



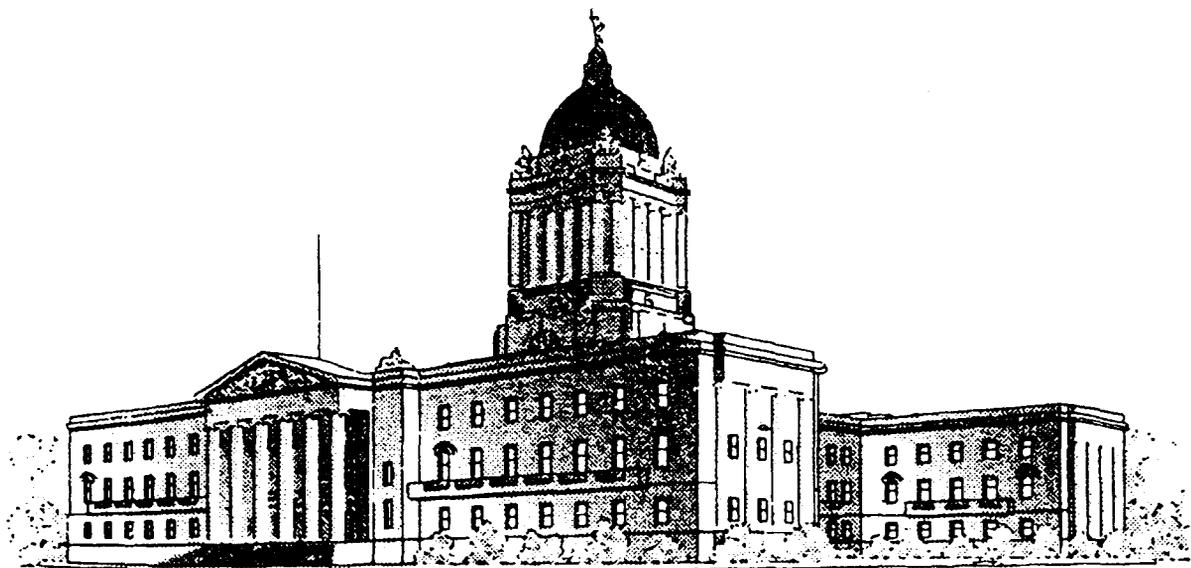
Second Session - Thirty-Sixth Legislature

of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(Hansard)**

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Speaker*



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

**Members, Constituencies and Political Affiliation**

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

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Wednesday, October 9, 1996**

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

**PRAYERS**

**ROUTINE PROCEEDINGS**

**PRESENTING REPORTS BY  
STANDING AND SPECIAL COMMITTEES**

**Standing Committee on Law Amendments  
Third Report**

**Mr. David Newman (Chairperson of the Standing Committee on Law Amendments):** Madam Speaker, I beg to present the Third Report of the Standing Committee on Law Amendments.

**Mr. Clerk (William Remnant):** Your Standing Committee on Law Amendments presents the following as its Third Report.

**An Honourable Member:** Dispense.

**Madam Speaker:** Dispense.

*Your committee met on Monday, October 7, 1996, at 7:30 p.m. in Room 255 of the Legislative Building to consider bills referred.*

*Your committee heard representation on bills as follows:*

*Bill 8—The Chiropodists Amendment Act; Loi modifiant la Loi sur les chiropodistes*

*Dr. Colledge—Manitoba Chiropodists Association*

*Bill 10—The Pharmaceutical Amendment Act; Loi modifiant la Loi sur les pharmacies*

*Vera Chernecki—Manitoba Nurses Union*

*Your committee has considered:*

*Bill 8—The Chiropodists Amendment Act; Loi modifiant la Loi sur les chiropodistes*

*Bill 9—The Public Health Amendment Act; Loi modifiant la Loi sur la santé publique*

*Bill 10—The Pharmaceutical Amendment Act; Loi modifiant la Loi sur les pharmacies*

*Bill 13—The Highway Traffic Amendment (Lighting on Agricultural Equipment) Act; Loi modifiant le Code de la route (éclairage de l'équipement agricole)*

*Bill 300—The Salvation Army Catherine Booth Bible College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le Collège biblique Catherine Booth de l'Armée du Salut*

*and has agreed to report the same without amendment.*

*Your committee has also considered:*

*Bill 38—The Health Services Insurance Amendment Act(2); Loi no 2 modifiant la Loi sur l'assurance-maladie*

*and has agreed to report the same, without amendment, by a counted vote of 6 Ayes, 3 Nays.*

*Your committee has also considered:*

*Bill 20—The Highway Traffic Amendment (Miscellaneous Provisions) Act; Loi modifiant le Code de la route - modifications diverses*

*and has agreed to report the same with the following amendments:*

**MOTION:**

*THAT the following be added after section 18 of the Bill:*

*Consequential amendment*

*18.1 If, during the second session of the 36th Legislature, Bill 37 entitled **The Ambulance Services Amendment Act** is assented to, the definition "ambulance service" in clause 2(b) of this Act is repealed, and the following definition is substituted:*

*"ambulance service" means an emergency medical response system licenced under The Emergency Medical Response Act;*

**MOTION:**

*THAT section 19 be amended*

*(a) in subsection (1), by adding "and 18.1" after "section 18"; and*

*(b) by adding the following after subsection (2);*

*Coming into force: section 18.1*

*19(3) Section 18.1 comes into force on the day The Ambulance Services Amendment Act, Bill 37 of the second session of the 36th Legislature, comes into force.*

**MOTION:**

*THAT Legislative Counsel be authorized to change all section numbers and internal references necessary to carry out the amendments adopted by this committee.*

*Your committee recommends that the fees paid with respect to the following private bill be refunded, less the cost of printing:*

*Bill 300—The Salvation Army Catherine Booth Bible College Incorporation Amendment Act; Loi modifiant la Loi constituant en corporation le Collège biblique Catherine Booth de l'Armée du Salut*

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

**Motion agreed to.**

**Standing Committee on Economic Development  
Third Report**

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

**Mr. Clerk:** Your Standing Committee on Economic Development presents the following as its Third Report.

**An Honourable Member:** Dispense.

**Madam Speaker:** Dispense.

*Your committee met on Tuesday, October 8, 1996, at 10 a.m. in Room 255 of the Legislative Building to consider bills referred.*

*Your committee has considered:*

*Bill 21—The Oil and Gas Production Tax and Oil and Gas Amendment Act; Loi concernant la taxe sur la production de pétrole et de gaz et modifiant la Loi sur le pétrole et le gaz naturel*

*and has agreed to report the same with the following amendments:*

**MOTION:**

*THAT subsection 5(5) of the English version be amended by striking out "equired" and substituting "required".*

**MOTION:**

*THAT clause 16(1)(e) be amended by striking out "or an inspector" and substituting "in".*

*Your committee has also considered:*

*Bill 42—The Northern Affairs Amendment Act; Loi modifiant la Loi sur les Affaires du Nord*

*and has agreed to report the same with the following amendments:*

**MOTION:**

*THAT the proposed clauses 12.1(2), (3) and (5), as set out in section 2 of the Bill, be amended in the French version by striking out "des Finances".*

**MOTION:**

*THAT the proposed subsection 50(4), as set out in section 14 of the Bill, be amended*

(a) by striking out the section heading and substituting "Fee for copies"; and \* (1335)

(b) by adding "or resolution" after "by-law".

**MOTION:**

THAT the proposed section 77, as set out in section 22 of the Bill, be amended by striking out "clause 72(a)" and substituting "clause 72(b)".

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

Motion agreed to.

**TABLING OF REPORTS**

**Hon. Linda McIntosh (Minister of Education and Training):** I am pleased to table the Annual Report, 1995-96, for the Universities Grants Commission, the Annual Financial Report 1996 for the University of Manitoba, the Annual Financial Report for Brandon University, the Annual '95-96 Report for the Department of Education and Training and, finally, the Financial Statements for the year ended March 31, '96, for the University of Winnipeg.

**Introduction of Guests**

**Madam Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery, where we have with us today, Mr. Paul Schellekens, Consul General of The Netherlands, accompanied by Mr. Pieter Uiterlinden, Consul of The Netherlands.

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

Also seated in the public gallery, we have forty Grades 7, 8, 9 and 10 students from the Maples Collegiate under the direction of Mr. Murray Goldenberg and Mr. Rick Pigaw. This school is located in the constituency of the honourable member for The Maples (Mr. Kowalski).

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

**ORAL QUESTION PERIOD**

**Minister of Justice  
Accountability**

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

Judge Pullan, when he sentenced Dennis Williams to Headingley Jail for three months, stated, and I quote, that depriving you of your free time may well have some detrimental and deterrent effect on you.

Mr. Williams did not serve any time in jail, contrary to the wishes of the judge that a deterrent be put in place.

I would like to ask the Premier, is it not the responsibility of his Minister of Justice (Mrs. Vodrey) that Judge Pullan would know that no deterrent was available for Mr. Williams because of decisions made in the Department of Justice? Is it not the responsibility of the Minister of Justice to ensure that judges know that sentences they are giving for deterrence will be followed?

**Hon. Gary Filmon (Premier):** Madam Speaker, I just want to point out to the Leader of the Opposition that Judge Pullan is a she, not a he.

