thank you very much from the Minister

of Agriculture (Mr. Enns), on due consideration of the specificity of this bill that they will concur with the good management being exercised by this government and join me in the general approbation on this bill.

* (1540)

Thank you very much, Madam Speaker, and I look forward to the comments from our honourable colleagues opposite in due course.

Mr. Stan Struthers (Dauphin): I move, seconded by the member for Flin Flon (Mr. Jennissen), that debate on this bill be now adjourned.

Motion agreed to.

Bill 9—The Mines and Minerals Amendment Act

Hon. David Newman (Minister of Energy and Mines): Madam Speaker, I move, seconded by the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), that Bill 9, The Mines and Minerals Amendment Act; Loi modifiant la Loi sur les mines et les minéraux, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Newman: Madam Speaker, the intent of this bill is to make the act consistent with its original purpose with respect to the Quarry Rehabilitation Reserve Account. When the bill was enacted, it provided for the establishment of this account by requiring a rehabilitation levy which was to be paid by all owners of aggregate quarries, both Crown owned and privately owned.

The Minister of Energy and Mines was authorized to make expenditures from the reserve account to rehabilitate lands in which a quarry had been situated. However, Madam Speaker, the act does not specifically state that interest earned from this account was to be deposited in the account. Accordingly all such funds have been treated as general revenue. Since the original intent of the legislation was to retain earned interest within the reserve account, we are introducing these amendments to remedy this deficiency. We are

also making the disposition of interest into the account retroactive to April 1, 1992.

Madam Speaker, these amendments strengthen our commitment to sustainable development in mining and will increase the resources available to rehabilitate disused quarries, that is, to restore them at least in part to their original state and leave the sites in a safe condition.

We are making another amendment with respect to the Mine Rehabilitation Fund that the act already provides for. This fund is not actually in place, but we expect to put a regulation in place by the end of the fiscal year to initiate it. The principles and requirements are the same as those for quarries.

Madam Speaker, the section of the act dealing with the Mine Rehabilitation Fund, like its quarry counterpart, does not specify that interest must remain in the fund. For this reason, we are amending that section to make it consistent with our changes to the Quarry Rehabilitation Reserve Account.

I commend this bill to this House. Thank you, Madam Speaker.

Mr. Stan Struthers (Dauphin): Madam Speaker, I move, seconded by the honourable member for Wellington (Ms. Barrett), that the debate on this bill be now adjourned.

Motion agreed to.

Bill 10—The Mining Tax Amendment Act

Hon. David Newman (Minister of Energy and Mines): Madam Speaker, I move, seconded by the honourable Minister of Consumer and Corporate Affairs (Mr. Radcliffe), that Bill 10, The Mining Tax Amendment Act; Loi modifiant la Loi sur la taxe minière, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Newman: Madam Speaker, for a number of years, our government has been strengthening programs and incentives geared to attract exploration and mining

development in Manitoba. In this bill, we are aiming to enhance the sustainability of mining communities by adding three new sections to The Mining Tax Act.

Under the act, a mining community reserve is in place, funded by the transfer of 3 percent of annual mining taxes. This fund is used to assist communities when their mines shut down. The act has provided that the maximum amount of the fund shall be \$5 million, with any amount of principal or interest beyond that limit transferable to general revenue.

Madam Speaker, after 27 years of this limit, we are proposing to increase it to a more realistic \$10 million to ensure that an adequate fund for future needs is maintained. Two of the amendments deal with this change.

In addition, Madam Speaker, we would like to strengthen the sustainability of mining communities by stimulating additional exploration and, we hope, discovery of new mines within reasonable distance of those communities, when appropriate. For this reason, we are expanding the allowable uses of the reserve to include the funding of initiatives to increase mineral exploration. In this way, we will be able to use the fund both to protect communities and residents when a mine shuts down and stimulate activity that could give our mining communities a longer term and more stable future. This particular provision would be utilized when it is an appropriate use of the fund.

I have encouraged input from the official opposition and other opposition members on this particular part of the bill, and also input from northern communities as to whether this option is something that is indeed desired. It has been offered on the understanding that it has been desired by the community, but I am certainly open to points of view from members opposite and from northern communities.

I commend this bill to the House. Thank you.

Mr. Stan Struthers (Dauphin): Madam Speaker, I move, seconded by the member for Crescentwood (Mr. Sale), that debate on this bill be now adjourned.

Motion agreed to.

Hon. James McCrae (Government House Leader): Madam Speaker, I would ask that you call next Bill 15, followed by Bill 16, and then go back to Bills 12 and 13 and 17 and 18 and leave Bills 14 and 19 to the bottom of the list.

Bill 15—The Dutch Elm Disease Act

Hon. Glen Cummings (Minister of Natural Resources): Madam Speaker, I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 15, The Dutch Elm Disease Act (Loi sur la graphiose), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Cummings: This is an amending bill to The Dutch Elm Disease Act which is the backbone of the provincial management program, frankly, and has been in place for the past 17 years.

The Dutch Elm Disease Act requires amendments to maintain and improve the effectiveness of the program. The objectives of these amendments are to maintain and enhance a healthy urban forest ecosystem in dozens of our towns and villages across this province. These, of course, provide a unique and important shelter within our communities with the protection from adverse weather and improved property values which is a matter which is far too often overlooked.

These healthy forests—or when they are healthy—also provide habitat for wildlife and overall improved standard of living through aesthetic and economic values. The amendments to the act reflect new management techniques that have been introduced over the last few years, and frankly the reason for this act being here today is to modernize and to streamline the enforcement opportunities and recognize some of the modern works that could be undertaken in order to enhance protection of the elms. It does allow also for various communities to take a more active role in managing the disease within their own local responsibility.

We would like to have these amendments in place by the spring of 1998 because everyone requiring to enforce, implement or work with the act including the

City of Winnipeg, municipalities, research scientists, citizen groups, urban tree coalition groups and other experts in Dutch elm disease control and management have all been consulted over the past few years on the content and focus of changes to the act. There is, as far as I can tell, strong support for these amendments, and they should be seen as an improvement in order to deal with a situation which everyone has some significant concerns about.

The amendments are intended to address tree pruning techniques and alternate wood disposal options, tree pruning regulations and certification, the use of fungicides for protective tree treatments and the need to better define enforcement procedures and manage the disease in communities and a revision of the amount of fines for current infractions.

* (1550)

Changes and/or additions to the act include regulation and certification regarding the provincial tree pruning program which has been moved from the Department of Agriculture to Manitoba Natural Resources allowing for the planting of replacement elm species in areas where appropriate, permitting municipalities to serve notice for infected elm wood disposal within their jurisdictions, preventing wilful or accidental damage to public elm trees in Dutch elm disease management areas, to ensure better control of the transportation of elm wood within management areas, to include Natural Resources officers and peace officers as Dutch elm disease inspectors, to allow for the use of therapeutic fungicide treatments as part of management strategies within the communities and the updating of the penalties for contravention of this act.

Amendments fit closely with the overall sustainable development initiatives and commitments that have been supported by this government. The amendments improve the level of Dutch elm disease management in the province and support and enhance the continued survival of our urban forests.

Madam Speaker, I look forward to the early completion of the debate on this act.

