



**Fourth Session - Thirty-Sixth Legislature**

**of the**

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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.
DRIEDGER, Myrna	Charleswood	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.	Rosmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

## LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 19, 1998

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

### *PRAYERS*

### ROUTINE PROCEEDINGS

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

#### Committee of Supply

**Mr. Marcel Laurendeau (Chairperson):** Madam Speaker, the Committee of Supply has considered certain resolutions, directs me to report progress and asks leave to sit again.

I move, seconded by the honourable member for La Verendrye (Mr. Sveinson), that the report of the committee be received.

**Motion agreed to.**

### TABLING OF REPORTS

**Hon. Frank Pitura (Minister of Government Services):** Madam Speaker, I would like to table Supplementary Information for Legislative Review for '98-99, Manitoba Government Services and Emergency Expenditures.

**Hon. Eric Stefanson (Minister of Finance):** I am pleased to table the Supplementary Information for Legislative Review for 1998-99 for the Manitoba Enabling Appropriations and Other Appropriations.

**Hon. Mike Radcliffe (Minister of Consumer and Corporate Affairs):** Madam Speaker, I would like to table the Annual Report of the Automobile Injury Compensation Appeal Commission for the fiscal year '97-98.

### 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 15 visitors from Mulvey School and William Whyte School from the CEDA Taking Charge! program under the direction of Mrs. Doreen Szor. This group is located in the constituency of the honourable member for Wolseley (Ms. Friesen) and the honourable member for Point Douglas (Mr. Hickes).

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

### ORAL QUESTION PERIOD

#### Devils Lake Diversion Project All-Party Committee

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, we have agreed with the government's opposition to the Devils Lake project, and we have concurred with the decisions made by the Premier (Mr. Filmon) and the government on the impact of biota transfer to Manitoba with this project.

Madam Speaker, in reading the bill over the last week or so—the appropriation bill—we note that it includes close to \$5 million for the construction of the channel restoration project. We know that this appropriation bill is conditional upon the Army Corps of Engineers stating that there is an emergency, but we note that the Army Corps of Engineers have stated that there has been an emergency in this area for some two years now. I would like to ask the Premier: will he convey or initiate an all-party group to look at the information that he has and we have obtained, and will he look at a citizen approach similar to what we used in the Garrison Diversion work?

**Hon. Gary Filmon (Premier):** I thank the member opposite for his question, as well as his letter of Friday in which he provided me with some of that information. I would just indicate to him that as he points out the good work of not only our Intergovernmental Affairs staff in this area, but also I would indicate that this is an area that has been fully pursued and vigorously pursued by the Foreign Affairs department of the Canadian

government, Ambassador Raymond Chretien, and certainly our Consul General in Minneapolis, as well Minister Lloyd Axworthy. So there have been many, many people attending meetings and providing us with as much information as possible.

He refers to an appropriation bill that was passed by Congress. Actually, there are two. One provided five million for an engineering study; the other provides five million for construction provided certain strict conditions are met, and a National Environmental Policy Act review must be completed before any construction can begin. This process would take about 29 months.

\* (1335)

The President's Council on Environmental Quality has indicated it will not declare an emergency in order to short cut the NEPA process. So we are looking at a considerable length of time for this to mature. We are also, I think, relying on the best advice that we can have to be involved. So rather than up the level of awareness or at least the level of involvement to a series of meetings or trips to Washington, at this point I think my preference would be—and I appreciate very much the offer made by the Leader of the Opposition—to let the various different elements of the opposition continue their process.

As the member knows, I met with Governor Schafer, Governor of North Dakota, as recently as a couple of weeks ago. I would rather that we left that all-party and all-citizens groups alternative to a point where we feel that it is necessary.

#### **International Joint Commission**

**Mr. Gary Doer (Leader of the Opposition):** We note that the U.S. process runs right through the construction phase in the appropriation bill and in the North Dakota State Water Commission bulletin that was circulated in North Dakota, but it does not refer to the IJC process.

Madam Speaker, we have been informed that there has been no formal request for this matter to be before the IJC. We have been informed that there have been informal memos that have moved across to the IJC. I would like to ask the Premier: has there been a formal

request for this matter to be before the International Joint Commission made by the Foreign Affairs department of Canada?

**Hon. Gary Filmon (Premier):** Madam Speaker, I do not believe there has been a formal request. Certainly the IJC remains as the major vehicle by which something of this nature could be stopped in the end. I want to point out though to the Leader of the Opposition that this is by no means a slam dunk in the American process because one particular state is putting a lot of pressure on particular groups in Washington. It does not mean to say that, even in the American process, there is any assurance that they would get their way.

He should be aware that the state of Minnesota is on record as opposing any outlet from Devils Lake to the Sheyenne. The state of Missouri in fact led opposition to the funding bills in Congress and succeeded in having significant preconditions introduced to the bills. As well, the National Audubon Society, the National Wildlife Federation, the Sierra Club, the Upper Mississippi River Basin Association, the Inland Rivers, Ports, and Terminals Inc. have all passed resolutions against or expressed opposition to any outlet to the Sheyenne, and in fact the Spirit Lake First Nation has claimed ownership of the entire lake and insists on the completion of any environmental, social and economic impact assessment studies prior to construction. So there are many, many, many hoops that have to be gone through, many other potential areas of rejection or restriction. So the reference to the IJC would occur only if all these other things failed. Many of them, as I say, are process requirements in the United States.

\* (1340)

**Mr. Doer:** Many of these same groups opposed the Garrison Diversion project which was ultimately proposed by North Dakota and of course was of considerable concern and potential damage to Manitoba. The Audubon Society, South Dakota and Minnesota, many other states, opposed the Garrison Diversion project, but yet Manitoba had to deal directly with Congress and Senate to stop the appropriations going to North Dakota for the Garrison Diversion. We would think that the earliest possible formal intervention with the IJC would be prudent.

Madam Speaker, we are also aware that the Garrison Diversion Technical Committee met on April 29 in Minneapolis. Was this matter raised, and can the Premier report back who attended the meeting and what success—were there any discussions on this project, and were there any results from that meeting?

**Mr. Filmon:** Madam Speaker, my understanding of this would be that the IJC would need an actual proposal to examine. They would need to have documents, technical design to be able to evaluate, and that, at the moment, I do not believe is in that stage. There is a series of pre-designs, a series of alternatives, a series of different things that are not a firm proposal such as we had in Garrison where we had in fact the entire design of the system that was going to be constructed. That is not at that stage yet, so all of these other different aspects would have to be examined, including the site referred to, the 29-month process of environmental assessment. I would say that my judgment would be that the IJC would not even touch it until all of these other things had been first done. That is why we are pursuing all avenues of this particular approach to it.

I would say the bottom line, Madam Speaker, is that we are not going to take any risks in this, but we are going to follow due process. That is the only way in which you can deal with something of this nature, is to follow due process. If we were to subvert or to avoid due process in this, we would be as much to be criticized by our American neighbours as we would be critical of them. So we must follow it step by step through due process so that we have firm legal grounds for any steps that we take and not just do it on a political basis.

### **Hepatitis C Compensation**

**Ms. Diane McGifford (Osborne):** Madam Speaker, last week Manitobans were distressed to hear that our Health ministers were not able to resolve the hepatitis C question but merely passed the issue on to a working committee, perhaps the same working committee that first recommended that compensation cover only the period from 1986 to 1990. The ministers know all the arguments. Clearly people with hepatitis C need action, not working committees, not delay and not study. So I

would like to ask the Minister of Health, did he—because one day our Premier (Mr. Filmon) intimated in the hall after Question Period that his government would consider extending compensation—put some cash on the table and agree to extend the compensation period? What position did our minister take when he was in Ottawa?

**Hon. Darren Praznik (Minister of Health):** Madam Speaker, I appreciate the question from the member. It is certainly very timely, given it is the first time we have met since the meeting in Ottawa. I can tell the member—and we will have a chance to discuss this in greater detail, I am sure, in one form or another. But, as I have indicated publicly, what the meeting in Ottawa was, was the first, I think, of what will be a number of meetings on this particular issue. The second point I made—it was very clear from the provinces who were in attendance that the government of Ontario, the government of Quebec and the federal government are very much involved in a battle of the Titans as to who will be doing what. I am not going to get into the motivation between any of those particular players at this time, but the smaller provinces who are certainly there—and our Premier has indicated very clearly, and I conveyed that message at the meeting, that should a national program come out of this process, Manitoba of course will be a part of that. But there is a very colossal battle going on now between the governments of Quebec and Ontario with the national government, and my feeling is it is going to take some weeks to evolve.

\* (1345)

**Ms. McGifford:** Madam Speaker, will the minister table the composition of the former and current working committees so that we can determine if there is any hope for progress or if the same old committee will come to the same old conclusion?

**Mr. Praznik:** Madam Speaker, ultimately this decision will be made by governments and ministers, but as we have discussed on many occasions, to have any national program in this area would require a significant contribution from the national government. They have not yet indicated that they were prepared to do that. They, I think rightly so, want to firm up numbers and the kind of assessment of what that program would

involve. Two provinces in attendance at the meeting, the government of Quebec and the government of Ontario, both governments took positions and are involved, I believe, in a battle with Ottawa right now as to who will be paying how much. Out of that battle may emerge a contribution from the national government. We are prepared certainly to be part of all the talks and processes that go along. Should a national program emerge, our Premier (Mr. Filmon) has indicated, and I have conveyed that message, Manitoba would, if it is a reasonable and fair program, want to be part of it.

**Ms. McGifford:** Madam Speaker, I want to ask the minister: since Ontario and Quebec have taken positions, would he take a position? I want to ask the minister again if he will agree to the compassionate recommendations of Justice Horace Krever and offer a Manitoba compensation package to pre-1986 victims just as his colleagues in other jurisdictions have done. What is his position? We do not know.

**Mr. Praznik:** Madam Speaker, we have said over and over again that should a national program develop, the Province of Manitoba would want to be part of that program. To be very blunt to members opposite who call across the way, the key to any national program is if the federal government is prepared to make a significant contribution. They were not there at that meeting to do that; they wanted to explore options. The government of Ontario and the government of Quebec have both made statements about unilateral programs, and quite frankly the amount of money that they have offered would not in any way satisfy the demands without a federal contribution. So all of the smaller provinces, or most of us, I believe, are of the view that as the battle goes on between Queen's Park and Ottawa about who will be paying what, that that battle should develop, and when we know what the national government is prepared to do and what other provinces are prepared to do for a national program, Manitoba, who would account for less than 2 percent of any package, would then likely be part of it.

#### **Health Care System Unlicensed Blood Products**

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, last week in the Legislature we raised the issue of the fact

that institutions and facilities in Manitoba were using unlicensed blood products and delivering it to patients. We advised the minister that we believed these patients were getting these unlicensed products without patient consent, and we asked the minister to review the situation since he is responsible as the Minister of Health. That was a week ago. It has since been reported that this is in fact happening, as we indicated in the House a week ago. Can the minister outline for us specifically what he is doing as minister with respect to the utilization of unlicensed blood products, specifically albumin and other products in Manitoba?

**Hon. Darren Praznik (Minister of Health):** Madam Speaker, first of all, after the question was raised by the member for Kildonan, I had opportunity to investigate that particular matter. Let me say, first of all, that the use of blood and blood products is federally regulated, as are pharmaceuticals, et cetera. They are part of a federal responsibility.

I should inform him that both albumin and, I believe, another product are licensed in Canada. The issue, of course, is that the product was not available in Canada, had to be imported from, I believe, the United States, and that required a particular licensing because the company did not have, I believe in one case, a distributor here.

So the products are under the care of Health and Welfare Canada, and they have that responsibility to ensure that the product is safe. That is their responsibility, and we have no reason to believe that they in fact are not living up to their responsibilities.

\* (1350)

**Mr. Chomiak:** Madam Speaker, will the minister not agree, whether it is discussing the hepatitis C compensation, whether it is discussing the use of unlicensed product, the minister's attempt to move all of the responsibility over to the federal government is precisely what Justice Krever recommended against, what Justice Krever indicated was part of the problem, which is one of the reasons why we are in this difficulty in the first place? Why will the minister not take on his responsibility with respect to this issue and take some initiative and some responsibility for matters like this and not try to shirk off his responsibility to the federal

government? He has done that with compensation, and he is doing that with this issue as well.

**Mr. Praznik:** Madam Speaker, with all due respect to the member for Kildonan, what in fact happens in so many of these cases is when jurisdictions that do not have responsibility interfere in the work of jurisdictions that do, it confuses the issue and ultimately the responsibility. The last time I looked, the responsibility for ensuring the safety of food and food products, pharmaceutical products, blood and blood products rests with Health and Welfare Canada who ensure the standards of care, develop and ensure the enforcement of standards of care for the entire country.

Unless the member is prepared to bring forward some evidence that they are shirking their responsibilities or not living up to them, then why would any minister want to get into their area of jurisdiction? All it does is confuse the issue, and it makes it more difficult for patients to decide their courses of treatment when other people are trying to make an issue out of one that is not the responsibility of this Legislature.

**Mr. Chomiak:** Madam Speaker, will the minister not recognize that he has made major announcements about the taking over of the new blood agency on September 1, and he will have responsibility, and in fact the province did have responsibility through their Canadian blood agency in the past, and it is the same issue of saying, well, we are not going to cover hepatitis C victims in Manitoba because they are not our responsibility, and yet they are requiring drugs that are not being covered by the province, they are requiring treatment? The minister can, in the interim, until a solution is met with hepatitis C, cover those patients. With respect to a blood agency, he could look into it and ensure that licensed products are not only used in Manitoba, but in the future that we are not in a situation where unlicensed products are being used by Manitobans.

**Mr. Praznik:** Madam Speaker, the member's comments in this House are not reflective of the reality of the regulation of those products. The member is trying to leave the impression with the public that they are unlicensed products, not safe, being brought into our system. There is a process to deal with products that are not produced in Canada. Under the federal

licensing scheme, there are certain provisions to deal with them. Those are being met. So the member tries to scare individuals as if nothing is happening by the federal government when that is not in fact true.

Those products are not licensed—they are in fact licensed in Canada, I understand. These products are being imported. In one case, I believe there is not a distributor for them, so they require a different letter of approval, and it is up to those, whether it be facility or physician, who prescribes that particular product to their patient to ensure that they are informed of that information. But to leave the impression in the record of Manitoba that there is somehow an unsafe product there without any evidence of it is not doing the issue justice.

#### **Minister of Justice Apology Request**

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, to the Minister of Justice. In the ministerial statement by the minister last week in which he compromised the Chief Judge, there was no mention of the basic and essential issue of the whole affair, and that is that, no matter what version of events one believes, the minister broke the law. He breached The Provincial Court Act; he breached the constitutional provision to protect the public from interference by the minister in the appointment of judges.

My question to the minister is: would he explain why his statement failed to even acknowledge that he broke the law, a law that speaks to him alone, and why he has not, at least for starters, apologized, and would he do so now?

**Hon. Vic Toews (Minister of Justice and Attorney General):** Madam Speaker, I would indicate that I did not break the law. Indeed, the statement as much indicates that. The only person that I saw breaking the law was the Leader of the Opposition (Mr. Doer) who, knowing that certain names were under the legislation not to be released, deliberately released those names. That is unfortunate. So I take issue with the statements of the member.

\* (1355)

### Independent Investigation

**Mr. Gord Mackintosh (St. Johns):** Would this minister, who has just misled this House—there is no provision about the release of names by anyone except the nominating committee, and when he spoke in the hallway about the names himself—would the minister explain to Manitobans what he sees as the appropriate consequence of a minister of this particular government who has breached the law? Is there no remedy, no result, not even an acknowledgement, not even an apology? Would he just get out of the way of justice so there can be a review of this matter?

**Hon. Vic Toews (Minister of Justice and Attorney General):** Well, Madam Speaker, when the Leader of the Opposition released those names in this House, I walked outside in the hallway and spoke to members of the press at that time. At that time, members of the press raised two names with me. I never raised those names with the press. I think the member is misleading; I was simply responding to the fact that the Leader of the Opposition (Mr. Doer) raised and stated two names.

### Chief Judge Gag Order

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, it is embarrassing to tell the Minister of Justice what the law is, but he has got it wrong.

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

**Mr. Mackintosh:** Thank you, Madam Speaker. Would the Minister of Justice tell Manitobans what instructions he gave to his lawyer before he approached the Chief Judge, other than to obtain a gag order on the Chief Judge? Was it also to specifically ensure that the Chief Judge never commented on the fact that the minister broke the law, and was it in fact—well, I will leave it at that. Would he explain what the instructions were?

**Hon. Vic Toews (Minister of Justice and Attorney General):** Madam Speaker, to indicate that I, in any way, put or forced a gag order onto the Chief Judge is

simply not correct. I have responded to that question in some detail on last date's Question Period.

### Hepatitis C Compensation

**Mr. Kevin Lamoureux (Inkster):** My question is for the Minister of Health. The Krever report clearly indicated that not only did the national government have responsibility but also the provincial government has responsibility. What we have tried previously is to get the provincial government to recognize that the province does have some responsibility here. My question specific to the Minister of Health: will he acknowledge that responsibility and indicate today that there will, in fact, be some form of compensation for individuals infected pre-'86?

**Hon. Darren Praznik (Minister of Health):** What we have said is that it is very important for these matters to be dealt with on a national basis to ensure Canadians are treated equally across the country. We have also recognized, as a small province that would account for probably less than 2 per cent financially of any package, that those who bear the lion's share of the funding, because of their size or their role, would have to come forward and indicate what they are prepared to do, et cetera, before a national package would be developed. In Ottawa last week, what we saw was the federal government wanting to do some more work, two provinces making their particular statements. Being the observer and participant in politics, as I have been for 10 years, I recognize that there is a bit of a battle brewing between Ottawa, Queen's Park and Quebec City. We will see them fight it out over the next while, and when the dust settles, it is likely that some national program will evolve.

**Mr. Lamoureux:** Madam Speaker, will the Minister of Health acknowledge that he maybe should not be on the sidelines, that in fact what the Minister of Health should be doing is taking some sort of a role? Will the Minister of Health acknowledge that maybe what this government should be doing is in fact putting on the table—based on the same percentage that they had in the first hepatitis C package, in terms of whatever that next package might be. So, if we contributed 2.5 percent of the package for the original compensation package,

maybe that same formula could then be used for the next.

**Mr. Praznik:** Madam Speaker, the key players in putting forward or developing a national plan will of course be the governments of Quebec, Ontario and the national government. Mr. Rock did not come to that meeting with a financial offer. We have been his partners of the federal government in developing the first package, which is maintained and will continue. As a consequence, we felt that it was important to work with the national government in moving this forward. Two provinces did not take that particular view, and I suspect there is a political battle to be had there which would take place. A province like Manitoba and others—as our Premier (Mr. Filmon) has said, should a national program emerge, we will be there. If the member would like to be helpful in this debate and advance his position, I would suggest he speak to his friends in the federal Liberal Party.

\* (1400)

**Mr. Lamoureux:** What I am asking the Minister of Health is: is he prepared to look at the same percentage that the Province of Manitoba contributed towards the original compensation package, not the actual dollar amount but the percentage, and apply that sort of a percentage to whatever other compensation package might be there at the end of the day coming down from Ottawa? At least then the government is taking some sort of a leadership role. So we are asking him to make that commitment.

**Mr. Praznik:** Madam Speaker, I believe that for provinces such as Manitoba, it is important to take a role in being able to work with all the parties in this dispute on both sides to see if people can be brought together at some point in time as other agendas and other battles evolve in eastern Canada, in essence. That is a role that I think our chair, Mr. Serby, from Saskatchewan, and others, including myself, envision because we have had partnerships with the national government in developing this.

I can tell the member as well, in terms of determining what would be acceptable to the community, in the presentation that was made by two groups representing people suffering with hepatitis C, we had a wide range of numbers as to the number of people who would be

affected. We also had one particular organization—when we asked what plan would you have, they said, oh, we have not time to even develop one or suggest it to you. So there is a lot of work to be done, and that is what the working group will be proceeding on.

I say very kindly to him, if he wishes the federal government to take a greater lead role in putting money on the table, I am sure his colleague from his part of the city, Mr. Pagtakhan, would be available to speak with him or others, and he should advance his cause there at this time.

### **Minister of Education and Training Comments—Apology Request**

**Ms. Jean Friesen (Wolseley):** Madam Speaker, the parents of more than 2,500 children in Manitoba's alternative education programs have been described recently by the Minister of Education as, and I quote, yesterday's people. In this Legislature, we are aware that the minister, when in a tight corner, lashes out with name-calling rather than constructive discussion, but in the interests of common courtesy to hundreds of Manitoba parents, I would like to give the minister this opportunity today to withdraw those remarks.

**Hon. Linda McIntosh (Minister of Education and Training):** Madam Speaker, I appreciate the member's generous offer. I do indicate, however, that there was no scoffing—I believe was the word used in the paper. The fact is that in preparing students for a future in which testing and evaluation and performance evaluations are every part of every walk of life and every opportunity students might have in a world that is full of change, it is important that we prepare them for a future that enables them to adjust to that and to be familiar with assessment, also that they are prepared along with all the other students in this nationwide, international trend to do proper assessment and evaluation. So I would urge any parents who are thinking of having students exempted to seriously reconsider that decision, take a look at what will best prepare their students for the future so that they are not living by yesterday's standards but rather moving forward to tomorrow.

**Ms. Friesen:** Would the minister be prepared to take my request under advisement, reconsider what I think

most people regard as another intemperate dismissal of Manitoba parents as yesterday's people in this case, and write a letter of apology or at least explanation to the provincial association of parents of alternative education in Manitoba?

**Mrs. McIntosh:** The alternative program is not in conflict with assessment. Last year the parents in the alternative program wrote to me. I replied and explained to them that there is assessment that takes place all through the alternative program, and the provincial exams in no way compromise the integrity of the alternative program. This is not—

**Madam Speaker:** Order, please.

#### Point of Order

**Madam Speaker:** The honourable member for Wellington, on a point of order.

**Ms. Becky Barrett (Wellington):** Madam Speaker, the question was very clear and very concisely put: would the minister apologize for her intemperate comments to the Manitoba parents who have chosen an alternative form of education, instead of calling them yesterday's people? Would she please just apologize? Would you ask the minister to answer that question?

**Hon. James McCrae (Government House Leader):** Madam Speaker, on the same point of order, I believe the honourable minister was indeed attempting to deal with the issue being raised by honourable members opposite. Honourable members opposite tend from time to time to fall into the habit of wanting to dictate the answers that ministers are to give. I do not think that is the way democracy works. Surely the honourable member for Wellington is not suggesting that we depart from democratic practices such as freedom of speech for members in this House like the honourable Minister of Education and Training.

**Madam Speaker:** The honourable member for Wellington did not have a point of order. It is a dispute over the facts.

**Madam Speaker:** The honourable Minister of Education, to complete her response.

**Mrs. McIntosh:** Madam Speaker, I am attempting to put a quotation that was in the paper into context, which of course the member is reading for just the actual words that were in the paper, not taking into context there was no criticism of the alternative program or people who believe in the alternative program. We were talking about whether or not assessment is relevant. Assessment is very relevant even for the alternative program.

Madam Speaker, I would be more than willing and delighted to meet with the parents should they ask me for such a meeting. They have not requested a meeting, but I would be delighted to meet with them so that we could clarify for them what was intended in terms of talking about preparing for the future and not condemning children to be without a process of assessment that will give them good diagnosis for future strengths and weaknesses.

**Ms. Friesen:** I would like the minister to explain why she believes that the alternative programs whose parents are intensely involved in their children's education, whose curriculum is hands on, uses manipulatives, rewards curiosity, rewards independent thought, why is this the product of yesterday's people?

**Mrs. McIntosh:** The alternative program and those who believe in it have a very good basis for believing in that program. What I am attempting to indicate, Madam Speaker, is that denying a child the opportunity to be assessed and diagnosed because of the educational program they are in is a shame for that child. That child has the right, just as a child who might be healthy for all outward appearances whose parents wish to take them for an annual check-up just to make sure that they are indeed as healthy as they appear to be. Assessment is that simple. It is not a punitive thing; it is not a grading thing. It is a diagnosis that will enable those who are involved in any kind of educational program to understand the strengths and weaknesses, individualized student profiles for each child identifying the knowledge that they have gained and their ability to apply it. That is the diagnosis that the teachers in any program can use, including the

alternative program. It is a program for the future as well as yesterday.

\* (1410)

### **Desktop Management Services Bidding Process—Hardware**

**Mr. Jim Maloway (Elmwood):** My question is to the Minister of Government Services. Madam Speaker, this government concocted a bidding system that was designed for conglomerates and against small Manitoba companies by virtue of a rigged evaluation system designed to give the higher price supplier the edge.

Why will this minister not tell us whether the successful hardware bidder had the lowest price per computer for the actual hardware provided?

**Hon. Frank Pitura (Minister of Government Services):** I just want to inform the honourable member that certainly cost is a very important part of any contract that the government may go out with the proposal. However, it is not the only thing that government has to look at with regard to a contract. There are those things such as the technical parts of the contract that have to be conformed to, the qualifications of the supplier, what kind of product quality are we going to have in terms of the whole contract. Yes, cost is very important and it constitutes a significant part of the contract, but is not the whole contract, Madam Speaker.

**Mr. Maloway:** I would like to ask this minister: why is it so hard for this government to admit that it did not accept the lowest-cost bid from the 11 hardware people that supplied bids? Why can he not admit it?

**Mr. Pitura:** Madam Speaker, when the request for a proposal is put out and the contract is bid on, with regard to the evaluation of the contract, basically the criteria are used to score each company or contractor that puts a bid in on a proposal. On that basis, you go through those criteria, and that in essence is the bottom line for making a choice with respect to a contractor. Certainly, in many cases, it just so happens that the contractor that is chosen does indeed have the lowest cost. However, there are other contracts within government where lowest cost may not give us the

product specifications but certainly would be the cheapest and therefore, in terms of responding to the request for proposal, does not meet the criteria. So that is why the evaluation criteria are set up to be able to give an overall score and weighting to each proposal.

**Mr. Maloway:** I would like to ask this minister why this government would choose a higher-cost hardware supplier when a Manitoba firm could have saved Manitoba a hundred jobs and millions of dollars. Would he now release the point system that they used to decide who got this contract?

**Mr. Pitura:** Madam Speaker, I think some time ago I shared with the honourable member across the way what the point system was with regard to weighting. So I think that information is already on the record. But I point out again that when you put down a product specification, product quality that you require, in most cases the contract will go to the lowest cost, but there are circumstances where to meet those specifications that it is not always the lowest cost. So that is why the overall evaluation criteria are put into place to make that selection and to help the committee that is struck to make that selection, make their choice very carefully on the basis of a number of parts of the proposal, not just the cost alone.

**Mr. Maloway:** On a new question to the same minister, I would like to point out to the minister that he has not provided what has been asked, and that is a copy of the point system for each of these hardware bidders. He has just provided a very general sort of outline as to what they use to decide. For example, Madam Speaker, they only allocated 15 percent of the point system to the cost of this product, whereas they allocated 25 percent to general qualifications and another 25 percent to product quality. Very nebulous concepts at best. I would like to ask this minister to release the scores for each of the manufacturers so we can clearly see who was the winner.

**Mr. Pitura:** You know, with regard to this contract in the way of desktop management, certainly general qualifications were an important part of the whole process because this was a desktop rollout across the government which was going to provide a seamless connection between all departments of government. I

point out that that is the first time in the history of this government, and probably most governments in Canada, where we are going to have that seamless connection between all departments. So we are truly heading into the information technology era.

So, Madam Speaker, the ability to have the qualifications to be able to manage that desktop system, the ability to have after-product services and the ability to give us the management of the desktop technology that we require in terms of the evaluation criteria was very carefully laid out and evaluated, and that was the reason for our choice.

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

#### **Committee Changes**

**Mr. George Hickes (Point Douglas):** I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Law Amendments be amended as follows: Dauphin (Mr. Struthers) for Radisson (Cerilli); Elmwood (Mr. Maloway) for Burrows (Mr. Martindale) for Tuesday, May 19, 1998, for 7 p.m.