I will say that is a matter that has been discussed. In fact, that very quote was quoted yesterday in the preamble to a similar question asked by members opposite. It has already been indicated that the Minister of Justice has undertaken to investigate just exactly what information was provided and what discussions were held among senior officials of her department and judges.

But, clearly, the matter was quite well known. It seems as though defence lawyers were well aware of it, that many people throughout the court system were well aware of it, so I will just leave it at that. We have responded to this issue yesterday in a greater detail, I am sure.

**Mr. Doer:** Madam Speaker, it is the Minister of Justice who is responsible and has the duty for the administration of the justice system. The buck stops with the Minister of Justice's desk in terms of ensuring that justice is

implemented in the province of Manitoba. You have one division in the Minister of Justice's department implementing decisions on behalf of the Minister of Justice, you have no knowledge in the courts, and you have no knowledge that the Crown attorneys had.

I would like to ask the Premier, what does it take for a minister to be responsible in this Chamber for their responsibilities? Judges are now saying that if they knew that the Minister of Justice had made a different decision on intermittent sentences, they would have given different sentences to ensure the deterrence of jail time was in place. I would like to ask the Premier, how can he keep a Minister of Justice in place in her portfolio when she has clearly failed in her responsibilities and duties to ensure that the courts and the Crown attorneys were aware of decisions that she had made to deal with the no-jail time for intermittent sentences, Madam Speaker?

**Mr. Filmon:** Madam Speaker, it is clear that from even the information provided by the member opposite and media, many people throughout the judicial system were aware of it. The question as to who was made aware and who was responsible to make people aware and how that took place is being investigated.

**Mr. Doer:** Judge Oliphant has said that he and the judges were not aware. The Crown attorneys have stated that they did not know that jail time would not be served on intermittent sentences. They have said that they would give different sentences, obviously not intermittent sentences, if they had that knowledge. It is the responsibility and duty of the Minister of Justice to ensure that this emergency decision was implemented fully throughout the justice system.

What does it take this Premier to do to hold the minister accountable in this Chamber? I mean, ministers in Ottawa have resigned for letters to the immigration board. This Minister of Justice fails to inform judges, fails to inform Crown attorneys, I believe goes contrary to the Criminal Code which requires 14 days imprisonment under Section 255, mandatory imprisonment for sentences on drunk driving, a second offence. What does it take this government to hold a minister accountable in terms of the administration of justice here in the province of Manitoba?

**Mr. Filmon:** The matters that are referred to by the Leader of the Opposition have been responded to on numerous occasions over the past 48 hours.

\* (1340)

### Impaired Driving Convictions Criminal Code Provisions

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, my question is to the First Minister. The Criminal Code in the section referenced by the Leader of the Opposition requires that anyone who is convicted of drive-impaired be sentenced on the second offence to imprisonment for not less than 14 days, and yet we have Mr. Cory Sigurdson on September 17 being sentenced by Judge Minuk indeed to 14 days. The judge had no choice.

My question for the minister is, does she not recognize that the Minister of Justice had no choice? What other provinces are not upholding the Criminal Code, in fact, what other provinces are breaking the Criminal Code?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Madam Speaker, just first of all in a general sense, I did inform the House on May 28 of what was being done in terms of those people serving intermittent sentences. This was not new.

Madam Speaker, I made it clear yesterday that a formal notification should have been given to the judiciary, should have been given to the Crown. I have asked for a report from my department as to why this did not occur. If it did not occur, I want to know why.

I can tell the members now and the people of Manitoba, we do have a new acting assistant deputy minister of Corrections. We do have a relatively new ADM of Prosecutions. There is now a committee in which those three areas of Corrections, Courts and Prosecutions will on a weekly basis meet to exchange information so that there is not any further difficulty in this area. As the member knows, there are hundreds, if not thousands, of decisions taken across the Department of Justice regularly, and we will make sure that they are communicated.

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

**Mr. Mackintosh:** My question to the First Minister, which was not answered by either him or the Minister of Justice, is why, in the face of the requirement in the Criminal Code for imprisonment of not less than 14 days for a second drive-impaired and the judge's decision, what legal opinion, in her mind, in the Minister of Justice's mind, enabled her to commute that sentence, to interfere with the independence of the judiciary because—

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

**Mrs. Vodrey:** As I answered yesterday and did call into question the knowledge of the member for St. Johns and his legal training, is that Corrections does administer the sentencing. There is an emergency provision as well.

We had a riot. We have had to rely on that emergency provision in relation to intermittent sentences. That is the answer I gave yesterday, and I believe it remains the answer today.

**Mr. Mackintosh:** Would the minister tell this House, tell Manitobans what legal opinion she has which gave her licence to break what is the long-standing decision, principle, handed down by three centuries of legal and constitutional history, that the Crown cannot suspend laws or the execution of laws without the consent of Parliament? What legal opinion does she have—

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

**Mrs. Vodrey:** Well, to recap the answers I have given over the past two days, we do not like what has happened. It is absolutely not our choice to have people sentenced intermittently to not serve that jail time. It is our desire to have them serve that jail time. We do not like it either.

However, there was a riot at Headingley, clearly known. We have relied on emergency provisions to deal with these intermittent individuals. They are reporting to our Community Release Centres. They are in fact doing some work for the community which in fact, in the past, members opposite had felt was important.

Corrections has, to my knowledge and to the knowledge of most, always been in charge of the

administration of the sentence, and that is what has happened now. But do we like it? No, we do not like what has happened.

\* (1345)

**Mr. Mackintosh:** A new question, Madam Speaker.

**Madam Speaker:** A new question.

**Mr. Mackintosh:** Does the minister not understand that not only was her refusal to tell the Crowns, to tell the judiciary that intermittent sentences would not be executed by this government—does she not understand that the decision itself was not only wrong but illegal, that she has broken the law of this land? She has broken the provisions of the Criminal Code, Madam Speaker. She has interfered with the independence of the judiciary. Does she not understand that?

**Mrs. Vodrey:** I totally reject the term, “refusal to tell.” That is absolutely not the case. If I was refusing, I would not have come into the House and made a public statement about exactly how intermittent sentences were being handled.

I have explained the situation to the member. I have explained that our side, our government, and I as minister especially am not happy with what has occurred. But we were faced with a riot, and we had to make the accommodations that we did.

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

**Mr. Mackintosh:** Would the minister simply explain to Manitobans what legal authority she thinks she has, to take action in the face of words in the Criminal Code which say that on a second offence for impaired driving one must be imprisoned for not less than 14 days, which Mr. Sigurdson was, and yet she ensured that that law was broken, that he would not be imprisoned for 14 days?

**Mrs. Vodrey:** We certainly take any issues relating to drinking and driving offences very seriously. In fact, we know our government has led the way in that area, and there will be further announcements coming forward in the very near future about how we will be dealing with that.

Madam Speaker, in summary, I will just repeat again: This is not a situation which we like; in fact, we do not like it at all, but we had very unfortunate circumstances, and decisions were made. I am informed according to the emergency provisions; I have asked my department why, in fact, there was not a better communication between the divisions within the Department of Justice. I have explained now to the people of Manitoba that there is a committee, there are new people in leadership in those divisions. There is now a committee for the sharing of that information. But nothing can take away the fact that this was spoken about publicly and it also was a widely known issue.

**Mr. Mackintosh:** Trying to get through here to this minister—

**Madam Speaker:** Order, please.

**Mr. Mackintosh:** Would she try and explain to Manitobans how it is that she thinks she has the authority as a member of the Crown, if you will, the executive, to subvert not only the judiciary but the Criminal Code of Canada?

**Mrs. Vodrey:** Again, if the issue is communications, I communicated in Estimates, my staff was here in Estimates, my staff was following Estimates, the information was available, the ADM of Prosecutions was also following Estimates, so the issue of communications is one in which I have made it clear—it should not have happened.

I have answered the member's questions now over and over.

\* (1350)

### **Impaired Driving Convictions Criminal Code Provisions**

**Mr. Gary Doer (Leader of the Opposition):** My question is to the Premier.

I have asked the Premier on a previous question, and we have asked the Minister of Justice—Section 255 of the Criminal Code requires an imprisonment of 14 days—is the Premier today satisfied with the answers of his Minister of Justice, or does he not feel as we do, that the

decisions of his Justice department undermine the justice system in this province and all the attempts of the federal government, the provincial government to deal with drunk driving with strong jail sentences that are implemented here in the province of Manitoba?

**Hon. Gary Filmon (Premier):** Madam Speaker, the Minister of Justice has indicated the emergency provisions under which her department took action. The question has been asked on numerous occasions; I cannot do anything more to explain it to the member opposite.

### **Minister of Justice Accountability**

**Mr. Gary Doer (Leader of the Opposition):** Madam Speaker, we have heard from provincial judges who have stated that they were not in knowledge of the government's action and decisions or the so-called emergency that is alleged by the Minister of Justice.

I would like to ask the Premier (Mr. Filmon): Do you not think it is the responsibility and duty of the Minister of Justice to inform the Manitoba judges of the government's so-called emergency and failure to do so is a failure to administer the justice system of this province and failure to administer the justice system of this province should mean a resignation, rather than statements saying, I am not happy about what happened?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** The member has made allegations during the course of Question Period that judges would have decided differently. If the member has the name of a judge who has come forward and said they would have decided differently, I believe that he should make it public.