Mr. Stan Struthers (Dauphin): I move, seconded by the honourable member for Swan River (Ms. Wowchuk), that debate on this bill be now adjourned.

Motion agreed to.**Bill 16—The Water Resources Administration
Amendment Act**

Hon. Glen Cummings (Minister of Natural Resources): Madam Speaker, I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 16, The Water Resources Administration Amendment Act (Loi modifiant la Loi sur l'aménagement hydraulique), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Cummings: Madam Speaker, the introduction of these amendments, some of them were in fact subject of some discussion during and after the flood of this past spring. Certainly they are intended to implement changes which we believe will enhance and in fact provide some consumer protection in the affected areas.

The amendments of this Water Resources Administration Act, in conjunction with our existing floodproofing program, should ensure that residents of the Red River Valley are protected and forewarned of, and in many cases, the possibilities of the impacts of flooding. The amendments are needed to this act to ensure that the structures within the Red River Valley, or within the designated flood prone area, are in fact complying with the criteria that we have laid down for floodproofing. Under these changes, the provision can be made to alert potential buyers that the structure does not meet floodproofing criteria and to ensure that government does not have to pay for damages under those circumstances in the future.

Some changes also need to be made to the regulation as it applies to livestock barns and lagoons, and the boundaries of the designated flood area need to be revised to reflect the levels that we experienced in the 1997 flood. The amendments we are speaking to today include that a building will now require a two-stage permit, since two permits will not be issued unless the building's foundation meets the floodproofing criteria. Failing to comply with the terms and conditions of a permit will be an offence, and the person so liable could be liable between \$50 to \$500 per day.

Having referenced that part of the act, Madam Speaker, I want to emphasize strongly, this is not a retroactive, there is not retroaction, there is no retroactivity in this act. It is intended for present and future consideration for construction within the valley, or, as the act refers to it, in the designated flood plain, which would be the appropriate way to reference the area that we are in fact dealing with.

Under the new legislation, a minister may issue a stop-work order if the terms of conditions of a permit are not complied with or if a permit has not been obtained. A minister may file a caveat with the Land Titles Office stating the structure does not comply with floodproofing standards.

After the amendments come into effect, any construction that does not meet the floodproofing standards and is constructed following the implementation of this act will not be eligible for flood protection assistance.

These amendments complement the announcement that was made last August when this province added \$34 million to the 1997 floodproofing program to allow Manitobans to floodproof their homes as quickly as possible, and we had 1,850 individual claims that have been received. As we await further decisions from our federal partner on this program we will, however, continue with the cost-sharing. The floodproofing program covers up to 75 percent of the cost to raise or move a home or build or raise a dike up to a maximum government contribution of \$30,000. In addition, those who participate will receive their 20 percent co-payment. We will have it rebated or waived in terms of their disaster assistance claim.

These amendments and the additional funding announced earlier will enable us to protect more flood-prone properties regardless of the level of damage they experienced last spring, and it will take up \$50 million in the end to provide this individual flood-proof protection. We are well aware of the severe hardships that Manitobans in the flood-prone area of the Red River Valley have suffered over the past number of months.

I am pleased to present to the House these amendments so that future residents of the valley may

protect themselves and know what levels they are purchasing into when they buy lands within the valley. I recommend this act to the House.

Mr. Stan Struthers (Dauphin): I would move, seconded by the honourable member for St. Johns (Mr. Mackintosh), that debate on this bill be now adjourned.

Motion agreed to.

Mr. Marcel Laurendeau, Deputy Speaker, in the Chair

Bill 12—The Addictions Foundation Amendment Act

Hon. Darren Praznik (Minister of Health): Mr. Deputy Speaker, I would move, seconded by the honourable Minister of Labour (Mr. Gilleshammer), that Bill 12, The Addictions Foundation Amendment Act; Loi modifiant la Loi sur la Fondation manitobaine de lutte contre les dépendances, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Praznik: Mr. Deputy Speaker, this is a rather simple amendment to the act. It removes the current requirement that the Lieutenant Governor in Council approve the annual grant given by the Department of Health for the operations of the foundation.

The background behind this goes back several years ago when we changed as a government, and it was part of our streamlining and improvement of government operations where we amended the general manual of administration directive and removed the requirement for grants to have an Order-in-Council approval. This change in process did not extend to grants covered by specific statutes and, therefore, an amendment is necessary to remove the requirement from this act.

The funding for the foundation's operations is reviewed as part of the Estimates process for the Ministry of Health. So it simply means that the dollars flow directly without an Order-in-Council approval which is currently the case. That saves us both time and the cost of processing that Order-in-Council, and the dollars, of course, are still subject to review by this Legislature in the Estimates process. We have the

representatives of the foundation there for the Estimates process as part of the review by opposition members. So it truly is an administrative housekeeping matter that in no way affects the scrutiny of this agency in its receipt of public dollars.

Mr. Tim Sale (Crescentwood): Mr. Deputy Speaker, I move that debate on this bill be now adjourned—and seconded by the member for Selkirk (Mr. Dewar).

Motion agreed to.

* (1600)

Bill 13—The Prescription Drugs Cost Assistance Amendment Act

Hon. Darren Praznik (Minister of Health): Mr. Deputy Speaker, I would move, seconded by the honourable minister of Consumer and Corporate Affairs (Mr. Radcliffe), that Bill 13, The Prescription Drugs Cost Assistance Amendment Act; Loi modifiant la Loi sur L'aide à l'achat de médicaments sur ordonnance, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Praznik: Mr. Deputy Speaker, this act does three things. First of all, Section 2 of this bill provides the Lieutenant Governor in Council with the power to make a regulation prescribing conditions to be met by drug manufacturers that are applying to have drugs considered for Pharmacare coverage.

Currently, there is no authority to recover the costs of reviewing such applications. This amendment will permit the assessment of fees to cover the costs of such reviews, and, obviously, part of the cost of having a drug for inclusion in Pharmacare, which is obviously advantageous to its manufacturer, it is our belief that the opportunity should be there for us to recover the costs of that review from that manufacturer. So that is the first thing the bill does, Mr. Deputy Speaker. It allows us to recover the costs from the manufacturer when that particular drug is being considered.

Secondly, Section 3 amends Section 10 of the act which requires physicians, dentists and pharmacists to

produce on request records relating to the prescribing or dispensing of specified drugs. This bill amends this section to make midwives subject to the requirement once The Midwifery Act comes into force in 1998. So, since the power, the limited power has been granted by this Legislature to midwives to prescribe, where appropriate, during their work, it is necessary to amend this act to catch them under the same requirements for disclosure of information as others who have the power to dispense drugs.

Finally, Mr. Deputy Speaker, the bill adds a provision to allow the Minister of Health to delegate powers given under this act. That is an administrative matter. The practical day-to-day operation of administering this act in a department as large as Health requires that very able people within the department assume those responsibilities, and the power to delegate is required by this Legislature to give effect to that requirement. One should remember though, of course, that ministers are ultimately, in our system, responsible for powers delegated by them, and I accept that, and, certainly, in proposing this bill, I appreciate and understand that, but the administrative efficiency that comes with delegation is important, we believe, in the operation of this particular bill. So I am sure members would agree this, by and large, is a housekeeping matter, is an administrative matter and nothing of policy or substantive change to the act in question.