**Motion agreed to.**

**Mr. Edward Helwer (Gimli):** I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Law Amendments be amended as follows: the member for Brandon West (Mr. McCrae) for the member for Rossmere (Mr. Toews).

**Madam Speaker:** It has been moved by the honourable member for Gimli (Mr. Helwer), seconded by the honourable member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Law Amendments for this evening, Tuesday, May 19, 7 p.m., be amended as follows: the honourable member for Brandon West (Mr. McCrae) for the honourable member for Rossmere (Mr. Toews). Agreed?

**An Honourable Member:** Agreed.

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

## **MEMBERS' STATEMENTS**

### **Occupational Safety and Health Week**

**Mr. Peter Dyck (Pembina):** I would like to take this opportunity to rise in the House today to commend the Honourable Harold Gilleshammer, Minister of Labour, on proclaiming this week, May 18 to May 24, 1998, as Occupational Safety and Health Week. The theme for the 1998 Occupational Safety and Health Week is, and I quote: Partners Together in Safety.

It is supported by three subthemes: the first one, increase understanding of the value of investing in occupational safety and health; the second, raise awareness of roles and contributions of safety and the health professionals; and third, reduce workplace injuries and illnesses.

Everyone has a role to play in achieving a healthy working environment. In co-operation and partnership, we have to examine our work environments, practices, information and training to find ways we can reduce both the personal and financial costs of unsafe and unhealthy work environments. As partners in safety and health, the primary responsibility for a safe workplace rests with both the employer and the employees. They must work together to identify hazards, evaluate risk and identify measures to protect workers from injury and disease.

The Department of Labour is committed to and looks forward to working as a partner in controlling, reducing and eliminating the number of workplace accidents and illnesses. As we recognize the importance of this week, let us continue to work together to provide some of the safest workplaces in North America. Thank you very much.

### **Physician Resources—Brandon**

**Mr. Leonard Evans (Brandon East):** Madam Speaker, the citizens of Brandon continue to be very concerned and very upset with the pediatric situation in the city. In fact, the people of the Westman area generally are very concerned and very upset with the pediatric situation in the city. In fact the people of the Westman area generally are very concerned and continue to raise their concerns in the local media and

with my office in Brandon and in the Legislature. They are concerned that there seems to be a lack of action to resolve the situation, and they have, of course, heard the minister's statements in this respect about recruiting others from outside of Manitoba, but this does not provide a solution for the immediate crisis.

Now we have information, Madam Speaker, that the MMA, which is negotiating with the government on various matters, has raised this matter of the Brandon pediatrics on many occasions, and thus far the government has made no offer to settle the issue. We are wondering whether there are negotiations going on. It would seem to me that the whole matter is stalled, and indeed that there are not negotiations proceeding.

\* (1420)

We have suggested in a positive way to the government, to the Premier (Mr. Filmon) last week, that the government consider third-party binding arbitration in this matter to expeditiously solve the question and to allow the doctors in Brandon to resume the delivery of babies for pregnant women. This is a positive suggestion. I note that third-party binding arbitration is used very successfully in the education system in dealing with disputes between teachers and school boards.

Madam Speaker, there is also need for a plan, a physicians' resource plan, so that the government can, in co-operation with the MMA, recruit more people for rural Manitoba by various means, through incentives, through student loans, through encouraging women to attend medical schools and various other positive suggestions that could be followed and should be followed in order to help resolve the long-term shortage of doctors in the city of Brandon. Thank you.

#### **Austin Elementary School**

**Mr. Denis Rocan (Gladstone):** I would like to take this opportunity to congratulate the Grade 5 class of the Austin Elementary School, which is in the Gladstone constituency. The Grade 5 students are a group of talented children who were awarded first place in the "My Home Town" competition as part of the Rural Forum last month.

Their creative talents earned them this honour. Under the guidance of their teacher, Mrs. Teresa Gibbons, the students created a fantastic three-dimensional mural depicting all facets of life in Austin, Manitoba. They explained why they think Austin is the best place in Manitoba to live. The students demonstrated an understanding and clear appreciation of what makes Manitoba great. Along with being honoured with first place in the competition, the Grade 5 students won a computer for their school and one for their community.

Last week I had the pleasure of visiting Austin Elementary School and had a chance to see the students' creation for myself. Although my description does not do their efforts justice, take my word for it, the students undertook a very challenging project. They met this challenge with outstanding results and have been given the recognition they deserve.

The achievements of Mrs. Gibbons's Grade 5 class at Austin Elementary School demonstrate that students across Manitoba are learning about Manitoba's heritage, while at the same time fine-tuning their creative abilities. I take heart in the fact that young people across Manitoba are receiving a well-rounded education. Once again, I would like to congratulate the Grade 5 class at Austin Elementary School for their outstanding achievements.

#### **West Broadway Cleanup**

**Ms. Jean Friesen (Wolseley):** I would like to offer congratulations to all those residents of West Broadway who participated in the cleanup on May 9. Armed with brooms, rakes, gloves, shovels and many, many green garbage bags, people from all parts of the community came together for five or six hours to sweep, brush, clean up and pick up the debris from the end of winter that littered the back lanes and vacant lots of the community.

Madam Speaker, the day was hot and dusty, and we certainly needed the masks that were provided. City crews worked with us to remove materials. Gordon Bell students were very evident in their work, both the night before and on the day. The community police, in particular, were very much in evidence, organizing and helping to remove some of the larger items from the

back lanes, giving them an important clean slate for the policing of back lanes—an important part of community policing.

Some areas within the community organize their own cleanup. The daycare staff of Cornish daycare and the residents of 25 Furby organized a special local cleanup. The day ended with a feast and with a powwow at what is becoming in fact a West Broadway traditional way. We look forward to the next phase where the greening of West Broadway, the planting and the cultivating of those back lanes and front yards, make us a community that we are all proud of.

I would like to ask all members of the Legislature to congratulate with me the citizens of West Broadway, the community club, and the major service and business organizations who made this all a great success.

#### **Judicial System—Independent Investigation**

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, it was just over a week ago on a Sunday I was at McDonald's over a cup of hot chocolate, and the discussion around the table was one of judicial accountability. One of the individuals had made the suggestion that we have some sort of a petition brought forward to express that in fact what we would like to see is a review process put into place that will at the end of the day make our judicial system somewhat better.

I wanted just to say thank you to the individual in particular who had said that he would be prepared to circulate such a petition. In fact, since then I have worked on the petition and finalized one, hoping to be able to present it to the Chamber some time in the next few days and some days following.

### **MATTERS OF GRIEVANCE**

#### **Highway Maintenance**

**Mr. Clif Evans (Interlake):** Madam Speaker, I would like to make some comments today in the opportunity under my grievance on the situations and the conditions that we have in our province in rural and northern areas with respect to the way our highways are, the shape that our highways are in and the conditions that they have

been in, with the lack of support from this government that we have seen over the past many years in cutbacks and taking down the maintenance program, decreasing the maintenance program, taking resources out of the department and not being able to provide a good sound and very important link in our rural areas and rural communities.

We have seen over the past few years the fact of the rail line abandonment that CN and CP has imposed not only on this province, Madam Speaker, but across this country. It is a situation that the rail lines and the railways have created for our country and have created a monster as far as the highways and the conditions of our municipal roads, our PRs, our main highways in this province. Highways are the real victims of rail line closure. But not only are the highways victims but also the people, the producers, the communities that are involved with rail line abandonment are also victims of this cutback of rail lines. Abandonment of rail lines has created an enormous concern, an enormous problem within our rural communities.

In 1989, when I was mayor of our community of Riverton, I was informed that the CP line from Gimli to Riverton was going to be abandoned and torn up and leave many, many producers without the availability to be able to bring their grain to Riverton and thus haul it out by rail—1989. What I have seen since 1989 is more abandonment, more need for upgrading our highways, which has not been happening, more communities at risk in losing not only business, more communities at risk in the fact that they cannot and do not have a good routing system to and from their communities because of the necessary evil that has been put on us in our communities, and that is an increase of truck traffic.

Madam Speaker, we see that to be able to do the necessary work, the necessary maintenance, the necessary upgrading of our road systems in rural Manitoba and in Manitoba as a whole, we will see horrendous costs to the communities, to the producers, to be able to undertake the necessary maintenance for municipal roads, highways. Main streets are all going to be affected and are being affected and have been affected for the many years since the two rail lines have decided that they are going to cut out the Riverton line. They are going to take away the Steep Rock line. They are taking away the Fisher Branch line. They are

proposing, CP is proposing, by the year 2000 to abandon the main line going to Arborg. But we say there has to be some situation that this might be resolved. It cannot be resolved. We need a transit system, a highway system, a municipal roads system, a PR system that is going to work and function for the people of this province.

What we have seen is unco-operation by this government in seeing that occurring and happening in the future. We have seen this minister and this government put blinders on. We have seen this government not fight strongly enough to have the rail lines maintain their short lines in this province. We have seen an offloading in the department. We have seen offloading to municipalities for costs. We are seeing offloading when it comes to dust control, that is maintenance, so important.

I know in my constituency, and I am sure in members' across the way and my rural colleagues here, some of the calls that we get when it comes to our highways, provincial roads, truck traffic increased enormously in Fisher Branch. Why? Because in Fisher Branch, Manitoba Pool Elevators was able to provide the community with a first rate elevator on a highway that needs continuous upgrading and maintenance. Do we get that from this government? No, Madam Speaker. What I get is phone calls and letters stating that the dust is unbearable. But what has happened with that situation? This government, some five years ago, decided that they were going to cut the dust control program in the province of Manitoba, taking away \$400,000 out of a program that when we see that when roads are not maintained and dust control needs to be put on these roads, they have to pay for it. They have to pay for it.

\*(1430)

Madam Speaker, in a lot of situations in my constituency, what we see, what we have is people who have allergies who live on these highways. Now they understand. They have chosen to live and homestead where they are, but what I am asserting to is the fact that with the rail line abandonment, with the decrease of maintenance on our highways by this provincial government, with the increase of traffic, heavy truck

traffic, grain traffic, it has taken a toll on the people of Manitoba whose health also is at risk.

Now we might say in different situations, and we see this year the conditions of some of our highways has deteriorated enormously this year, and part of it is because of the weather this year. But getting back to the people whose lives are affected because of the lack of caring by this government for those people who are greatly affected by the dust because of the heavy traffic, because of the increase of traffic—I get inundated with calls and letters seeking some support in providing some sort of a maintenance package together so that they do not have to incur these costs, but not only incur the costs but incur the costs of the health care, taking care of their children who have asthma, with their families that there are asthma cases in. Those are parts of the situations that we have.

When we look to our road system and when we talk about trying to get some improvements done in certain areas, we see a government that has reduced not only the maintenance program but the capital program since the early '90s. Well and fine, they speak of how they are balancing the budget and how they are doing this and how they are doing that, but they are not providing the opportunity to be able to provide a system and a service that is so necessary. With the abandonment of our short rail line systems, even more of a situation has occurred, even more and greater of a need do we have.

On the rail line abandonment, some years ago Continental Lime in Steep Rock, a very big industry for the Interlake area and in the province, was using approximately 20 percent for product and coal to be brought to and leave their plant in Faulkner, 20 percent some years ago. Over a period of time, slowly but surely, CN was squeezing out Continental Lime's availability of being able to have the cars necessary to be able to rail out their finished product, rail in the coal that was so necessary and needed for firing their kilns at the plant—slowly but surely. We heard nothing when the rail line abandonment issue came up and was discussed. We heard nothing. I heard nothing from the Minister of Highways and Transportation. I heard nothing about what is going to happen to the increase of truck traffic, not only on the highway leading to Faulkner to the plant but also on Highway 6, which is

a major, major thoroughfare which connects our south and our north. I heard nothing. Not at that time.

However, what did we finally hear? We finally heard under the urgency—and on this note, I compliment the minister's department for undertaking the initiative to listen to and at the request of the municipalities from Grahamdale south to the Perimeter requesting a meeting to discuss Highway 6 and how it was going to be affected by the increase of truck traffic.

The Faulkner plant now, with the rail line abandonment, has gone from 50 percent at this time last year using trucks to, of course, 100 percent. The line is gone; the rail line is gone. Not a whimper from over there. Nothing. We have raised the issue with the minister as to the importance, the importance of maintaining that Highway 6, upgrading, what effects are these trucks going to have on it, the safety. The Continental Lime people themselves have made issue with the fact that the feds—and with the fact that they need something to be done for the future for Highway 6.

So, Madam Speaker, I say to you, I say to this House, we need an improved highways program. We have to go and repair, make sure, upgrade, rebuild, do the things that are necessary, not only for rural Manitobans but throughout this province in urban centres, because that is our link now with each other, with communities, with larger centres, with other provinces, when it comes to transportation of goods and services or anything, now is truck traffic—a tremendous increase.

We see just today, a notice from the Manitoba Trucking Association about how much truck traffic will be increasing in Manitoba, is increased, will be increasing and they need and they say so in their study, and they say so in their notification that they need better highways. They need this province to increase its capital spending to support and to get some money from the Minister of Finance's (Mr. Stefanson) office so that we can increase and better our highway system in this province, not just to certain minister's houses or areas, but throughout this province—the Minister of Finance knows what I am talking about—but for the whole province. The Trucking Association supports it and we support it, and we have been after this government since they decided to cut these programs

out, cut the maintenance cost down, the maintenance programs and resources, we want to see that being increased. We want to see our roads in a safe and equitable and in a condition that we can all work for and all work with. Thank you, Madam Speaker.

### Child Poverty Rate

**Ms. Becky Barrett (Wellington):** Madam Speaker, I rise today to use my grievance. Recently the National Council of Welfare put out its poverty profile of 1996. In that profile it says that in 1996, five years after the last recession, almost 5,200,000 Canadian children, women and men lived in poverty.

In 1989, the House of Commons resolved to eradicate child poverty by the year 2000. Only four years before that date, child poverty had risen in Canada to almost 21 percent, the highest rate in 17 years, the highest rate since 1979, and that includes the recession years of the early 1980s.

The 1996 poverty rate for couples under 65, without children, was 10.3 percent. So that means that a couple living together without children still has an almost 11 percent chance of being poor in Canada. However, if you are a single parent mother under the age of 65, with children under 18, 61.5 percent of you in Canada were poor. So, if you have children under 18, and you are a single parent, there are almost two-thirds of you going to be poor, whereas only just under 11 percent if you are a couple without children are going to be poor.

Not only are those statistics very disturbing, Madam Speaker, but the trend is disturbing. The total income of the poorest 20 percent of Canadians has dropped dramatically because of a combination of lower earnings and cuts to cash transfers from governments. This is a trend that is increasing, not only in Canada, but throughout the developed world where the gap between the rich and the poor is expanding rather than contracting.

I read a letter to the editor, actually in the Manchester Guardian Weekly, last week from a person in New Zealand. In New Zealand, it is interesting, Madam Speaker, because this current provincial government trots out New Zealand as a wonderful showcase for the kind of economic success story that they are trying to

emulate. Well, the story in New Zealand is anything but successful. In the late 1970s, yes, New Zealand was alone among the developed countries in slowly narrowing the gap between rich and poor, almost alone. I think probably some of the Scandinavian countries and the Benelux countries were in that category as well. But, unlike the Scandinavian countries and the Benelux countries and other nations in Western Europe who have maintained at least a centre-right if not a centre-left government, the government in New Zealand, since the late 1970s, has gone more Thatcher than Thatcher. It has gone very, very far to the right. New Zealand now has the worst gap between rich and poor of any of the developed countries. Going from one of the best, 15, 20 years ago, to one of the worst.

Madam Speaker, I would say to you that the country of Canada, while not perhaps as overtly Thatcherite as some of the other countries, has, over the last 10 or 15 years of Conservative and now neoconservative-Liberal rule federally, shown that these statistics are truly alarming, and that they do come as a result of conscious decisions and choices made by governments. As the National Council on Welfare states: lower earnings for low-income Canadians and reduction in transfer payments, not to provinces from the national government necessarily, but cash transfers to low-income Canadian individuals and families—so those are choices that governments make that have had a detrimental and deleterious effect on the lowest income earners in our nation.

What are the implications of that for Manitoba? Well, Madam Speaker, the statistics for Manitoba are truly frightening. I am going to share some of them with the members this afternoon because I think they bear repeating.

\* (1440)

The child poverty rate for Manitoba is 25.4 percent, highest in the entire country. Over one in four Manitoba children lives below the poverty line, one in four. That is unbelievable in an economy that is supposed to be booming. Now, again, I said that it was about 60 percent of single parents, mostly mothers, with children under 18 nationally that live below the poverty line, but in Manitoba it is 10 points higher than that, 71.6 percent of single-parent mothers with

children under 18. Those family units are poor. Almost three-quarters of those families are poor. We are second in the country there. We are less than half a point behind Newfoundland, Newfoundland which, since the time it joined Confederation, has been at or near the bottom of the socioeconomic scale due to a number of factors: its virtual total reliance on resource economy, et cetera, and its small size, a whole number of factors.

Manitoba used to pride itself on being in the middle or at the top end of social indicators. Well, we are now down with Newfoundland. We are less than half a point behind Newfoundland if you are a single parent with children under 18 living in poverty, almost three-quarters. That percentage, that number, translates into 69,000 children; 69,000 children live below the poverty line in the province of Manitoba.

Now those are children who likely will not get to the Manitoba Children's Museum because they cannot afford the price for their families to go. It used to be that schools would send kids to the Children's Museum on field trips, but since the Minister of Education and the Minister of Education before her and the Minister of Education before her cut money to the schools, have forced a higher reliance on property taxes, those schools, many of which are in the inner city of the city of Winnipeg, cannot do field trips like taking their kids to the Manitoba Children's Museum. They cannot do any field trips. They have had cutbacks to basic educational components. That is just one example of what happens to these 69,000 kids.

The members opposite, by and large, do not represent constituencies that have large numbers of poor kids in them. I am saying by and large because there is poverty throughout our province, but it is concentrated in pockets. Never mind pockets; the inner city of Winnipeg is an overcoat not just a pocket of poverty. It is an unbelievably difficult situation that families are facing themselves with.

There are 205,000 poor people in the province of Manitoba; 205,000 men, women and children in the province of Manitoba are poor. We are second only to Quebec in this statistic. This is an unbelievable commentary on the abilities or the choices that this government has made over the last 10 years it has been

in power. In the context of those dismal, frightening, unconscionable statistics and the stories they represent, the human lives those statistics represent, what does the Minister of Finance (Mr. Stefanson) for the province of Manitoba have the temerity to say yesterday in the Sun?

Before I give you what the Minister of Finance said, I am just going to give another little bit of context to this whole issue. There are the statistics about poor families and poor children, but there are other elements to this picture that need rounding out. The province last year in 1997 posted the highest number of bankruptcies since the 1991 recession. Now the Minister of Finance has said for years now that we are out of the recession. The economy is steamrolling ahead. I think that was two throne speeches ago. So what is going on here? If we have a burgeoning steamrolling economy, and we have the highest number of bankruptcies since the depths of the last recession, something is wrong here.

Average wages fell for the third year in a row after inflation is taken into account in 1997. Average wages fell for a third year in a row, average wages, and you can imagine what that does to the people who are working for minimum wage and low wage. It is even worse, because you have to figure in average wages, average incomes, average money going into a person's pocket also includes, at least in some form of statistics, the kind of support, financial support that the people of Manitoba indirectly are paying to Mr. Tom Stefanson, among others, the head of Manitoba Telephone System, who, as a direct result of the privatization of Manitoba Telephone System, is now going to be a millionaire, while average wages in the province of Manitoba have fallen for three years in a row.

The province's minimum wage—and this minimum wage is terribly important because minimum wage is reflected in the poverty statistics. There is a huge correlation between what the minimum wage is, what the cost of living is, and what the poverty line is, and in Manitoba, the minimum wage has fallen below inflation by 12 percent in the last 10 years. If you are living at the poverty line to begin with and your minimum wage falls below that cost of living by 12 percent, you have nothing left, absolutely nothing left. As a result, Manitoba has posted the highest net population to other provinces in five years in 1997.

Since the depths of the last recession, Manitoba has lost more people just last year, and a thousand of those people out-migrated not to the normally big booming economies of Ontario, British Columbia and Alberta but to Saskatchewan, a province that this government in Manitoba derides because of their NDP government. Well, a thousand Manitobans went to Saskatchewan last year. The job growth in this province has been largely in the low wage. Telemarketing represents three-quarters of all new jobs. Manufacturing produced less than 2,000 of the new jobs between 1996 and 1997.

In this context, Madam Speaker, what does the Minister of Finance (Mr. Stefanson) say? He says what is happening in our economy today is virtually almost all very positive. Tell that to the 205,000 poor Manitobans, to the 68,000 kids who are living with their mothers below the poverty line. More unconscionably, he says, even given those dreadful statistics on poverty, that Manitoba's positive economic news far outweighs any of the economic challenges by child poverty. It sounds like it is a little bump in the road, child poverty. Seventy-one percent of kids living in poverty, that is a bump in the road. That is an economic challenge.

No, Madam Speaker, that is not an economic challenge. That is a despicable indictment of the record of this government over the past 10 years. It is an indictment and a record that is going to come back to haunt this government, because it just is not people in the inner city of Winnipeg who find this government's plans and choices reprehensible. More and more, it is people throughout this province who say enough is enough. So, on behalf of the poor children and people in the province of Manitoba, we are on record as saying very soon enough will be enough.

### **Hepatitis C—Compensation**

**Ms. Diane McGifford (Osborne):** I, too, today rise on a grievance and join my colleague from the Interlake and my colleague from Wellington.

Madam Speaker, my particular concern today is this government's stance or policy or plan or lack of all these on hepatitis C. Certainly this side of the House feels, as far as really knowing where this government

stands, we have been kept in the dark. I think it was on April 28, 1998, in the House of Commons, when there was a vote on hepatitis C compensation, a vote that was defeated 155 to 40, that the Minister of Health Allan Rock said that the file on hepatitis C was closed.

\* (1450)

Sometimes in this province, Madam Speaker, one wonders if our minister has opened the file on hepatitis C, or if he has opened it, he has opened it and he is the only one looking at it, because we simply cannot pin this minister down and find out exactly what his thoughts are, what his policies are, what his plans are and where we are going with compensation for victims of hepatitis C infected before 1986.

Madam Speaker, what I would like to do is just trace through the history of the concerns in this House on hepatitis C. I think that it will show, reveal, quite clearly what is bothering me. I would like to bring you back to December 11, 1987—pardon me, 1997. It was at this time that people—the ministers had not formulated a package at this time and people with hepatitis C were living in the communities without any compensation, without hope of compensation.

I know here in Manitoba they lobbied the minister, and I believe the minister at one time told one group of people that they could go to court. I gather that this government is rather fond of telling the citizens of Manitoba who want decent government, who want supports, who want the legislation to be respected, that if you do not like it, you can go to court. Well, in December 1997, this side of the House tabled a resolution to try and move talk on hepatitis C, and the resolution I am going to read into the record quickly: Be it resolved that the Legislative Assembly of Manitoba urge the provincial government to consider working with the federal government to develop in a timely manner a compensation program which includes primary and secondary victims and which does not compromise other social benefits and which assures access to care as well as fair and equitable benefits according to the severity of the disease including hepatitis C; and be it further resolved that this Assembly urge the provincial government to consider consulting with the organizations representing the

victims of the disease and their families in working on this compensation package.

Madam Speaker, this particular resolution, as I say, was prepared in December. There were negotiations between the House leaders asking that we be able to debate this resolution immediately. The negotiations went nowhere because clearly members opposite did not want to talk about compensation for victims of hepatitis C. On the same day, December 11, 1997, I rose on a matter of urgent public importance and asked in my presentation that we have a debate in the House on compensation.

You, Madam Speaker, might remember ruling that indeed there was not a matter of urgent public importance, something that greatly distressed me. I believe your reasoning was that there was a resolution and we would debate it, and I never quite understood that logic because since this was No. 67 on the Resolutions list, we all know that the chances of ever debating this motion were simply really not there at all, so I did not quite understand that ruling but let that go.

Madam Speaker, I want to make the point that this side of the House has been consistent in its position with regard to hepatitis C. This side of the House has consistently said that we support compensation for all victims of hepatitis C. That was a position we took in December, 1997. Our Leader, the member for Concordia (Mr. Doer), reiterated that position when he was on the radio earlier this month.

When the House opened in March, we again began asking our questions on hepatitis C, and, again, this Minister of Health (Mr. Praznik) very cleverly danced around them, refused to answer them, did not ever really tell us what his position was.

Well, then on March 27, 1998, a compensation package was announced, a compensation package of \$1.2 billion. I believe it was \$800 million from the federal government, \$300 million from the provinces and \$100 million from the Red Cross. The problem with this package, of course, was that it was restricted to those who contracted hepatitis C after January 1, 1986, and, of course, one of the results of this was that

there was a hue and cry from victims who had contracted hepatitis earlier, and that is advocacy that is continuing to this day, Madam Speaker.

On April 7, 1998, the debate on hepatitis C moved to Health Estimates, and we spoke for several days, and I want to point out that there was a very deliberate reason for moving to Health Estimates and discussing these issues. We believed that this was a way of keeping the issue nonpolitical, that it was something that we could talk about in a civilized way and in this forum, and we had some very interesting discussions at that point.

Well, Madam Speaker, on April 27 in the Health committee, we introduced a motion for a free vote, and I would like to put this motion on the record. The motion was: that this committee recommend that the Legislature and the House of Commons hold a free vote on whether to extend compensation to all victims who have contracted hepatitis C from contaminated blood.

Well, Madam Speaker, the tabling of this motion in the Health Estimates committee had produced some very interesting results. I think I remarked at that time that those members opposite who spoke about just about any subject under the sun other than the question of the free vote, most of them accepted as God's truth, written in stone, the date, January 1, 1986, but that is not the case. January 1, 1986, as a cutoff date, is arbitrary at best. This was the date that the test was first done in the U.S.; however, we know that there were tests much earlier. There was a test as early as 1982, a test which would have screened out 40 percent of all contaminated blood and would certainly have greatly reduced the numbers of people contaminated.

But, as I was saying, the members opposite did not really address the issue of compensation. They talked about everything else. Pardon me, they did address the issue of compensation; they did not address the issue of a free vote. The Minister of Justice, for example, ranted on and on about the Workers Compensation Board in Ontario and the massive debt that he claimed that the Workers Compensation Board had run up under the NDP government. My colleague for Crescentwood checked into this matter and found that indeed the minister had completely wrong information, and so my colleague corrected that information on the record.

Now I do not quite understand why this government would not support a free vote, would not allow us to come into this Chamber and vote according to our consciences. If the government has a position, if the government is convinced of its position, then I really do not see any reason whatsoever why they would not support this free vote. I know that the House of Commons was very roundly criticized by their refusal to hold a free vote. So I do not quite understand why the same thing happened here, why a government that would be critical of the House of Commons and Prime Minister Chretien would do the self-same thing here. It seems there are two sets of standards, Madam Speaker, one for Ottawa and one for the Chamber here in Manitoba. So, unfortunately, we did not have the opportunity to vote with our consciences in this Legislature. Perhaps we still can. We have not had that opportunity.

Now, Madam Speaker, the next thing that we did was on April 27. On April 27, we introduced another motion into the Health committee. That was the same day that our motion for a free vote was defeated. This motion was based on the National Assembly in Quebec's motion. If I can just read its RESOLVED: I now move that this committee recommend that the Legislature support the content of the motion adopted by the Quebec National Assembly, and further, that the Legislature urge the Minister of Health to contact the federal government and press for the existing compensation package for victims of tainted blood to be maintained and that an extension of the existing agreement be entered into which would provide compensation for all victims of hepatitis C injected by contaminated blood or blood products.