Madam Speaker, the member has consistently said that he has individuals who have come forward and said that. The information that we have received is that there was one comment made in which the judiciary expressed some concerns around the formal communication. However, if there is any indication the member has that judges would have decided differently around the administration of justice, which the member has alleged in this House, I believe he should make it public. Who is it; when?

**Mr. Doer:** I would like to ask the Premier: One decision and action not communicated by the Minister of Justice who is responsible for the Justice department, who allegedly declared an emergency, to not have persons serving any jail time for intermittent sentences, contradicts judges who want to sentence people to jail for drunk driving offences and other sentences as a deterrent. If a judge wants jail time for a deterrent for an individual charged and convicted, does not this Minister of Justice, by her negligence, incompetence, undermine the whole issue of deterrence and therefore undermine the whole justice system and therefore should be removed, Madam Speaker?

**Hon. Gary Filmon (Premier):** Madam Speaker, we see how ridiculous the members opposite are when the Leader of the Opposition talks about alleged emergencies. We lost an entire correctional institution that is the largest one in our province, and this is an alleged emergency to the Leader of the Opposition. How desperate, how stupid can he be to suggest that everybody else in Manitoba did not have any idea that there were certain circumstances prevailing with the shutdown of our largest penal institution and that certain provisions and certainly unexpected circumstances and decisions that nobody would have chosen to take had to be taken? You know, that is the responsibility of being in office, is to take action in emergency circumstances, and a whole lot of things were done as a result of the emergency, not the alleged emergency, that occurred as a result of the riot at Headingley. It is absolutely ridiculous for the member opposite to be trying to make political hay out of this.

\* (1355)

#### Laboratory/Imaging Services Information Request

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

The Manitoba Association of Health Care Professionals filed through Freedom of Information to get some valuable information, and that was, what were the gross amounts paid to each of the private laboratories and X-ray clinics in the province of Manitoba? They were rejected from within the department. Then they appealed it to the provincial Ombudsman's office, and the

provincial Ombudsman's office agreed that that information should be released. Unfortunately, Madam Speaker, this department has again said no. Now the association is taking the department to court.

I am wondering why the Minister of Health would not allow information of this nature to be known.

**Hon. James McCrae (Minister of Health):** There is a process under The Freedom of Information Act that routinely is followed when people seek information. Madam Speaker, with respect to the position taken by the department after the Ombudsman's recommendation was made known, it is something I will look into further and advise the honourable member.

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

**Mr. Lamoureux:** Madam Speaker, I will table a letter that was sent to me, or cc'd to me, and I am sure the minister will in fact be interested in receiving the copy. In it, it does state that there is going to be a hearing date—

**Madam Speaker:** Order, please. I would ask that the honourable member please pose his question now.

**Mr. Lamoureux:** My question to the minister is: Does this government not realize that it is sending the wrong message when it is saying to individuals or organizations that want information that they are going to have to go to court in order to try to attempt to get that information, and that this particular minister today will make the commitment giving the information that has been requested to the Manitoba Association of Health Care Professionals?

**Mr. McCrae:** Madam Speaker, it is our wish, as we address all of our health needs in our province and address how to change them in order to make them sustainable for now and for future generations, to be as open as we can possibly be. If there are some proprietary or other reasons that give rise to this, then that would be the response, but, as I have said, I would check into this further for the honourable member.

**Mr. Lamoureux:** Madam Speaker, will the minister then report back to the House within the next week with respect to the reasons why it was rejected when we as a

caucus requested the information in terms of the costs of the super regional health boards in rural Manitoba?

**Mr. McCrae:** Yes, I have made those commitments, and it would be my intention to honour those commitments, Madam Speaker.

### Correctional Facilities Space Availability

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, six months ago, approximately, was the riot at Headingley Institution. At that time the minister said that there was some change with the policy with respect to intermittent sentences, but the minister said, no comment and no change about TAs. The minister had no information to offer this House or the public with respect to TAs that are now the subject of so much controversy.

Madam Speaker, my question to the Minister of Justice is, how does the minister explain that there is no room for these people who are convicted of offences and to be sent to jail when we know at Stony Mountain there are 34 positions, and Annex A at Headingley, there are 50 to 60 positions, in the gym there are places, at Bannock Point there are 40 positions and Saskatchewan recently returned 30 inmates who Manitoba could have kept in Saskatchewan and had room here to put those people who were sentenced? How does the minister now have that excuse and say there is no room?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Madam Speaker, yesterday I believe the member for St. Johns (Mr. Mackintosh) also indicated Annex A was open. Well, he is wrong. The members across the way seem to get their information from inmates, where I notice a number of people have received their information. Inmates phone them.

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

**Madam Speaker:** Order, please. The honourable Minister of Justice, to complete her response.

\* (1400)

**Mrs. Vodrey:** Thank you very much, Madam Speaker. The information from Corrections officials, not the

inmate group the members opposite talk to, is Annex A is not fully restored. It is not fully restored in the matter of security and the control posts. Annex A is not available for the housing of intermittent inmates.

Correctional officials have been in touch again with Stony Mountain. Stony Mountain has indicated to us that they are reluctant to take additional provincial inmates because of some concerns of their own within their own institution. Furthermore, the Correctional Services of Canada have asked us to consider repatriating five of our offenders who are currently housed in Stony Mountain. We have also been in contact with Saskatchewan, and they have indicated the same concerns. They are concerned about the stability of their own correctional institution. So, at the moment, the members are trying to present what they consider to be an easy option. Where they got their information, I do not know.

**Mr. Chomiak:** Madam Speaker, is the Minister of Justice—

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

**Madam Speaker:** Order, please.

**Mr. Chomiak:** Madam Speaker, maybe the Premier (Mr. Filmon) will answer the question—

**Madam Speaker:** Order, please. The member for Kildonan, with a supplementary question.

**Mr. Chomiak:** Madam Speaker, we are very sorry that people of Manitoba have to be put through this kind of fiasco in having people who should be in jail, on the street. That is what this side is very sorry about and all Manitobans.

My question to the Minister of Justice is, is the minister saying today that there is no room at the gym at Headingley for the utilization, at Bannock Point, with 40 positions, or that Saskatchewan would not repatriate or take prisoners in order to ensure that prisoners who are sentenced to jail have to spend their time in jail? [interjection] Again, if the Premier wants to answer the question, perhaps he can get up and answer the question.

**Madam Speaker:** Order, please. Would the honourable member for Kildonan quickly complete his question.

**Mr. Chomiak:** Will the minister indicate in this House that there is absolutely no room at Bannock, no room at the gym at Headingley and no possibility of repatriation or movement of prisoners between Saskatchewan and Manitoba to ensure people who are sentenced to time in jail spend their time in jail?

**Mrs. Vodrey:** Madam Speaker, people who are sentenced to time in jail, we want to see serve their time in jail, too. That is why our government has put forward \$10 million for the reconstruction of Headingley, to meet the safety and security needs, the public safety and security needs to ensure that high-risk inmates are housed separately, that intermittent inmates are housed separately.

Madam Speaker, I explained yesterday that there is also a workplace safety and health issue. This issue has been brought forward to the workplace safety and health committees who have expressed their concerns around intermittent inmates mixing with the general population. In terms of opening Bannock Point, I can tell you that Corrections informs me all available manpower is currently now working within our major facilities.

Now that is the information I received. Members across the way seem to have something else they would like to add, so I will wait until I hear what they have to say.

**Mr. Chomiak:** So the minister is saying that if available manpower was there, they would have the possibility of housing those prisoners, but because the government has cut back on manpower these prisoners are walking the street. Is that therefore a government policy? You do not have sufficient person power—

**Madam Speaker:** Order, please. The honourable member for Kildonan, to pose a final supplementary question.

**Mr. Chomiak:** Madam Speaker, is the minister therefore saying that the reason they have not opened those facilities or utilized those facilities is because of what she said in her previous response, they do not have sufficient manpower? Why is the province not willing to provide protection for Manitobans by providing appropriate manpower?

**Mrs. Vodrey:** The member across the way jumps to incredible conclusions, unbelievable conclusions. However, Madam Speaker, that is not what I said, and the members, I believe, should know that there are correctional officers who are undergoing training at the moment, but we do have—and this seems to have escaped you—some correctional officers who are currently not working as a result of the riot at Headingley, as a result of the fact that they are traumatized and they are dealing with their issues.

Madam Speaker, in dealing with that, there are correctional officers who are currently being trained. But members across the way, in all matters, whether or not there is a physical building to house inmates, whether or not we have trained correctional officers available or additional people available, they have continually overlooked and overlooked and overlooked those matters. This issue is a very difficult one to manage, and we are working as quickly as we can to deal with it.

We do not like the fact that intermittent offenders are not spending their weekends in jail. The fact is, they are out five days a week.

### **Impaired Driving Convictions Criminal Code Provisions**

**Mr. Steve Ashton (Thompson):** Yesterday I read into the record the long record of one Mr. Dennis Raymond Williams. I will not do the same with Mr. Sean Craig Malfill [phonetic] who had a very significant record as was outlined in the trial transcript, but I would like to ask the Minister of Justice, who appears not to understand the concerns of people of Manitoba about what she has been doing the last six months, how she can justify what has happened where this individual did not receive the jail time that he was sentenced to when the judge specifically prescribed that this was appropriate, jail was appropriate in this particular case, and when in fact the judge went on to say that many people refer to certain laws as being scoff laws.