Thank you very much, Mr. Deputy Speaker.

Mr. Gregory Dewar (Selkirk): Mr. Deputy Speaker, I move, seconded by the member for Crescentwood (Mr. Sale), that debate be adjourned.

Motion agreed to.

Bill 17—The Legislative Assembly Amendment Act

Hon. James McCrae (Government House Leader): Mr. Deputy Speaker, I move, seconded by the honourable Deputy Premier and Minister of Industry, Trade and Tourism (Mr. Downey), that Bill 17, The Legislative Assembly Amendment Act (Loi modifiant la Loi sur l'Assemblée législative), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. McCrae: Mr. Deputy Speaker, I am pleased to rise and introduce Bill 17 dealing with The Legislative Assembly Act and to place before the House amendments thereto. The amendment is consequential upon discussions and agreements arrived at last spring with all parties in this House respecting the way we do our business.

I am pleased to have been part of a process, Mr. Deputy Speaker, that culminated in changes to our rules which provide for a more orderly conduct of the business of this House, and I take this opportunity to thank honourable members from all political persuasions in this Chamber, because there are times when we put aside our differences and work towards the smoother operation of this place.

But one of the things, among others, that we dealt with in our discussions last spring, Mr. Deputy Speaker, was the idea that we could deal with the 240 hours of deliberations under the Estimates of the various departments in an expedient and still thorough way by dividing the Committee of the Whole into three sections rather than just the two that we had been using previously, although by leave previously we had experimented with the use of three branches of the Committee of the Whole House, and it did prove to be an expedient and appropriate way to do the business of examination of Estimates.

So one thing led to another, Mr. Deputy Speaker, and discussions were entered into and agreements arrived at culminating in this new book that I have on my desk, called the Rules, Orders and Forms of Proceeding of the Legislative Assembly of Manitoba. Referring to page 6 of this new publication—I congratulate the Office of the Clerk and the staff there and the printers and everybody who was involved with bringing this to us—if you look at Section (3) on page 6 of this new document, it says: “At the commencement of every Legislature or from time to time as the necessity may arise, the House shall appoint two Deputy Chairpersons of the Committees of the Whole House”.

Well, as you know, Mr. Deputy Speaker, we have only one deputy, and because the rule has changed so that we are now going to have three sections, we need

two Deputy Chairpersons of Committees of the Whole House, and, as you know, if you look on the Order Paper, we are proposing that the honourable member for Sturgeon Creek (Mr. McAlpine) be appointed to that position, but we need the legislative underpinning to make all of that work well and in a statutory way. It also makes the Clerk of the House happy to know that everything is being done in an orderly way.

I have asked that this matter be dealt with in an expedient fashion and, depending on the discussions between the representatives of the parties, we may or may not get this thing passed at all stages at this brief session or brief sitting in the next day or two. If that does not happen, I suppose we will be looking at getting this bill dealt with shortly after the House resumes in February or March or whenever that will be happening, in any event, I suggest, perhaps after the budget. My preference, of course, is to get it done now so that it is another piece of housekeeping that no longer sort of occupies our Order Paper and is a matter of outstanding concern for people like me and people like the Clerk and people like the opposition House leader and anybody who is concerned about the orderly management and conduct of the affairs of this House.

* (1610)

So I think it is a better use of the time of honourable members that we have the three sections of Committee of the Whole. It allows for us to have a dedicated amount of time available for that work, leaving more time available for us to review, examine, debate, deliberate, have public hearings on, amend, and do whatever else it is we do with bills that come before this Legislature.

It makes sense, and I guess that is why members of this place agreed that we should move in this direction.

I know that my predecessor, the former minister from Charleswood, Mr. Jim Ernst, was very instrumental in helping bring us to this point, and I like to offer my thanks to him and those who worked with him in bringing about this result. It is not the most earth-shattering amendment or change to the way we do our business, but it is indeed still important in that it does a couple of things, as you may have heard me say

already. But some things are so important, they bear repetition.

It is very important that there was a level of co-operation and a sense of working together in existence in this place, even last June, when Manitobans were facing the flood of the century and working feverishly to ensure to the extent possible that our homes and businesses, to the extent possible, were saved harmless from that awful flood.

All of this was going on at around that same time. So it is a credit to those involved in the process that we have arrived at a place where we are able to order the business of our House somewhat in a better way. I think, speaking personally, there is still room for a fair amount of parliamentary or legislative reform that it could be said that much work could be done. I had made a speech yesterday to an august body here in the city of Winnipeg, and I said that, as long as perfection eludes us, we still have work to do. I regret to say that within our rules we have done well, but we have not achieved perfection. So we will keep working.

My office is always open to honourable members on all sides of the House to move further towards the perfection of these rules by which we all live and which we regard and hold so sacred and follow so religiously each day in this House.

Having said all those things, I commend this bill to the thoughtful consideration and support, timely support if possible, of this bill.

Mr. Gregory Dewar (Selkirk): Mr. Deputy Speaker, I move, seconded by the member for Point Douglas (Mr. Hickes), that debate be now adjourned.

Motion agreed to.

Bill 18—The Registry Amendment Act

Hon. Mike Radcliffe (Minister of Consumer and Corporate Affairs): Mr. Deputy Speaker, I move, seconded by the honourable Minister of Government Services (Mr. Pitura), that Bill 18, The Registry Amendment Act; Loi modifiant la Loi sur l'enregistrement foncier, be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Radcliffe: Mr. Deputy Speaker, I now rise to put a few brief remarks on the record with regard to this bill, which amends The Registry Act, which is one of the acts forming the fabric of our Land Titles Office and landholding in Manitoba.

While some would say that this is a bill of some little interest and little moment in our community, I would say, au contraire, Mr. Deputy Speaker, that The Registry Act is a matter of some great significance, because there is still a vestige of landholding in our province which is still secured and noted under the registry system in Manitoba.

I would share with my colleagues opposite that in fact we have two very significant forms of registration of land in Manitoba, the first being that of the registry system whereby all the land in the province which was originally occupied by European settlement in the early years of the last century was surveyed and, in fact, one can only look to the times of troubles, Mr. Deputy Speaker, arising in your very community, La Barriere, in 1869 and 1870 to see what a sensitive and significant issue landholding and land registrations are.

In fact, it was, I believe, Padre Ritchot and Monsieur Riel of sainted memory who turned back a number of Canadians who were trying to invade the then colony of Red River, which was without any administrative sovereignty at that point in time. The Hudson's Bay Company having diminished in significance and influence in this territory, the negotiations were ongoing between Mr. Macdonald, the then Prime Minister, and our sovereign lady the Queen, who was executing the transfer of land to the nation of Canada.

But, in any event, I could digress further, because in fact these are matters of significant weight, but the amendment that is at hand here, Mr. Deputy Speaker, is in fact an issue of housekeeping nature to amend The Registry Act to allow the Land Titles Office to note transfer of property from the Canadian Crown to the Manitoba Crown, which originally could only be done by letters patent and was being done in perhaps a band-aid fashion by registration of Orders-in-Council but without any legislative authenticity, and this act purports to enable the different Crowns to transmit land

that was held under the registry system by way of an up-to-date instrument and to facilitate the transfer of proprietary interest, which is now a very cumbersome and difficult process.