\* (1500)

Now, actually, Madam Speaker, the motion that was introduced into the committee on that day was slightly different. It did not include the word "maintained," and so for days and days and days, we had Tories coming to that committee room and talking on about, again, anything under the sun, sometimes talking about hepatitis C and compensation packages. Two days into the debate, we realized that their problem was us not having inserted the word "maintained." Now this is a simple matter that could have been taken care of between House leaders. We could have been tipped off that, well, we really like your motion except we really

want to have the word "maintained" inserted into the motion. That did not matter because clearly members opposite were taking the opportunity to filibuster.

However, Madam Speaker, on May 1, there was a meeting, a telephone conference call between ministers of Health. On this date the provinces reiterated that they would only support a limited deal, the limited compensation package. On May 4, Ontario broke ranks and said that it was in favour of compensation for all victims of hepatitis C.

Now, Madam Speaker, I know that my time is soon running out, and I had many more other things that I wanted to say and put on the record. Unfortunately, I will not have the opportunity today, but I do want to conclude by saying that last week this minister went to Ottawa and, from what we heard in this House today, the only thing he did there was keep a bench warm, because he came back with no policy. There has been no progress, there has been no commitment, and members of this side of the House along with victims of hepatitis C are really sick and tired of his dancing and his vacillation.

We would like to know what his position is. He keeps telling us he would have a position if the federal government had a position. What is wrong with his taking a position, his taking a stance, his demonstrating some leadership? That is what we have been asking for. That is what we expect of our minister. That is what we expect of our Premier (Mr. Filmon). That is what those who are living with hepatitis C expect. They want conclusion. These people are ailing and very, very ill.

So, Madam Speaker, with those few words I will sit down.

**Madam Speaker:** Order, please. The honourable member for Dauphin (Mr. Struthers) has already utilized his grievance this session on April 8. The honourable member spoke on privatization of the MTS stock options. Each member is allowed one per session.

## ORDERS OF THE DAY

### House Business

**Hon. James McCrae (Government House Leader):** Madam Speaker, I wish to obtain the unanimous

consent of the House, notwithstanding the sequence for consideration of Estimates as outlined in sessional paper No. 142 tabled on March 24, 1998, and subsequently amended, to consider the Estimates of the Department of Environment. These changes are to apply until further notice.

**Madam Speaker:** Is there unanimous consent of the House to change the Estimates sequence in Room 255 to Environment until further notice? [agreed]

\* (1510)

**Mr. McCrae:** I have a motion to move, which will require the leave of the House, and it has to do with Bill 6 and its French title.

I move, seconded by the honourable Minister of Housing (Mr. Reimer), that the French title of Bill 6, The Animal Liability and Consequential Amendments Act, as it appeared in the Order Paper, and subsequently when it received first reading and second reading, be altered to read *Loi sur la responsabilité à l'égard des animaux et modifications corrélatives*, and that both the first reading and second reading stages be now deemed to have been passed under the correct title.

**Motion agreed to.**

\* \* \*

**Mr. McCrae:** Madam Speaker, I move, seconded by the honourable Minister of Government Services (Mr. Pitura), that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

**Motion agreed to.**

\* (1520)

## COMMITTEE OF SUPPLY (Concurrent Sections)

### JUSTICE

**The Acting Chairperson (Mr. Edward Helwer):** Order, please. Will the Committee of Supply please come to order. This afternoon, this section of the

Committee of Supply meeting in Room 254 will resume consideration of the Estimates of the Department of Justice.

When the committee last sat, the honourable member for Broadway (Mr. Santos) had 11 minutes remaining in speaking to the main motion.

**Mr. Conrad Santos (Broadway):** Mr. Chairperson, we know that institutions that we create in society are moved by people, by human beings who are fallible and imperfect. They forget. They even forget what they said before and what they say after, and there are many controversies as to what the minister actually said.

*Mr. Chairperson, Gerry McAlpine, in the Chair*

The Leader of the Opposition (Mr. Doer) has been counting how many versions there are, and, apparently, there were three: first, that it was the honourable minister who said that it was the Chief Judge who first initiated the idea of adding names to the list. Then in another statement the honourable minister said that he is the one who initiated the idea of adding a name to the list of seven recommended by the committee. Then, finally, he made another statement saying that they jointly had the idea of solving the problem by jointly recommending adding names.

Whatever the facts will have to be clarified. We are not perfect human beings. We commit mistakes. We forget. Sometimes even reporters do not actually capture the facts. They are supposed to be answering the questions who, what, where, when and how, but sometimes even the newspaper correspondents are writing things and publishing things that we as people who utter statements do not even say, so there might be confusion as to what really had been said and whether what had been said coincides with what actually happened.

The only other proper way to resolve all this controversy is to have, as I have indicated before, an independent person who comes from outside our jurisdiction who can make an inquiry as to the facts and, therefore, clarify the issue.

At this point, since I am running out of time, I would like to make a summary statement. It is very important

that we should always say what we mean and we should always mean what we say. In other words, we should state what we believe is the truth, what we see as the truth because it is only the truth that can justify our making any statement.

**An Honourable Member:** The truth will set you free.

**Mr. Santos:** The honourable reverend here said seek the truth and the truth shall make you free. That is a direct quotation from the Lord Jesus Christ.

What is our duty as human beings in general? I think it has been said a long time ago by the prophet Micah. God "hath shewed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" There are three duties here of human beings in general, to act justly, to uphold justice whenever it is in question, to be fair to everyone, to give everyone his due, not to take advantage of any person but to render to every man what is due. It has been said a long time ago, justice is the tendency to render to every person what is his due.

The second duty is, of course, to love mercy, to be compassionate to those who are in disadvantageous positions because we may, ourselves, find ourselves sometimes in a disadvantageous position, and we will be grateful if somebody else will have mercy and compassion for us.

Finally, we should be humble knowing that we are not perfect human beings. We cannot in any way pretend to speak the mind of another because that is not within the realm of our mortal capacity. Even angels, probably, cannot ascertain the mind of human beings; I do not know.

So we are saying here let us do what is right. Let the facts speak for themselves, but let the facts be stated first and be sought by one who is a disinterested party by means of an independent inquiry. That can only happen if the honourable minister will step down as Minister of Justice because while he is there, there can be no independent inquiry because he will be in charge. It is as simple as that.

Whatever is the truth has to come out. If the truth will not come out, there will always be some doubts,

and whenever there are doubts, there will be misgivings. Whenever there are misgivings, there are some questions, some innuendo, some rumour, some mixing of facts with myth and fiction. That cannot be done. That cannot be allowed if we are to restore the confidence of the citizen in the judicial system.

It is a fact of our system of government that the citizens should have the fullest confidence in the impartiality and lack of bias of the judicial process, particularly the appointment of judges in our provincial court system. Although the province constitutionally has administration of the system of justice, the real appointment, of course, is made by another jurisdiction in Ottawa, but the recommending authority will, of course, be the provincial level of government with respect to provincial judges.

We sometimes say that judges should be independent of the political process, but if we open our eyes, we see ex-politicians now sitting on the benches. They are rewarded by the governing party in power with judicial appointments. [interjection] The honourable Minister of Seniors said Liberals, but I can see Justice Sterling Lyon there in the judiciary. How did he get there?

So you cannot say it is good for the goose, not good for the gander. Everybody is doing it, but if everybody is doing it, it does not mean it is legal or moral. What we are trying to preserve is the integrity, the separateness of the judiciary from the political, active government of the day, and at least while we are behaving as participants in the institutional role that we play, we would like to make these two judicial branches of government as autonomous and as independent as possible because if they are intermixed, then they will say there is political interference, there is political bias, there is preferences, there is nepotism, all kinds of accusations creeping into the judicial system, destroying the confidence of the citizen in their judiciary.

\* (1530)

When the citizen no longer respects either the judiciary nor the political branches of government, then the whole system of government becomes unstable, and

when it is unstable, there will be no peace, there is no order, there is no security of either person or property, because if we ourselves are the ones who violate the rules, how can we expect the citizens to obey the rules? We lead by example. Only by our behaviour, by the things we do that we speak, because it is not the rhetoric that counts, it is our behaviour as officials of government, both elected and appointed, that is emulated by the citizens as modelled in our democratic system of government.

I do not know if anyone can assert that he or she alone can know the facts. It is a matter sometimes of observation by an independent observer, because we are all coloured by the values that we have in our system, the values that we inherited in our cultural group, the values that we have taken from our educational background, the values that we absorb and imbibe from our friends and associates. All of these are looking glasses coloured in our own way, so when we look at the phenomenon, we interpret it according to our value system, and different value systems, of course, result in different interpretations.

The only way to settle that kind of difference, honest difference of interpretation and honest difference of opinion, is to ask for a third party, a third person who is not involved in the controversy to make the observation, to ask the questions, to seek answers and stay on the factual level.

Of course you will say even this arbitrator will have his own values. Of course he does, but then his values are not at all tangential to the controversy at hand because he is a third person. He does not know anything at all about what happened. He has not heard any statement from the House. He has not heard any statement from the honourable minister. He will only conduct the inquiry and ask questions appropriately from the proper person who has participated in the series of events that we are trying to reconstruct as a factual sequence of what actually happened in this controversial thing.

Thank you, Mr. Chairperson.

**Hon. Vic Toews (Minister of Justice and Attorney General):** I do want to address this motion for the next period of time—

**Point of Order**

\* \* \*

**Mr. Gord Mackintosh (St. Johns):** Just for clarification, unlike the usual process of Estimates, I understand that this is a motion before the committee, and therefore a member can only speak once to the motion.

**Mr. Chairperson:** The honourable member for St. Johns does not have a point of order. Just for the clarification of the committee, we have agreed to rotate back and forth. A member can speak as many times as he or she may want to speak to the motion on the basis of rotation back and forth across the table.

\* \* \*

**Mr. Chairperson:** The honourable minister, to continue with your response.

**Mr. Toews:** I know the member for Broadway (Mr. Santos) raises some very interesting issues, and I would like to deal with some of those. Unfortunately, the member for Broadway has an incredible lack of understanding of even the process required in respect of the appointment of judges, provincial judges.

He suggests that the appointment is a federal one. Now, that indicates exactly how little he knows about the process, and I am surprised he would even be speaking in this kind of a manner. For him to suggest that this is a federal appointment simply does not make any sense. This is not the first time that the member for Broadway has exhibited a complete lack of understanding of the legal process, and perhaps maybe—

**Point of Order**

**Mr. Santos:** Mr. Chairperson, a point of clarification, I am talking about appointments—

**Mr. Chairperson:** Is the honourable member for Broadway speaking on a point of order?

**Mr. Santos:** A point of clarification. When I say federal appointment, I am talking about the Court of First Instance. I am not talking about—

**Mr. Chairperson:** Order, please. There is no point of clarification here or a point of order.

**Mr. Chairperson:** The honourable minister, to continue with your response.

**Mr. Toews:** So he indicates that the process is that there is a nominating committee that is set up provincially, but the appointment is federal. Again, the member has absolutely no understanding of what the process is.

I would like to just deal with the kind of comments that the member makes. He seems to think that even the matters on record can only be used to justify his position. That is clearly not so. I have given my answers in the House, and I stand by them. I say they are consistent. I say they outline what happened. Unfortunately, the member has a tendency to make speeches and to say things without knowing the facts.

This is not the first time he has attempted to do this in a very clumsy and incorrect way. The last time he did it, he stood up in a matter of privilege, in the House, in respect of Bill C-68. Now, here he spoke on an issue regarding what the duties of the Minister of Justice or the Attorney General are. I think this is really relevant. This is a man who is speaking in support of a motion to ask the Minister of Justice to resign. So what does he say about the issue on Bill C-68? He made specific reference to a newspaper article where the article quoted me as stating that I would not enforce Bill C-68. So, in a very similar self-righteous way, he stood up in the House and pontificated about what the duties of the Minister of Justice are, again understanding absolutely nothing about the process, consistent with the way he generally speaks on these issues, and certainly the way he has demonstrated his lack of knowledge today.

I find this unfortunate. If you are going to make accusations, be accurate, at least in your basic facts. In the Bill C-68 situation, he said the Minister of Justice's responsibility is to enforce the law, and joining in this chorus was, of course, the former NDP Attorney General, Roland Penner, who, like the member for Broadway (Mr. Santos), did not read the legislation either, but that has never stopped that particular individual from pontificating about the law. He, too, indicated—the former Attorney General—that it was the Attorney General's obligation to enforce the law.

Absolutely correct, but in speaking on that issue demonstrated a complete lack of understanding of our federal system and the role of the Attorney General in that federal system.

Now, one of the things that the member for Broadway, and, apparently, the former Attorney General, Mr. Penner, did not understand was that criminal law and criminal process is passed by the federal government, falls exclusively within their bailiwick. The provincial attorney general is responsible for the administration of justice. There is no constitutional requirement for a provincial attorney general to enforce any federal laws. There is no constitutional requirement at all, whether it is the Criminal Code, whether it is the Young Offenders Act, whether it is the Bail Reform Act. The Supreme Court of Canada has been clear on that, and it arose in respect of a matter of the Narcotics Control Act.

In that particular case, the federal Attorney General was prosecuting a case under the Narcotics Control Act, and defence counsel raised a motion saying that the prosecutor—a federal prosecutor—could not prosecute because the Narcotics Control Act was a criminal offence, and only a provincial attorney general could prosecute a criminal offence.

\* (1540)

The Supreme Court of Canada made it very clear. A provincial attorney general only prosecutes criminal law made by the federal Parliament on the basis of delegation by the federal Parliament to that provincial attorney general. Not a constitutional responsibility. It is a delegation, and, as the member for Broadway (Mr. Santos) must know, any delegation, if it is not a responsibility, can be refused. So, in the area of the Criminal Code and the Young Offenders Act and the Bail Reform Act, those have been matters that have been delegated to the provincial attorneys general, and the provincial attorneys general have, in fact, accepted that delegation.

Now, the member for Broadway says their duty is to enforce the law. True enough, but under our division of powers there is no requirement to enforce federal laws. There is a voluntary acceptance of that by provincial attorneys general, and so, here, the member

for Broadway, in speaking on C-68, stands up and says: when the Minister of Justice said he would not enforce or administer Bill C-68—even if we admit that that is criminal law for the purpose of our discussion, and suggesting that the Minister of Justice somehow breached some kind of a legal or a constitutional requirement, again, he was wrong. He simply did not understand the process.

I am not faulting the member for not understanding the process, because he is not a lawyer. He is not expected to know that, but if you do choose to speak out publicly on that, perhaps there is some indication that you should learn something about it, and, indeed, at least read the act. Did the member read Bill C-68? I am certain he did not because if he did—and I know the member for Dauphin (Mr. Struthers) took the same position as the member for Broadway (Mr. Santos) at that time, indicating essentially that if they were in power, that is, the NDP were in power, they would enforce Bill C-68 if it was constitutional. Well, the member for Dauphin is wrong.

#### Point of Order

**Mr. Mackintosh:** Yes, Mr. Chairperson, the matter before the committee is a very serious matter of the minister's involvement and interference in the judicial appointment process under The Provincial Court Act and the call by the opposition for his resignation.

The issues that the minister is dealing with, similar to what the minister's position was on Thursday, are not relevant to the matters before the committee, extremely serious matters. For him to get into an issue about gun control today or about the payment of judges last Thursday is not relevant to the matter before the committee, and I ask you, Mr. Chair, to call the minister, as is the practice, to order and ask him to be relevant to the motion before the committee.

**Mr. Toews:** Well, Mr. Chair, they have indicated that the role of the Minister of Justice is to do certain things and on the basis of that then say that because he did not do that, he should resign. What I am trying to argue here, and I think right on point, is that they do not understand the basic role of the Minister of Justice, and this point which was specifically raised by the member

for Broadway (Mr. Santos) is being addressed by me in the context of the overall motion.

**Mr. Chairperson:** The honourable member for St. Johns does not have a point of order. I think it is a dispute over the facts. I would remind members that we do have a motion before the committee and that I have been listening very carefully and trying to follow this.

I have been fairly liberal with all members with regard to this aspect, but I would remind members when they are speaking that they do address the motion that is before us at the committee.

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**Mr. Chairperson:** The honourable minister, to complete your response.

**Mr. Toews:** So the issue of the role of the Minister of Justice is very relevant to the motion. If you are going to ask a Minister of Justice to resign because of certain things, you must understand what the role of the minister is in our federal system. So the member for Broadway (Mr. Santos), not having read Bill C-68 but never at a loss to express his opinions on things he does not know, stood up in the House and spoke that the minister should resign because he is not following his constitutional duty to enforce Bill C-68.

Again, if the member had even read the statute—let us leave aside the issue of whether there is a constitutional obligation to enforce Bill C-68. Leaving that aside, the legislation itself on the face of it, clearly, for anybody to read, a layperson and lawyer alike stated clearly that the minister is the minister designated by the Lieutenant Governor in Council, or if the Lieutenant Governor fails to designate a minister, then it is the Minister of Justice, federally.

So right in the statute, unlike the Criminal Code, unlike the Young Offenders Act, there was a specific right, a statutorily recognized right that there was no obligation on the provincial Attorney General to enforce that law. Did the member ever come back and say, you know, I did not read the act, I was just saying that because Roland Penner said that and it sounded like a good thing to say? But, no, the member makes

his statements without knowing what the facts are, without knowing what the role of the Minister of Justice is and, in the same way, continues in this matter.

The second point related to Bill C-68. How was a prosecution commenced under that act? That should have given the member some indication. Did he look at that? Obviously not. He never read the statute because it was right there. It said that the person who would be swearing any information for an offence under C-68 was a federal official as opposed to a provincial official, and, as the member must understand, in a federal system where there are equal partners, provincial and federal, each having prosecutorial powers, when a statute specifically says it is the federal official who lays the information, that should have given the member a clue that there was no requirement on the part of a provincial Attorney General to lay information much less prosecute.

So, again, perhaps the member should consider his own statements in the past before he comes to these kinds of committees and demands certain actions be taken. Perhaps he relied on the legal advice that Mr. Penner gave him, and maybe Mr. Penner did not read the statute, and that is unfortunate, if Mr. Penner did not read the statute.

But I wanted to continue about some other matters that I believe are very relevant to this particular issue, the issue of the resignation of the provincial Minister of Justice related to an activity dealing with the appointment of provincial judges made by the provincial cabinet. This is not dealing with an issue dealing with a nominating committee that are putting up names for a federal cabinet. This is a provincial cabinet, and, unfortunately, the member for Broadway (Mr. Santos) did not seem to understand that issue.

In any event, one of the things I think that our government has been very, very mindful of is the issue of the role of the Minister of Justice, and this then gives me the opportunity for a few minutes more to discuss how important a role it is. One of the things that should be known is that I can see how the member for Broadway—

\* (1550)

**Mr. Chairperson:** Order, please. I have recognized the Minister of Justice, and I do hear some conversations within the committee. I would ask that members please refrain from doing that. If you wish to, you can have your conversations at the back of the room.

**Mr. Toews:** I know that the member must find the whole area confusing, so I think it is important then to delineate what some of the responsibilities are of the Minister of Justice.

One thing that our government has been very consistent on, among other matters, is the importance of supplementing federal legislation where we believe that the federal government has not been as expansive as it should in its area of constitutional expertise in order to address a particular problem, so what we have done in this government and the Ministry of Justice, including my predecessors, both the member for Brandon West (Mr. McCrae) and the member for Fort Garry (Mrs. Vodrey), is we have indicated on a consistent basis that we will within our own area of jurisdiction supplement what the federal government has refused to do in its area of jurisdiction.

The first example, I think, that one can point to was the member for Brandon West, when he was Minister of Justice, believed that there were serious shortcomings in the way—or not so much in the way, but rather in the laws themselves relating to impaired driving, and the minister brought into the House a bill which has been seen as a leader across Canada, and that, of course, relates to the—

### Point of Order

**Mr. Tim Sale (Crescentwood):** Mr. Chairperson, on a point of order, I have referenced the time very carefully when my colleague raised a question of relevancy. I believe that it was 3:42 when that was raised; 3:43 perhaps. Since that time, the minister has managed to address virtually everything except the issue of his interference in the selection of judges. I know it is embarrassing for him to have to defend the indefensible, but we are now wandering over to the area of impaired driving and his predecessor's role.

I would ask you to call him to order, ask him to address the matter before the committee and to stop wandering over all the judicial territory that he can find.

**Mr. Toews:** Well, I am simply getting to the point where, again, it was stated that the Minister of Justice did not understand what his or her role was at that time, so the situation that I am going to refer to specifically addresses the role of the Minister of Justice.

As indicated earlier, Mr. Chair, the member for Broadway (Mr. Santos) has raised the whole issue about what the role of the Minister of Justice is as an essential underpinning to his argument that the present Minister of Justice (Mr. Toews) should resign, and I believe I should be entitled to address that specific issue.

**Mr. Chairperson:** Order, please. The honourable member for Crescentwood does not have a point of order.

I would remind the committee that with a motion of this nature, there is a wide range of discussion. I believe the minister is—and I am listening carefully and with all members here in terms of making their point. They are making comments that are not necessarily relative to this, but they are speaking around the motion. I will allow this to continue but remind all honourable members that we do have a motion before, and they should stay relevant to that.

\* \* \*

**Mr. Chairperson:** The honourable minister, to continue.

**Mr. Toews:** Thank you, I will bear that in mind. So at that time the member for Brandon West (Mr. McCrae) brought in a bill that related to administrative suspensions of licences that occurred essentially at roadside when someone blew 0.08. The argument as that matter came up to court was that in this situation the police were acting as police, judge and jury in suspending the licence. Similar arguments were raised in respect of the seizure of motor vehicles, and, again, at that time, and I recall a specific cartoon, the Minister of Justice—it was a cartoon in an editorial page where there was a picture of a tow truck with a hook and the

hook was hooking a car. The car said something like Charter of Rights, obviously suggesting that the Minister of Justice at the time was hooking the Charter and ignoring the law.

I know the Minister of Justice at that time was assailed by virtually every lawyer in this province.

#### Point of Order

**Mr. Mackintosh:** It is ironic that in the course of a debate on a most serious issue affecting not just this minister's career and career path but that of the government, the minister is engaging in irrelevant debate. I think, if anything, this further erodes public confidence and the confidence of this side of the House in the minister's capabilities to continue in his office, but I have to make the assertion that it appears obvious to this side that this minister has also negotiated a gag on himself. In other words, that agreement with the Chief Judge is also attempting to subvert the role of this Assembly, this committee and the public's right to know.

Perhaps the minister will want to respond to that because that is the charge we are making now.

**Mr. Chairperson:** The honourable member for St. Johns does not have a point of order. It is a dispute over the facts.

\* \* \*

\* (1600)

**Mr. Chairperson:** The honourable minister, to continue.

**Mr. Toews:** So here was an allegation made that the committee or the minister was hijacking the Charter of Rights, that the minister did not understand what his constitutional obligations were. It took some time—indeed, it took almost a year—before the minister and his position were vindicated and this government's position was vindicated. The courts looked at the situation and indicated that there is no issue here of the violation of constitutional rights, but I know that the lawyers in the province of Manitoba and, indeed, right across Canada felt that that kind of licence,

administrative action was not an appropriate action. The Minister of Justice held firm in his position in that particular case. So the Minister of Justice was vindicated in that particular situation, because the Minister of Justice in that particular case understood what, in fact, his responsibilities and his duties under statutory law or indeed under constitutional law were.

I think that kind of example is important to bear in mind when considering this particular situation. So, having listened to the member for Broadway (Mr. Santos), I would submit that he has really contributed nothing to this debate, other than bringing, again, erroneous facts, as he has done on other occasions when he quoted Scripture and spoke in a very self-righteous way about what he felt was appropriate.

I know that, in listening to him, his quoting of the Scripture is quite accurate. The member understands the letter very, very well. I am sure that if we wanted to debate religious principles, I would be more than happy to do that with the member for Broadway. There are other verses and chapters that we might want to discuss as being relevant to this particular situation and indeed his particular conduct, but I think that if we got into that kind of a debate, it would not really help our discussion of the substantive motion here today.

So rather than relying on facts or matters of which he knows nothing about—because I think I have demonstrated that in terms of his past actions and statements, and indeed today he has demonstrated, again, he did not even understand the basic issue that we are talking about here, that this relates to the appointment of judges at first instance, provincial judges who fall under the constitutional jurisdiction, not of the federal government as he stated, but the provincial government.

For the member's benefit, there are two levels of trial court in this province. There is the Provincial Court whose members are appointed by the province, and there is the Court of Queen's Bench whose members are what they call Section 96 judges; that is, appointed by the federal cabinet. So even though both courts have certain original jurisdictions in the sense of being trial courts, one court, the Provincial Court, is known as a tribunal of inferior jurisdiction. That is not to slight the judges or the court in any way. It simply refers to the fact that their jurisdiction is statutorily based. The

other one is the Court of Queen's Bench which has inherent jurisdiction. Their jurisdiction can only be limited by statute.

The issue that we are talking about here on the nominating committee has got nothing to do with judges in terms of the appointment process. Yes, we are appointing judges, but the chair of the committee is not acting as a judge. The chair of the committee is acting as the chair of the nominating process, not as a Chief Judge or as any judge of the court, nor is the other judge on this committee acting as a judge. We are not dealing with issues of judicial independence because, in my opinion, if we had members of the judiciary acting on a nominating committee as members of the judiciary, I would think that we are running into a precariously dangerous situation, and that involves the intermingling of the executive function and the judicial function.

It is very, very clear in our area of constitutional law, or under our Constitution, that there is a clear separation of powers. The judiciary does not interfere with the executive powers nor does the executive interfere with the judicial powers. So when a Chief Judge is acting on the nominating committee, she or he does not act as a judge. Again, the member is trying to mislead people here by suggesting that the Chief Judge is acting as a judge, clearly wrong, and the other judge, acting on the nominating committee, is not acting as a judge. They are acting in an administrative capacity.

So the member, in order to confuse the issue, deliberately, I think—

#### Point of Order

**Mr. Sale:** Mr. Chairperson, on a point of order, this minister has been abusive of the honourable member for Broadway (Mr. Santos) for the last 30 minutes, and he has now gone past parliamentarily acceptable language by stating that he believes that the member for Broadway deliberately attempted to do some misleading—he used the word “mislead” and then he used synonymously “confuse.”

I ask you to call him to order and to stop his abusive treatment of an honourable member and to recognize that any impugning of motives, that is, “deliberately,”

is not acceptable in parliamentary language. This minister should get on with the substance of the matter here, which is did he interfere in the process that is covered by The Provincial Court Act in regard to the appointment of judges?

**Mr. Chairperson:** In regard to the honourable member's point of order, I will take that under advisement and review Hansard to make sure that what the honourable member is suggesting is done so correctly. The honourable minister, to continue. You have—

**Mr. Toews:** Just on that point. I mean, if I have suggested—

**Mr. Chairperson:** The honourable minister, on the same point of order.

**Mr. Toews:** On the same point of order, if I have indicated that he has deliberately confused, I think the thrust of my entire argument is that this member has not been deliberately confusing. In fact, he just does not understand, and so maybe I should remove the word “deliberate” because he is simply confusing because he does not understand. So I would be satisfied with just simply a deletion of the word “deliberate.”

**Mr. Chairperson:** We thank the honourable minister for that.

\* \* \*

**Mr. Chairperson:** The honourable minister's time has run out.

**Mr. Sale:** I have listened with some interest for the last half hour to the Minister of Justice (Mr. Toews) failing to address any of the issues that have been raised before this House and in this committee in regard to the call for his resignation. I find it dismaying, to say the least, that a minister from whom I expect a great deal in terms of ethical standards and ability to be accountable for behaviour has not been attempting, in my hearing, to be accountable at all and to answer any of the serious allegations that have been raised against him.

I find that disturbing in the extreme because of all of the ministries of the Crown that I hold in high, high

regard—and I hold them all in high regard—but I hold the Minister of Justice in highest regard, because she or he is charged ultimately with the administration—and in cases where, as he has pointed out—he willingly undertakes the enforcement of criminal and civil statutes in Manitoba. The only thing that stands between a civilized society and the law of the jungle is the rule of law, and the person charged with the administration and implementation of that holds a most high office, and yet this current minister appears to trivialize the motion before the committee by excursions into matters that have little to do with the issue at hand.