Does she not recognize that right now the people of Manitoba are asking the question, if it is not the Minister of Justice who is scoffing at the laws of this province when for the last six months these kinds of individuals have not been receiving the jail time they were sentenced to?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** We certainly do not want to have our laws scoffed at or have scoff laws, which is why in fact we on our side have made every effort to toughen up regulations or to bring forward provincial laws where we believe there has been a gap in the federal system. We actually have one of those currently on the Order Paper now.

But the answer remains the same, and I have given the answer several times today. Sentencing does rest with the judges, but the administration of that sentence rests with Corrections. That is the historic fact. That is the fact now, and Corrections is charged with the administration of those sentences. They are administering them in the way that I have explained, not the way we like, not the way we want, but the way in this emergency situation that we are forced to deal with the matter.

**Mr. Ashton:** I would like to table a copy of the Criminal Code, which is very applicable to the Cory Sigurdson case. I would like to ask the minister just to acknowledge that it is the role—her role—of Corrections to enforce sentences, how she can justify not putting the resources in place since May to ensure that these individuals who require under law to spend 14 days at minimum in imprisonment, why she could not run her Department of Justice in a way to ensure that they did that on weekends.

Is she saying that her government is unable to run the justice system—

**Madam Speaker:** Order, please.

**Mrs. Vodrey:** It is very clear that our government has made a commitment—never made by the other side, ever made by the other side regardless of how many reports have been brought forward to deal with our institutional issues. It was this government that built the Remand Centre. It is this government that has put \$10 million forward to deal with the Headingley issues. So the resources, financial and personal, are there, have been put forward by this side, never by that side.

The issue of whether or not certain individual cases which have been brought forward by members opposite have been dealt with in the way the member would like, well, we would like it, too. I have made it clear, we would like it, too. When it is possible—and we are

moving as quickly as we can—that is exactly what will happen.

Madam Speaker, at the moment we are having to rely on emergency provisions, but I have made it clear. We have some of our correctional officers who are currently unable to work due to what happened at the riot. There are correctional officers in training to deal with that issue, and on the capital side, on the building side, we are also dealing with that. The answers remain the same to every question that has been asked.

### Minister of Justice Replacement Request

**Mr. Steve Ashton (Thompson):** My final supplementary, Madam Speaker: When will this minister, and when will the Premier, where the buck ultimately stops on this matter, recognize that the concerns of the people of Manitoba are that since May this government has made a choice by not allocating the appropriate resources, not to enforce the Criminal Code of Canada in certain convictions and other sentences? When will he, the Premier, understand that he has to remove this Minister of Justice and ensure that jail sentences that are issued by the courts are enforced in this province?

**Hon. Gary Filmon (Premier):** Madam Speaker, I have responded to that same question on numerous occasions both yesterday and today.

\* (1410)

### Corrections System Intermittent Sentences

**Mr. Tim Sale (Crescentwood):** Madam Speaker, from May onwards the Minister of Justice knew and has told this House she knew that the accommodation of sentenced prisoners who were sentenced for intermittent sentences and for TAs as well was a problem, but her deputy, Mr. Fineblit, did not seem to know. Corrections officials seemed to know, but Crown attorneys did not seem to know. Judges did not seem to know, but cons and their lawyers did seem to know. Nothing has changed.

If it has been going on for five or six months, how can the Minister of Justice explain such incompetent ability to communicate?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** The issue of communication, as I said, most certainly should have occurred in a formal sense. It should have occurred in a formal sense, and I want to know from my department why it did not occur in a formal sense. But, Madam Speaker—

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

**Madam Speaker:** Order, please. The honourable Minister of Justice, to complete her response.

**Mrs. Vodrey:** So we certainly believe in the formal sense that it should have. We are having some difficulty finding out if in fact it really did not occur. I have asked for that report. However, through public statements, through public comment, it was clear and known to most Manitobans the issue at Headingley, and my staff was also with me during the time of Estimates.

I have explained that there has been a change at the assistant deputy minister level in Corrections, and so it is somewhat difficult to find out the details as to exactly what communication occurred. However, I want to assure the people of Manitoba that there is a system in place now, a formal system for that reporting.

#### **Minister of Justice Resignation Request**

**Mr. Tim Sale (Crescentwood):** Madam Speaker, can the minister tell the House why it is appropriate for her to blame officials, including ones that were just appointed within six weeks or seven weeks of now? Why will she continue to blame her officials, blame her department, blame anybody but not take the responsibility herself and resign?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Madam Speaker, the issue of blaming is in the minds of the NDP. What I have asked for is to find out what has been communicated, was there anything in a formal sense, in an informal sense. I have made it clear what has been said. There is no question, we expect that it should have been communicated. If it was not, it is now formally done.

I have listened all afternoon to the hypocrisy of the other side. I have listened all afternoon to the hypocrisy

of a party who did not support the community notification process. I have listened to the hypocrisy of the other side who did not support strengthened Young Offenders, and you are on the record for your lack of support for public safety.

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

**Madam Speaker:** Order, please.

#### **Point of Order**

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

Madam Speaker, if the minister wishes to debate the justice system and her conduct, we offered that opportunity yesterday with a matter of urgent public importance. But she should not take up the time of Question Period to do anything other than what the people of Manitoba want, which is for her to accept responsibility for her actions involving the justice system in Manitoba.

**Madam Speaker:** On the point of order raised by the honourable member for Thompson, I would remind the honourable minister that she should pick and choose her words carefully so as not to provoke debate.

\* \* \*

**Madam Speaker:** The honourable member for Crescentwood, with a very short question.

**Mr. Sale:** Madam Speaker, can the Premier tell the House why a federal minister ought to resign over writing a letter on behalf of a dying constituent, but a provincial Minister of Justice ought not to resign over subverting the Criminal Code and her whole judiciary?

**Hon. Gary Filmon (Premier):** Madam Speaker, the allegation made by the member opposite is not only outrageous, it is absolutely unfactual, and I reject it completely.

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

## MEMBERS' STATEMENTS

### Hog Industry

**Mr. Mervin Tweed (Turtle Mountain):** Madam Speaker, during my time of elected office, I have heard the member for Swan River (Mrs. Wowchuk), and others in her party, asking why this government would move towards a dual marketing of hogs. For our government the issue was employment and economic opportunities for all Manitobans. However, the naysayers across the floor predicted chaos and calamity for the pork industry in Manitoba. Our government, with its foresight, realized the elimination of the grain transportation subsidies would give Manitoba's livestock industry a competitive edge. Our government decided to support further growth and development.

Hog production in Manitoba has increased from fewer than 2 million five years ago to 2.6 million today, and today the anticipated surge in hog production is taking shape in southwestern Manitoba. This fall, approval has been given for construction of two hog barns, one eight kilometres west of Souris and another 11 kilometres east of Souris. The combined value of these two facilities is expected to be about \$6.5 million, create approximately 11 permanent full-time jobs, as well as extensive economic spin-offs for all Manitobans. These types of projects also benefit our grain farmers by providing them with a way to stabilize income by investing in other types of production. I would therefore like to welcome, on behalf of Manitobans, these two facilities. *Elite Swine and Hogs is Beautiful*, to the constituency of Turtle Mountain. Thank you.

### Akjuit Aerospace Ltd.

**Mr. Eric Robinson (Rupert's Land):** Madam Speaker, this afternoon I want to congratulate the people of Churchill and the Akjuit Aerospace Corporation for overcoming daunting obstacles in the continuing effort to create a commercial polar spaceport in Churchill. The vision, commitment and hard work is beginning to pay off. Today, I was pleased to attend a press conference at which it was announced that Akjuit has signed an agreement with the Scientific and Technological Centre Complex, STC Complex of Russia. This alliance will also see a Russian satellite launched from Churchill.

This will be historic, not just for Manitoba, but also mark the first time internationally such a launch has occurred.

Since 1990, Akjuit has spent over \$20 million preparing for the spaceport. When completed, the \$400-million spaceport will be the largest privately funded project in the history of this province and will create hundreds of jobs both at Churchill and the rest of Manitoba. Akjuit will be a major user of the Port of Churchill and the Bay Line. It will be a major employer for Churchill and northern Manitoba. This announcement comes at a time when Churchill and northern Manitoba badly need some good news. Broken promises by both the federal and provincial governments over grain shipments and deals have put the Port of Churchill at risk.

At this time, the future of the Bay Line, the Sherridon line and the Flin Flon subdivision are all unclear. We on this side strongly support Akjuit's aerospace project and wish them continued success in their endeavours, also to the people of Churchill. Mayor Michael Spence and council. Thank you, Madam Speaker.

\* (1420)

### Carman Community Health Centre

**Mr. Frank Pitura (Morris):** Madam Speaker, it is my pleasure to rise today and relate to all members our government's commitment to the health of Manitobans. While I need not remind members opposite that 33.8 percent of our '96-97 budget is allocated to Health, while only 31.4 percent was allocated in '88-89, I am confident they do appreciate it.

However, Madam Speaker, I want to discuss health care on a more local basis. The Carman health district identified a need in their community, a need for a modern facility in order to recruit and retain qualified health professionals. The success of their vision is clearly demonstrated by the fact that they were able to recruit three new doctors during the summer of 1995 with the promise of a new facility. This project has been in the works for some time, and its completion in July of this year caps a remarkable local fundraising drive which saw approximately \$310,000 raised to date, an amount very close to their goal of \$375,000.