So I would therefore commend this bill to the attention of our colleagues in this Chamber and, likewise, as to the previous bills that I had introduced, I am sure that there will be a spontaneous acclamation of the need for this bill and the efficacy that it will enhance the up-to-date living standards of our good people of Manitoba.

With those few remarks, I would surrender the floor, Mr. Deputy Speaker.

Mr. Gerard Jennissen (Flin Flon): Mr. Deputy Speaker, I move, seconded by the member for Point Douglas (Mr. Hickes), that debate be now adjourned.

Motion agreed to.**Bill 14—The Executions Amendment Act**

Hon. Vic Toews (Minister of Justice and Attorney General): I move, seconded by the Minister of Natural Resources (Mr. Cummings), that Bill 14, The Executions Amendment Act (Loi modifiant la Loi sur l'exécution des jugements), be now read a second time and be referred to a committee of this House.

Motion presented.

* (1620)

Mr. Toews: Mr. Deputy Speaker, I want to make clear at the onset that The Executions Act relates to a civil process as opposed to a criminal penalty.

The Executions Act, as it stands, does not allow civil enforcement officers to seize cash or cash equivalent when they are executing a writ of seizure and sale. As a result, this most liquid of assets is excluded when a creditor uses this method to settle a judgment. The Department of Labour initially requested an amendment to the act to allow for the seizure of cash and cash equivalents. The Department of Labour uses seizures to recover lost wages for employees, and the seizure of cash will benefit all creditors. If approved,

control procedures will be put in place to account for and safeguard any seized cash.

Those are my comments, Mr. Deputy Speaker.

Mr. Gregory Dewar (Selkirk): Mr. Deputy Speaker, I move, seconded by the member for Wellington (Ms. Barrett), that debate be now adjourned.

Motion agreed to.

Bill 19—The Public Trustee Amendment and Consequential Amendments Act

Hon. Vic Toews (Minister of Justice and Attorney General): I move, seconded by the Minister of Natural Resources (Mr. Cummings), that Bill 19, The Public Trustee Amendment and Consequential Amendments Act (Loi modifiant la Loi sur le curateur public et modifications corrélatives), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Toews: Mr. Deputy Speaker, these amendments will repeal Section 15 of The Public Trustee Act, which requires that all revenues earned by the Public Trustee be paid to the Consolidated Fund, and all operating expenses be paid from the Consolidated Fund and subsection 86(3) of The Mental Health Act, which requires that all fees received by the Public Trustee not paid out in expenses in connection with an estate form part of the Consolidated Fund.

When the Public Trustee became a special operating agency on April 1, 1996, the method of accounting for operating expenses and revenue was amended to conform with The Special Operating Agencies Financing Authority Act. That act does not require that revenues be paid to the Consolidated Fund.

These are housekeeping amendments which are required as a result of The Public Trustee Act and The Mental Health Act being in conflict with The Special Operating Agencies Financing Authority Act. The issue has been commented on by the public Auditor in his audit of the Public Trustee's operating statements. We are moving to address that issue.

Mr. Gregory Dewar (Selkirk): Mr. Deputy Speaker, I move, seconded by the member for Point Douglas (Mr. Hickes), that debate be now adjourned.

Motion agreed to.

Hon. James McCrae (Government House Leader): Mr. Deputy Speaker, shall we call it five o'clock?

Mr. Deputy Speaker: Is it the will of the House to call it five o'clock? [agreed]

The hour being five o'clock, time for private members' hour.

PRIVATE MEMBERS' BUSINESS

PROPOSED RESOLUTIONS

Mr. Deputy Speaker: Proposed resolutions, the honourable member for Gladstone (Mr. Rocan), Federal Transfer Cuts—not at this time; it will be dropped to the bottom.

Res. 2—Parental Involvement

Mr. Deputy Speaker: Number 2, on the proposed resolution of the honourable member for Gimli, Mr. Helwer, Parental Involvement.

Mr. Edward Helwer (Gimli): Mr. Deputy Speaker, I move, seconded by the honourable member for Pembina (Mr. Dyck), that

2. WHEREAS the government places high importance on the involvement of parents and the community in the education of Manitoba's young people; and

WHEREAS Advisory Councils for School Leadership were created and are operating in over 200 schools in the province; and

WHEREAS this government hosts annual forums for parents to encourage their continued involvement as important partners in the educational process.

THEREFORE BE IT RESOLVED that the members of the Legislative Assembly support the involvement of

parents and communities in education through such activities as in-service programs, information sharing with parents, parent forums and a continued partnership between the Department of Education, school divisions and schools in supporting parental involvement.

Motion presented.

Mr. Helwer: Mr. Deputy Speaker, I am very pleased to propose this resolution and speak to it because I think it is very important to get parents' involvement in the community and in the schools, and this government certainly fully recognizes the important contributions that parents and other community members can make towards the education of Manitoba's young people.

Parents have so much to offer, Mr. Deputy Speaker, not only with respect to the education of their own children but for the school program as a whole. We need to recognize and respect the fact that parents are indeed our children's first teachers, and they also play a very important role in developing in them a lifelong love of learning. It is so important that parents and community members have the opportunities to have real input in the education system. Too often in the past, many parents wanted to get involved in school matters, but there were not sufficient provisions for their involvement. There was not a tool or an avenue for them to get involved in their school system.

There have always been opportunities for parents to get involved in some of the school activities such as fundraising or some of the extracurricular activities, of course, but there were often limitations on their involvement in some of the real school matters; I mean things that pertain to the education of their children, some of the real issues of the school.

So there is just no question that many parents want to have some input into school matters such as curriculum, assessment, school planning, personnel practices and other areas of the school operations. In the past, the extent and the nature of parental involvement varied from place to place, parent to parent and also from school to school. In some families, parents become very involved with their child's education, while in others involvement has been limited or somewhat less.

There are many schools where parental involvement was superficial and sometimes even discouraged, and while parents were often involved during the early years of their child's education, that involvement lessened sometimes during the latter years of the education. The government recognizes though that many schools have provided excellent opportunities for parental involvement, and they should be applauded for this. However, it is important that all schools provide such opportunities and that all parents are able to participate in the education system if they so wish.

* (1630)

Many educators also recognize the need for and the value of parents' involvement in their children's activities. I think that is where the co-operation between the educators and the parents and the parents' council—I think that is where we are benefiting from having these parent councils. There is no question that a close partnership between the parents and the teachers leads to a more effective learning environment.

When parents, some of the community members and educators work together, this results in significant benefits such as improved academic performance and student behaviour, strengthened community networks, a better understanding of the needs of individual students, more regular attendance, greater motivation and more positive attitudes towards homework and school. With all these benefits, it also is easier for the teachers, the educators, in areas such as discipline and things of that nature, getting the students to attend school regularly, and when the parents are involved, all these come about much easier, and everybody benefits from this process.

Numerous studies have examined the effects of involving parents also in the education of their children. The overall evidence indicates that meaningful parent involvement in programs have significant benefits for students, for parents, schools and the whole community. Parent endorsement of school enhances children's self-esteem and self-discipline, mental health and long-term aspirations. When children receive help at home in a particular subject, their achievement is likely to increase. The children of parents who participate in school activities are better behaved and much more diligent in their efforts to learn, and this also helps them in their later stages also.