\* (1610)

The issue at hand, quite simply, is this, Mr. Chairperson. Sometime in the week preceding Friday, May 1, the Minister of Justice (Mr. Toews) received, in his capacity as Minister of Justice responsible for the appointing of Provincial Court judges, a list. He apparently reviewed that list and was angry, angry enough that on the weekend following Friday, May 1, 2 and 3, he called the Chief Judge, angry enough that in private social events he was heard to complain bitterly about the inadequacy of the list that he had been given. That in itself constitutes a breach of his duties to keep confidential all such matters, but he complained.

Then he met with the Chief Judge on Monday, May 4, and we have been treated to three or four versions of what was said in that meeting. I believe what was said was fairly reported by the Chief Judge to other members of that committee when she met with them and that Mr. Joubert and Colleen Suche have absolutely nothing to gain by misrepresenting what they were told by the Chief Judge, and they have everything to gain by maintaining the integrity of the appointment process, and that they acted in respect of the highest understanding of their calling as members of this committee to recommend a slate of candidates and to nominate and to put that forward to the minister. Mr. Joubert and Ms. Suche acted in the best tradition of the legal profession by defending a committee from the administrations of the minister who was attempting to interfere with that committee.

I would ask the minister to consider, Mr. Chairperson, through you, why would the head of the

Law Society and the head of the bar want to give a misleading or an incorrect or an incomplete or a deliberately wrong view of what the minister had done? These are sworn officers of the court. These are not people whose opinions or statements should be taken lightly by the public, by the minister or by anybody else.

But, apparently, according to the minister, there were some conversations which took place with Judge Webster that were the most convoluted that I can possibly imagine. First of all, the minister does not like the fact that there was no bilingual name on the list. Now one can speculate as to whether he knew that only one of the 22 candidates interviewed was bilingual or not, but he certainly knew that a Tory—former nominee for a candidacy in St. Vital—person had applied for the job. It was certainly within his capacity to understand that his name did not appear on the list because he had the list. Maybe that is why he was so angry on the weekend when he phoned Judge Webster.

So he first attempts to tell the House, I need a bilingual judge, and there was not any name on there that was a bilingual judge, and we talked about this Judge Webster and I, and we had done that over a number of times, and by golly, she should have someone on that list. Well, she did not. She did not at least in part because the ad, approved by the minister, did not call for a bilingual judge. It was not one of the terms of reference. Other ads for the appointment of bilingual judges had appeared. So if this was such a major concern, then obviously there was an oversight in the ad.

The minister then offered the feeble defence that he needed a new French-speaking judge because he only had two and one was off busy doing a report and the other was going on leave. Well, that house of cards fell down around the minister's head. The report to which he refers is completed. There is no problem with the judge doing that report. His work is virtually finished, and the other French judge who is going on leave, well, you know, those who are fabricating stories often hide behind a sliver of truth, and there is a sliver of truth in the minister's assertion that the other French judge is going on leave. He is in a year to 18 months, not this week, not next month, not in the summer, not in the fall, not next winter but a year to 18 months from now,

clearly sufficient time to have a proper selection process in which bilingualism was a criteria.

The minister had conversation with Judge Webster about this issue of bilingual judges, and what he is asking the public to believe is that the Chief Judge of this province did not know The Provincial Court Act and that she was prepared to take a list back and in clear contravention of Section 3.1(4) add some names to a list of nominees. The minister apparently asked for two. The minister must think that Manitobans are fools, that they would believe that their senior Provincial Court judge would not understand the act and would offer to go back to her committee and break the law. The minister must think that we are fools or he thinks that Judge Webster is a fool, that she would agree to undertake the breaking of the law. That is what he wanted Manitobans to believe, that Judge Webster had agreed to take the request for more names back to the committee, when she knew full well that that was not possible.

In fact, what the judge tells the committee happened was that the minister was furious that there was not a bilingual name among the seven put forward. In other words, that his candidate was not there and so he was not going to accept that list. He wanted them to go back and add the two names that he wanted added. Now whether the judge put forward those names by name or whether the minister did is irrelevant to the issue at hand. The issue is this minister thinks that Manitobans are fools, that the opposition are fools, that he can patronize and disparage the remarks of the honourable member for Broadway (Mr. Santos) and that all will just be fine, when, in fact, the house of cards that is tumbling down around him is asking Manitobans to believe that their chief provincial judge willingly undertook to break the law.

Because that is the only construction that can be put on the weak defence that the minister made last week in the House and then offered in the form of a statement not signed by the Chief Judge but only by himself. The minister believes that the Chief Judge of Manitoba would undertake to break the law so that he could get a political appointee on the bench.

Mr. Chairperson, someone is lying in this whole series of events, and given the minister's own

construction in the House, on the media, there are only two choices. Either the Chief Judge is lying and went to the committee and concocted a story quoting the minister, or the minister is lying. It is possible, of course, that they are both lying, but I think it is highly unlikely.

I think, in fact, that the Chief Judge did what she was told to do by the minister which was to take this damn list back and get two more names on it, one of them bilingual at least. She went back and reported her conversation. I think, in doing so, she did the right thing because she reported to her colleagues the minister's attempt to interfere with the judicial selection process, to change the rules to add a bilingual judge which was not required. To change the rules in one series of his discussions about what actually happened, he actually suggested, well, maybe we should appoint three judges this time. It does not matter that the Order-in-Council said two, it does not matter that the ad said two. We will just get your committee's agreement. We will go back and make it three, and I think the Chief Judge did the right thing.

### Point of Order

**Hon. Bonnie Mitchelson (Minister of Family Services):** A point of order, Mr. Chairperson, I was listening very intently to my honourable friend's comments opposite and he may have said a word that I would believe would be unparliamentary when he indicated that the Minister of Justice directed the Chief Judge to take this damn list back. I think that is not the kind of language I believe should be used in committee or in this Legislature.

We listened to my honourable friend raise several points of order about the minister's actions towards the member for Broadway, and I would venture to guess that my honourable friend across the way is being much more abusive to the Minister of Justice than any comments I heard the Minister of Justice make about any of his colleagues, so I take great offence to that kind of language being used and I would like you to rule on whether the comments that were parliamentary or not and if not parliamentary, certainly withdraw them.

\* (1620)

**Mr. Sale:** On the same point of order, Mr. Chairperson, I have no problem with withdrawing the word "damn" if the minister finds that offensive. It is certainly a biblical word and one that has been used many times in debate, but no problem. We can call it that darn list if you would like, if that will make you feel better, so I will withdraw the word "damn."

**Mr. Chairperson:** I thank the member for Crescentwood for that. While we are on this point, there have been some things that I have noted, that the honourable member for Crescentwood did reference the word "lying," and although it has been ruled unparliamentary in some cases, I would suggest that all honourable members choose their words very carefully when they are referencing the remarks in this committee.

\* \* \*

**Mr. Chairperson:** The honourable member for Crescentwood, to continue with your statement.

**Mr. Sale:** I want to address exactly what you just raised, and I think it is a very important point. When we are looking at the issue of the Chief Judge going back to her committee, in her capacity as chair, and telling her committee what Mr. Joubert and Ms. Suche told the press, the public, she told them, we have no alternative but to conclude that either the minister instructed the judge to do this, in which case one cannot put any other construction on his statements in the House than that he is, in fact, at variance with the truth, or that the Chief Judge is.

The facts do not support any other interpretation, because the Chief Judge clearly told her colleagues on the committee her understanding that the minister not only was angry about the list but that he wished to have more names added. The minister, for his part, has denied that. It is not conceivable to me that the truth can lie in between. The truth has to lie on one side or the other. Either he said it or he did not, because as I have pointed out, for us to believe that the Chief Judge is ignorant of The Court Act and is ignorant of the process of the appointing of provincial judges is surely asking us to believe something of the chief provincial judge which is inconceivable, especially since she is the chairperson of the committee.

So, Mr. Chairperson, I think it is very important that the minister address the issues of this motion calling for his resignation, and he has utterly failed to do that. He has not responded with any detail about his conversation with Judge Webster. He has simply done what I think would even to him have been unthinkable before he had entered into this particular path, namely, probably with some consultation with others, but maybe not, he initiated a process of the negotiation of the truth. He hired a lawyer, a private-sector lawyer, either directly to Judge Webster or through his private-sector lawyer or through some other intermediary such as the deputy minister, he suggested Judge Webster do the same. And the two lawyers would sit in a room, rather like a kind of arbitration process and they would negotiate with each other until a satisfactory statement could be arrived at, which interpreted what had been said in the meeting between the minister and the judge.

Now, the minister may be so out of touch with his colleagues in the legal profession and the judiciary that he is unable to see what is plainly an offensive process, in which the senior minister responsible for the system of judicial administration and enforcement and the senior provincial official responsible for sitting on the bench between them hire lawyers to sit down and negotiate what was said in a meeting. Then they issue a statement signed by not both parties, but one party, in which the minister apologizes for any confusion that might have arisen, but fails to clarify why he would tell the House one day that he suggested three appointees, why the judge would tell her colleagues on the committee that the minister wanted two more names added, why he would do any of those things is not even touched on in this statement. So, by refusing to be forthright, this minister has now pulled into the mesh Judge Webster, negotiated a gag order by which she would agree not to speak any further on this issue, and apparently by which he would not either, because since his statement in the House he has said nothing about his conduct in this matter.

Now, let us look at what happened in Ontario. Here we have a minister responsible, Mr. Runciman, essentially having breached a statute through the naming of the mother of a young offender in a throne speech, which, of course, technically Hilary Weston also breached by reading the throne speech and presumably the Premier breached by moving it and

having it read, but Mr. Runciman did the right thing. He said, yes, there is apparently a breach here, and I am going to have the RCMP investigate it and report back, and because I have some respect for the office I hold, I will step aside until that inquiry is finished. Perhaps he will reassume his duties, perhaps he will not, but at least he goes out with honour because he had the courage to let the light of day shine on his activities.

This minister has not the courage to let the light of day shine on anything. He puts members of the bar in a closed room and negotiates the truth. He changes his story in the House three times, in terms of the things that have happened, and then after his pitiful denial last week he will not even speak further about the issue because apparently he too has agreed that he will not speak. So now we have a double gag, a gag on the minister, a gag on the judge, the simple expedient that Mr. Joubert and Ms. Suche were not speaking the truth in this matter, and I have no doubt that they spoke the truth of what they heard. A simple expedient is an inquiry. It need not take long and it need not cost a lot. It simply has to determine who said what to whom on which occasion and whether or not a statute was breached.

\* (1630)

If the minister has any, any scintilla of concern for the office that he holds, he would have stepped aside a week ago. He would have called for an inquiry and he would have done the honourable thing and waited for its outcome. If he speaks the truth then he would have been vindicated. Mr. Joubert and Ms. Suche would have been seen to have been incorrect, Judge Webster perhaps to have acted inappropriately. But he did not do that, and he still refuses to do that.

Our laws offer an opportunity for inquiries. Under parliamentary tradition, if a minister, it does not matter which minister it is, breaches or is thought to have breached an act where there is substantive evidence that he did so or she did so—at least there is doubt obviously in the minds of two senior members of the legal profession as to whether this minister breached an act. Under parliamentary tradition stretching back hundreds of years, he would have stepped aside, but he does not because the Premier (Mr. Filmon) of this province has a fetish that he has never lost a minister. In that fetish

he is costing government, he is costing all elected officials, he is costing the judicial system of this province a high, high price for the maintenance of his petty pride that he has never lost a minister.

Well, there are times when every government should lose a minister, and one of those times is when the conduct of the minister is called into such question that the whole administration of justice is brought into disrepute. That is what we are facing today in this matter. The minister could show himself to be a person of courage and integrity if he wished and say I trust the judicial process, I trust an external authority to verify what was said and what was done, what was not said and not done. I have confidence in the process. He wants Manitobans to have confidence in the administration of justice, but he does not have confidence. He is afraid that what would be found out would, in fact, bear out Mr. Joubert's and Ms. Suche's claims and not his own, not his own that he has changed so many times.

This is a sad, sad day for Manitoba when the Minister of Justice (Mr. Toews) has not sufficient integrity to resign his office while an inquiry is called, when he pulls the Chief Judge of the province into a back room with two lawyers to negotiate the truth, when he changes his story three times before the House and when last week he took part in a motion of closure, one of surely the highest or lowest comedies that this House has ever seen, where a member of the government and a minister of the Crown attempt to move closure on the debate about the resignation of a minister.

They have their colleagues in committee vote for it unanimously, and then when they go into the House to have a recorded vote, surprise, surprise. Not only do they not even vote for their own motion, none of their colleagues do either. This government engaged in the incredible spectacle of voting with the opposition to continue debate on a motion that it had voted in committee to close. This minister and his colleague that he had move this motion looked ridiculous, and with every passing moment they look worse.

They have the option of doing the honourable thing, letting the light of day shine on this matter for all to see, and, if, in fact, the minister has spoken the truth at all times, I am confident that he would be vindicated. I

would think that if he had spoken the truth at all times he would be confident that he would be vindicated. But apparently he lacks confidence in the very system that he is charged to administer and to uphold, a system that could hold an inquiry, could ascertain the truth, and could report to the public. It is an incredible comment on the administration of justice in this province when the minister charged with that administration is so cowardly that he cannot trust the system to find out the truth of a matter that calls for his resignation. It is a sad day. It is a sad day, and I am very sorry to be watching the spectacle of the minister even lacking the fortitude to debate his own actions but instead engaged in long excursions into federal and other matters that bear no relation to the issue before the House.

So I do not take much pleasure out of this situation because my own constituents have to trust the justice system. They are required to trust the justice system. They do not have any choice, but when they see the minister responsible for the system unable to trust it, they must wonder whether there are two sets of rules, whether the minister knows something they do not know, that the system cannot be trusted to find the truth. I doubt that.

I think the system can be trusted to find the truth, but the Minister of Justice (Mr. Toews) is not letting Manitobans understand that, because he clearly does not think that the system can be trusted to find his truth, or else he would do the honourable thing, as this motion requires. He would resign and let daylight shine on his actions, Mr. Chairperson.

**Mr. Peter Dyck (Pembina):** Well, I have listened for the last half hour to, also, an accumulation of excursions. I think this is what the member for Crescentwood (Mr. Sale) was indicating of our minister about going on excursions. My goodness, the member for Crescentwood has certainly taken us around all over the place. I guess the thing that I find interesting and somewhat astounding is that certainly the minister has put a lot of information on the record and, in fact, has been supporting the information that the members opposite were looking for, giving them that information.

You know, when you look at the resolution that they have in place, I think that they are going on a wild

goose chase and—[interjection] Oh, the member for Crescentwood wants me to keep a straight face. Well, on the other hand, I could laugh about this because I think the members opposite have come up with something that is relatively and very ridiculous. I will be right honest with you. The member also indicated about how his constituents have made certain comments. I went out in my community, and my constituents—I would suggest you come and talk to my constituents, and you ask them about this issue. In fact, a number of them asked when the NDP were coming into the area, they would like to talk to them.

**An Honourable Member:** We were there last year.

**Mr. Dyck:** I know you were and you left very quickly, so, yes, and I know exactly where you were. They also indicated to me that the member for Crescentwood (Mr. Sale) had been there and some of the questions that had been posed.

**Mr. Chairperson:** Order, please. I would remind the members that they make their comments through the Chair. I have recognized the honourable member for Pembina (Mr. Dyck) to speak on this matter, and I am hearing other noises and voices beyond the honourable member for Pembina. I would ask all honourable members to respect that right of every member of this committee.

The honourable member for Pembina, to continue with your response.

**Mr. Dyck:** Yes, I did feel interrupted here, certainly, so, yes, I would like to continue in this debate, and certainly, again, we have heard at lengths some of the allegations that were made towards our Minister of Justice by the member for Crescentwood (Mr. Sale). I am astounded. I am surprised at the allegations that were made. It is not the same man that I know, and I think that certainly they are on a hunting trip. He was talking about being embarrassed, and I think certainly that they as members opposite are embarrassed because they have gone on a hunting trip and are coming up with nothing. They are going back empty-handed, and so they are trying to continue the comments that they are making. They are trying to continue on the route that they have chosen to take.

So I want to indicate, first of all, my support for the minister. Certainly, I do not support the resolution that is out there, but I want to do this with giving information about things that are taking place within my area, within the Pembina constituency, which is in support of the things that our minister is doing.

\* (1640)

First of all, I had an opportunity, and I will be mentioning this a little later on in my discussion, just a while ago to be a part of the community policing program, which is something that the minister is supporting and is supporting within the Pembina constituency and, more specifically, is really giving the background and the support in Morden. I talked to the constable who is involved in this, and, certainly, Constable Gerry Poole is very supportive of the things that our government is doing. [interjection] I just heard a comment across the way here about relevance. I think this is very, very relevant in supporting the position and the things that our Minister of Justice is doing within our community.

Now, granted, I think that if you would ask the average Canadian within Canada, within Manitoba, as to what are some of the concerns that are out there, rightfully so, they would say that crime is a big concern. I think that we see this day to day, any time that you will pick up a paper, what are the headlines, and, sad to say, again I have to refer to my area, the incidents of crime, this is crime against people, against property, it appears to us, that is increasing. I think, on the other hand, it is not increasing, but I think that we are certainly more aware as we go on of the things that are taking place out there.

I also do not think that this means that crime is rampant on the streets of Manitoba. There are more people, there are more people out there who are taking things into their own hands and do not feel that they need to respect other people's properties, but they are going ahead and certainly are doing injustices to other people.

While some categories of crime have seen increases in recent years, many categories of crime in many areas of the province are, in fact, in a statistical decline, and this is, in large part, due to the efforts of ordinary Manitobans. Manitobans are not victims in waiting,

and I think that our minister has taken steps to strengthen our crime prevention efforts to increase community involvement and find solutions, and we are making progress at many levels.

Perhaps, Mr. Chairman, the most important aspect of this progress is that it is measurable. Statistics Canada reports that break-ins have generally declined across the country since 1991. More specific, with the city of Winnipeg, we have seen a decrease of 26 percent in residential and 27 percent in business break-ins over this time.

Mr. Chairman, while it is important to achieve a reasonable balance between the realities of crime in our communities and our perceptions of these occurrences, the truth is that we must continue to work to reduce all categories of crime. I would also like to note that sentences handed down by judges on more than one occasion recently have provoked considerable public outrage and concern, and that at Manitoba Justice we hear this concern.

#### Point of Order

**Mr. Doug Martindale (Burrows):** Mr. Chairperson, my point of order has to do with relevancy under the Manitoba rules. This motion is about the minister's resignation, and reading a speech into the record about crime really has nothing to do with the motion. I would ask the Chair to call him to order.

**Mr. Dyck:** Mr. Chairman, on the same point of order, my goodness, as I said right at the very outset, it is my intention here to show the things that the Minister of Justice (Mr. Toews) is doing, which are beneficial toward communities. Their resolution is stating that they are saying that he is incompetent, and I am disagreeing with that.

So I believe this is very, very relevant, and the minister, in listening to him previous to this, in fact, was very clearly indicating his position. I think a number of those points are on the record, and I want to add some other points, as members opposite are doing certainly.

**Mr. Chairperson:** Order, please. I will interrupt here. The honourable member does have a point of order

with regard to relevance with regard to the motion that we have before the committee here. I would remind all honourable members that when they are speaking to this—and I know what the honourable member for Pembina (Mr. Dyck) is referencing is quite in order, but I would caution all members to bear in mind the motion that is before the committee.

If they wish to talk around that and to reference that, the Chair will accept that, but I would ask all honourable members to stay as relevant to the motion that is before us as possible.

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**Mr. Chairperson:** The honourable member for Pembina, to continue.

**Mr. Dyck:** Mr. Chairman, and so I will. Speaking specifically to the resolution here again, I just want to indicate that the member for Burrows (Mr. Martindale) is concerned about relevancy here, and I would point out, certainly, that the relevancy of it is the efforts that our Minister of Justice (Mr. Toews) is putting in play within our communities. Because I do not have the ability to know exactly the things that are taking place in the area of Winnipeg, the Burrows area, which the member represents, I believe I must speak specifically of the area that I represent.

The next area that I was going to talk about and reference here was the whole priority of families and how this involves judges, certainly, in the selection of judges, the kinds of people that we put into position. I think it is very important. I would suggest to members opposite that, if they feel that families are not important and the things that are happening out there which are specific to families, certainly they have the opportunity to put that on the record.

Mr. Chairman, as I was saying, as I am speaking here to this resolution and encouraging the members opposite to think twice before they vote on that resolution, certainly our Minister of Justice (Mr. Toews) has been very consistent with his efforts that he has put forward for the province of Manitoba, for the constituents right across the province, and then specifically the constituents of Pembina.

That is why I come back to what I said originally about the town of Morden and the support that our minister has given us there in supplying the help that we need in helping organize the community in getting community policing in place. Certainly, I believe that this is very important because the more we can control the activities that take place on the streets, the less need we have for judges. Maybe, on the other hand, it would be absolutely fabulous if we did not need any judges at all in this world. My goodness, that would be a perfect world, I realize that, but maybe that is the direction that we need to go. So, Mr. Chairman—[interjection] Well, one of the members here is talking about relevancy. I believe, again, that this is extremely relevant towards the discussion that we are having this afternoon.

**Mr. Chairperson:** Order, please. I have recognized the honourable member for Pembina (Mr. Dyck), and I am hearing discussion beyond the honourable member for Pembina. If you are going to have any discussion, I would ask that the members do so at the back of the room.

The honourable member for Pembina, please.

**Mr. Dyck:** Mr. Chairman, just, again, further to the discussion on this resolution, the member for Crescentwood (Mr. Sale) made a big deal about the whole area of the fact that the minister was concerned, and this was the statement that the member for Crescentwood made, about having a bilingual judge to be appointed.

I think on that that my comment would be that if this had—now I am again quoting from the member for Crescentwood, and he maintains it is an issue, but if it had not been an issue, I would suspect that the members opposite would have pulled this out as being a very, very major issue.

So from what I see from the members opposite is that it does not matter which way or which decisions are made. They appear to be wrong. So then I have to conclude at the end of the day that they are doing this for political reasons, and that is why they are raising these issues, that they can take it back to their communities. Without their own communities having the background as we have, in hearing this day after day within the House, and on our own being able to

establish and make up our minds as we hear the debate taking place, we have the opportunity to do that. Certainly we know which is the correct and the right way, but members opposite like to twist it and take it back to their own communities, so I would— [interjection] Well, I hear a comment here about pretzelizing. How true.

\* (1650)

So I believe that is another aspect that we need to look at. The member for Crescentwood (Mr. Sale), although he was asked to withdraw the term, was talking about people not telling the truth. He used it in different terms. Again, I was rather astounded at the language that was used by that member because certainly I hear him talking against that kind of language on an ongoing basis, and now he himself was using it in this Chamber here and in our discussion to try to defend a position that he was taking. So I found that rather interesting and, I guess, somewhat disappointing that the member would do that.

But just proceeding, the member was also talking about—in fact, he was speculating—he was talking about the fools out there. Well, my goodness, it is unfortunate that he would make those kinds of allegations to people that he is talking about. Certainly, I believe everyone out there has the ability to be able to take both sides of an issue and will be able to, in the final end, make their own decisions. So, again, as was indicated—

**Mr. Chairperson:** Order, please. I will remind the committee again. I have recognized the honourable member for Pembina (Mr. Dyck), and this is a very, very serious matter, and I would ask the co-operation of all committee members.

**Mr. Dyck:** Yes, I want to thank you for the comment that you made about this being a very, very serious matter. Certainly we on this side are taking this matter very seriously because when allegations are put forward in the form of a resolution of this nature, which is demanding the resignation of one of our ministers, that is extremely, extremely important. That is why, in my discussion here, I am showing that our minister certainly does not qualify as one of those people that they are talking about. Right at the outset of my

discussion here, I indicated very clearly that I felt that they were talking about someone totally different. This was not someone that I knew or had learned to know within the last few years. So, Mr. Chairman, I just find it astounding that members opposite would come up with a resolution of this nature.

Also, as was indicated before, the member for Crescentwood (Mr. Sale) indicated that the minister had not been speaking on the issue. Now, I do not know where the members opposite have been, but as I have been listening to the minister speaking in defence of himself and as rightfully he should, I think he has been very, very pertinent to the discussion. I think that certainly he has given information that would add towards the information that the members opposite are looking for. I find it interesting also that at the end of the day they have not been able to gather the information that they are looking for and, in fact, withdraw their resolution. I would think that ultimately this is what they would be wanting to do, but obviously they want to continue this debate and they are still looking for some more information which they feel is not out there.

But, just in response to this resolution, as I continue to support my colleague, I want to just thank him for the efforts that he has put in towards the community support for our community policing. Again, my constituents come back on an ongoing basis and are supportive of the efforts that our minister, through his department, have put in place for us. So I want to thank him for that, and certainly I believe that there is absolutely no call for this resolution, and possibly at the end of the day, when we are finished debating this issue, the members opposite will, as the member for Crescentwood (Mr. Sale) said, he was using the little phrase of “see the light of day.” I think he said the right words. I just do not think he used them in the right context.

I think at the end of the day, the members opposite will possibly see the light of day, and ultimately I would hope that they would change the resolution or at least that they would withdraw it. Maybe in order for them to save face, they could amend the resolution, make it something that would be acceptable, but I think the most appropriate thing for them to do at this point

would be to withdraw that resolution and, sure, eat a little bit of crow at this point, but then have life go on.

So, Mr. Chairman, I just want to thank you for this opportunity to put a few comments on the record, and I certainly, certainly, cannot support this resolution that has been put forward by the members opposite. As I indicated before, I certainly trust that at the end of this debate that they will see the light of day and will either withdraw or will change the resolution.

So I was going to conclude, but there are so many more things that I think one could put on the record. Certainly—[interjection]

**Mr. Chairperson:** Order, please. The honourable member for Pembina (Mr. Dyck), continue.

**Mr. Dyck:** Thank you, Mr. Chairman. It was getting somewhat noisy in here, and I was having a problem just gathering my thoughts here, so I want to thank you for calling the Assembly to order.

I want to also mention some other very successful approaches that have been put in place, and, certainly, I will not have the time to do it, but there are other members who possibly could expand on it. There is the one I really like which I think is something that is appropriate. It is the no need to argue. My goodness, as I go on this afternoon here and I have heard the members opposite, I really feel that they are arguing maybe more so among themselves than with us as to the relevance of the resolution that is out there.

Yet, though, our honourable minister here has been very instrumental in putting this in place, so I believe that is appropriate. How I can tie the next one in, cottage watch, well, maybe I will just leave that one, but I will move on to the campus crime watch. Certainly, Mr. Chairman—

### Point of Order

**Mr. Martindale:** I would like to draw your attention to the rule about relevancy under the Manitoba rules. Last time, I thought you ruled in my favour, but you sort of gave the member some latitude, and he is exploiting that latitude and not being relevant at this point to the motion that is before us.

**Mr. Chairperson:** The honourable member for Burrows does have a point of order, and I believe that under—the honourable member for—on the same point of order? [interjection] On a new point of order.

**Hon. Leonard Derkach (Minister of Rural Development):** Mr. Chairman, I have to say that the dissertation that I am hearing from the member for Pembina (Mr. Dyck) is very enlightening and, indeed, does reflect why the motion that has been placed on the table is so much out of order and should not even be considered, but because of our parliamentary system we do have to consider things of that nature.

I think we need to also hear from a member who can relate to why the minister has been doing the kind of job that he has in this province and, indeed, is a leader with regard to some of the initiatives that he has undertaken in his department and why this motion that has been put forward is so ill-thought or so out of character.

So I think that I am quite enlightened by the fact that my colleague the member for Pembina has put issues or things on the table which, indeed, lead me to more greatly appreciate the valuable work that is being done by the department and by this minister.