This fundraising drive, tapping into the generosity and community spirit of businesses and individuals, is a clear sign of the viability and confidence of Carman and surrounding area. There are a number of people who deserve to be acknowledged for their efforts in making the Carman community health centre a reality: Chairman of the Board Barry Driedger, board member and Town Councillor Frank Graboweski, Fundraising Co-ordinator Verna Clemis and Head Nurse Betty Park are among those I wish to mention and thank.

The list of names requiring recognition is far longer than I suggest, but I doubt I would have been granted leave to list everyone responsible, so instead I just want to thank the people of Carman for allowing me the opportunity to participate in the ribbon cutting of the community health centre and extend to them my sincere congratulations on a job well done.

#### There Comes a Time—MGEU Video

**Ms. Diane McGifford (Osborne):** On Thursday, September 26, the Manitoba Government Employees Union held the premier showing of their video, *There Comes a Time*. This video was produced by the MGEU women's committee and by the MGEU education committee. The subject is the history of women, first in the civil service and, second, in the MGEU. The format is personal interviews and recollections accompanied by materials from the archives and historical and contemporary footage. A narrative voice directs the sequence from the past to the home care workers strike in 1996.

As an historical document, the video traces the history of women in the civil service from a time when they were confined to the low-wage sector, hired nearly always as clerical staff, required to resign when they married and never considered for promotion. Intertwined with the civil service struggle is another story—

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

**Madam Speaker:** Order, please. I am experiencing difficulty hearing the honourable member for Osborne. I wonder if those people having private meetings would do so more quietly either in the loge or outside the Chamber.

**Ms. McGifford:** Thank you, Madam Speaker.

Intertwined with the civil service struggle is another story: women's battle to be taken seriously by their union. The video celebrates early women activists like May Brady who worked at the Selkirk Mental Hospital beginning in the 1920s and Doris Armstrong from Brandon, who also worked in Mental Health services. Both women died before the video was completed but, fortunately, not before their stories were told.

Activists like Joy Cooper, Ellen Olfert and Patrice Pratt document the struggles through the '70s and '80s, and Debbie Jamerson, as participant in and witness to the home care workers strike, talks about a union which now works for the lives and rights of women.

Congratulations to filmmakers Elise Swerhone and Bonnie Dickie, to Bonnie Dickie for narration and Doug Smith for the script. Most of all, congratulations to the MGEU, particularly the education and women's committee for the courage it took to recognize that there comes a time to examine the past, understand it and celebrate women in the struggle for change.

#### Winnipeg Harvest

**Mr. Doug Martindale (Burrows):** Madam Speaker, this year is the 10th anniversary of Winnipeg Harvest food bank. Ten years ago, 835,451 pounds of food were shared with Manitoba families; today, over five million pounds of food are shared with more Manitoba families. Ten years ago, 3,624 people needed food assistance; today, over 34,000 people need food assistance.

A single parent with one child, employed at minimum wage, needed to work 41 hours a week to bring the family to the poverty line 10 years ago. Today, the same single parent would need to work 75 hours per week to make the equivalent income. Ten years ago, approximately 25,000 people were unemployed; approximately 34,000 people are unemployed today. Ten years ago, the City of Winnipeg welfare cases were 6,958; today, 14,593 people. Ten years ago, there were no rural food banks in Manitoba; today, there are 43 rural food banks operating in Manitoba.

Here is the kind of assistance that is given and what people say about the benefit of the donations by Winnipeg Harvest, and I quote: Without the food provided by Winnipeg Harvest, we could not offer the hot

lunch program to 147 children. Many of the kids arrive at the centre hungry; the hot lunch is their only substantial meal of the day. Some moms run out of baby food and formula before the end of the month, so Winnipeg Harvest supplies food for their babies.

It is really no surprise that there is a need for this, given the cuts in welfare and unemployment insurance, in wages, and the increase in part-time-only employment. Winnipeg Harvest has been in the community for 10 years. It is sad that in such an affluent society, there is a need for a food bank, but the fact is that Winnipeg Harvest is providing a lifeline for some, a supplement for some, giving choice to others who choose to spend money on school trips or clothes so their children will feel comfortable with their peers.

In conclusion, I would like to thank Winnipeg Harvest food bank staff and volunteers who will contribute 100,000 hours of volunteer work this year to meet the need in the community. We hope that justice will replace charity and that 10 years from now Winnipeg Harvest will be gone. Thank you.

### Committee Changes

**Mr. George Hickers (Point Douglas):** Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Economic Development be amended as follows: Flin Flon (Mr. Jennissen) for Interlake (Mr. Clif Evans); Elmwood (Mr. Maloway) for Broadway (Mr. Santos), for Thursday, October 10, 1996, for 10 a.m.

I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Economic Development be amended as follows: Interlake (Mr. Clif Evans) for Flin Flon (Mr. Jennissen); Broadway (Mr. Santos) for Elmwood (Mr. Maloway) for Thursday, October 10, 1996, for 2:30 p.m.

**Motions agreed to.**

**Madam Speaker:** The honourable member for Gimli, with committee changes.

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

I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Economic Development for Thursday, October 10 at 10 a.m. be amended as follows: the member for Turtle Mountain (Mr. Tweed) for the member for Fort Garry (Mrs. Vodrey); the member for Arthur-Virden (Mr. Downey) for the member for Lac du Bonnet (Mr. Praznik).

I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Economic Development for Thursday, October 10 at 2:30 p.m. be amended as follows: the member for Steinbach (Mr. Driedger) for the member for Arthur-Virden (Mr. Downey).

I move, seconded by the member for Turtle Mountain (Mr. Tweed), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: the member for Riel (Mr. Newman) for the member for Niakwa (Mr. Reimer); the member for Rossmere (Mr. Toews) for the member for Kirkfield Park (Mr. Stefanson).

**Motions agreed to.**

## ORDERS OF THE DAY

### House Business

**Hon. Jim Ernst (Government House Leader):** Would you call Bill 36, please. Madam Speaker, I misread my notes. Would you call Bills 27, 71, 37 and 12.

**Madam Speaker:** And not 36.

**Mr. Ernst:** 27, 71, 37 and 12.

**Madam Speaker:** For clarification, second reading of bills in the following order: 27, 71, 37, 12 and then 36.

**Mr. Ernst:** No. Just the ones I read before.

**Madam Speaker:** Just the four.

**Mr. Ernst:** 27, 71, 37 and 12.

**Madam Speaker:** Okay. Thank you.

\* (1430)

## DEBATE ON SECOND READINGS

### Bill 27—The Museum of Man and Nature Amendment and Consequential Amendments Act

**Madam Speaker:** To resume second reading debate on Bill 27, on the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), The Museum of Man and Nature Amendment and Consequential Amendments Act (Loi modifiant la Loi sur le Musée de l'Homme et de la Nature et apportant des modifications corrélatives), standing in the name of the honourable member for Transcona (Mr. Reid).

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

**Ms. Diane McGifford (Osborne):** Madam Speaker, I am pleased today to rise and speak to Bill 27, The Museum of Man and Nature Amendment Act. I understand that this legislation serves two purposes. The first purpose of the legislation is to create a foundation which is legally distinct and separate from the museum and to ensure that legacies, donations, et cetera, become a part of the foundation's assets and therefore cannot be absorbed into the museum's regular operating budget.

It seems to me that the museum's board of directors are looking into the future, reading the writing on the wall and deciding that unless they create a distinct foundation there might come a time when legacies and donations could be or would be expected to be used for operating funds. We know that the current climate when, for example, election promises are broken and funding to institutions like CBC slashed with the kind of cavalier disregard and without the provincial government voicing any concern, we know that in a current climate when our provincial government shows little concern for these jobs in the cultural broadcasting sphere, we know it is extremely important, in fact absolutely vital and essential, for boards to be concerned about their public presence, balancing the books and fundraising. We know it is extremely important to be concerned about retaining funds for their intended purposes.

I must confess that I was initially concerned about aspects of the new legislation. Making the Manitoba

Museum's foundation incorporated a legally separate body means stopping what was a practice of awarding some research grants to other Manitoba museums, but being assured that reserving grants for work at the museum was the original and intended purpose of the foundation and knowing the relatively limited funds in the foundation, protecting funds designated for research money seems perfectly justifiable. So I congratulate board members on their foresight and on their diligence.

Second, I understand that for many years the Museum of Man and Nature, which included the Science Centre, the Museum and the Planetarium, has wanted to change its name. I know from the executive director of the museum that every few weeks she has received complaints about the name. I know from my own work in the women's community that many Manitoba women have for years been angry and hurt by the museum's name.

The current name is problematic as it is long and unwieldy, as it is sexist and exclusionary, is clumsy in translation and nonreflective of the museum's components. I am delighted that the museum's board of directors has had the good sense to ask for a change to the name, and certainly this side of the House supports the name change.

I understand that the Manitoba Museum will be the corporate name and that the popular name will be the Manitoba Museum and Science Centre. Surely this name change will satisfy all fair-minded, thinking Manitobans and especially the Francophone community who will undoubtedly be pleased with a name that makes for a happier translation.

Only language dinosaurs and fossilized patriarchs who fall back on male privilege will be disturbed by this change, and none of my colleagues, members on this side of the House, belong to these categories. We believe that the new name, the Manitoba Museum and Science Centre, is a step forward, and we recommend the bill to committee.