The benefits of continual parental involvement are not restricted to students in the earlier and middle years, of course, of their school years, but students experience these benefits continually throughout their senior years, and studies confirm the value of parental involvement at the high school level and suggest that early school leaving may be prevented by supportive parents. That is certainly borne out by the results.

The government is committed to enhancing the participation of parents in the function of Manitoba schools, and for the past four years this government has sponsored an annual parents' forum to provide information and to listen to questions, concerns, suggestions that parents may have regarding the whole school system and the educational system.

The latest forum was just held a couple of weeks ago here, on November 29, as a matter of fact, and many parents were able to attend this function. The topic, standards testing or in pursuit of excellence, provided an opportunity for parents to learn more about assessment and standards testing in Manitoba and to have some of their questions answered.

One of the most important responsibilities is to provide a strong educational foundation for our children for they are truly the future of this province, and parents, as important partners, play a very valuable role as together we work to ensure we are providing a high quality of education to our students to make sure they have the skills that they need to succeed in the 21st Century.

Manitobans have clearly expressed to us the need for higher standards, better programs, effective use of technology, more parental and community involvement and effective measures of accountability. We have listened and are continuing our efforts to ensure excellence in education with an increased emphasis on the core subjects, and we have strengthened legislation to ensure that schools are safe, productive environments where teachers and students can work together and where there is order in the classroom.

We continue our efforts to provide parents with opportunities for meaningful involvement in the educational process. The government is making an

ongoing effort to open the doors to as many parents as possible. This means that guidelines, procedures for parental involvement are friendly and easy to understand. The government recognizes that diversity is an important building block in many strong partnerships, and they wish to involve the parents from all backgrounds.

I just want to give you one example of how the local parents' council in one of my schools in my constituency—they did not have enough students for really a full grade or to make two classrooms of a certain grade. What they had to do was split the classes to have some Grade 4s and some Grade 5s in one classroom to make provisions for all the children. Parents did not particularly like to have a split class, and they certainly voiced their opinion, but they did it properly. But, with the co-operation of the educators, the teachers, the parents of those particular children, we were able to resolve the issue without any major problems. Parents understood the importance of what had to be done, so it was done in a constructive manner. So it worked out very well.

Through some of the ongoing initiatives, like annual forums, strengthened legislation, resource and support documents, meetings, committees, and information-sharing opportunities, we continue to invite parents to become and stay meaningfully involved in their children's education and also where parents and community involvement are an integral part of education in Manitoba, and because of an expanded involvement to provide significant benefits to our young people, and whereas this involvement will continue to be encouraged by this government and promoted through such activities as in-service programs, through sharing with parents, parent forums, and a continued partnership between the Department of Education, school divisions, and schools in supporting parental involvement.

I want to mention one other example of where parents are involved. I think I have a couple of minutes yet, Mr. Deputy Speaker? A couple of minutes. Good. Oh, great.

One of the ways in which parents have gotten involved, and this is a perfect example of what parents can do working with the teachers, this is at Stony

Mountain in the Stony Mountain Elementary School, where the teachers and the parents, the parent councils all worked together as a community. They improved their playground and also became a green school. Now, just last September they celebrated the completion of the SEEDS program and became a green school. This is through the SEEDS program, whereby they completed 1,000 projects, environmental projects for the SEEDS Foundation. So in the Stony Mountain School they started out back in 1994, actually, where they were recognized as a green school with 100 projects; the following year they were a jade school with 250 projects; and then they went to an emerald school with 500 projects. Then this past year they completed their total, 1,000 projects. This is terrific, I think, and I was pleased to take part in the program there when they did announce that the school achieved their 1,000th project.

* (1640)

Some of the projects that they did there in order to realize this—they took part in a wide variety of projects, from recycling materials for art, toys, bird feeders, to create their own green school. Also, one of their earlier projects was a playground, and it certainly has made for a safe environment for the children at the Stony Mountain School so that they can make the whole school much safer and much more enjoyable for the students there.

This is all done in co-operation with the parents, the school division, the province, the SEEDS corporation, and also the teachers and the students involved. Also, the students have to maintain these projects for a number of years, and they are trained to do this. So it also teaches the students some responsibility to maintain what they have built because they really do take better care of it when they were involved in the project to begin with.

There is only one other school in Manitoba actually that qualified for this Earth School, and I understand it is in the constituency from the Minister of Health (Mr. Praznik) actually, in Lac du Bonnet area. But we are really pleased to have this.

While my time is up, I would like to see all members support this resolution here today.

Hon. Linda McIntosh (Minister of Education and Training): Mr. Deputy Speaker, I am pleased to be able to rise and make a few comments about this particular resolution, because I think all members of the House would agree, and many who have done reading on the topic would agree, that where parents are involved in, aware of and part of their children's education, those children tend to do better than those where parents are apathetic, uninterested and uninvolved. All that we have read and learned and studied in all research shows that to be true.

We have been placing a special emphasis in our government on providing opportunities for parents to get involved in the schools, and I am delighted to indicate that, with our new format for school advisory councils, we have provided a very real platform for parents to become meaningfully involved in the schools through school plans, through a wide variety of venues that enable parents to become true partners with other adults in the school in their children's lives. Parents are, after all, their students' first teachers. They are the ones who teach the children to walk, to talk, to conduct themselves properly in society and prepare them for the actual learning experience of school.

Advisory Council for School Leadership builds upon that foundation that is desired in children's preschool years—not always, unfortunately, there. That is another issue where we need to assist families in providing support, preschool, for those where parents are not as involved as they could be or would like to be, but at the school level we have seen over 200 advisory councils fully established and functioning. Having visited some of the schools where that influence is felt, it is a wonderful experience.

It is wonderful to see the parents and the teachers working together, supporting each other, lifting each other up, working together for the benefit of their students. It is wonderful to see parents taking a part at the beginning of the year and helping to establish plans for that school for the year, plans for that place in which their students, their children would be spending so much time, plans about the kind of discipline the school shall have, about the kind of atmosphere the school shall have, about the type of learning that will take place in the school where their children attend.

For the teachers involved in schools where that support is strong and that influence is solid, the teachers feel such a strong sense of support from those parents because together they have all opted into a common goal and outcome for those children, and together they can reinforce each other and establish continuity and consistency for that child. We are amazed to see the difference that these kinds of school councils can have in a school.

We have not made them compulsory, Mr. Deputy Speaker. We have provided the model and the opportunity. We have also said that if parents wish to have a different kind of parent council or, indeed, no parent council, that parents are free to pursue those routes as well. But more and more, we are beginning to notice that where school advisory councils have been set up and are observed by a neighbouring school that it is snowballing, those schools watching these success stories are then seeking the opportunity to have them for themselves as well. It is very stimulating, and it is a great thing to witness.

We find with the trustees and principals/administrators in places where they have strong parental and community involvement that there is a much easier leadership task. They may be busier because there are a lot of people involved in helping, but the supportive atmosphere makes the job more fulfilling, more satisfying.

We recognize parental involvement as a cornerstone of educational renewal. In fact, we have outlined in our New Directions six priority areas for renewal of the education system, and this parental involvement thrust is one of them. We believe that parents and community members have the right, the right to be involved in all aspects of their children's education.