**Mr. Chairperson:** Order, please. The honourable minister does not have an additional point of order. I would rule that the honourable member for Burrows (Mr. Martindale), as I indicated, does have a point of order with regard to relevancy, and I would ask that all members be relevant to the motion that is before the committee.

\* \* \*

**Mr. Chairperson:** The honourable member for Pembina, to continue.

**Mr. Dyck:** I do want to thank you for your ruling. Certainly, every once in a while we do need to be drawn back in focus, and I guess if the members opposite are not that interested in hearing what, in fact, our minister is doing, then certainly one must move on. So I am a little surprised that they do not want to hear all the good things that our minister—

**Mr. Chairperson:** Order, please. The hour being 5 p.m., time for private members' hour. Committee rise.

### ENVIRONMENT

**Mr. Chairperson (Ben Sveinson):** Will the Committee of Supply please come to order. This section of the Committee of Supply will be considering the Estimates of the Department of Environment.

Does the honourable Minister of Environment have an opening statement?

**Hon. James McCrae (Minister of Environment):** Yes, I do. I am pleased to present the 1998-99 Estimates of the Department of Environment. I trust that honourable members, at least all the ones that are here at this committee this afternoon, have had the opportunity to review the Supplementary Information for Legislative Review prepared for my department.

Before proceeding with an overview of the department's activities for 1998-99, I would like to acknowledge the dedication and effort of all departmental staff in working to fulfill the mandate of the department. A lot of work gets done during the course of a year by, not enough sometimes, very fine and dedicated people who work for Manitoba's Department of Environment.

The vision of the department is to ensure a high level of environmental quality for present and future generations of Manitobans. In pursuit of this vision, the department employs a number of specific strategies. We are implementing the federal-provincial harmonization agreement. We are building partnerships. We are focusing on regional solutions. We are developing practical and innovative enforcement techniques. We are working with partners to prevent pollution before it occurs. We are reducing waste, focusing this year on implementation of the used oil initiative. We are placing greater reliance on targets, objectives and standards rather than prescribing specific technologies or solutions. We are extending the department's resources through involvement of others using delegation and empowerment. We are using financial instruments in licences and orders to ensure clients respect, comply with, and practise environmental stewardship.

We are striving to provide quality service to all departmental clients, and we are ensuring that the expanding livestock industry is sustainable through the implementation of our revised livestock, manure and mortalities management regulation. With respect to our continuous improvement initiative, the department strives to deliver the highest quality of service to achieve the best value for tax dollars. The focus is on satisfying needs as identified by clients and routinely incorporating continuous improvement in all our programs.

Several continuous improvement priorities have been identified for the next three years. Firstly, training. We will continue our strong commitment to training and development in 1998-99 to ensure that all staff are knowledgeable, well trained, and can effectively use current technology to serve our clients. In particular, enforcement and compliance training is a key area. An RCMP enforcement investigators' course, mediation training workshops, the Manitoba Environment Technical Training Seminar, the Canadian Institute of Public Health Inspectors Seminar, the Manitoba Water and Wastewater School and Seminar and various emergency management training sessions will be offered to our staff.

Secondly, the department is developing indicators to evaluate the effectiveness of its programs. These indicators will go beyond the question of, are we doing what we do well, and will help us address the question: Are the things we do now the right things to be doing to protect the environment?

Thirdly, I encourage my staff to be proactive and innovative, to seek out new and better ways to get the job done. Generally, the person doing a particular job is best qualified to figure out how to do it better. We will continue to seek ways to recognize staff who are serving Manitobans well to celebrate their successes. We are doing this, for example, through peer awards and through a Service First fund which will assist in financing new ideas generated by staff that require a little seed money to get started.

My officials, staff of Environment Canada in Winnipeg and staff of the Canadian Council of Ministers of the Environment have now completed the first year of collocation at the VIA Rail Station, 123

Main Street. All three parties are committed to optimize the opportunities provided by colocations.

Specifically, we are exploring a number of program integration and co-ordination opportunities; some have already been implemented. We have a common library service for all three organizations, and we share such services as photocopying, reception and meeting rooms.

Other areas at varying stages of implementation or discussion include administrative and financial services, including human resources and information technology, office recycling activities, dangerous goods and hazardous waste inspection activities, emergency response services, ambient monitoring activities, SOE reporting. In the future, vehicle use, jointly owned and operated field equipment, better integration of inspection and enforcement, improved co-ordination of dangerous goods and hazardous waste inspection activities and emergency response services will also be looked at. When I talk about SOE reporting, I mean, Mr. Chairman, state of the environment reporting.

The department will continue in the 1998-99 year to renew its existing regulations to ensure their conformity with the criteria set out by the regulatory review committee. This follows from the zero-based regulation review that this department and all others carried out in 1995-96. This is an opportunity to ensure that obsolete regulations are updated or discarded and efficiencies made, which are compatible with the department's goal of protecting human health and the environment. Any significant amendments made through this process will continue to involve stakeholder and general public consultation. If we have moved successfully in the last number of years, Mr. Chairman, I suggest it is due to the involvement of stakeholders and the general public in our activities as a department.

In 1998-99, we plan to address certain legislation and regulations, for example, The Contaminated Sites Remediation Act. This act was passed in May of 1997 and I believe it is the best of its kind in Canada. It will be fully implemented in 1998. The act sets out a comprehensive process for dealing with all aspects of contaminated sites, including site investigation, site designation, site remediation or cleanup, and the

issuance of certificates of compliance once remediation has been completed.

I believe four features of this act are of particular significance. First, it establishes a fair and equitable process for determining who should be responsible for site remediation. The degree of any cleanup required is based on risk to human health or the environment, and the costs associated with the cleanup are allocated based on the relative degree of responsibility for the contamination.

Second, the registry of contaminated sites for land titles and municipalities ensures that there is adequate information available prior to land transactions. Third, liability for remediation is based on the polluter-pays principle. This is of particular interest to lenders. They will not be held responsible for remediation merely because of their lending activities. This should have a positive effect on lenders' willingness to advance loans in sectors where there has, historically, been some environmental risk. These are the very sectors that need capital to minimize these risks.

Fourth, municipalities will not be responsible for the remediation of a site which they have involuntarily acquired through a tax sale. All of the refinements provided by this act should help us to redevelop contaminated sites in Manitoba, many of which would otherwise remain boarded up or sit undeveloped and unused.

We will be reviewing The Dangerous Goods Handling and Transportation Act. Although The Dangerous Goods Handling and Transportation Act has served us well since it was enacted in 1984, there have been many changes in this field in the past 13 years. We will be reviewing the act starting this year. Some changes will be required simply to keep Manitoba in line with changing federal legislation, as there is a high degree of national co-operation and uniformity particularly in hazardous waste management.

Some of the issues we will be looking at include whether greater emphasis should be placed on pollution prevention, whether more encouragement should be given to on-site disposal and hazardous waste recycling, whether some less hazardous wastes such as used oil, used batteries and used asbestos should be given

different treatment under the act, and, if so, what rules should apply.

How do we encourage more recycling of household hazardous waste? How do we address biochemical, biomedical waste? To ensure that this review is thorough, we will be seeking, again, stakeholder input.

With respect to waste disposal ground regulation, the department is reviewing the Waste Disposal Ground Regulation, which was last amended in 1991. The site classification system utilized the various setback distance requirements, the potential development of regional landfills, and the mandatory regular review of the regulation are some of the issues under consideration. A review committee of representatives from the department, the Manitoba Association of Urban Municipalities, and the Union of Manitoba Municipalities is in place. It is anticipated that a final draft of the revised regulation will be completed by the end of 1998.

\* (1530)

Just by what I have said so far, you can see that we have been and will be extremely busy, but I am not finished. With respect to the livestock waste regulation, the department has introduced regulatory amendments that set high standards for the management of livestock manure in the province. The name of the regulation has been changed to the Livestock Manure and Mortalities Management Regulation.

With the disappearance of grain transportation subsidies, expansion of the livestock industry was inevitable. We need to ensure that as the industry grows, it is sustainable. This, of course, means being sensitive to the environment, that we are leaving the environment in the same shape, if not better, for our children. I believe our new regulation will help us achieve that goal again. Very, very significant stakeholder input and public input into this regulation. I congratulate everybody involved.

With respect to environment accident reporting, consultations are taking place with regard to the reporting of environmental accidents regulation under The Dangerous Goods Handling and Transportation Act. It needs to be revised to bring it up to date and to

improve its enforceability. These revisions are planned for this fiscal year.

We are in the final stages of amending the gasoline handling and storage regulation. The new regulation will adopt the recently developed CCME environmental codes of practice for underground and aboveground petroleum storage tanks. These codes of practice deal with most aspects of the construction, siting, and safe operation of the tanks. The regulation will also require petroleum tank installers to be properly trained and licensed. A significant feature of this regulation will be the ability to require upgrading or removal of unused tanks or tanks that are past a certain age.

Now, with respect to the North American Agreement on Environmental Cooperation, Manitoba formerly signed the North American Agreement of Environmental Cooperation on January 21, 1997, joining Quebec and Alberta as the first three provinces to do so. We will continue to be an active participant in the many important trade and environmental issues to be dealt with by the jurisdictions which are parties to this agreement.

The department is exploring the possibility of implementing a system of Administrative Monetary Penalties. If implemented, it will be available to other regulating departments. AMPs are penalties imposed by the department when an individual fails to comply with legislation. The size of the penalty is up to the discretion of the regulator, within specified limits. We feel that this initiative would be a good alternative to court proceedings for many so-called minor offences. The benefits of an AMP system include: it is cheaper to operate because it reduces costly case preparation and court time, and it is more efficient, so cases can be dealt with quicker. AMP programs have been successfully implemented in several other jurisdictions. AMPs will complement, not replace, the existing ticketing and standard form prosecutions we presently have in Manitoba. The department is undertaking extensive public consultations to explore this concept, and a report and recommendations are expected in the next few months.

My department, together with Rural Development, as a service to the Sustainable Development Committee of Cabinet and the Sustainable Development Co-

ordinating Unit is leading an extensive multistakeholder consultation on the integration of the principles and guidelines of sustainable development in environmental land use decision making. This consultation utilizes an 18-person core group of individuals to produce concepts and recommendations for sustainable development decision making and a 50-55 person advisory committee to review and comment on the work of the core group. It is really hard to get through this, Mr. Chairman, when you have to sneeze just about there, but I am working on keeping that under control if possible. This initiative is the first of its kind that we are aware of, and we hope will tell us whether or not our existing processes can achieve sustainable development, and if not, what changes we might have to consider.

Mr. Chairman, Shoal Lake is a high-quality source of drinking water for over 600,000 Manitobans. My department continues to monitor water quality at Shoal Lake and to work with Ontario and the city of Winnipeg to ensure that any proposed developments in the watershed undergo intense scrutiny with the full participation of Manitobans. We will continue to be in close communication with Ontario Environment and actively participate, as appropriate, to ensure the protection of Manitoba's interests.

Manitoba is committed to effective environment management in Canada, including the efficient use of the collective resources of all jurisdictions. We are continuing to take a lead role in negotiations to harmonize environmental management in Canada. An accord and three subagreements related to inspections, standards and environmental assessment were signed in January at the CCME ministers' meeting. Further subagreements related to monitoring, research and development enforcement and environmental accidents will be negotiated in the next 18 months. Specific implementation agreements between Canada and Manitoba will be negotiated to activate the accord.

Consistent with harmonization, we are working with the other provinces and the federal government to ensure there is an effective process in place for the control of toxic substances. We have been taking an active role in national discussions respecting the review and rewrite of the Canadian Environmental Protection Act, and the federal government has tabled for first

reading a revised copy of the act. The act now reflects the principles of harmonization and establishes a partnership approach to toxic substances management in Canada.

In 1997, the department received 450 calls through the environmental emergency response system involving some 300 environmental accidents. The department, which has an admirable record of prompt and effective response, will continue to dedicate the required resources to ensure that incidents of environmental concern receive priority attention. The reason I am going through this opening statement, Mr.—[interjection] No, it is just coming up now. [interjection] I think so, spring and everything. Somebody should be looking after—I think it is important to lay the groundwork here. These comments I am making cover virtually all areas of potential interest to honourable members, and I am trying to move through it quickly so that that can be done efficiently. But I believe that this can be helpful in getting us through these Estimates.

My department maintains a strong commitment to making pollution prevention the environmental management strategy of choice in Manitoba. To encourage this shift in thinking, the Pollution Prevention branch carries out a variety of programs intended to promote the application of practices that avoid the creation of waste and pollutants. An evaluation of the efforts that are underway to allow us to reach the goal of 50 percent waste reduction by the year 2000 have indicated significant progress is indeed being made. Overall, Manitoba achieved a 20 percent reduction in waste going to landfill between 1988 and 1994. Further progress is predicted when analysis of waste reduction efforts for 1996 are completed later this year. In addition, national efforts to reducing waste co-ordinated by the Canadian Council of Ministers of Environment has resulted in achievement of a 50 percent reduction in packaging waste as a result of the national packaging protocol.

\* (1540)

In 1995, the Tire and Manitoba Product Stewardship programs were initiated to promote even greater waste diversion. All levies collected under these stewardship programs are dedicated to the promotion of waste

reduction and prevention and managed by arm's-length-from-government boards. As of 1998, virtually all tires are being processed for recycling or energy recovery, and over 95 percent of all Manitobans now have access to multimaterial recycling services. Over \$2 million annually is being spent on the recycling and energy recovery of tires, and \$4.25 million in support of payments for municipal recycling programs.

In February 1998, new business plans were prepared and submitted to me by the Manitoba Product Stewardship Corporation and the Tire Stewardship Board. I have approved these plans in principle. Prior to issuing a more comprehensive approval, I have directed my department to prepare regulatory amendments that will be ready for the fall of 1998. I am confident that the renewed plans will lead to further progress.

In February and March of 1998, my department conducted an extensive public consultation process on the effectiveness of the operation of the Manitoba Product Stewardship regulation. Based on this review, I have recommended the regulation be continued. We are also looking at possible amendments to the regulation. The objectives for the new business plan include a broadened funding base for recycling programs as well as expansion in material recovery from the industrial, commercial and institutional sectors. In addition, we will be looking to have even higher rates of participation in material recovery from households.

While building on established stewardship initiatives is the first element of the province's WRAP Strategy, the second component is the development of new initiatives. In 1998, a stewardship program for the management of used oil, filters and containers was launched in Manitoba. The Used Oil, Filters and Containers Stewardship Regulation was adopted in 1997 to require the establishment of industry-managed stewardship programs as a condition for selling these products in Manitoba.

The Manitoba Association for Resource Recovery Corporation or MARRC was formed to meet this obligation, and I approved their five-year business plan earlier this year. Under the MARRC business plan, 15 used oil ecocentres will be established within 12

months. Within three years all Manitobans will have ready access to recycling opportunities. The funding for this program comes directly from the industry-managed stewardship program with no funds being submitted to the government. The industry itself determines the cost of the program and provides the funding.

Other new initiatives that will be receiving particular attention from my department include organic waste and composting, construction and demolition waste, and household hazardous waste. The biggest shift in Manitoba's waste reduction strategy will be to focus on reducing waste at source, the first R of the three-R hierarchy of waste reduction, which is reduce, reuse, recycle. It would also be the hardest to accomplish.

Since 1996, my department has co-operated closely with the Alliance of Manufacturers and Exporters Canada, Manitoba Division, under a memorandum of understanding committed to raising awareness and developing methods to improve environmental performance and competitiveness of the alliance's member firms. Information materials, success stories, and procedures for conducting pollution prevention audits have been prepared, and a progress report on this project has just been completed. Plans are now underway for broader use of these tools.

I am optimistic that the encouragement of voluntary initiatives to prevent pollution will be an effective complement to my department's existing compliance and enforcement programs.

I am pleased to confirm that the Environmental Youth Corps program will operate again in 1998-99. The program offers Manitoba's young people an opportunity to prepare for environmental challenges of tomorrow by helping them gain valuable education and experience today. The Environmental Youth Corps encourages youths to volunteer within their community for projects to improve and protect Manitoba's environment. Youths participating in Environmental Youth Corps projects are provided opportunities for hands-on learning experiences leading to increased knowledge and awareness of environmental matters. The EYC program allows young people the opportunity to be involved in a variety of environmental activities which may otherwise not occur. Environmental

projects eligible for funding to a maximum of \$5,000 relate to a wide variety of environmental concerns, such as water quality, waste minimization, protection of flora and fauna, rehabilitation of the natural environment and tree planting.

The EYC program focuses on maximizing participation. During the last seven years, \$923,000 has been provided to 364 community projects involving over 39,000 young people. During the 1997-98 fiscal year, a total of 48 projects received EYC grants totalling \$120,260 with some 5,000 participants. The program is administered by Manitoba Environment, with support from Manitoba Education and Training and the Sustainable Development Co-ordination Unit. This partnership provides for efficient and effective program delivery through the use of existing infrastructure and resources.

Manitoba Environment is continuing to undertake studies to gain a better understanding of impacts caused to water quality from the expanding and diversifying agricultural sector. The goal is to work closely with the agricultural sector to identify potential impacts and to co-operatively seek early solutions to avoid costly problems. My department will continue its focus of working with many volunteer stewardship groups throughout the province. Working closely with these groups increases their level of environmental awareness and allows them to work co-operatively with the local community to protect existing good water quality and to take steps to improve degraded water quality. This grassroots involvement has produced many success stories over the years.

Manitoba Environment will continue its monitoring of many streams, rivers and lakes in Manitoba to track water quality changes and to implement early corrective measures when needed. My department will strive to maintain and to increase its technical and scientific skills to ensure that we are well positioned to respond to water quality issues both at the present time and in the future.

Manitoba Environment will continue to maintain strong links with local laboratories to ensure that we have the technical support to deliver sound programs in both water quality and in other environmental sectors. Because of the geographic location of Manitoba, we

receive most of our water from our upstream neighbours in Saskatchewan, Ontario, North Dakota and Minnesota. We will continue to work co-operatively with our neighbours to ensure that water, as it crosses our borders, is of the highest quality possible required to meet our needs. We work closely with the federal departments of Foreign Affairs and International Trade and Environment on potential water developments in the United States that could affect us. Questions were raised in Question Period today on this very topic.

Last fall I signed an environmental co-operation agreement between Manitoba and Saskatchewan that I believe gives us more influence and input to upstream environmental decisions in Saskatchewan. Last spring my department released Manitoba's fourth State of the Environment Report. The 1997 report was intended to be a transitional report toward full sustainability reporting, which is required under the new Sustainable Development Act. Under that act, the province is required to establish a set of draft sustainability indicators within three years of proclamation. The first provincial sustainability indicators are required in 2004.

To address the gap between the 1997 report and the first full sustainability report in 2004, an interim report will be prepared for the year 2000. This report will present recommendations on sustainability indicators and will focus on the issue of urban sustainability. During this fiscal year my department will be working closely with the Sustainable Development Co-ordination Unit to prepare a draft set of indicators, consult with the public on the draft set, and begin collecting information for the year 2000 report.

\* (1550)

The department is currently responsible for some 1,450 licensed operations in the province. These operations are obligated under the terms of their licences to meet certain environmental and health conditions. We are in the process of strengthening the compliance program in the livestock area in keeping with the new Livestock Manure and Mortalities Management Regulation, increasing environmental act licence enforcement respecting forest management activities in support of the sustainability of this industry, including audit of the Louisiana-Pacific air

monitoring program, continuing to address contaminated sites and hazardous waste regulations as a priority area, continuing to give priority attention to addressing Flin Flon air quality concerns as well as water management issues in the area, placing increased emphasis on ambient water quality monitoring to ensure this critical resource is protected, regularly inspecting all licensed sewage treatment plants to ensure compliance, implementing a risk-management approach to environment act licensed enforcement to ensure that departmental resources are targeted at those operations posing the greatest risk or concern, and, reviewing all components of the food inspection program to develop a clear risk-management policy and protocol for inspections and compliance.

The department, in conjunction with our partners—Manitoba Health, local governments, water plant operators, and the Manitoba and Canadian water and wastewater associations will take all measures necessary to protect and ensure the quality of all Manitoba drinking water sources. A number of initiatives are underway. A risk assessment protocol will be implemented to determine the need for and frequency of inspections and sampling of water supply sources.

We are entering into partnerships with the industry to play a more active role in the operation of facilities. Through regulatory review, a number of regulatory processes will be streamlined with more authority being delegated to environment officers and public health inspectors. Improved operator training will be pursued and mandatory training will be considered. Partnership opportunities with the Union of Manitoba Municipalities, Northern Affairs, First Nations organizations, and seasonal operators of the Parks Branch are being explored. We are conducting northern community water and sewage treatment plant operator training sessions in conjunction with Northern Affairs.

Now that concludes my opening remarks with respect to the department's 1998-99 Estimates. I look forward to the detailed review of the Estimates. I appreciate the opportunity to make that opening statement, and I think that if we check over what was said in that opening statement, I think that will be helpful. I thank all honourable members of this committee present this

afternoon for their attention to everything I have had to say.

**Mr. Chairperson:** We thank the Minister of the Environment for those comments, and we ask the official opposition critic, the honourable member for Selkirk, if he has an opening statement.

**Mr. Gregory Dewar (Selkirk):** Mr. Chairman, we thank the minister for his opening comments. They were very useful. It is always unfortunate that he delivers them now and it is too bad we could not have a copy of that in advance, because there is a number of good points that he raised in there.

Mr. Chairman, we depend on nature. You know nature, of course, provides us with the supply of the basic requirements of life—energy, oil, gas, coal, and so on, and wood for shelter, food and water. The minister touched on some of these issues in his opening comments. In order for us to survive, we must ensure that we use the essential products of nature no quicker than they can be renewed and that we discharge waste no more quickly than they can be absorbed or recycled. I know both of these issues, I think, are very important.

Unfortunately, there have been some disturbing and alarming trends throughout the world, I think, that should cause concerns to all of us who live on this planet and require the ecosystems of this planet to survive. Deforestation and soil erosion; there is fisheries in trouble; there is this water contamination; there is species of both plants and animals that are threatened with extinction and several that are extinct; there has been an increase in greenhouse gases and ozone depletion. Those of us who care about these issues, these very, very important issues, have a very serious and important challenge ahead.

I think and I know the minister would agree that we must leave our natural environment a better place than when we arrived here for our children's sake and our grandchildren's sake. A generation ago, in a story that my mother relates to me, she lived in Selkirk all of her life and 40 or 50 years ago or even 20 years ago residents of that area would and could swim in the Red River before there were any other recreational facilities available in the community. Now there is the potential

of putting your health at risk to come in contact with the water.

We here in Manitoba have had a very dramatic impact on our natural environment since European contact, the disappearance of the great buffalo herds and, in fact, I understand at one time grizzly bears were common in this area. Forests were cut down and converted into farmland.

Just another personal story, when my family lived in Selkirk and they moved out just west of Selkirk just after the turn of the century to the area that is commonly known as the Oak Hammock area—we all called it St. Andrews Bog—the first thing that my great-grandfather did was proceed, along with his neighbours, to drain that land. In fact, one of the ditches is called Dewar Ditch, our family's claim to fame in that area. But that is what they did initially. They moved out there and they drained that swampland. What are the remnants of that now, of course, is the Oak Hammock Marsh. I do commend those who have worked to maintain that.

So we have had a significant impact on Manitoba just in the last 100 and 150 years. I think we have to look ahead to the next 100 years and try to lessen the harmful effects that we could have, we may have on our natural world. I think that is a challenge that we have as Manitobans and as legislators and we owe that to our children.

There are a number of issues that I would like to raise over the course of the Estimates of the department, the review of the department. I am interested in the water issues. The minister raised that. I think that is probably one of the more important issues and was again raised in the House today by my leader, the effects of the flood from last year in terms of waste reduction, both recycling and the remediation of waste, household hazardous waste.

The minister mentioned the recycling program that is funded by the levy on containers. He also mentioned that there is a review undertaken. The used oil program, I have got some concerns, some issues regarding that. The expansion, as he states in his opening comments, of hog operations in Manitoba, we know that there are a number of concerns that

individuals have regarding that, the potential damage that this industry may have on our environment, in particular ground water quality.

He also raised a number of issues regarding The Contaminated Sites Liability Act, the youth corps, the state of the environment and so on. So there are a number of issues we could raise. I know that some of my colleagues will be coming in at a later date. There is some interest, a particularly strong interest in some of the forest licences that have been approved by the minister. I know that they have some questions regarding those issues.

For now, if I could just begin questioning, I would like to proceed now.

\* (1600)

**Mr. Chairperson:** We thank the official opposition critic for those comments. Under Manitoba practice, debate of the Minister's Salary is traditionally the last item considered for the Estimates of a department. Accordingly, we shall defer consideration of this item and now proceed with consideration of the next line.

Before we do that, we invite the minister's staff to join us at the table, and we invite the minister to introduce his staff present.

**Mr. McCrae:** Mr. Chairman, in my opening remarks, I made some reference to the people who work in the Department of Environment, and the three with us today are representative of the kind of dedication and commitment that I was talking about; first, Deputy Minister Norm Brandson and Assistant Deputy Minister Dave Wotten and Gerry Glenn who is our director of Administration.

**Mr. Chairperson:** We thank the minister for that. We now proceed to line 31.1. Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits \$371,800 on page 50 of the Estimates book. Shall the item pass?

**Mr. Dewar:** Mr. Chairman, I, too, would like to welcome the minister's staff to the proceedings this afternoon.

What we have done in the past, and it seemed to work quite well, is that we moved quickly into

Environmental Management, and under that we just sort of jump around and ask a number of questions, if the minister would agree with that.

**Mr. Chairperson:** Order, please. Is it agreed that indeed we will have some wide-ranging questions through these Estimates and then you can proceed to pass them after?

**Mr. McCrae:** In my years in the government, it has been my practice to be flexible and to deal with matters. The only thing I ask is that sometimes we do not have the information immediately, and what I usually do is undertake to provide the information.

Usually, it is available by the next day, and that which is not available the very next day is provided to my honourable colleague within a reasonable time in writing. If that is okay with the honourable member, that is okay with me.

**Mr. Chairperson:** Okay, it is agreed that there will be wide-ranging questions.

**Mr. Dewar:** Mr. Chairman, under Financial and Administrative Services, the department administers the many requests made under The Freedom of Information Act. Can the minister give me an idea of some of the requests that have been requested under this act from his department?

**Mr. McCrae:** I inherited just over a year ago a department that has grown in esteem in the past 10 years, and certainly that is probably because of the open nature of this particular department in its dealings with those with whom we do business. The type of information that is the subject of Freedom of Information requests is technical, usually reports, correspondence related to licensing issues or environmental accidents, that sort of thing. We do not get a lot of Freedom of Information requests, but those ones that we do have, that we know of, we can compile that information, because, as I understand it, it is not going to be voluminous, and make it available to the honourable member.

**Mr. Dewar:** That is fine. Thank you. I attended, oh, a number of different meetings regarding hog operations over the past weeks prior to the opening of

the session, and I was operating under the understanding that the minister would be hiring additional inspectors to deal with the new regulations, the new regulations under the Livestock Manure and Mortalities Management Regulation. Has the minister, have they hired any additional inspectors to help administer, help actually inspect and follow up on the new regulations?

**Mr. McCrae:** That is an important question because we take our responsibilities respecting the new regulatory framework quite seriously. That is expected of us, not only by ourselves, by the opposition in the House, but by the industry and by the communities in which hog operations have been and will be located. So we expect, initially at least, that we need six people, additional to what we have in place, and we are currently recruiting. We are recruiting an engineer for livestock-waste facilities to be located in Brandon, a hydro geologist in Winnipeg, two new environmental officers for inspection purposes. We think we will need a couple more as well, but at the present time we are recruiting four of the six at the moment.

A lot of the activity that is expected has not taken place yet. In addition, not all of the provisions of the regulation come into effect immediately; but, as they do, we expect to have the human resources available to carry out the best regulatory framework for livestock production anywhere in Canada. We have been working, as other departments have, with positions vacant. So we are able to fill vacant positions for the purpose of the hiring of this new staff that is required.