But one last addition. I want to take this opportunity to honour the Manitoba Museum—wrongly identified a few days ago by the member for River Heights (Mr. Radcliffe) as the Museum of Man and Nature—I want to take this opportunity to congratulate the museum on its news of expansion, and I refer here to the construction of

the Hudson's Bay Company wing which will house 6,000 artifacts from the Hudson's Bay Company collection. Congratulations to the museum's director, staff, board and all the volunteers. Certainly I look forward to viewing the collection and to reinforcing my personal understanding of our provincial history.

With that then, I recommend the bill to committee.

**Mr. Daryl Reid (Transcona):** I just wanted to add a few comments on Bill 27, the Museum of Man and Nature Amendment Act. My colleague has just a few moments ago put on record our thoughts with respect to Bill 27 and our support for this name change. In fact, it is my understanding that this bill will change the name from the Manitoba Museum of Man and Nature to the Manitoba Museum and Science Centre which I think is the appropriate change in the circumstances to remove the indication with respect to gender, leaving out a very important part of our society, in fact, the female gender. So I think that this is an appropriate change.

I would also like to indicate that the museum has provided a significant level of education and opportunities to experience, for the young people in our communities, issues relating to science. Having had the opportunity over the years to take my family to take part in this experience has been very rewarding for our children in that they were able to expand their knowledge and their experience with respect to both the history of our province as the museum activities and also with respect to the science portion of the complex and the opportunities that are presented there.

We think that this legislation is needed at this time to reflect the changes that are indicated in the bill, changing it from Man and Nature to Museum and Science Centre. We support this legislation and look forward to it going to committee where we can listen to members of the public and their comments. So with those few comments, Madam Speaker, we are prepared to pass this legislation.

**Madam Speaker:** Is the House ready for the question? The question before the House is second reading Bill 27. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

\* (1440)

### **Bill 71—The Manitoba Film and Sound Recording Development Corporation Act**

**Madam Speaker:** To resume second reading debate on Bill 71, on the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), Bill 71, The Manitoba Film and Sound Recording Development Corporation Act (Loi sur la Société manitobaine de développement de l'enregistrement cinématographique et sonore) standing in the name of the honourable member for Elmwood (Mr. Maloway).

Is there leave to permit the bill to remain standing?

**An Honourable Member:** No.

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

**Ms. Diane McGifford (Osborne):** Madam Speaker, again I am pleased today to rise and speak briefly to this bill before sending it on to committee. We know that the main purpose of this bill is to restructure the Manitoba Film and Sound's governance and administration and to clarify the relationship to the province. We understand that public consultations were carried out prior to drafting the current legislation and that officials from Culture and Heritage have examined the legislation in other provinces. We know, of course, that the public has the opportunity to make presentations when this legislation is passed on to the committee, and I of course, in my capacity as critic, have spoken to members of the film and sound community. My side of the House is always pleased to hear that the public has been consulted and that the public will continue to have a voice in the workings of legislation.

I note here that the bill stipulates that board members will be appointed by the Lieutenant-Governor-in-Council on the proposal of the minister after consultations with professional associations considered to be representative of cultural industries, that is, film, video and sound. We, of course, expect the minister to be fair and judicious with regard to the selection of consultees. I am merely noting here that there is room for possible abuse, and this will be a concern of ours and we will certainly monitor this.

I note, too, that the majority of funds from the corporation will go to film which, after all, does require a great deal of money for its production and, I understand, much more than the production of sound recordings. I do not have a problem with that, but I know as well that a mere 4 percent of Canadian cinema time is used by Canadian film, and I trust that in the future the minister may take it upon himself to do his level best in making sure that Canadians, and especially Manitobans, have an opportunity to view the films that the Manitoba Film and Sound Development Corporation is funding.

I note, Madam Speaker, that if the Province of Manitoba were marketing potash or copper or zinc, there would probably be a comprehensive plan to advance the sale of these products. We probably need the same for film and sound, and I hope the minister will take my concern under advisement. After all, if the only persons who get pleasure from films or recordings are the artists who made them, then we have the cultural equivalent of masturbation, and this is not a good idea.

Last, let us beware of colonialism in the cultural industries. If, for example, a film is shot here in Manitoba and then carried off to the U.S. to be spliced and polished and put together, then we serve as the equivalent of a natural resource, a kind of source of raw material, but the manufacturing and finishing is done elsewhere. This means that local jobs are lost and local artists will be forced to leave the province in search of challenging positions. We can and should finish work right here in the province of Manitoba. Let us remember that we are not a colony and that subservience in the arts is not necessary. There does not need to be a mother country.

Films, video games, the Internet, sound recordings, we all know that there is a burgeoning industry here capable of vast economic spinoffs. In fact, those spinoffs are already with us. We support the minister in recognizing the potential of these industries. On the other hand, we do regret the regulations included in the legislation whereby the minister, like so many of his colleagues, is intent on hugging power to himself and granting himself absolute control and authority, that centralizing tendency that we have seen in so many of this government's bills. This kind of authoritarianism is distasteful and insulting to the sensibilities of all Manitobans, and especially in

this case, those particularly affected, artists and others who work in the cultural industries.

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

Mr. Deputy Speaker, with these reservations then, I will take my seat and pass the bill on to committee.

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

**Mr. Gary Kowalski (The Maples):** Mr. Deputy Speaker, I would like to put a few words on the record in regard to Bill 71 before it passes on to committee and we have an opportunity to hear the public presentations on this. Bill 75 creates the Manitoba Film and Sound Recording Development Corporation. This corporation will deal specifically with promoting, training, development, technical and administrative aspects of the film and sound industry. This bill will give the corporation the power to administer loans and grants to the film industry. In doing so, the government hopes to tap into the multimillion dollar entertainment industry.

The entertainment industry has significantly changed in the last two years. Hollywood is still the dominant player, but as more and more films are being shot on location, the large studio complex that was once needed had disappeared. Producers are now looking for good, cheap locations with an entertainment infrastructure in place. Attracting Hollywood producers is already a big time industry in the States. Remember that a small film costs anywhere from \$10 million to \$20 million, and a blockbuster like *Waterworld* costs \$240 million. This is a lot of money to pump into a small town or a small city like Winnipeg.

By creating this corporation, what the government is saying is that they want to attract more industry like this to Manitoba. This is a noble gesture, but there are no guarantees that this will be successful. We question if the money spent on this corporation will be considered as money spent on the arts. It should be in addition to the money spent on arts and be seen as economic development. When a primary reason for our spending is to foster local talent by investing in a film and sound infrastructure, it is possible we will attract new industry and money to Manitoba, but we must ensure that local

artists benefit from this spending. So we welcome this bill to proceed on to committee and hear what the public presentations and debate occurs there.

Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 71. Is it the will of the House to adopt the motion? Agreed?

**Some Honourable Members:** Agreed.

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

### Bill 37—The Ambulance Services Amendment Act

**Mr. Deputy Speaker:** On the proposed motion of the honourable minister of Health (Mr. McCrae), Bill 37, The Ambulance Services Amendment Act, Loi modifiant la Loi sur les services d'ambulance, standing in the name of the honourable member for Swan River (Ms. Wowchuk).

Is there leave that this matter remain standing. No? Leave has been denied.

**Mr. Daryl Reid (Transcona):** Mr. Deputy Speaker, it is my pleasure to rise to add my comments with respect to Bill 37, The Ambulance Services Amendment Act. I have had the opportunity to look through the comments that are contained in Hansard of members of this House who have spoken on Bill 37, and having had the opportunity to take a look at their comments, felt that I should add my comments as well with respect to what my thoughts are on this industry and what seems to be lacking.

I want to start off, Mr. Deputy Speaker, that in principle we support this piece of legislation, although we have some reservations with respect to the regulations, which I will get to in a few moments, but in principle in looking through this bill it lays out specific areas where there will now be requirements for licensing of individuals that operate stretcher ambulance services in the province of Manitoba.

As my colleague the member for Kildonan (Mr. Chomiak) has pointed out in his comments here on Bill

37, he said that perhaps this bill was misnamed and it would be more appropriate to name it something else other than just strictly ambulance services, because it does go beyond just the need for ambulance services. There are stretcher services that are provided here. It is not just ground transportation, there is air transportation that is involved with respect to transportation of patients from one medical facility to another or from one community to a medical facility.

This legislation goes into a discussion with respect to the licensing of those persons that are going to operate the emergency medical response system or the stretcher transportation service. I think that is long overdue.

I know listening to questions that have been posed in this Chamber here over the course of the last six years, my colleague, again, the member for Kildonan has raised this issue as our Health critic, that there was no regulation of this particular industry, and I know, listening to the comments and the questions, even some discussion about the way advertising takes place with respect to stretcher services where there can be some confusion as we saw from the phone book that came out where people would open the cover of a phone book in an emergency and find that there are stretcher services listed inside that front cover and could inadvertently call for that kind of service instead of dialing for the necessary ambulance in emergency situations.

To go on about the licensing applications. It lists several sections in the bill with respect to employment of unlicensed persons, and it does go into some discussion in the clauses of the bill with respect to people who are entitled to operate and engage in that type of service delivery with respect to stretcher and ambulance operators or attendants. There are also provisions in here that deal with the unauthorized equipment or equipment that is prohibited and that the licence holder shall not take certain actions, and it references those actions in the legislation.