Too often in decades gone by, there existed educational institutions where the children were dropped off by the parents, and the door then was closed to the parents, who remained on the outside, and everybody else was on the inside, leaving the teachers in isolation, coping on their own without parental support, leaving the parents outside the door feeling frustrated and left out, and there developed a culture that said we are the people in the schools; we know about education; you are just the parents; you must not

come in. There developed a culture on the parents' side that said you are the educators; you must be all things to my student; I can now abdicate my responsibility at this door. Those two cultures coming together spelled bad things for students.

Opening that door and letting the influences flow both ways, I believe, has made a tremendous improvement, and I hear this over and over from parents. I know there are still places where people are still caught in old think, where they are nervous and worried about this new thrust and are fearful that it will mean that parents coming into the school will start making comments that perhaps people of the school will not want to hear, or parents feel coming into the school that educators in the school might forever condemn their child if they share views and opinions with the educator. But all we have to do is take people who feel that way over to see the success stories and the attitude changes, because the positive interaction has created deep bonds of friendship and mutual respect and a greater understanding of the roles that all these adults in this child's life fulfill.

We are, through the Manitoba Association of Parent Councils—the Manitoba Association of Parent Councils is currently conducting a survey on the numbers of formally established Advisory Councils for School Leadership. The numbers are expected to show that we have actually about 400 councils established to date. The 200-some-odd that I mentioned are those that are there and flourishing, and some of the others are still in the new stages.

* (1650)

Given the importance of these councils, I would like to just highlight the mandate of them. The Advisory Council for School Leadership is formally recognized through legislation. It consists of elected members of the community, and these councils have powers that are recognized in legislation. The Advisory Council for School Leadership works in co-operation with school staff, trustees, parents and members of the community. The council acts as a liaison between the school, parents, community and other school support organizations for the purpose of information sharing and co-operation. It also provides advice to the principal, staff and school board on matters related to

programs, school planning, budgeting and management of the school.

The roles and responsibilities of Advisory Councils for School Leadership are to advise the principal on school matters as they pertain to school improvement, policies, organization and activities. Some of those would include curriculum and programs, cultural and extracurricular activities, student discipline and behaviour management policies, community access to school facilities, transportation, fundraising, school closures, hiring and assigning of principals.

They also have a role and responsibility to participate in the development of an annual school plan, and we will shortly be receiving the first sets of school plans, Mr. Deputy Speaker, having been notified by several divisions that their plans are ready. They are tremendously excited about them, and I am most eager to read those plans and see the personalities of the schools reflected in them and know that everybody in the school has opted into this as a way for their schools to function and go through the year. It is such a positive thing.

To participate in the development of the school budget proposal prior to the submission to the school board: That is an opportunity for input that many parents have long sought, and now that it is happening, schools are finding to their delight that this is a very helpful process. They are getting fewer complaints about the priorities for spending in the schools. They know if they decide they are going to purchase new volleyballs or purchase new library books or something of that nature, that they are doing it on the priorities as established by those who are consumers of the system.

Another role is to promote community interest, understanding and involvement in the school and in the governance of the school. We have some incredible examples where the community has become involved to the point that the schools have benefited from the acquisition of equipment, computers, technology, where there are technology councils set up in the schools that are technology councils consisting of parents, community members, students, staff, and their focus is to have technological literacy high on a priority list in their building, and working together they have

been able to accomplish far more than they had ever anticipated could be done.

I see things like that, Mr. Deputy Speaker, and I want to pick up the phone and call my predecessor and indicate to him that it is time he came to see the results of his initiative. It is time he came to witness some over 200 flourishing, fully established councils, some 200 newly established, beginning-to-get-going councils and the mushrooming effect as people begin to notice how much better the schools are when these councils exist. I would like to call my predecessor and have him come and enjoy the fruits of his labour and show him that his vision was a correct one and ensure that he gets a sense of satisfaction from an initiative that has been very well received by the people for whom he hoped it would work.

The councils, of course, establish ongoing communication with all parents of the children enrolled in the school and with community members. The advisory council is representative of their priorities and concerns. They establish a means of regular accountability to the school and community for involvement, activities, expenditure and recommendations. To ensure that the parents are well represented, at least two-thirds of the positions on the council must be filled with parents whose children attend the school. As an additional resource, for parents wishing to establish an advisory council, the Department of Education and Training has issued a handbook which outlines how to plan and implement the formation of such an organization.

Mr. Deputy Speaker, we note, for the record, the involvement of the community in these school advisory councils, and it is delightful to see those areas where seniors have become involved on the school advisory council, where local neighbourhood business people have become involved in this school council, where they take an interest in what the children are doing, coming and going to and from school, where we have the community feeling ownership of the building and the people who are in it. I attended one parent council function last year, and I could not believe the number of people who were there who were not related in a legal sense to the children, but who were there because they had played such a large role in that school that they felt—one person said, I feel as if these children are

my own. What a wonderful attitude to come out of an initiative, and kudos to the school.

Are you signalling my time is up, Sir? Okay. I want to thank you, then, for allowing me to put these few comments on the record. With that, I will resist the temptation to talk for another hour about the wonders of parent councils.

Ms. Jean Friesen (Wolseley): Mr. Deputy Speaker, I would like to thank the mover of this resolution and to suggest that there are areas obviously, I think, where both the opposition and the government would agree on this. But I should note at the beginning that it is based, of course, upon two false assumptions. The first is, and the minister has elaborated upon this as she just spoke, the assumption that there were no parent councils until the light of this government shone upon them. Nothing could be further from the truth. In case of Winnipeg—[interjection]

Mr. Deputy Speaker, I think I waited quite patiently for two members of the government to speak, and I think it would be appropriate for them to wait, too.

It is a straw man that there were no parent councils before this government introduced its legislation, and that is not true. In Winnipeg No. 1, for example, all schools, I believe, had parent councils. Other urban school divisions did, and so did some of the rural divisions. I do not know since the legislation—and I look forward to the minister's report on this—how many more schools have added parent councils. I assume that many of them have, and I think that is a very good idea. It did not require legislation to do that; it required a government which was prepared to indicate best practices to schools across the province and to take the time to expand upon that.

The second assumption which is false is that parents were not involved in schools in any other way before there were parent councils. Mr. Deputy Speaker, I am certainly getting on in years, and it is 20-odd years since my children were in school, and indeed I was invited from the very beginning into the kindergarten. Although I have taught kindergarten myself in other settings, I very much remember that first day in kindergarten and my great respect for the teacher as I emerged at 11:30 somewhat unscathed—or perhaps

scathed—from the experience. So I have never encountered a school, in fact, in my experience in the city of Winnipeg, which has not had open doors for parents. We have been invited into the classroom; we have been invited at lunchtime; we have been invited to go with students upon field trips. All of those things have involved parental involvement. Certainly those who were on the parent councils, and I certainly was not involved myself at the parent council level, have been involved in many of the things which the legislation has provided for. So, although we welcome the legislation, we thought the government could have done it without, and indeed they also perhaps are starting from false premises in this particular area.

* (1700)

Mr. Deputy Speaker, I think also that the government is wise in its resolution to indicate that it is not just parent councils which are the basic involvement of parents. There are many, many other ways for parents to be involved, and indeed one of the roles of parent councils should be to find other ways for parents to become involved in the school, as indeed many of them already have.