**Mr. Dewar:** Where in the Estimates book are those new positions identified?

*Mr. Jack Penner, Acting Chairperson, in the Chair*

**Mr. McCrae:** Mr. Chairman, I have indicated they are not new positions. They are new positions in that there is a new function attached to previously existing staff years which have been vacant. This is a bureaucratic way of saying we need new people to fill existing positions that are vacant.

So I am just trying to simplify this. It will not show up in a line somewhere six new positions for this particular regulation. They are in various areas and

they are vacant and not being used, so we are going to use them to enforce the regulation.

**Mr. Dewar:** I will get back to the issue of hogs a little later on, but I want to follow up on some of the issues raised by my Leader with the Premier (Mr. Filmon) once, I guess, on May 6 and of course today in the House regarding the Devils Lake dilemma.

As the minister is aware, this has been an ongoing situation. It involves the federal governments of both Canada and the United States. It is a very serious, serious issue. My understanding of course is that the Devils Lake is expanding and is causing a great deal of problems to area residents. I am just basing this on some of the media reports that have been published in the last number of weeks. I think in questioning today I caught most of it. I have not of course had a chance to review the exact comments made by the Premier until Hansard is available, but he seemed to understate the urgency at this point of this issue. Maybe the minister could just enlighten the committee today regarding the whole issue and his sense of this issue and the urgency of trying to come to a solution to this problem.

\* (1610)

**Mr. McCrae:** Mr. Chairman, I share the concerns raised by the honourable member in his question. They were canvassed by the Leader of the Opposition and by the First Minister today in Question Period. I will be reviewing the words that were spoken. I think the questions and the answers generally set out the situation. I cannot really say more about it than what has been said by those two rather senior members of our Legislature.

I was honoured and pleased to join with the Minister of Natural Resources (Mr. Cummings) a couple of weeks ago for breakfast with the U.S. Ambassador to Canada to discuss this and other matters but certainly significantly the matter raised by the honourable member. I do not think I can do better than our two leaders did in Question Period today, so I am not going to try.

**Mr. Dewar:** Well, in your discussions with the ambassador, what exactly did you put forward as Manitoba's position on this potential diversion?

**Mr. McCrae:** We put forward the position outlined today in Question Period by the First Minister (Mr. Filmon). I am not meaning to be trite or facetious, that is basically exactly what the position of the government is and that is the position we put forward to the ambassador.

**Mr. Dewar:** Has the minister's department done their own environmental analysis on the water condition in the Devils Lake?

**Mr. McCrae:** Because this is not our lake, we do not really have access to it for the purposes that are implicit in the honourable member's question. Nonetheless, we have extremely skilled and educated people at our disposal here, and their concerns are reflected in Manitoba's position.

**Mr. Dewar:** In the media report from the Winnipeg Free Press on Tuesday, September 16, of last year, Todd Sando, he is director of North Dakota's Water Development Division, he was in Grand Forks to talk about, as I say, the two-day symposium at the University of North Dakota, and he said the outlet, referring to this flood control plan of Devils Lake, would operate at 300 cubic feet per second, and it is quoted that he is considering this to be only a trickle. Now, does the minister think that 300 cubic feet per second of water entering the Red River is only a trickle?

I just want to know if he has done any kind of analysis as to what this would mean to our own watershed if Devils Lake—and there are some concerns regarding organisms there and foreign fish species, and so on, that would find its way into our water system, into the Red River and eventually of course into Hudson Bay, and what impacts this would have upon the Red River and Lake Winnipeg? What environmental impacts would water from Devils Lake have on our water system?

**Mr. McCrae:** Well, Mr. Chairman, the previous answer I gave, I think, really sets it out as best we can at the present time. We have not been able to this point to do the minute detailed scientific research that would allow a complete answer to the honourable member's question. There does exist however, in the minds of

learned individuals, enough concern that the position we take is justified.

**Mr. Dewar:** So the minister is saying he does not have any studies that were conducted from the Garrison Diversion years, which is a 25-year-old scheme? They have nothing that they can tell us that would offer any further light on this issue in terms of direct impacts that this would have upon the watershed here in Manitoba?

**Mr. McCrae:** As I say, only by comparisons by educated people but not based on the kind of science we would prefer at this particular time, and I remind the honourable member that the Devils Lake sources are not the same as the Garrison sources of water, which are from another basin.

**Mr. Dewar:** As was raised by my Leader in the House, I think there is a higher sense of urgency of this issue. We know that the U.S. Congress has allocated \$5 million, I believe, to the project and that the U.S. Army Corps of Engineers, there is a timetable laid out and there are a number of different phases, Phase 1 to Phase 4. Phase 4 is to construct an emergency outlet. The preliminary schedule of the Devils Lake Emergency Outlet has Phase 4, which is the construction of this outlet starting in April of this year. To be concluded, construction would proceed until winter, until the end of November and then start again next year with the final conclusion of the outlet in the fall of 1999. It seems to me that the U.S. government is moving along fairly actively to proceed with this. Is the minister aware of this information? Does it raise concerns with him?

\* (1620)

**Mr. McCrae:** One thing I have learned after 10 years working with the First Minister (Mr. Filmon), it is pretty hard to improve on some of the things that he sets out. For example, earlier on in Question Period, these same questions were asked at that time and canvassed well. The First Minister talked about the various processes that are in place for dealing with matters like this and, while we view this matter extremely seriously, we think that those processes are there for the protection of our environment and we ought to use those processes.

*Mr. Chairperson in the Chair*

In the meantime, of course we have made our concerns known to the U.S. ambassador to Canada about this matter, and our Premier has not minced any words with respect to his concerns about it. Our Premier is an engineer by profession, and I think if he expresses concern, which he has done, then there is reason to listen to what he has to say, and that is what I did today in Question Period. I simply cannot improve on what he said. He put forward a very logical discussion of the matter the honourable member is discussing with me now and all of the different processes that are in place there. We should use them and we have full intentions of doing so, including keeping the federal government aware and mindful of our concerns, as indeed Congress is voting appropriations for expenditures of money for studies into these sorts of things and talk of construction. Of course these things cause us concern. We know that our Red River can flood and, in any event, whether it is flooding or not flooding, we want to know what is going into our water system here in Manitoba. I do not know that I can add anything usefully to what has been said except to say that we, of course, are vigilant and we do view these matters extremely seriously.

**Mr. Dewar:** Mr. Chairman, I do support the government's action, and I wish them well. Clearly we think it is in the best interests of all Manitobans that this scheme not go ahead.

The minister did raise the issue of flooding. Last year at this time all of us in Manitoba were dealing with the flood of the century and the impact it had on our lives, but it also had a very significant impact upon the environment, particularly southern Manitoba areas that were inundated with the swollen Red River.

Now a year has gone past, and, notwithstanding some of the emotional scars it has upon individuals, I want to ask a question regarding any long-term environmental effects that this may have had upon the Red River Valley.

**Mr. McCrae:** Mr. Chairman, just on the last topic, maybe to close it off, because the honourable member has moved on, but it should be pointed out to the honourable member who is concerned about this that

there have been three separate delegations to Washington in the past year of senior people from the government of Manitoba to express concerns with senior people in Washington, D.C.

With respect to the flood and whatever residual problems there are, I have to go back a year and say to the honourable member that I turned out somewhat surprised, pleasantly as it turns out, with respect to the environmental depredation that could take place as a result of a flood. The main issue—remember, the honourable member might remember talk of thousands and thousands of carcasses floating down the river. I do not know how many there were, but the problem was not anywhere near what was built up in my own mind as a result of talking to various people, including my daughter, who lives in Grand Forks and studies there, who suffered some pretty serious consequences herself as a student. If that happened to her, I know that people all along the river had a terrible time last year.

In terms of any residual problems, I suspect the major area would be in domestic wells. Most were cleaned up by flushing or chlorination, but there are still a few where there is some residual contamination. I do not have more detail on it, but I can get more detail if the honourable member wants that.

It is expected that those few with residual contamination will in time be cleaned up, but at this point I can only speculate on how many—there are only a few left, I am told.

**Mr. Dewar:** The Red, of course, when it expanded its banks throughout southern Manitoba, must have flooded lagoons and picked up pesticides, fertilizers, manure, herbicides, and so on. Did that show up at all? Eventually The Red meanders past my community and ends up in Lake Winnipeg. We are once again heading into the summer recreational period and the beautiful beaches in that area are used by thousands of Manitobans and tourists. I know that there was a situation a number of years ago where there were concerns regarding the high fecal coliform count in some of the areas near to the Lake Winnipeg beaches—Grand Beach, Winnipeg Beach and so on. Has the minister picked up any of that now? Is he monitoring that area and those beaches to ensure that swimmers in that area will have a safe season ahead?

**Mr. McCrae:** As is done each year, recreational waters are certainly monitored carefully and reports made, but with respect to, again, the flood last year, the honourable member's question related to things like lagoons and contamination resulting from flooding in areas that carried contamination into the river.

As a matter of fact, there was a lot of good work done before the flood, thanks to the kind of forecasting that is done in Manitoba. A lot of work was done in anticipation of flood waters, so that a lot of problem contaminants were moved to higher ground or tanks were drained. Those sorts of things were done.

I remember the Miller site was the subject of a front page news story as a matter of fact at the time of the flood. It was the only area in the area that was dry, the Miller hazardous waste site.

So as a matter of fact, one of the things that the flooding did was make communications difficult. The day that the matter was raised, I was not able to confirm or deny stories that there was flooding going on at the Miller site, but there was not. In fact, farmers in the area and others from town wanted to store vehicles and machinery on high ground. That was the place that was chosen for that purpose.

\* (1630)

But also the sheer volumes of water moving along the system had a surprising effect for me as a neophyte Minister of Environment. One of the things about contaminants is that they simply get diluted by huge amounts of water flowing through a system that usually only accommodates much smaller amounts of water. But there was an emergency program. We monitored flood waters. We cleaned up visible containers of chemicals. We monitored water quality, and with respect to even last summer, there were some beaches that were cause for concern, but I believe that there was still beach activity going on in many places in Manitoba. But beach monitoring continues this year as it has in the past.

**Mr. Dewar:** In your answer you raised the issue that in fact there were some areas of concern in terms of the beaches. You said you were monitoring that. What

were you finding, at what levels, when, and was the public notified regarding these high levels?

**Mr. McCrae:** It is a difficult question in the sense that contamination of water occurs from so many different sources. Very often they are natural, very often they are not. When we know of some kind of activity that is going on from human beings that has the effect of illegally contaminating, then action is taken on that front. We know that every year, in one place or another, you will find occasional, sometimes isolated, sometimes not, but occasional high coliform counts and not always so simple to trace its origin. That is why when it is found, we do not waste a lot of time trying to figure out how or why, but we do want the public to know when counts are above levels that are considered to be appropriate or safe. So that is why you get public announcements and that sort of thing. I do not think that my department would ever come across a high count which indicates a lack of safety for human beings and does nothing about it. But we know that last year at Delta Beach, there was a case of contamination that was reported on, and I do not know to this day if we got it cleared up or why. Sometimes it has to do with known causes, and sometimes not so known causes, related perhaps to nature itself.

I have a note here. The results of the tests that are done on recreational waters are evaluated in conjunction with the Medical Officer of Health. The Medical Officer of Health makes decisions about whether to post beaches with public notices. Generally, fecal coliform levels are the criteria used for a decision to close or to post a beach, and fecal coliform can be human or it can be animal. As I said last year, flood waters diluted these counts very, very significantly, as you would understand, in many areas. I think that is about as much as I can say about that.

**Mr. Dewar:** I would like to move on to the Household Hazardous Waste Program. I raised these questions in the House with the minister, and I do not really know if we got an answer.

**Mr. McCrae:** You did, you did.

**Mr. Dewar:** Well, he said we did. He did say something in response to what I asked him, but I am not entirely sure if it was exactly what I had asked. I

remember the program was on; then it was off, and then it seemed to be back on again. I believe there was some pressure during the Portage by-election—and my colleague for Portage joins us here today—and so it seemed like the program was back on again.

So I just want to ask the minister: what is the status of this very useful program? It collected and took out of the waste stream more than 200,000 kilograms of hazardous waste, household hazardous waste. Like many Manitobans, I find myself doing some spring cleaning, finding old paint cans with some paint in them, oils and so on—of course, I know you are dealing with the oil issue—but solvents and antifreeze and finding it difficult to find a place in order to properly dispose, in some cases, or to treat, to remediate these wastes. Maybe the minister can tell us: is this program on or is this program off for this year?

\* (1640)

**Mr. McCrae:** I cannot help but wonder if the honourable member is not just a little bit cynical about by-elections and things like that. I know that the honourable member and his colleagues might be a little sensitive about where the NDP came on that particular by-election. That aside, Mr. Chairman, of course we set that aside as we discuss the issue of household hazardous waste.

I do not think my answer was all that unclear, but just in case—which is always possible—I will make it clear. We are budgeting this year for an appropriation of \$350,000 for Miller Environmental to run a number of household hazardous waste days again in Manitoba. Now the problem—as I tried to point out, but I guess I must have lost the honourable member, and I am sure it is my own fault—but we thought we might be further along with our oil and container and filters program last fall than we were. Simply put, with that in mind, the department felt that bringing the \$350,000 appropriation down to \$250,000 would nonetheless allow us to collect just as much. As a matter of fact, we collected even more last year with all of the on-again, off-again, the honourable member referred to. We still collected way more anyway.

So this year—I hope this is clear—\$350,000 is in the Estimates for this particular purpose. If it turns out to

be too much money, then I guess we will have to look at the situation next year. But frankly, the used oil program did not come on quite as quickly as we thought it would and that accounted for the budget amount of \$100,000 less. It had nothing to do with a cutback for the pure purpose of cutbacks, because we had this other one going into place that was supposed to pick up the slack. That did not happen. The money was restored last year, and it remains at that level this year. Now I do hope that is clear enough.

Now, when did we make that announcement about that? Was that right in the middle of that by-election? [interjection] My friend and colleague from Portage la Prairie does not think so either, so we will have to check that out.

**Mr. Dewar:** I am pleased to hear that the program is on again, and that is a good thing. As I said, it has taken a lot of waste out of the landfill sites, and hazardous wastes as well. So how many rural depots do you expect—or how many rural communities do you expect will be signing up this year?

**Mr. McCrae:** That is something that is negotiated between communities showing an interest in the program, the department and Miller Environmental. I am not able to tell the honourable member how many there will be or where or when at this point because that is something that is being worked out.

**Mr. Dewar:** Whose job is it then to promote this? I know that, say, in Selkirk, you work with the town. The town offers up a space, and I think you contract, as you say, with Miller. So whose job—because I talked to town officials and they were sort of unclear. I talked with the mayor, and he likes the idea and will be once again pushing for one. In the Selkirk community, he just felt that it was not—though he feels it is a good idea—utilized, I guess, as well as it could be in that community. Maybe it is an issue of promotion. I know that you are promoting the recycling program pretty aggressively throughout the province. Whose responsibility is it to promote this collection?

**Mr. McCrae:** I do not know—I do not have the numbers for Selkirk in front of me—whether I can agree that there was not a sufficient effort or not. I think that it is the responsibility of the community to promote

events like this. Well, I think the local MLA could get involved. I know I am asked to do it in Brandon, and I will do it, and everywhere else—we always do what we are asked as MLAs, I know.

Brandon is pretty aggressive about this type of programming, and I do not know whether the numbers back up what the honourable member is saying about Selkirk, but I will bet you, with the minimum amount of effort on the part of a few people in terms of promotion, you will get lots of basements cleaned up and that out of Selkirk, and that material will find its way to a better place than it was previously.

It is very much a community-driven matter. I just met the other day with a fellow from Brandon who is very interested in improving our performance there on recyclables. He is thinking of some very interesting proposals, involving getting the kids involved. He believes, as I do, that the next generation, and I am not sure which generation the honourable member for Selkirk is. He is probably somewhere in between mine and the next one, as I call them. In any event, this man in Brandon has in mind to involve the children who will be the stewards of the future of our environment in involving them in recycling activities, and I do not know if his proposal will fly or not fly at this point. I commend citizens for that sort of visionary thinking. I invite the honourable member to have a chat with the mayor there and the members of council to sort of charge them up with respect to this type of program. I do not think it takes much doing to get support, I found that, and my predecessor certainly did that. You start moving in the right direction and invite people, and they will join in because it is for the right reasons.

**Mr. Dewar:** I agree with the minister, and it is certainly something we all have to do. But, in looking at the number of cars, say, Selkirk, we are only 80; in a community the size of Pinawa, 95, for example—these are numbers that you provided—the R.M. of East St. Paul, 200. So it is not based at all upon population in terms of the number of cars that attend and take in their wastes.

I think part of the problem is that because of the uncertainty in terms of whether the program was on or off, I think, led to some confusion in certain areas. I am pleased that the program is on again. In

conversation with officials there, they were not sure if it was on or off; but now that it is on, I am sure the community of Selkirk will be as energetic as any to eliminate these wastes from their homes.

**Mr. McCrae:** In a perverse kind of way here, I will disagree with the honourable member. Perverse, because I acknowledge that there was some uncertainty in some areas. I acknowledge that because that is exactly what happened, and that uncertainty led to town councils all over the place, and R.M. councils, laying down resolutions and sending them in to us, making us aware that those resolutions had to result from some debate locally and awareness. I mean, there were people who did not even know there was a program in the first place. Then they probably said, oh, now they are going to shut down this program; well, I am going to get mad about this. I am going to do something about it. I am going to become more environmentally conscious. I am going to clean up my basement. I am going to present somebody with my hazardous waste, and they better have a program.

In a perverse kind of a way, I disagree with the honourable member because we have generated some interest. Now I am not trying to say that we did that on purpose, but we did generate some interest in the appropriate disposal of household hazardous waste. So all is well that ends well on this one, and it certainly came out in some pretty responsible expressions of support for a good kind of program.

Now we do not want to overfund the program either. Some people might think that is the thing to do, but I do not think overfunding any program is the right thing to do, because there are too many other important programs screaming out for resources. Let us get it right. Let us see the performance of this particular year. I predict it will be pretty high levels again, perhaps partly because of the experience of last year but partly because of the good efforts of people like the honourable member for Selkirk (Mr. Dewar) who is going to get out there, the honourable member for Interlake (Mr. C. Evans), the member for Portage la Prairie (Mr. Faurchou), and all the other members gathered around this table here today, who are going to get out there and urge their communities to get involved in cleaning up all those basements and garages and things like that.

\* (1650)

So some clouds have a silver lining and this may be one of those ones because, after all, the oil and filter and containers program will be running for a good part of this year. So we do not know if we are going to be overfunding this program with this \$350,000, not necessarily the indications you get from Miller, because obviously they need dollars to run their programming too, but at least for now we know that the funding for this fiscal year is set at \$350,000.

**Mr. Dewar:** Does the minister follow up with Miller as to what exactly they do with all this hazardous waste that they collect from rural and urban Manitoba?

**Mr. McCrae:** Pursuant to regulation under our Dangerous Goods Transportation and Handling Act, Miller is required to keep records on where all this stuff goes, and that is something that is available to environment officials in Manitoba. I am told that a lot of it goes to whatever purposes are appropriate in places like the U.S.A. and in Ontario for the most part, so that all the items, all the household hazardous waste that is collected under this program is traceable as to where it ultimately ends up.

**Mr. Dewar:** The minister, in terms—if we can deal with this issue of waste and household hazardous waste—he mentioned of course the used oil program. I do not have all my notes with me. I did not expect to be doing the Estimates today, but I do have some information in Selkirk on this. I know this program came on as of March, I believe, but there were certain garages, operators that were in fact collecting this levy prior to the program coming into place. I know that the individual in Selkirk, I believe he sent some information to the deputy minister on this. What did you do and what can be done to try to clear up some of these problems associated with this, I think, useful program?

**Mr. McCrae:** I am not sure I understand exactly what the honourable member is asking. With respect to levies imposed for oil, is the honourable member saying that the oil companies themselves were imposing on retailers the responsibility to pay up or that retailers were charging customers ahead of the proclamation date? I just need to get that nailed down.

**Mr. Dewar:** The latter.

**Mr. McCrae:** I recall my days. This was before the honourable member came to this place, but I was Minister of Consumer and Corporate Affairs at one time, and these sorts of matters—if there is some kind of business practice going on that is out of line, there is the Consumers' Bureau, for example, that could be complained to. But in terms of the actual price of a quart of oil, this government I do not think has, nor any other government in Manitoba, ever regulated the price of a quart of oil. In fact we do not today, even with this levy. It is an industry; it is an industry levy that is being imposed. If something was being charged for prior to the date that the MARRC established as the starting date, subject to being informed otherwise by my staff here, I do not know that other than the marketplace taking some control over the situation, unless there is a potential for a complaint to the Consumers' Bureau, I am not sure—if the honourable member has a specific case to bring to my attention, he could do that, and I would make every effort to look into it.

I am sorry for the pause, Mr. Chairman, but the honourable member has indeed raised one issue with us. I am advised that I guess one operator took upon himself allegedly to make some charge of his customers or her customers for the handling of some of these goods. Now, on its face, there is no law that has been broken that we know of; but, if something like this were to become a problem for members of society, then the market has a way of dealing with that. If there is any question of business practices that are inappropriate or even illegal, there are agencies to which people can lodge complaints.

**Mr. Dewar:** You recommend that I direct my constituent to the Consumers' Bureau and let them deal with this concern. The fact was, and I believe they were faxed to the deputy minister, the invoices of an operation, regrettably an operation in Selkirk that was charging this levy on oil and on oil filters in the fall of 1997. So it was just a concern I wanted to raise with the minister today.

**Mr. Chairperson:** The honourable minister, with a very short response.

**Mr. McCrae:** Yes, Mr. Chairman, as I understand—oh, your time is different from mine—as I understand the

situation about which the honourable member is talking, we talked with the customer in that case about the matter. In point of fact, that customer has used the powers available, and that is to go to another place to do business. So, as I say, the market has a way of dealing with some of these things too, but the Consumers' Bureau is there, should there be need for complaint.

**Mr. Chairperson:** The time being five o'clock, it is time for private members' hour. Committee rise.

## EDUCATION AND TRAINING

**Mr. Chairperson (Marcel Laurendeau):** Would the Committee of Supply come to order, please. This section of the Committee of Supply has been dealing with the Estimates of the Department of Education and Training. Would the minister's staff please enter the Chamber at this time.

We are on Resolution 16.4. Support to Schools (a) Schools Finance (1) Salaries and Employee Benefits.

**Hon. Linda McIntosh (Minister of Education and Training):** Mr. Chairman, I was just concluding last day with a response to the member for Transcona (Mr. Reid) about Transcona Collegiate, and if I may I will just finish that response so he has it for the record.

I want to say to the member for Transcona that while I want to respond to all his questions, we have to be mindful that negotiations between the school division and the Public Schools Finance Board are still ongoing. There are a few remaining issues that require thoughtful discussions, and I am hopeful that the assessment process will be finalized in the next six weeks or so. But I do just want to put that caution forward, because the Public Schools Finance Board and the Department of Education are at arm's length from each other.

\* (1520)

For the most part, the Public Schools Finance Board and the school division have agreed on most of the program and space requirements at Transcona Collegiate. There are two major matters that need to be finalized. One of them is that the school division

requests the space for industrial arts and human ecology family studies programs.

The Public Schools Finance Board is waiting for the provincial specialist, Program Implementation Branch, to make his recommendation which will then be reviewed with the school division. Secondly, this project will consist of renovations and new space. The Public Schools Finance Board and the school division are to determine which program should be housed in the additional component of the project. It is very likely that the band, music and multipurpose room will be accommodated in the new section because these spaces require higher ceilings.

Once these program and space requirements are finalized and the assessment process is completed, a recommendation from the Public Schools Finance Board will then come to the Minister of Education. Authorizing the school division to proceed with planning authority is the first step of the approval process, and the target completion date of this project is September in the year 2000.

**Ms. Jean Friesen (Wolseley):** Mr. Chairman, I wanted to move away from the Public Schools Finance section, but I think the minister had earlier wanted to put some comments on the record on Wolseley School, so I did not want to miss that, but this will be the last question, I think, on the last area under Public Schools Finance Board.

**Mrs. McIntosh:** Yes, Mr. Chairman, regarding the Wolseley School situation, the Public Schools Finance Board authorized the Winnipeg School Division in January of 1998 to hire a consultant to do a condition study of the Wolseley School. The school division hired the services of Reid, Crowther, which completed its report last month, April 1998.

The school division will now be sharing the results of that report with the parents of children who attend Wolseley School. Following consultation with these parents, the school division will decide on what recommendations to make to the Public Schools Finance Board. There are three options that they can consider: renovations, addition or replacement. Once the school division determines which option it wishes to pursue, the Public Schools Finance Board will

formally assess the division's recommendations and provide its advice to the minister. There are three options: renovations and new space and replacement. If renovations costs significantly, if those costs exceed 50 percent of new construction costs, the Public Schools Finance Board normally recommends replacement.

Heritage designation should not be a problem because there are other similar schools, such as Sir Sam Steele, for example, but this is a matter that will have to be resolved between the school division and the City of Winnipeg.

**Ms. Friesen:** Mr. Chairman, I wanted to ask the minister about private school funding under this section. I wonder if the minister would be prepared to table, I do not know whether she has it available now, but whether she could table a list for the past year and, if possible, for the previous three years of the school—the enrollment and the amount of public money that has gone to each of the schools.

**Mrs. McIntosh:** Would the member be good enough to repeat? We missed part of her question.

**Ms. Friesen:** Yes, I am looking for a list of the private schools which have been funded by the government over the past three years, the amount which has been given to each school, and the enrollment of each school, and I assume the minister would not have that for three years with her. If she has the material for one year with her, which might be possible, I would be interested in having that tabled. Other than that, we could look forward at a later date to the tabling of the three-year information.

**Mrs. McIntosh:** Yes, we have that information. We have it for all three years here, so we can table it. We will need to get some copies made, but we can provide that for the member. Can we get copies made here, Mr. Chairman? We are giving to the Clerk now the last three years: '97-98, '96-97 and '95-96. We have the Estimates for the '98. Did the member want those also?

**Ms. Friesen:** Yes, thank you.

Mr. Chairman, while those are being xeroxed, perhaps we could ask some short questions on the

recording of information on private schools. I wonder if the minister could tell me about the reports that are given to her or to this section of the department by private schools. The financial statements, for example, are these published in any way or made public or does the government intend to make these public?

\* (1530)

**Mrs. McIntosh:** There is now a FRAME Report for independent schools, as the member knows. It was mailed out in March to all the independent schools and to the libraries, and it is available for anybody who asks for it.

**Ms. Friesen:** The FRAME Report is a compilation of material from the reports of the schools. Does the minister intend to make public the actual financial reports of the schools?

**Mrs. McIntosh:** We have made public the FRAME Report for independent schools which lists their finances as it regards the public, but we do not reveal the private aspects of the funding. For example, you may have a family that has made an endowment to a school. They wish to be kept confidential or they do not wish to receive any credit. So they will often do that, and they will say: just, please, keep it anonymous or confidential; we do not want to be in the limelight, whatever.

So since independent schools are not funded totally and fully by the public purse but raise the bulk of their money through private means, then we do not make public the private part. This report then is slightly different from that FRAME Report for public schools, because for the public schools, all the money comes from the public, so there is full revelation of everything.

With the independent schools, not even half of their costs come from the public, but the FRAME Report we have got for independent schools will interest the public in that it talks about public dollars, but it does not include the private dollars.

**Ms. Friesen:** The minister's response, I think, points to the very problem I was getting at. We do not know what proportion the public funding is of the total amount available to the private schools.