\* (1450)

I am not clear where in this act that it shows that there are any sanctions that can be imposed for anybody who would contravene this legislation once it becomes law. I would imagine though that the Minister of Health (Mr. McCrae) would have some thoughts to including that in

the regulations, although one of the things that I do note, there are no regulations that are available to allow us to see what the real intent of this legislation is and how the government intends to implement the clauses of Bill 37.

There was some confusion in our communities throughout the province for some time through the nonregulation of this particular industry, so in principle this bill goes some way in the direction of bringing some needed regulation of those that operate and work in the stretcher transportation or ambulance systems in our communities, which of course are vital to the health care system and to the maintaining of life and limb within our province for those who are in need of those services.

This bill will clarify the role and function of the ambulance services and I think give some measure of security to the public in that they will hopefully know that they are being transported by a transportation system whether it be stretcher or ambulance system and that these particular companies or services will be provided in a regulated way and within a certain level of protocol guidelines or rules and that the patients being transported will feel comfortable in knowing hopefully that the people who are providing that service are trained or experienced and that the patients are being well cared for.

Getting back to the regulations, Mr. Deputy Speaker. It is unfortunate, and I have asked my colleague, the member for Kildonan (Mr Chomiak) if he has received regulations with respect to Bill 37. He has indicated to me that, no, he has not, so we are unable to see exactly what it is the government intends to do with this bill, because the regulations are an interpretation of the act, as all members of this House know. It would be nice to see how the government intends to implement clause by clause of this bill.

There seems to be a pattern developing here though. With Bill 37, when the member for Kildonan (Mr. Chomiak) asked for regulations on this bill, he was denied those regulations by the Minister of Health (Mr. McCrae). It seems to be a pattern developing, in that I believe that my colleague, our critic for Education, has asked for regulations with respect to some of the education bills that the Minister of Education (Mrs. McIntosh) has tabled in this Chamber. My colleague, the member for Wolseley (Ms. Friesen), has been denied

those regulations which are an interpretation of the education bills. Then just about a month ago, just after this session resumed or just prior to when this session resumed, I took the opportunity to write to the Minister of Labour (Mr. Toews) about the labour bills that we have before us in this Chamber. I asked in writing to the Minister of Labour if he would provide for me a copy of at least the draft regulations. The minister wrote back to me last week and said, no, that he is not going to provide those regulations, so that we can see how the government is going to interpret the legislation.

There appears to be a definite pattern that is developing in this government. As my colleagues have indicated in the past, there appears to be a bunker mentality on the government side, and they do not want to release the regulations so at least we can see the interpretation they have of the legislation that has been tabled here. I am not sure why they want to deny the release of those, at least the draft regulations, so we can see how they interpret the bills that are before us, but I think it is wrong for the government to take that step. They should have, if they are confident in their legislation, nothing to hide. They should be forthright and at least, if nothing else, table the statements that they have on the bills with respect to the interpretation clause by clause like we get from some ministers, like the Minister of Highways (Mr. Findlay) has done for most of his legislation, and I congratulate him for it.

The Minister of Agriculture (Mr. Enns) has taken that opportunity as well. I can tell members opposite that, because the government through cabinet has the opportunity to have the Legislative Counsel and other experts so-called in their particular areas at their disposal for interpretation of these bills, they have a distinct advantage in this area and that we would like to see what the interpretation of those bills are. The only way we can see that is if at least the draft regulations or the documents, the interpretative documents would come from their particular departments through the minister. But, of course, the minister of Education, the minister of Health and the minister of Labour have all denied that through this particular session. Each of them have a number of bills that they have introduced under their various portfolios, and they have all denied members of the opposition the opportunity to take a look at, at least, the draft regulations.

Now having had the opportunity just recently to go to the Minister of Highways' (Mr. Findlay) own constituency and do a little canvassing, talking to his constituents, we find that there are a number of issues relating to health care as we have found in other communities that we have gone and talked to people throughout the last number of months. We find that the people in Oakbank, in particular, when we questioned them about issues that are on their minds affecting them and their families and their communities, it is interesting to note that education, the way the education system, the public education system is being run in the province of Manitoba was an issue that they raised with us.

It is interesting to note that they are quite concerned that the personal care home facility that had been promised by the government prior to the 1995 election is now, I take it, either on permanent hold or cancelled, because there has been no progress. Now that is an issue that has been raised by the people of Oakbank. They are quite concerned that their representative had made that commitment to his community. He promised that he would go forward with that project as part of the capital works program under the Department of Health, and of course as soon as the election was over, that project was put on hold and quite likely on a permanent basis.

**An Honourable Member:** No, no, no.

**Mr. Reid:** Well, maybe the Minister of Agriculture is right, maybe till the next election. That is what it sounds like, you promise it at in one election, and then tell them you have to do a little bit of work on fundraising and then say, okay, well, we do not have our resources in line now, we do not have our ducks lined up here, so we cannot go forward with the project, and we will have to put this off till the next election. No doubt a month prior to or a couple of months prior to or maybe even during the election campaign, the government will come forward and they will have the silver spade stuck in the ground and the old sod-turning—[interjection] Well, maybe it is a silver spoon. Put the old silver shovel into the ground and turn that sod just at election time.

**An Honourable Member:** You are good at shovelling it.

**Mr. Reid:** Well, maybe they are good at shovelling it. Heaven knows, taking a look at the Apotex facility over

in St. Boniface industrial park, where you have slabs of concrete with fingers of steel sticking out of it, it is a testament to this government's failure on capital works programs even when industry was supposed to be on side with projects like that. So to me, when I drive by it every morning on the way to this building, I see the reminder of the failure of this government to move forward with improvements in job opportunities for Manitobans when that particular project failed. Now we see those fingers of steel sticking up out of the slabs of concrete like tombstones on the bald prairie. That is what those fingers of steel remind me of.

**Mr. Deputy Speaker:** Order, please. I have just asked the honourable member, maybe he could explain to me, I have been listening, but there does not seem to be much relevance with Bill 37. You might want to bring it back and explain that to me.

**Mr. Reid:** Indeed, I did wander, so I thank you for bringing me back onto topic here.

This Bill 37 is an important bill. As I said in the beginning of my comments, we in principle, looking at the bill, support the intent of this bill, although we want to have the opportunity to take a look at the regulations which the Minister of Health (Mr. McCrae) has denied us. It seems to fit into the pattern that this government has, because those regulations will allow me as the elected representative of my community to understand to some degree and hopefully clearly the intent of the government with respect to Bill 37. Without those regulations we cannot make that clear determination of what the government's intent is, although it appears on the surface that there is some reason to support this bill.

With those few words, Mr. Deputy Speaker, I am prepared to pass Bill 37 to committee. This bill hopefully will have some presenters come from the public who will make presentation at committee and that we will hear their thoughts and concerns, and perhaps even some members of the public who are involved with, engaged or own some of those services throughout the province can come forward to committee and add their thoughts, knowledge and experience to that of members of the committee and that together we can have some good debate or discussion at committee with respect to Bill 37. With those few words, we are prepared to pass this bill through to committee.

\* (1500)

**Mr. Gary Kowalski (The Maples):** Mr. Deputy Speaker, I will not go into the details of what this bill entails because I think it has already been spoken and explained very well in this Chamber. I think the positive note for this bill is that it is in response to recommendations leading from public hearings. We are always happy to see the government respond to the public's concerns.

As the member for Transcona mentioned, without the regulations it is hard to determine if it is fully responsive to what the public were asking for in the hearings that were held on emergency services. From personal experience, I remember when I started in police service a number of years ago, at that time the rule of thumb was quickly snatch and get them to the hospital as soon as possible. At the time we thought that the sooner you get them to the hospital, the better their chances of living. Well, now I have seen, with well-trained paramedics, well-trained professionals that in fact treatment at the scene is probably a bigger determining factor of whether someone survives a very serious accident.

So I think this is very important legislation and I welcome it to go to committee and I am looking forward to any public presentation so this matter can be debated at committee. Thank you, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 37. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

#### **Bill 12—The Barbers Repeal and Hairdressers Repeal Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Education (Mrs. McIntosh), Bill 12, The Barbers Repeal and Hairdressers Repeal Act (Loi abrogant la Loi sur les coiffeurs et la Loi sur les coiffeurs pour dames), standing in the name of the honourable member for Transcona.

**Mr. Daryl Reid (Transcona):** Mr. Deputy Speaker, considering the state of my hair or hair loss over a number of years, it might seem unusual that I would stand to speak on this, but I know—[interjection] Maybe that is a reason why the government is repealing, looking at the number of shiny foreheads across the way, that perhaps they sense there is no need for this legislation, and that is why they are repealing it.

To get back to the intent of the act, we had the opportunity to read through Bill 12, and you can tell that it was quite an extensive bill, Mr. Deputy Speaker. When you open the front cover of the bill, of course, the first page you see is a blank page, and then the next page is just repeal and repeal. So it is not something that you would find that there is a lot of room to comment on, although I have had the opportunity to talk to members of my community who are involved in the barbering and hairstyling industry. I took the opportunity, since being elected and even again just recently, to talk to members of my community who are involved in, as employees, or own those particular types of businesses to find out their thoughts about this bill.