I think also one area where the government has assumptions different from mine are, I believe that much of the government's speeches on this rest upon, as the minister put it, parents who are apathetic, uninterested and uninvolved. Mr. Deputy Speaker, I think that is a very unfortunate assumption because I speak for a constituency, as do many people on, I assume, both sides of the House, where there are parents who are very anxious, indeed extremely anxious in some cases, to become involved in their children's education, but resources are not distributed equally across families, either in my constituency or, I suspect, in most members'.

Madam Speaker in the Chair

There are parents who are able to be their children's first teachers in all the ways that we would hope. There are parents who are able to supply their children with books and a household that is filled with books and pictures and the things that we need to stimulate children. There are households where there are

computers, sometimes one and two computers, and there are households without computers.

There are houses where children or families are taken regularly to the library, and there are houses where parents know nothing about a library or about a library ticket. And I will say as an aside on that, Madam Speaker, that I hope that a government which brings in a resolution such as this is not going to be the same government which enables the City of Winnipeg to begin to charge library fees because nothing can be more important, I believe, to children in their beginning education than a house of books and a library ticket and a family which engages in reading together.

But there are parents with many different abilities. There are many parents who are not as literate as we would hope. They come from other countries. They have different languages, that their ability to help their children in English or in French is much more limited than those perhaps of many of us in this Chamber. And so I think, as the minister might have done, to assume, and I do not suggest that she assumed this, but I think she must make the assumption as well, that there are parents who want to help their children and who cannot and that resources and abilities are distributed unequally.

Parent councils are one way of ensuring greater involvement of parents, but also there must be an indication that schools have to be the equalizers, that those children who come from families where there are no books, where there is very little involvement in language, where there are not the financial supports or the supports available from time, from the perspective of a family which has time to be with its children, then the school must be the equalizer. Schools must make a difference, and that is where I think I would perhaps have added or differentiated myself from the government on this, the idea that schools have to be the equalizer. They must have the libraries. They must have teachers with additional time. They must have the teachers for the special needs children in the schools. They must have the resources to deal with children who come from families who cannot provide what we would all hope for in terms of literacy and ability to meet the world with confidence, what we want to instill in all of our children.

Madam Speaker, I think we have seen funding cuts to public schools as the result of this government's actions which have had a serious impact on the resources available. There are school divisions who used to have librarians who no longer do. There are school divisions which used to have budgets where they could buy books, possibly every year. Now they no longer do. There are school divisions where there used to be textbooks for every child. Now they can have textbooks for perhaps one in every three children or every four children. The rest must be xeroxed and taken home, if they still have a xerox budget. And I mentioned in my response to the throne speech that in some of our wealthier neighbourhoods children are being expected, as a form of user fees, to bring xerox paper so that things can be made up in the absence of available textbooks.

There are schools in our province where students are being charged for substitute teachers for field trips. What a great equalizer and parental involvement that is to involve parents in field trips to take the children to camp as they used to in the language programs, to be involved with them in a visit to the museum, to be involved with them in visits to galleries or to take them to the swimming pool so that every child by the age of 10 or 11 may indeed learn to swim. How more important can so many things in physical education be than that in a province of so many lakes where water safety is of extreme concern to all of us? Yet, look across our schools, and look at those areas which are being cut or for which user fees which exclude children are being made. You will find that those areas of parental involvement are diminishing seriously, and I think that is a serious concern. It is all very well for the government to talk about parental involvement, but in fact the government's own actions diminish the opportunities for the very involvement of parents which would have made a difference.

That is particularly true at the junior high and senior high school levels. It is relatively easy for parents to become involved in kindergarten, as I was, or in the junior levels of the elementary school. It becomes much more difficult when your child is 13 or 14 when the messages do not come home from school, when you unpack the knapsack at the end of the school term and you find that there are three feet of sandwiches and several feet of letters that have not been delivered to

you. The communication between school and the home does become more difficult the older the children get and the greater autonomy that they seek. It is one of the ways in which they seek that kind of autonomy, and that is part of their job. So field trips and those kinds of things, and sports activities, sports teams, do make a difference, and I very much regret that a government which brings forward a resolution like this has seen to reduce the funding in those areas as well as in areas which have an impact on the classroom.

Now the government wanted to talk about its parent forums, and the parent forums are a good idea. I think they are probably too large and too unwieldy. I think the government would be much better advised to have smaller-scale parental forums on a regional or on a divisional district. I think parents who know each other are much better able to discuss things in a more collegial manner than with people whom they have not met before.

I think there are several things wrong with the forums that the government has had, and I am offering this as free advice. The minister rejected it, of course, the last time I offered it. But I think in the last parent forum it would have been advisable for the government to have an opportunity, to provide an opportunity for parents to discuss, for parents to talk to each other, to listen to each other and for parents particularly to talk to the minister and to listen to the minister in response. That is why parents were there, and that was precisely what they did not get from this government.

But this government as a government which listens to parents, I think, is probably something which most parents by now have realized is simply not the case. If you live in a government riding you seem to have some access to ministers. If you do not live in a government riding, such as those parents from The Maples, for example, it takes you a lot longer. Month after month you must write the letters, you must make the phone calls and be turned away.

I know of no parent in Manitoba who has asked for the removal of Canadian history from Grade 11, and yet the minister who claims to listen to parents has removed it. Indeed, if you look at the records of the first parent forum that she had, and incidentally it is the only one that has had a formal published record—there

must be some reason for that. It escapes me at the moment. But the formal published recordings of the minutes from the Dakota meeting did indicate that parents wanted Canadian history. They wanted it, and this is a government which has just sent us out a package to ask us to talk to students in high schools about Canada. It is the very government which is reducing the amount of Canadian history it is going to teach in schools. In fact, it is not going to be compulsory after Grade 6. So, this is a government which listens to parents, I think is something that is a little breathtaking.

* (1710)

Many parents in the alternative program, some of them from my riding, some from across the province, also tried to talk to the government about the standards test in Grade 3. They were very concerned about the implications of it for their students and for their children. This is a minister who claims to listen to parents, but she certainly did not listen to those parents. There was no discussion. There was no accommodation. There was no, as they believe it, certainly no understanding of the position that they were making about the nature of education in the alternative program in the early grades.

So the government can talk about its parent councils, it can talk about its parent forums, but it is fundamentally a government which has continued to cut money to public schools, it has launched in many ways an attack upon teachers in the classroom, and if there is anything which is more important, it is that relationship between the parent, the teacher, and the child. That is what is significant, and when the government undermines the position of teachers, when it formally and publicly chooses to attack them, then it is breaking one element in that important bond that should be maintained.

Finally, Madam Speaker, I want to talk about the—oh, I see my light is flashing. I did want to talk about the pressure of time upon parents and of the parents from whom I have heard even in the last 10 days who are not apathetic, who are not uninterested, who are not uninvolved in their children's education, but they are part of this flexible labour force that this government has created. They have two and three jobs to keep

going, jobs of 20 hours and 30 hours, often at not much more than the minimum wage. The father I spoke to has to do the laundry, the cooking. He spends an hour and a half with his child every night on mathematics. He then spends another hour with his daughter in reading, and he is extremely anxious that as the class size grows in her school and he has less and less time to deal with the educational needs of his children that she is going to fall further and further behind.