**Mrs. McIntosh:** It is in here.

**Ms. Friesen:** It is in the FRAME Report? Thank you.

**Mrs. McIntosh:** That is in the FRAME Report for independent schools. As well, I think it is generally known that we fund independent schools to half of the cost of running public schools. So, even if it were not in the FRAME Report, which it is, it would be easy to extrapolate just knowing that. You just have to know what the public school costs are and take half of that, but not including the capital, of course, because we do not pay for buildings for independent schools. I do not know what page it is on.

Mr. Chairman, on page 7 in the FRAME Report for independent schools, it has the amount—the provincial government Department of Education and Training—funded to the independent schools, which includes funding for instruction and services and suggested for days closed, et cetera. At the beginning of the report we have the expenditures. So one could compare the expenditures with the funding.

At the beginning it is Operating Fund Expenditures by School, Total Expenditures and Costs Per Pupil, Enrollments, Head Count and the Eligible as of September 30, the Pupil-Teacher Ratios as of September 30, the Consolidated Expenditures, the By School Analysis of Expenditure by Function, the By School Summary of Provincial Government Department of Education and Training Operating Fund Revenue. The operating fund expenses, as I said, are by school, by total expenditures and cost per pupil. So you find all of that information detailed in this report.

**Ms. Friesen:** I think it is useful to have that on the record because I do not have it with me, and I thank the minister for putting that on the record. It is certainly something, I think, that the Manitoba Association of School Trustees have had resolutions about for a number of years, so that kind of public information, I think, is and will be welcomed.

I wanted to ask the minister, an issue dealing with I guess it is procedures and public policy in private schools. I wanted to ask her to compare them to those in the public schools, and I am going from a particular article in the Winnipeg Sun on the weekend, which

dealt with an issue of unprofessional conduct—I guess that is it. I do not want to get into the individual case, by any means, but issues have been raised on public policy, of how such issues of whether or not there is unprofessional conduct, the question, the allegation, of how those are raised in private schools, what the responsibility of the department is, where the lines of communication are or should be in informing the teacher certification branch or the minister or another provincial authority.

Could the minister perhaps explain to me what the department's policy has been on that, not necessarily in this particular case but in general, and perhaps tell me whether there is any difference between the procedures in a private school and the procedures in the public system?

**Mrs. McIntosh:** The procedures for teachers in those situations are identical.

**Ms. Friesen:** Could the minister be a bit more precise in what the procedures are?

**Mrs. McIntosh:** In terms of professional misconduct, if a teacher in Manitoba is alleged to have professional misconduct, the person in authority—principal or whoever—must inform the Professional Certification office and the minister of the alleged misconduct. If a child is in need of protection because of professional misconduct or alleged professional misconduct, they must also notify the law enforcement officials, Family Services, Department of Education, et cetera.

\* (1540)

**Ms. Friesen:** What is the formal next step? Let us suppose that the Professional Certification branch and the minister have been notified. What steps does the minister then take, and what steps does the Certification branch take?

**Mrs. McIntosh:** We would do our own investigation, we being through the Professional Certification office, and in the course of that investigation the following are likely to be contacted, in most cases would be. The Crown could be contacted; Family Services, if children need to be sheltered; and ultimately, depending upon the outcome of that investigation, obviously begin by

talking to the concerned parties. After, there may be charges pressed by the Crown. When that happens, then it immediately goes into the law enforcement, into the justice area. Ultimately, these investigations will often lead to the Certificate Review Committee, which will determine and make a recommendation as to whether or not the teaching certification should actually be lifted.

**Ms. Friesen:** The minister said two people must be informed, the Professional Certification branch and the minister, but essentially the minister acts then through the Professional Certification branch. I wonder if the minister could tell me something about the investigation. Are there procedures laid down for the investigation? Is it different in each case?

The minister said, for example, that certain people are likely to be contacted. I can understand that will be different with each case and, under an investigation, that concerned parties would be contacted. Essentially, are there a set of regulations and procedures that are followed in any such case by the Certification branch, or is it essentially a set of principles from which each case would be dealt with separately? Mr. Chairman, are there regulations dealing on this, and could the minister direct me to the regulations and the act which this comes under?

**Mrs. McIntosh:** The portion of our procedures that are in regulation are the procedures dealing with the certification of the Certificate Review Committee. The other, we have principles that we follow and practice that we have in place, but it is not in the form of a regulation. First, we receive the complaint, and it may sometimes come to us as an indirect or informal complaint. It may not be a direct contact, but however it comes to us, the minute we receive the complaint, we begin an investigation. We always begin by contacting the employer. We may, depending upon the circumstances of the allegations, contact Child and Family Services or the police if it is a case, say, of alleged child abuse of some sort. Eventually, in the process, we contact the alleged perpetrator, and we may but do not always contact the alleged victim depending again on the circumstances.

After those processes have been gone through, we will ultimately then have a decision as to whether or not

to refer to the Certificate Review Committee. At that point, the investigation becomes formal, and we have a quasi-judicial tribunal taking over once it is referred to the Certificate Review Committee. That is basically the process that we go through. We have tried to allow as much flexibility as possible because some of these cases are extremely sensitive. They involve children or adolescents and sometimes false accusations and people's careers are at stake, et cetera. So we have got as much flexibility as we can get, but those basic principles are ones that are adhered to in all our investigations. It may not always go to the Certificate Review Committee if it is determined that the allegation was not a correct one.

\* (1550)

**Ms. Friesen:** Mr. Chairman, I wanted to go back to something the minister either said or implied early on, and that is that the principal or the responsible person must inform the minister and/or the Professional Certification branch. Can the minister be more precise on that, or did I understand it correctly that there is an onus upon a responsible person within the school to inform the minister once allegations are made?

**Mrs. McIntosh:** The Public Schools Act requires the employer to report a teacher charged or convicted of sexual abuse of children to the minister, so that is one requirement. Sexual abuse of children, charged or convicted, the PSA says that it must be reported to the minister. This also applies, of course, to funded private schools as well. That is a condition of receiving funding. They have to abide by all those things, but there is no legal requirement to report on other alleged situations that do not necessarily involve children's safety.

The department did issue a sort of guidelines on this reporting of those. In essence, we said if there is a bona fide perceived relationship between the situation and teaching, the department be notified. So that is basically what they have to do.

\* (1600)

**Ms. Friesen:** Mr. Chair, the minister says that under this—the conditions of receiving public money require the private schools or independent schools to conduct

themselves according to The Public Schools Act. Now, is that the case in all elements of The Public Schools Act, or is it just in this particular element, that is, Part I?

My second question is: the guidelines that the minister distributed on issues dealing outside of sexual abuse, but dealing with classroom issues and unprofessional conduct in the classroom, when were those guidelines sent out? Could the minister table them either today or at a later time?

**Mrs. McIntosh:** For the most part, all sections of The Public Schools Act and The Education and Administration Act apply to funded, independent schools, except for a very few. The guidelines—we will be able to table those, but we do not have them here today—were issued four or five years ago, but we can obtain them and table them at our next sitting. There are a few, as I said, except for a few that we look at, trusteeship, for example, hiring secretary-treasurers or a superintendent, that type of thing, but the guideline sections do apply to funded, independent schools as well as funded public schools.

**Ms. Friesen:** I wonder if the minister could, for purposes of clarification, explain which parts of both of those acts do not apply to private schools. Secondly, could you give me a sense of what the guidelines consisted of? I understand we will be seeing the details and I appreciate that, but could the minister tell me what topics they dealt with and how the guidelines explained the requirement, if it is a requirement, for reporting of, let us say, unusual or questionable situations regarding teaching?

**Mrs. McIntosh:** This will take us a minute or two. Staff is checking through the book because the information goes back a fair bit, but they do believe they have everything here. They can provide some detail if you would just bear with us while they check.

We have said that all sections of The Public Schools Act and The Education Administration Act apply, except for those that cannot comply because of the nature of their operation. For example, they may not have a board of trustees. They may not have wards, so they cannot be broken into wards and have elections for trustees. If they do not have a secretary treasurer, then

certain applicable sections do not apply, et cetera, et cetera. If you are forming or altering school divisions, if you are a Francophone school division, school boards, duties of school boards—Frontier is a good example of a board that is in remote locations but not all in one place—superintendent, secretary treasurer, school sites and buildings, collective bargaining, grants and levies, which is educational support program, and borrowing, the administration of schools is often in unorganized regions or territories, so say all of these sections, except where for some reason it is inconvenient or difficult to comply with the nature of the operation.

\* (1610)

There was another question: what did the guidelines touch on? The guidelines touch on the nature of possible offences that ought to be reported by law and to whom. Guidelines are only a general request for schools and admission boards to supply the department with information when a teacher or other personnel is charged or convicted of offences with which they have a bona fide relationship to teaching and the custody of the children. For example, drug trafficking is one that we had there. There are more, but staff has provided these as an answer for the member to give her a picture, if she would like one, of how we operate.

Getting back to the first question, which was grants to private schools, the minister may, under the regulations, make grants to private schools in respect of instruction and services offered where the minister is satisfied that—and this is something that requires the minister to be diligent. The minister may, under the regulations, make grants to a private school in respect of instruction and services offered by the private school to students enrolled therein—the student has to be going there—where the minister is satisfied that the private school teaches a sufficient number of courses approved under The Education Administration Act to ensure that children enrolled in the private school receive an education of a standard equivalent to that received by children in public schools; that the teachers teaching the approved courses to the children enrolled in the private school hold valid and subsisting teaching certificates issued under The Ed Admin Act; that the Department of Education has approved the core curriculum of the school; that the private board has a legally incorporated board of directors; that the private

school has an elected advisory board that includes at least three persons who are parents or guardians of children enrolled in that school.

Manitoba regulations require that the school submit a statement certified by the school's signing officer and principal that the requirements of The Education Administration Act, The Public Schools Act, and regulations have been met; provide a list of all peoples attending the school in a form approved by the minister by the date specified by the minister; comply with required sections of the administrative handbook, only making modifications to reflect unique religious perspectives, cultural objectives or values of the school with the approval of the minister; appoint an auditor and advise the minister of the auditor's name and address when the auditor is appointed and whenever there is a change in auditors; submit audited financial statements not later than October 31, which include both an audit report and a supplementary audit report for the immediately preceding school year in a form approved by the minister; submit a record of final academic standing achieved by each student in Senior 1 to 4 for the preceding school year no later than September 1 of the current school year; and operate in compliance with all education regulations, including, but not limited to, school days, hours of vacations regulation 101/95, private schools grants regulation 236/96, persons having care in charge of pupils regulation 464/88, education administration miscellaneous provisions regulation 468/88, and teaching certificates and qualifications regulation 515/88.

**Ms. Friesen:** Mr. Chairman, could the minister tell me whether the relatively new sections of one of the acts—and I cannot remember which one it is—which dealt with records management and requirements for the students and parents to look at records—and I think there was some discussion at the time as to whether this applied to private schools or not—can the minister tell me whether—and I think she said at the time that those would be extended to private schools. Could the minister tell me whether that has happened?

**Mrs. McIntosh:** Yes, it does apply.

**Ms. Friesen:** Mr. Chairman, were those extensions made by regulation or was there explicit recognition in

the act that this included private schools, or was that not needed? Was it meant to include private schools?

**Mrs. McIntosh:** Mr. Chairman, they are automatically included unless they are specifically excluded, and they are not specifically excluded.

\* (1620)

**Ms. Friesen:** Mr. Chairman, let me try and summarize what I think I understand of the procedures. I understand, No. 1, that under The Public Schools Act employers are required to inform the minister, both in public and private schools, when there are allegations of sexual abuse. Secondly, other issues of professional misconduct may be raised by a variety of people, not necessarily the person in charge, whether it is a principal or a superintendent, and that that applies equally in the public or private schools.

But, when other issues of professional misconduct are raised with the department, by whomever, this triggers an informal review by the department which may proceed to referral to a quasi-judicial body, and that guidelines were issued to all schools in Manitoba about four or five years ago dealing with other issues. Now, what I took down from what the minister said of the other issues, the implication I think is that those issues I raised with the minister only when charges are laid or may be laid, whether the issue is a chargeable one.

So is that the impression the minister intended to leave, or is there a broader range of issues that the guidelines covered four or five years ago?

**Mrs. McIntosh:** If there is a charge or a conviction under the Criminal Code, the minister has to be informed. If it is an allegation only, and it is one of sexual or physical abuse of a child, that must be reported to a person in authority in Child and Family Services. If other allegations of any sort surface, there is no legal requirement for reporting, but our guidelines in so many words instructed compliance to report to the minister if, as, when any situation arises which a reasonable person could perceive as placing the care or custody of a child or the safety of a staffperson of the school in the school in jeopardy.

There are certain situations where it is an absolute imperative that reporting be done and others where the guidelines are such that compliance is the result. Then people have occasions when they have to exercise their own good judgment as to whether or not they are hearing a rumour or perhaps some allegation that might have some foundation that should be reported.

To recall, Mr. Chairman, Bill 46 last year—Bill 47 last year, it required boards to comply with directives of the minister. So, when the minister issues a directive and asks to be notified or says to be notified, that has the weight of law behind it. So, without a regulation, it still is an onus that is placed upon the field.

\* (1630)

**Ms. Friesen:** So school boards, school trustees, superintendents should interpret those guidelines as directives, even though they were issued previously or before the law was enacted. I wonder, has the minister undertaken to inform school divisions that that is the case? Would that be anticipated, having been covered in the enactment of the new law?

**Mrs. McIntosh:** Mr. Chairman, there are so very many guidelines that have been issued by the department in earlier years. I think when a statement comes out in law that says that directives issued by the minister must be followed that there would be an expectation that would include the earlier guidelines and instructions that had been sent out, and if the minister wanted to change that and not make them imperative, then she or he would have to then retract those earlier guidelines. I think that would be a simpler way to address it; otherwise, you would have to go back and get out everything that has been sent out for all those years beforehand. It would be just so time consuming; it would not be practical.

**Ms. Friesen:** Mr. Chairman, could the minister give me a sense of how she would anticipate a school division would deal with allegations of professional misconduct which do not include sexual abuse, which do not include charges which are of a criminal nature? Is there a standard procedure? I do not want to particularly single out the St. James School Division, but it is one that the minister is familiar with. Would trustees in general, would school divisions in general,

have formal policies on this? If so, would the minister give me a sense of where she thinks there is an ideal policy or one that would be worthy of commendation?

**Mrs. McIntosh:** Boards do not file their policies with us, so I am not able to answer with a certainty, but I do believe that divisions do have policies, maybe not all of them. The Manitoba Association of School Trustees would, I think, keep on file their copies of policies from school divisions. If you take, for example, a teacher who has been absent without leave, so to speak, where they just do not show up in the morning and they have not notified the substitute and they have maybe gone on a drinking binge or whatever and they have left the school in the lurch because they are not there to teach their students or they have some other type of misconduct, those are types of misconduct that do not put a student in immediate jeopardy but would certainly affect the learning if those kinds of behaviours are continued.

Most divisions have ways of dealing with those types of things that may or may not be written down as policies, may just be methods of procedure. Some of them can be ones that are difficult to anticipate but would fall into the category of professional misconduct. So normally we would say that would be the division's responsibility under their personnel or their human resources. Their individual contract with the teaching association in their division, you know, could have statements about policies and procedures regarding professional misconduct.

I know that certainly in terms of competency some divisions have policies whereby if a teacher has so many performance evaluations that indicate the teaching is slipping, which is a form of, it is not really misconduct, but it is not living up to the full expectations of a professional, they will have ways of coping with those things in their policy and procedures manual. As well, I believe the Manitoba Teachers' Society has a code of professional ethics, a code of conduct that they adhere to as a society.

\* (1640)

I do not have a copy of that here, but I would imagine that through the Manitoba Association of School Trustees the policies of divisions could be received, and

through the Manitoba Teachers' Society the professional code of conduct could be received. Beyond that, the employing authority, the school board will have a variety of procedures to deal with. Things like just not showing up for work one morning or drinking on the job or those kinds of things, we do know that some are investigated by the employer and remain internal, and some will investigate and report their initial findings to the Manitoba Teachers' Society, and occasionally some will report to the Minister of Education. So we know those three methods take place.

**Ms. Friesen:** So what the minister is saying is that in these issues which do not involve sexual or physical abuse and where the safety, however we define that, of the child is not in jeopardy, then it becomes a board responsibility. When you are in the situation of a private school, where there may or may not be a board, can the minister confirm that she is satisfied that private schools have those kinds of policies in place?

**Mrs. McIntosh:** The standards of reporting have been consistently in the same level, and the methods of investigation are the same. The expectations or having to report to the authorities in cases of suspected cases of abuse are the same. I have no reason with any evidence put before me to doubt that these same standards are met in this area whether the school be publicly funded or privately funded, rather publicly operated or privately operated, because in all things those independent schools must have certified teachers who go by the same professional code of ethics as other teachers. Whether they teach in private or public, they are all certified, they all have the same training, et cetera. All are accountable to the law enforcement authorities. More so, I think, on the independent schools, the direct accountability to the parents is such that the parents can withdraw with greater ease than they might from a public school.

**Ms. Friesen:** Mr. Chairman, I think one of the issues is in fact that, yes, people may withdraw, but the damage may have been done. The policies which the minister—I do not want to put words into her mouth. What she said was she has no reason to believe that the same standards are not being met in private as in public schools. The minister, I think, under this section of the department is required to ensure that independent

schools comply with administrative and program requirements. I think what she is saying by implication is that there is no requirement for formal policy in private schools in the same way that there is in public schools. Now I know that what she is saying is that—she would respond, I assume, that there is not a requirement for public schools to have that, that that is up to trustees. But we do have the ability in the case of a public school to have access, as public, to the minutes of the board, to the policies that are set in place by the board, and there is written evidence for parents that such policies exist or do not exist. It seems to me that in the private schools, that is less clear. Some schools presumably do; some schools presumably do not.

I am wondering if the minister, since she has sent these guidelines to both public and private schools four to five years ago and these are now the requirements of the school to respond to, is aware of any instances where the schools may not have fulfilled those guidelines.

I want to follow that up by asking the minister how many issues—and I do not want to get into the details of the issues. I am interested in how many issues have been brought to the department's attention dealing with professional misconduct which do not fit the issues of sexual abuse or safety, physical or sexual abuse of a child, or the safety of a child. Can the minister tell me how many such cases, allegations, have been brought to the department, say in the last, oh, I do not know, whatever reasonable time would be, let us say the last five or six years?

**Mrs. McIntosh:** In answer to the first part of the member's question, there are no more restrictions or obligations on public boards than there are on private. I think there is an underlying assumption in the question that somehow public schools had a greater obligation than private schools in this area, and that is not so. There are no stronger restrictions on public schools than on independent schools. Even the minutes of meetings, I can assure the member that in a public school board, a meeting on an issue of this type would be in camera, and it would never be made available under Freedom of Information or anything to the public. It would be considered a personnel issue, in camera. While there would be minutes, no one would

be able to get them except those board members, so there would not be access to information that way.

\* (1650)

When I say that I am satisfied that the standards are the same, I mean that based upon the guidelines that are out, the response to the guidelines that occur when there are problems in the field, that is what I mean when I say that I am satisfied there is the appropriate response appearing, whether the school is independent or public. The professionalism and the concern for children is there. When I say parents can pull out more easily, I do not mean that they pull out after the fact; that we wait until something has happened, then they can pull out. I simply mean that, if there is something in the school the parents do not like, say, a stricter discipline or something of that nature, the parents can just quickly move out, whereas in a public system they can either demand change and get it, or move out. In the public system, that may not be as easy for them to do. The same guidelines are there for all who care for children, and the responses to date have been appropriate wherever those have gone.

In terms of referrals to the Certificate Review Committee for nonsexual or nonphysical violence against children, there was one in the last four years, one in the three years previous to that. These are from memory, so if they are out a little bit, it is by recollection that these figures are being provided, not by checking against the stats. I believe there was a breach of contract with one that ended up at Certificate Review Committee. There was another with theft of school money, which is not going to directly hurt children, but it is certainly a breach of contract. It is a breach of not just contract, but it is a gross misconduct for a professional.

So those are the types of things that would end up getting referred. Then the Certificate Review Committee would then wrestle with the question: if a person has absconded with school division funds, does that or does that not make a person ill suited to teach? Should the certificate be lifted? There are often many, many circumstances around that question that causes them to wrestle. It is a more difficult question to deal with than the ones who get referred for physical or sexual abuse of children which are quite

straightforward. If there has been a criminal conviction of sexual abuse of a child, that is a no-brainer. That person is ill suited to teach and should not have the certificate there. Some of these other issues will result in the certificate's suspension but are less straightforward to deal with than directly affecting children.

Did you have one other question? Did the member have another question in that round that was asked? [interjection] Staff is just penning me a note here that I think may be pertinent to this particular question. Just by way of providing an example, staff has just jotted me a note here. The member had indicated at the beginning, and I respect and appreciate her saying we do not need to get into details about the recent media report, but just by way of example without going into the details there, in that particular issue, there was a report of an alleged harassment of a student. That, for example, was made known to us about 10 days ago, and the staff began their investigations. So that type of thing will come to us. It will often then get picked up, say, by media or something, but usually by the time it is picked up by media, it is either solved or in the final stages of being solved or in the middle of the investigation.

We do not speak publicly about those things as a rule because—and I appreciate the member's sensitivity in that regard—particularly where there are allegations and they are just allegations at the initial point, and there is a young person involved. So for those two reasons, a minor and an allegation that has yet to be confirmed or have charges pressed, we try to be extremely discrete to ensure that no innocent person is harmed.

Sometimes they do end up getting in the media, and sometimes innocent people do have reputations severely damaged, and sometimes young children do get unnecessarily exposed to publicity. Those are things that are difficult to control, but they are very difficult for families when it happens.

**Mr. Daryl Reid (Transcona):** Mr. Chairperson, we are going down the same path we were at a few days ago. With just a moment remaining, I know the minister had provided some information with respect to Transcona Collegiate, and I am sorry, I was not here at the time. I was away dealing with a break-in for my constituency office.

I had asked some questions—and I will read Hansard about Transcona Collegiate, but I had asked some questions or was going to with respect to Murdoch MacKay Collegiate, which is also in my constituency of Transcona, dealing with their vocational program.

I guess the question I would like to ask of the minister is with respect to that particular vocational high school on whether or not this is the appropriate staff who are available to assist the minister with answers to that and whether or not there are plans by the department to provide any additional support by way of equipment or facilities for that particular vocational high school, looking at recent articles that have been in the media as of late with respect to employers saying that we do not have people with the appropriate skills to fill the vacancies in their particular business operations, which leads me to the questions here and finding out whether or not the department is providing any further assistance to that high school for that vocational program to assist with the training of our young people in that school.

Perhaps the minister, if she needs to, can take that question as notice since we will be out of time here in a few moments, Mr. Chairperson, and when we come back to Estimates next time, she can perhaps have the answer available at that time, and perhaps I can follow up with further questions.

**Mr. Chairperson:** I thank the honourable member. When the committee again sits, the minister can bring that question forward if she so desires.

The hour now being five o'clock, time for private members' hour. Committee rise. Call in the Speaker.

\* (1700)

## IN SESSION

### PRIVATE MEMBERS' BUSINESS

**Mr. Marcel Laurendeau (St. Norbert):** Madam Speaker, I move, seconded by the honourable member for Emerson (Mr. Penner), that Bill 302, The St. Paul's College Incorporation Amendment Act—

**Madam Speaker:** Order, please. I apologize, I thought you were going to give your committee report.

**Mr. Laurendeau:** No, I am going with my bill here, private members' hour. Do you want to start again?

**Madam Speaker:** Yes, please. The hour being 5 p.m., time for Private Members' Business.

## SECOND READINGS—PRIVATE BILLS

**Madam Speaker:** Second readings, private bills, Bill 302.

### Bill 302—The St. Paul's College Incorporation Amendment Act

**Mr. Marcel Laurendeau (St. Norbert):** Madam Speaker, I will try a second time.

Madam Speaker, I move, seconded by the honourable member for Emerson (Mr. Penner), that Bill 302, The St. Paul's College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le "St. Paul's College," be now read a second time and referred to a committee of this House.

#### Motion presented.

**Mr. Laurendeau:** Madam Speaker, I was approached by the Jesuit Fathers from St. Paul's College to bring forward these few minor amendments that would help them improve the method in which they will have to progress with business in the future, and I leave it to the House to make that decision.

Thank you, Madam Speaker.

**Madam Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 302, The St. Paul's College Incorporation Amendment Act (Loi modifiant la Loi constituant en corporation le "St Paul's College"). Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Madam Speaker:** Agreed.

## PROPOSED RESOLUTIONS

### Res. 31—Student Debt Relief Program

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

"WHEREAS according to Statistics Canada, student fees accounted for almost one quarter of operating revenues of universities in 1995, up from one sixth in both 1975 and 1985; and

"WHEREAS this means that, coupled with a sharp rise in tuition fees, thousands of post-secondary students are being forced to carry huge debt loads to finance their education; and

"WHEREAS the situation also affects college students whose average age is 28 and who frequently have dependent children and other forms of debt; and

"WHEREAS Manitoba has no debt relief strategy generally available to university and college students; and

"WHEREAS the huge debt required to finance an education is, increasingly, a deterrent, and in some cases a prohibition, to academically able people who should have access to educational opportunities; and

"WHEREAS in the 1997 Maclean's survey, all three Manitoba universities compared poorly in the scholarships and bursaries category to other provinces where there is a higher commitment of funds to universities for this purpose; and

"WHEREAS all these facts speak to the urgent need for a comprehensive strategy of debt relief to include bursary and scholarship programs, co-operative education opportunities and loan forgiveness programs.

"THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Provincial Government to consider implementing a comprehensive strategy for student debt relief for university and college students."

#### Motion presented.

**Ms. Friesen:** Madam Speaker, I am delighted to be able to speak on this resolution this afternoon, and I want to say at the outset that this is yet another case where the government, as it has moved closer to an election, has moved to adopt issues that the opposition has been urging them to do for many years.

I believe that I have introduced this resolution before. I believe that I have spoken to the minister in Estimates as well as in Question Period about the necessity of introducing a debt relief program in Manitoba. I believe I have even asked the Premier about the inconsistencies that are demonstrated when he makes recommendations to the federal government that they should bring in debt relief programs when, in fact, for many years now, under this government, Manitoba has been the only province. Manitoba has stood alone as the only province in the country which has had no generally accessible debt relief program to students. Yet the government felt that it could sign resolutions, perhaps even initiate them, urging the federal government to do this, while they were clearly not prepared to do this themselves.

So, Madam Speaker, what we see again is the government getting close to an election and deciding to, on one hand, turn the tap on. They have actually added some money into the funds of universities and colleges this year. What this does in the case of universities, of course, is bring them back up to the 1992-dollar level, which takes no account of inflation, and, of course, essentially maintain universities and colleges at the level of five or six years ago, not the direction which we see British Columbia, nor even the direction that we see universities and colleges going in smaller provinces such as New Brunswick and Saskatchewan.

It is a very, I think, transparent Tory strategy of cutting and reinstating as they get closer to an election. Similarly, as we look at this particular issue of debt relief programs for students, we will find that when the government came to power, there were indeed debt relief programs for students. There was a comprehensive approach to the funding of students who were able to benefit from college and university, but who might not have been able to provide the funds, a policy which recognized that many students were increasingly older students with dependent families, a policy which recognized that one of the enormous challenges for Manitoba was the education of the growing aboriginal population in ensuring that equal opportunities were available to that aboriginal population, encouraging them to be at university, to be at community colleges and to take advantage of the many programs that we had in the 1980s for students who were disadvantaged in one way or another.

But the Tories came in and they cut them. Now, as they get close to an election and as they see the polls, if they see the issue of inequality, the inequality which I believe they have deliberately created in many areas, as they see that issue coming to the top of the agenda, they do begin to reinstate the programs that they cut so many years ago. But the consequences of that have in fact been a lost generation of students who have turned away from post-secondary education or who may have completed only one or two years, particularly students from rural areas who incur enormous debts when they go to college and university outside of their own hometown.

So, Madam Speaker, what we have seen I believe as a direct result of Tory policies are people who could have benefited, communities which could have benefited from post-secondary education, but where people have been without the comprehensive program of student aid, debt relief, and access programs that we had in the 1980s. They have been deterred. They have looked at university and colleges and said: That is not for me. I cannot, at 35 years old, take on the debt burden that that means; I cannot ensure that I am going to get a job; I cannot ensure that risk is going to pay off for me at that older age.

\* (1710)

Indeed, I was speaking to one of the people who was here in the Legislature today, who came from the programs that are being run at Mulvey and at William Whyte School. An older woman who said: look, at this stage, how can I take on that kind of debt? I have no way of paying it off. Yet she clearly had the energy and the desire to continue in education. Ten years ago she would have been able to, but, as a result of this government, that woman has been excluded from further education.

Why has the government done this? Why did it cut them in the first place? It seems to me that the government quite genuinely believes that there is a ideological basis to this. They believe that in post-secondary education the user must pay, and all of their policies, from the time of earlier ministers to this present minister, have oriented themselves in that direction. They believe that it is to the individual's advantage that they take on post-secondary education.

And so they have argued that it is individuals who must pay. That is the kind of policy and ideological foundation that I think you will find across many of the extreme Conservative jurisdictions, whether it is Alberta or whether it is the United Kingdom under Thatcher.

But you will find for example in places like Quebec, where there has been a much more progressive policy in education, particularly on fees and on debt relief, you will find in British Columbia that there has always been a debt relief program and a very effective one. You will find in Saskatchewan that there has always been a debt relief program. This government in fact stood alone as the only government in Canada which did not provide a generally accessible debt relief program. And it was done deliberately, it was not by omission. It was done deliberately by this government when they decided that it was the user-pay which would prevail.

They ignored the arguments for accessibility for communities which have been excluded from universities and colleges. They ignored the social arguments and the issues for society as a whole in having a better educated general population. They ignored or chose to ignore the argument that post-secondary education should be an open door for those people who can benefit from it and who have the ability and the energy to undertake those studies and that it is the job of government to open that door, to ensure that equality and accessibility are the hallmarks of a post-secondary education policy.

The hallmarks of this government have been to cut programs that were in place, to reduce the funding for students, for student aid, to eliminate debt relief programs and essentially to argue, and it is their fundamental argument, that this is an individual benefit to the students and the students must pay for it because they will be able, it is argued, to repay afterwards. And some students undoubtedly will, but not all students. It depends upon their age, it depends upon the size of the debt.

I gather from the attentiveness of the member for Pembina (Mr. Dyck) that he is anxious to respond on this particular resolution. I am sure that he will be able to tell us about the difficulties faced by rural students who must come into Winnipeg or go to Brandon or go

into Thompson or The Pas for their education and the size of the debt that some of those students are carrying.

So, Madam Speaker, it seems to me that the government I think has clearly not served Manitoba well, not served Manitoba students well with their changes to the student debt programs, and they too have begun to recognize that as they get closer to an election, what is facing Manitobans is the inequality between rich and poor, the inequalities between aboriginal communities and other communities, the inequalities in access and openness to post-secondary education.

So they did in the last budget propose some new, at least, should I say, they call them new policies for post-secondary education students. They were in fact the policies which they had cut so many years ago and which have had such an impact upon students across Manitoba.

Madam Speaker, I think that when we look at the government's signature, the Premier's (Mr. Filmon) signature on the western Canadian premiers' letter to the government of Canada last year arguing for the Government of Canada to introduce post-secondary bursaries and loans and particularly a debt relief program, I think the hypocrisy was somewhat breathtaking. Here was a government which had cut its own programs, refused to introduce new ones, and which now was urging the federal government to introduce that which itself was not prepared to do.

So, Madam Speaker, I commend this resolution to the House. I believe that the government has recognized some of the electoral consequences. I will not say social consequences, and I will not even say ideological consequences of what they have done. I think they have recognized the electoral consequences, though, and they have made moves to make changes in their policies.

Madam Speaker, it comes too late for many people. Indeed, we have yet to see what the policy will be. I understand from talking to loan officers in colleges that the government yet has to indicate to them any details of this plan. So, whereas the government had one press release and one—no, I do not think they had a press conference on it, but certainly one press release dealing with this some months ago. There are as yet no details.

I think that makes it very difficult. We are now at the end of May. Students who need to be looking at whether they will be enrolling, taking on that burden of debt in Manitoba, need to know those details. As yet there has been nothing from the government, no plan, no proposal, no indication of what it is going to do, no indication of how this will work with the federal proposals, no indication of any continuing meetings.

Now I look forward, if the minister is going to respond on this, to give us some idea of what those plans are and what the government's proposals are, because so far what we have seen is a decision arrived at because of electoral fortunes and essentially a plan which has yet no detail, no opportunities for Manitobans to examine what the real proposals of the government are.

But we look forward, Madam Speaker, in the spirit of private members' resolutions, with optimism, to a government which is going to acknowledge that Manitoba students are carrying a heavy debt, that Manitoba students do need access, that increasingly older students need support in their programs at colleges and universities, and that part of that support comes in essentially opening the door to them, that saying, yes, you can do this; yes, there will be supports. When you complete your degree or diploma or college, there will be the opportunity for those of you who have extraordinary debts to have some relief from that. That seems to me as good a policy now as it was 10 years ago.

**Hon. Linda McIntosh (Minister of Education and Training):** I am pleased to be able to rise and place a few words on the record about the many things we have done to try and assist students with the costs of their post-secondary education in Manitoba.

I find it saddening in many ways that the members opposite, who know the things we have been doing because their colleagues in other provinces acknowledge them, still must feel in every instance that they have to be negative simply for the sake of being negative. You know, to begin by saying that it is always—for the member opposite, to begin by crying for debt relief, saying that it has always been done in certain other provinces, whose predecessors, by the way, were not NDP, so it was always done in British

Columbia and always done in Saskatchewan. It was always being done by governments that were not NDP governments, but never stopped here to say how ironic that in Manitoba it has not always been done in Manitoba where the NDP governed throughout the '80s and it was not done by our predecessors. The member stated that as a point for why she should continue with harsh negative criticism against this government for no reason other than just to be negative.

\* (1720)

I find that that is sad because I think that together she really does care about student debt and I really care about student debt. It would be really good if, for a change, the two of us could agree that we both have the best interests of students at heart and that in their day they did some things that were good and in our day we have done some things that were good. All of us together have, under the circumstances within which we must function, we have had the reduced transfer cuts. We have had all of those things. We had the debt, ironically left to us by members opposite, that we had to cope with.

Having said all that, though, Madam Speaker, we have done some incredibly good things that have been acknowledged in writing by students, by the presidents of student bodies, thank you for these things that we have done. I think it is time that they were acknowledged by members opposite in order for no other reason than to enhance their own credibility. They are seen and perceived to be people who just criticize, criticize, criticize, and they could enhance their own credibility by acknowledging some of the good things they have done in, particularly, this area where we have really helped students.

In terms of short-term and long-term strategies for debt management, on this specific motion, we have continually urged the federal government to assume its proportional share of student loan debt and implement meaningful measures which will reduce debt to manageable levels, and we do not apologize for that. The member seems to think it is a shame we went and asked Ottawa to take the fiduciary responsibility here. In fact, Madam Speaker, the federal government responded, and they announced new improvements to

the Canada Student Loans Program in the recent federal budget.

Let me describe how this will now work. We waited until we got the federal understandings and then we were harmonizing our efforts with theirs for a package that would be complementary for students. Effective in 1998, borrowers can earn more and still be eligible for interest relief. The interest relief period was previously expanded from 18 months to 30 months, which will assist students who are having difficulty repaying their Canada student loans.

Additionally, the repayment period will be extended if the student still has difficulty repaying the loan after using 30 months of interest relief. This repayment period can be extended from 10 to 15 years. This means, Madam Speaker, that a student's monthly payments will be reduced by approximately 25 percent to enable the student to manage repayment. This is good.

If after extending the repayment period the borrower still has difficulty repaying, interest relief will be extended from 30 to 54 weeks. After exhausting the above benefits, if the borrower still experiences repayment difficulty, effective this year, the federal government will reduce the Canada student loan principal in some instances to a maximum of \$10,000 or 50 percent of the CSL, whichever is less.

Due to the 60 percent federal, 40 percent provincial split in cost-sharing the needs assessment, Manitoba will provide up to \$6,667,000. The federal government is also pleased to provide new Canada study grants to students in financial need who have children or other dependents. The amount of up to \$3,000 a year will assist students with dependents who often have the greatest need.

Madam Speaker, I have got to just correct a figure here. I had written these figures down and that figure I quoted earlier should be \$6,667, so that it is an accurate recounting in Hansard. I have to read what I have written down in terms of the figures to make sure they are accurate.

In addition to those other measures, the federal government has announced the new Canada

Millennium Scholarship Foundation, starting in the year 2000, to provide more than 100,000 students with an average of \$3,000 per year. The federal government has also announced tax-related initiatives such as the tax relief for interest on student loans, tax relief for part-time students and tax-free registered retirement savings plan withdrawals for returning adult students, as well as, provision of grants for contributions towards registered education savings plans.

Although Manitoba is concerned about new bankruptcy amendments and the federal consideration to deny loans to students considered as credit risks, the positive changes announced in the budget are welcomed and address the concerns expressed by representatives at the national stakeholders' working session on Canada's Student Loan Reform. There is still more good news for students. Our biggest good news we would like to have given them would be that our federal transfer payments of \$220 million have been restored. That good news did not come, but the federal government has addressed the question, and the member opposite is wrong to say that we should not have wasted our time lobbying as ministers because we did get these results that are helping students.

The growing concerns about student debt load and accessibility have been addressed by the Manitoba, as well as the federal, government. Manitoba is implementing both an Interest Relief Program and a Debt Reduction Program and \$1.6 million is being directed towards these new programs. An additional \$4 million, for a total of \$5 million in scholarship money, has been directed towards scholarships and bursaries by the Manitoba government. The department is committed toward providing one dollar in matching funds for every two dollars raised by institutions, and continues to consult with Manitoba's public institutions and the respective student associations regarding the design of the program. This initiative with matching funds will raise \$10 million for scholarships and bursaries in 1998-99.

The Manitoba Learning Tax Credit, which the member does not like—I do not know why because it is certainly well received—has been reprofiled to complement the above initiatives to ensure that the most needy students receive assistance. Manitoba continues to contribute \$15 million towards the tax

credit, providing a 7 percent refundable tax credit for tuition costs. Our Learning Tax Credit was brought in two years ago, hardly—what did the member say?—being brought in because we have recognized the electoral consequences, and I really wish that we would not be judged by the standards of the members opposite. Please do not judge us by your standards because our motivation—it seems everything we do right now, because we happen to be in 1998, the minute we hit 1998, everything we do, according to the members opposite, is because of—how did she phrase it again?—electoral consequences, a phrase that is uppermost in her mind, much more so than in ours.

The Learning Tax Credit has been here; this is the third year of the Learning Tax Credit. It has been of extreme benefit to students. They have praised it all over the place. Our scholarship program last year, we received praise all over the place for that as well. These are things that are not being done in the electoral year, which may or may not be an electoral year. In addition to those other things, we have pledged ourselves and we are working with the federal government, so the provincial and federal governments continue to work together toward a long-term strategy which will create a national harmonized student loan program for post-secondary students. This is based on a one-student, one-loan premise to reduce overlap and duplication. Harmonization will also create a consolidated loan package to help graduates arrange manageable repayments.

These new initiatives, except for the Millennium Scholarship, will be in place for this 1998-99 academic year, and design details are currently being developed and finalized. The member made much of the fact that the provincial design details are not yet finalized, as if somehow we had advance notice that we could begin working on these 10 years ago, when in fact she knew, or ought to have known if she is following education, that we had said clearly, along with the other provinces, that we would wait for the details of the federal budget which had indications it would have debt relief and so on for students, and as soon as we got the details of the federal budget, we would begin immediately to harmonize our own efforts with the federal government's, which is exactly what we are doing. But the federal budget, of course, did not come down until

just recently, and our own budget immediately thereafter announced our intentions in terms of the types of initiatives we put in.

\* (1730)

So, Madam Speaker, the time line is right on target, following through with our commitment to work in partnership with the federal government, and the member somehow thinks we can have the kind of remarkable memory that would enable us to see things in the future and be able to act on them ahead of time.

The combined enhancements of the federal and provincial governments address the majority of the concerns expressed by all stakeholders. The governments of Canada are responding to the needs that are identified. Manitoba has gone further in that the Learning Tax Credit provides yet an additional help as well.

So we are pleased to partner with the federal government in the implementation of new strategies for debt management, and since Manitoba itself has proactively addressed concerns of stakeholders regarding student debt and since these new initiatives have been announced in recent federal and provincial budgets, therefore we believe the motion should not stand; everything in it is being addressed or has been addressed.

The only thing that I regret is that the member either did not have the knowledge or did not have the courtesy to point out the many, many good initiatives that have taken place that are not mentioned in her motion, a deliberate ignoring that was ignored for political purposes only, I think, because the members opposite on the NDP benches are very aware of the electoral consequences of their having ignored this during their time and not having anything positive to say at this time.

So I regret that. I wish that we could hear some honest, courteous recognition of the good things that the members opposite know absolutely have happened in post-secondary education in terms of the money that has provided to help students and the debt repayment measures that are in place.

To only state one side of the equation is to mean they take their name opposition literally in that all that they can do is oppose and never, ever be positive even when things are self-evident in terms of positivity.

**Mr. Peter Dyck (Pembina):** I, too, rise and am pleased that I can add a few comments to the debate on this resolution. The member for Wolseley (Ms. Friesen) is absolutely correct that we are experiencing this, seeing that we live in the rural area. I live in the southern part of the province and, certainly, as a family we have experienced this, but before I talk about my own family experiences, I would just like to talk about my experiences as they were, albeit a few years ago.

When I came into Winnipeg and, you know, I had to come to the big city for my education, certainly I experienced also some of the trauma of having to finance my own education. I think this is very specific to the resolution that has been placed regarding student debt loan.

I had to come to Winnipeg, which is approximately 130 kilometres, and certainly had to take up residence within the city and needed to fund my education. It was costly but, at that time, for my summer job, I had the opportunity, in fact, to get a job, and I was earning 65 cents an hour. I was working at one of the local warehouses, and true as all constituents in the Pembina area, they put in long hours. If you have enough months and enough hours in the day, then even on a meagre salary it is amazing how much money you can raise in order to pay your way through university.

I, too, am concerned about the debt load that students are incurring as they, in fact, do go to university, to colleges, and certainly it impacts those much more who come from the rural areas than it does those who live within the urban setting. But, Madam Speaker, I was also going to, in relation to this, talk about our own family. I have a son who graduated from university two years ago. Of course, that is a little more current than I was talking about my own experience, but certainly there are costs that he had. I am proud to say that he did not have to take out a student loan. He was able to find a job in the summertime which was adequate, which helped to fund him through university. My daughter is currently at university, and she is doing the same thing, but I have some grave concerns about some

of the problems that some of our students are getting themselves into. I would like to talk about the whole part of the lenders and some of the concerns that they have.

Having been on one of the local boards, the credit union boards, for a number of years, it was interesting to observe how students in fact did use and did appropriate the funds that they got through the financial assistance that is available to students. I know of a number of students who in fact took out a student loan, and they bought hi-fi equipment, stereo equipment, which certainly is nice to have, but I would say that it is not absolutely necessary for them to have this kind of technology in order to go to university. Now, I would like to have seen them spend the money on buying a computer. On the other hand, too, I certainly do not believe, and I am not saying that students should not have some of these advantages and some of the technology that is out there, but what I am saying with that though is that it is very important that students use the money that they get, when they take it out in a student loan, that they use it for the purpose that it was intended.

With that, Madam Speaker, I am also saying that there are a number of students who in my opinion have not been consistent with that kind of thinking. That is a concern of mine, so as the member for Wolseley (Ms. Friesen) indicates to me in listening to the debate that she is involved in here in debating her resolution, I sense that she is saying that we should just give more money to students. I disagree with that. I believe it is accountability. That they should have money, yes, that is correct. I believe that education is extremely important, that it is extremely important that they have the finances that they need in order to be able to go to university, to go to colleges, to be able to finance their educations, I certainly agree with that, but I believe also that there is that term that we need to use, which is the word of accountability, that they need to be accountable for the dollars that they get.

So that is a concern that I have. I know that this has been, and still is, a concern that some of the lending institutions have that are involved with appropriating these funds. So I think maybe this reverts to the home, reverts to the teachings that we have in our home that we teach responsibility.

So I cannot support this resolution the way it has been put out here. I do, on the other hand, want to put forth a number of items that I believe will help to show the member that certainly we are heading in the right direction. If all students were given all the money that they needed in order to go to school, if all of us were given all the money that we needed, wherever we need it, certainly we would be living in a perfect world. That does not happen to be the case. So we need to use the money that we have, that we receive, we need to use it appropriately and wisely.

\* (1740)

There is no doubt that their concerns, the concerns of the students, the lenders, the educational institutions, the financial service representatives, there is no doubt that these have been legitimate concerns. Our government has been, I believe, very concerned about the impact of higher tuition costs on accessibility to a post-secondary education for students with limited finances. This is something, Madam Speaker, that we are continuing to address as we move on. Through the Manitoba Student Financial Assistance Program, the Province of Manitoba has provided needy students with the means to obtain a post-secondary education. Although the program is supplemental in nature, Manitoba has recognized the increasing need for debt management strategies which will enable students to complete their education with manageable debt loads upon graduation.

Madam Speaker, I believe it is important that we use the term of manageable debt loads and that we enable them to do that, but I also believe that there is a responsibility on the part of the students and, as I indicated previously, that the opportunity is there for students to get summer employment. I know that there are varying degrees of pay that are out there, but my suggestion, and it has always been that, to our children, to friends of ours, is that you get the best job that you can and then you make use of the talents that you have and you work hard, and whatever money you can glean through that, that you certainly apply that to your education.

Over the past few years, both the federal and the provincial governments have reviewed and changed the Canada Student Loans Program to provide valid needs

assessment criteria and have recognized the special needs of students with disabilities, female doctoral students, part-time students and students with dependents. However, provincial expenditures have increased dramatically due to the federal government's requirement that student financial need be cost-shared on a 60 percent federal and 40 percent provincial basis. Under the current system, students receive both a federal Canada student loan and a provincial Manitoba student loan which must be repaid when a student has completed his or her program of study.

Madam Speaker, just to digress a little bit from that theme, I was informed just lately that one of the members opposite, in fact, has taken up to 30 years to repay his student loan. Now, it is something I heard, and certainly it could be debated, but—

**An Honourable Member:** You tarnish everyone now unless you say the name.

**Mr. Dyck:** Well, again, this is what I have heard and, you know, I stand to be corrected. However, I believe that there is that fair possibility. [interjection] Well, I do not think it tarnishes everyone, but I think that, again, it shows the flexibility that has been present in this system which was there many years ago which is something that we are trying to address today.

So, Madam Speaker, despite rising costs, the program is constantly changing to recognize the ever-changing needs of students in today's society. Increasingly, students and their families have raised their concerns about access to post-secondary education and unreasonable debt loads upon graduation. Now, this government has recognized their concerns and has taken steps in co-operation with the federal government to alleviate the burden faced by students.

The federal government, in response to Manitoba's urging to assume its share of student loan debt, has implemented a number of improvements to student financial assistance. Under the new expanded Interest Relief Program, income levels have been adjusted so that more students will be eligible for interest relief. After a student has received 30 months of interest relief, if a student is still not in a position to repay their loans, they may be eligible for an extension of the repayment period from 10 to 15 years. This would

reduce their monthly payments by approximately 25 percent.

Now, obviously, Madam Speaker, as I just indicated, again, where I heard that someone had taken up to 30 years to repay their loan, now certainly we have put, I would say, more structure into it so that students know exactly what the requirements are. On the other hand, though, I would also suggest that we have been lenient, that we have taken the position that students need to be given the opportunity to get a job, and then within a certain period of time they would start their repayment.

In addition to the above assistance, if a student needs still more time to find employment or to be able to repay their loans, they will be able to apply for additional interest relief which has been extended from 30 to 54 weeks. Once a student has exhausted all of the above assistance, if they are still unable to repay their loans, the federal government will reduce the Canada student loan principal to a maximum of \$10,000 or 50 percent of the Canada student loan, whichever is less. Manitoba will provide up to \$6,667 based on a 60-40 cost-share of the assessed need.

So, Madam Speaker, I would certainly indicate to you that there is flexibility, and as I said at the outset that certainly we want to assist our students in getting their post-secondary education. In recognition that students with children have additional financial needs, the federal government will provide Canada student study grants of up to \$3,000 to help them with their costs which must be addressed in order for them to successfully complete their studies. The grants will assist students who have financial need above the maximums allowed for Canada student loans and Manitoba student loans. I am sure that you have heard of the new Canada Millennium Scholarship Foundation. The federal government has proudly announced the new funds which will be available in the year 2000 and which will provide more than 100,000 students with an average of \$3,000 per year.

In addition to the above initiatives, the federal government has also announced tax-related initiatives which will assist students and their families. These initiatives will provide tax relief for interest on student loans and tax relief for part-time students. To recognize the growing financial needs of adult students,

the federal government will also allow tax free registered retirement savings plan withdrawals for returning adult students.

There is also a new provision of grants for contributions towards registered education savings plans. Madam Speaker, I would just like to stop there for a moment. I believe that is an excellent way of allowing students to gather money but also to put it aside, which is exempt from taxes. It is sort of like an RRSP, and I think this is great.

**An Honourable Member:** Twenty years from now those families will have it, but what will they do for next year?

**Mr. Dyck:** The honourable member for Wolseley (Ms. Friesen) is talking about a time to come. I think that we always must be proactive in our thinking, and certainly we are doing that.

**An Honourable Member:** What does that do for next year?

**Mr. Dyck:** The member is wondering what really is taking place here. I just have the indication that I need to wind up fairly quickly, so I want to thank you very much for the opportunity to put these comments on the record. I must regretfully say that I cannot support this resolution.

**Mr. Kevin Lamoureux (Inkster):** Madam Speaker, I, too, just want to put a few words on the record with reference to this resolution because it is an important resolution. I listened to both the Minister of Education (Mrs. McIntosh) and the member for Pembina (Mr. Dyck). It is somewhat different as a Liberal sitting inside the Chamber and being told of all these wonderful, new federal programs that are coming down. [interjection] Federal Liberal programs that are coming down. It seems that the government in Ottawa has given the motivation for this government to take more action on this particular issue. And if that is what it takes in order to get the government to stand up and make notice or take more action, that can be a positive thing.

What I want to comment on specifically is in the real world, what we are talking about is—I do not know if it

was the member for Wolseley (Ms. Friesen) or someone brought it up a week or so ago when they talked about how much a student has to work today compared to in 1980. It is a significant amount more for a student to be working in order to be able to get the same type of education that was being given a number of years ago. That has got to obviously draw a lot of concern.

\* (1750)

Another very interesting point was the very first WHEREAS where it talks about when a quarter of the operating revenues of universities made up tuition in 1995 which is significantly up from the 1975 of one-sixth. Well, Madam Speaker, we are relying more and more on university and college students to finance their education, and those costs are in fact going up. I would be interested in hearing what the government is doing to try to look at some of those costs. I, too, attended university, and I can recall buying the Intro to Sociology textbook, volume or No. 6 or No. 7 or whatever it might have been. These are very expensive books. What I found is that it was used for one year, and then they went on to some other text the following year. Well, if you get a number of courses in which you are actually purchasing books on an annual basis and you are not able to resell them to students that are coming in, it adds to the cost.

If you take a look at what is the per capita cost of educating in the province of Manitoba, someone for post-secondary education, it is something that causes some concern. Are there areas in which what we could be doing to try to bring down or assist in maintaining some of those costs? There is a responsibility of government in terms of reviewing, and that is in essence what this is talking about. This resolution is having a comprehensive review of the issue of debt financing and what role the government might be able to play. The only thing that I would have liked to have seen as a part of this is that, at least, maybe in one of the WHEREASes, where we acknowledge that there is more to post-secondary training than our universities and our colleges.

For the individual that graduates from Grade 12 that enters the workforce, there is a need to ensure that some of these companies do have or can receive some sort of assistance, whether it is apprenticeship or direct

training programs. Because we subsidize, as taxpayers, individuals that go to colleges and universities, I think there is a responsibility also to the individuals, or at least to provide where possible, individuals that want to be able to enter directly into the workforce but do need some skill upgrading on hand, and you have a private company that is prepared to provide that sort of training.

There are a couple of industries, for example, that come to mind whether it is our aerospace industry, whether it is our garment industry, these are industries, or even some of the high tech industries in which there can be and we should have more training taking place. I think there is a role at least in part, not wholly—you have to hold these corporations accountable, get them to invest more. I think compared to the United States, we get nowhere near close to the same sort of reinvestment in our employees as some of the large American corporations down south. So we need to hold them more accountable, but most importantly we do need to recognize that there is a role for governments in that area also.

The Workforce 2000 program, for example, is one that I would make reference to, but dealing specifically with the resolution that is before us, I do believe that the member for Wolseley (Ms. Friesen) does have an excellent point when we talked about implementing some sort of a comprehensive strategy in order to assist our students. I think that we owe it to them, at the very least, and we would like to see a government taking more of a proactive approach in dealing with this very serious issue that is facing thousands of Manitobans. Thank you, Madam Speaker.

**Mr. David Faurichou (Portage la Prairie):** Madam Speaker, I am very pleased to have the opportunity to put a few words on the record in regard to Resolution 31 which has been proposed by the honourable member for Wolseley (Ms. Friesen). This resolution, its intent, is certainly well qualified and, on that point, one could consider supporting this resolution. However, it concludes by asking for a comprehensive strategy towards student debt relief for both university and college students.

Madam Speaker, I believe that this comprehensive strategy is well on the way to coming into an existence.

In fact, I would like to remind the honourable member opposite that Manitoba's seven post-secondary institutions and their respective student associations and unions have indeed been consulted to develop guidelines for programs that are currently coming into play. By working co-operatively, the government of Manitoba has acknowledged the needs of students and has undertaken a manner in which to address those particular needs. The new initiatives that are coming forward are an effort to meet dollar for dollar the programs which will, in fact, initiate more than \$10 million in scholarships and bursaries over the next couple of years.

It is very important that the members opposite recognize that there is an ongoing change and evolution in the educational field and how that education is, in fact, financed. I, too, am a university graduate and understand full well the poverty which sometimes comes with that connotation of being known as a student. I, for one, attempted to garner loans to help finance my personal education, however, because of the loan criteria I was prevented from qualifying for any loans. I think the members opposite can recognize that there are certainly dollars available, but one must also recognize the loan criteria as to be one avenue to which discussions must be undertaken.

The family income, even though it may be substantial, one must also recognize the obligations that those families have and must also recognize the amount of monies that the family may have to devote towards their children's education. That is equally as important as dollars available in the loan and bursary areas.

Madam Speaker, the government of Manitoba has, indeed, been working co-operatively with other provinces and the federal government to address issues

raised by students, the lenders, the educational institution and other representatives regarding the need for changes to the student financial assistance. Manitoba representatives have held discussions with national stakeholders working session on Canada Student Loan reforms with the Intergovernment Consultative Committee on Student Financial Assistance and with federal representatives and student groups regarding the need for change and possible alternatives to the present level of assistance.

Almost everyone agrees the changes are needed to address the accessibility and the need to address the rising tuition costs, the higher debt loads and current defaults on student loans. I have personal experience with not only my own level of education but that of close friends, who had very talented and gifted young women who attended university, but because of the family income did not qualify for student loans and currently have had to remortgage their home, putting them back, perhaps, 20 years in their financial situation, one that they did not, now approaching retirement age, expect.

So, Madam Speaker, it is paramount that we as a government recognize and attempt to address the need for a criterion and level of funding that is needed in this particular—

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable member for Portage la Prairie (Mr. Faurichou) will have 10 minutes remaining.

The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

# LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 19, 1998

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