I want to tell the government, as I did in my response to the throne speech, that I have had not just one call on that, but in the last few days I have had several dealing not so much with the mathematics that the government wants to emphasize, but with basic reading—basic reading. That is where many children are falling behind. The government's reading recovery program, much spoken of in the early years of this government's mandate, is enormously expensive for schools and school divisions to buy into, and reading is suffering, according to the people who have phoned me. That is where parental involvement is extremely important.

Madam Speaker, I am sorry, I do not have any further time. Thank you.

Mr. Stan Struthers (Dauphin): Madam Speaker, I feel privileged to stand and take this opportunity to talk a little bit about Parent Advisory Councils. It is something that as a former school principal I have had some real-life experience with.

Madam Speaker, for this minister to stand in this House and to indicate and to imply that somehow this government waved a magic wand and all of a sudden all over the province appeared these Parent Advisory Councils is sheer nonsense. As a student teacher at Brandon University quite a few years ago I was placed in a school that, lo and behold, in the '70s, in the mid to late 1970s, had a Parent Advisory Council. That may be news. That may be news to the minister. That may be news to everybody on their side of this House, but in the 1970s there were actually schools in this province who had Parent Advisory Councils. So when the minister says that she has provided the model or when she says they have provided the opportunity for these Parent Advisory Councils to exist in Manitoba, I would suggest that that is just nonsense.

Madam Speaker, every now and then in a political person's life I understand that a political person will feel the need to jump onto a bandwagon, to try to jump onto a situation that is positive, you know, try to get into something, get onto a good thing. I guess there is nothing too much wrong with that. But what I am afraid is happening here is that this minister has so badly mismanaged the education of kids in Manitoba, that this government has done so many dastardly things to the education system in this province for no other reason than to jump on this bandwagon to distract us from what really this government is intending to do with education, and that is, set up a two-tiered system for kids in our province.

* (1720)

That is the final objective. I do not think this minister wants people to understand that, so she is muddying the waters by jumping into supporting the parent advisory councils in this province simply as a way to distract people. The minister knows that, I think members on the government side know this, and I do not think she is fooling anybody out there. I think people understand that this government does not care about education, that this government does not care whether parents are involved or not in education, and I do not think they understand the importance of having parents involved in their kids' education, Madam Speaker.

The minister talked about doing some reading about education. The minister talked about citing research papers on education. That is all well and fine, Madam Speaker. I have nothing against the minister reading about education and consulting research papers on education, but this minister has failed miserably when it comes to consulting with the real people involved in education, including the children, including the parents, including teachers.

Instead of bashing teachers all the time, this government should consult with teachers and with parents and with students, consult with the administrators in the schools who have to implement the heartless cuts of this government in education. This minister should talk with trustees and talk with the superintendents and try to figure out just what effect her cuts are having on our classrooms throughout the province of Manitoba.

Madam Speaker, I have taught school in a number of different communities in the province of Manitoba. What I have learned at those schools where I have taught is that parents have always been welcome in the schools in which I have been a staff member. The staff in Rossville, Manitoba, under the leadership of our school principal, came up with a very inclusive, very effective model upon which to invite parents into our schools and have a real role to play in the education of their kids' lives.

In Rossville, we understood that there was a problem in the normal way in which the school in that community ran their parent-teacher interviews, so we sat down and we talked to people about how we could do them better. We decided that what would really be effective and really be a good thing for the kids was to go to the homes of these parents and talk with them there, and do you know what, Madam Speaker? We were welcomed with open arms into every single house that we went to in Rossville. We talked with parents, and we got some excellent ideas on what we can do in co-operation with the parent; partnership, like this government likes to talk about, but they can only mouth the words. They do not actually do it, particularly in education. We developed some real partnerships and some relationships with parents that really paid off for those students.

The old method that was employed when we tried to make kids go to school was to hire a truant officer and send the truant officer out to round up all the kids every day. We understood that was not a good way of doing things. We understood that you have to have parents buy into the value of education and work with the staff and have through that process students understand how important it was to come to school.

Madam Speaker, we had days in Rossville School where parents filled the classrooms, not a big special event going on but just a regular teaching of a Grade 8 math lesson, and parents sat around the edge of the classrooms and listened, paid attention, asked questions. When the kids saw their parents interested in Grade 8 math, you cannot begin to describe how powerful a message that was for those students. That is much more powerful than any standardized test that this minister thinks is going to provide some kind of standard for the students in Grades 3 and 6, Senior 1 and Senior 4.

When I taught at the Birch River School in the Swan Valley School Division, we invited parents into our schools who had specific talents that they would like to share with kids. That is a real positive way to get parents involved. Do you know who came up with that idea, Madam Speaker? The parent advisory council. That was 1987. New Democrats were in power then. We had parent advisory council groups under Howard Pawley. We had parent advisory groups under Sterling Lyon. We had parent advisory councils in this province under Ed Schreyer. So for this government, this minister, to get up here and tell us that she has some newly established council, as she said 200 of them, that is just not correct, Madam Speaker.

In the fall of 1990, I was a school principal at Rorketon. In the fall of 1990, in Duck Mountain School Division, six schools, there were no parent advisory councils. I was approached by a group of parents in Rorketon who said: We would like to become involved; what can we do? So on our own, in Rorketon, without the guidance of the minister, heaven forbid, we decided we were going to put together a group of parents who could advise the principal and the staff and work with the principal and staff to better the education for the Rorketon students. We did that, Madam Speaker, and it was a wonderful experience. It was great to see these parents working with the staff to help their kids.

Madam Speaker, the Education minister, earlier in her comments, said that she would love to give a telephone call to her predecessor, and I encourage the minister to do that. I think what she should do is say, Mr. Manness, I am so proud of myself; I have continued your cuts to schools. We are going to continue cutting schools. As a matter of fact, we have cut them 2 percent, 2 percent, 2 percent, froze them, cut them 2 percent more and then froze them again—it is for public schools, that is.

I want to let this Minister of Education (Mrs. McIntosh) know, a 2 percent cut is pretty clear. That is a cut. When you announce cynically a zero percent cut to education, in effect you are still announcing a cut. I know this because when you announce a zero percent cut from your desk here in the Legislature, by the time it filters down to the principal's desk—and I know because I was one—it becomes a cut. When you

announce a zero percent cut, some principal has to lay off a school librarian. When you announce a zero percent cut, some principal—and I am sure I would be backed up by the former principals in this Legislature, that when you announce a 2 percent cut or a zero percent cut, by the time it gets down to the principal's level, you are laying off somebody, or you are denying the students the opportunity to purchase computers. [interjection]

Now, Madam Speaker, the member for Turtle Mountain (Mr. Tweed) is talking about throwing money at a problem. This is the same old cliché that this government throws every time they get caught cutting something. We are not talking about throwing money at things. We are talking about cutting, and that is what

this government has done. They have cut public schools in this province, and they have lost purchasing power for the local schools and the local school divisions.

Madam Speaker, this is not a case of throwing money—

Madam Speaker: Order, please. When this matter is again before the House, the honourable member for Dauphin (Mr. Struthers) will have four minutes remaining.

As previously agreed, the hour being 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 10, 1997

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