It is interesting talking to them that they were supposed to have in place a system that would regulate the particular industry here in the city of Winnipeg. Well, even talking to my own barber, whom I go to from time to time, although not often, I guess, my barber and the barbers in my community know that there have been some problems with the regulation of this particular industry for some time. The barbers in my community, the hairstylists in my community have indicated that they even had a process where they were supposed to be issued a certificate with respect to their competence or their ability to perform that type of public service. They referenced the fact that after going through the process of filling out a number of forms and papers and sending them back to the government, it took a significant number of months before the certificate was issued to the particular people who are employed in that industry.

So they wonder about, first off, what is happening within the government departments that it would take so many months for that particular certificate to be issued, after they diligently sat down and completed the necessary paperwork and returned it to the government. So they themselves question the need to have The Barbers Act and The Hairdressers Act in this province,

and they sense that perhaps there is a better way to regulate this type of industry. They have also referenced to me that there is no uniformity of the way the rules or the regulations are enforced or not enforced within the province of Manitoba.

We have rules, my understanding, for the cities of Winnipeg, Brandon and perhaps a few other communities in Manitoba, although I only know of Winnipeg and Brandon being the two regulated or governed areas with respect to the barbers and hairdressers acts, but other areas, other communities of the province do not have that type of regulation in place, so there seems to be some inconsistency in the way the legislation had been applied.

What they have referenced and indicated to me is that they would like to see a regulation of all of the barbering and hairdressing provisions within the province. They would like to have some regulation. That is what they have indicated to me, and I have to trust them in their judgment, having worked in that industry. In one particular case, the business was handed down from father to son, and there is a whole family history that is involved that goes on for generations. They want to see some regulation or some uniformity of rules that are applied across the province. So they want to have that spread out across the province.

Both of the acts currently require the persons to be licensed in the regulated regions but, as I have indicated, not in the other regions of the province. It is my understanding, listening and reading the words and comments by the Minister of Education (Mrs. McIntosh) when she introduced Bill 12, that she says that there are industry representatives that have approached her, have approached the Minister of Education to look at making some changes with respect to the act. The minister indicated that is why she has come forward with Bill 12 that will allow for the repeal of the barber and hairdressing act in Manitoba.

I agree with the comments of those who are employed within that industry that there should be some uniformity or consistency within the industry throughout the province and that while Winnipeg requires that particular regulation, Winnipeg and Brandon, it is not required outside of Winnipeg.

I know that my colleague has raised the issue here with the minister with respect to regulations of the government's intent, because I believe it is the Minister of Education's decision to repeal the legislation and to move the trades training for estheticians, barbers, for hairdressers, manicurists, under the Apprenticeship and Training division of her Department of Education.

The minister is saying here that she wants us to trust her by allowing her to repeal through Bill 12 those two acts, the barber and the hairdressing act. At the same time when my colleague, our critic for Education here, the member for Wolseley (Ms. Friesen) has asked the Minister of Education quite clearly, I believe on a number of occasions, for the Minister of Education to give us some idea of what her intent is when she repeals this bill, what is she going to replace it with, what type of training are we going to have for the people through the Apprenticeship and Training branch, how are we going to have some control over the health and safety issues that are involved with respect to people who are working within this industry, because, after all, they do serve members of the public, and members of the public come from all walks of life—we want to understand what the minister's intent is with respect to the health and safety issues and how the minister is going to certify that the people working within this industry or training for it go through the necessary training and type of accreditation that they would receive.

\* (1510)

The only way that we can determine that is if we see copies of the regulations, or at least the draft regulations, to show what the minister and the government's intent is with respect to training of individuals wishing to be employed in this particular industry. The Minister of Education has said here in this House and said to my colleague, the member for Wolseley (Ms. Friesen), that she is not going to provide the regulations. So while we understand that there is perhaps a need and that the industry has lobbied the government to abolish the act itself, both acts, the hairdresser and the barbering act, the government is not coming clean on what their intent is with respect to the industry.

We have talked with members of the Trades Advisory Committee who have had the opportunity. I have a letter here in front of me from a member of that particular

Trades Advisory Committee referencing the fact that—I would imagine, as she should do, having sat on this committee for some time—support the government's intent to repeal the barbering and hairdressing act. But it does not go on to say what is going to replace it. If we had some idea of what was going to replace and what provisions are going to be in place for the training, the certification and the health and safety, as two of the main issues, then perhaps we could say that there is some reason to wholeheartedly and openly support the government's intent with respect to Bill 12.

I do not have a clear understanding on what the government's intent is with respect to grandfathering provisions or grandparenting provisions of those who are currently employed in the industry, and there are quite a number of people—[interjection]

Well, that is true. I am sure all members in this House, those of us who still have hair to get trimmed from time to time, we want to have some level of assurance, as, I am sure, all members of the public do, that when we are going into those facilities, we have trained and competent people who are working at those professions and that they are doing—[interjection] Maybe I do need a discount—and that those people are indeed trained and performing their duties and service to the public in a safe manner, but we do not know that without the regulations.

So it is my understanding that while there are a large number of people who are employed in the industry in the province—and, I am sure, every community of this province has someone who is employed in that particular industry, whether the communities be small, medium or large—it will affect every one of us in our communities by the changes here. I hope that members opposite are taking the opportunity to represent their constituents and the businesses, those who are employed in those businesses within our communities, what the Minister of Education's intent is with respect to the repeal of these two acts and that the necessary certification and safety processes will be put in place through regulations under the apprenticeship and training. The health and safety issues are obviously important.

We would like to support, Mr. Deputy Speaker, what appears to be redundant and unenforced acts, The Barbers and Hairdressers Acts, but without the regulations, I find it difficult to openly and whole-

heartedly support this move at this time, although we are prepared to go to committee and listen to members of the public that may come forward and make presentations either for or against the government's intent with respect to Bill 12 or may take a position where they want to see some other changes incorporated into the apprenticeship and training division that would regulate these particular industries.

So, with those few words, I think we are prepared to pass Bill 12 through to committee so that we have the opportunity to hear members of the public who may wish to come forward. Thank you for the opportunity to have my comments.

**Mr. Deputy Speaker:** Is the House ready for the question? The question before the House is second reading Bill 12. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

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

**Hon. Jim Ernst (Government House Leader):** Would you call Bill 49, please.

#### **Bill 49—The Regional Health Authorities and Consequential Amendments Act**

**Mr. Deputy Speaker:** On the proposed motion of the honourable Minister of Health (Mr. McCrae), Bill 49, The Regional Health Authorities and Consequential Amendments Act (Loi concernant les offices régionaux de la santé et apportant des modifications corrélatives) standing in the name of the honourable member for Selkirk (Mr. Dewar). Stand? Is there leave that this matter remain standing?

**An Honourable Member:** No.

**Mr. Deputy Speaker:** No. Is the House ready for the question?

**Mr. Mervin Tweed (Turtle Mountain):** Mr. Deputy Speaker, I, too, would like to put a few comments on the record in regard to Bill 49. I have sat patiently the last few weeks and listened to the opposition members across put forward some of their ideas in regard to how they see

Bill 49 playing out in the province of Manitoba. While I appreciate their opinions and, I would suggest perhaps, guesses as to how it will play out, I would like to put on the record how I see it playing out in my particular area.

As I, I guess, looked at Bill 49 and how it was going to affect my area and again listening to the comments across, I, at this time, would just like to take the opportunity to thank the people who have put their names forward to sit on these regional health authorities. I know, the people in the communities that I represent, they were nominated usually by community groups, and their names were put forward for selection.

Although, at the time, I did not know all the names that were put forward for the region, I have gone out and tried to meet these people and at least discuss with them as to how they see health care developing in rural Manitoba and particularly in the areas that I represent. These people, many of them, from what I understand, have had experience sitting on hospital boards. They have served in communities that they live in, in various ways, and I think that it is far, far beyond us to criticize these people who are dedicating so much time, so much effort, for very little remuneration, which I do not believe that is why they are in it.

I believe they are in it for the betterment of health care for all rural Manitobans. These people, from what I understand, are meeting as much as two days a week to basically be up to date on all the issues affecting health care in Manitoba. I know that it takes a lot of their time, time away from their families, and in a lot of cases from their places of work, and I do not think that we should stand and criticize these people for dedicating their time and their efforts to the betterment of all Manitobans by serving on these regional health authorities.

I certainly—and again, for the record, Mr. Deputy Speaker—I do want to congratulate these representatives and commend them for the tough job that they have ahead of them. I certainly think that anyone here recognizes, when you are dealing with new directions and change particularly in the health care providing of services, it is tough to deal. You are not only dealing with the economics of it, you are dealing with personalities, you are dealing very much with the human side of it, and I would just like to put on the record that these people I believe are serving the communities that they represent,

and not just the communities that they live in but the communities that they represent as a whole or at large.

Certainly, I am sure, as the honourable members opposite will recognize, rural Manitoba is a large community and it is a large area to travel as far as distances between one community and the other, and these people are not just representing certain segments of that particular community, they are representing a region, which I believe is probably a little harder and more difficult on them, but again I congratulate them for accepting the task.

\* (1520)

A couple of the issues that I see as Bill 49 presenting to rural Manitoba and benefits that I see happening for us is the fact that I believe the recruitment of physicians to rural areas is going to be enhanced through the regional structure. I think that rural and remote physicians have always cited that they have suffered a little bit from a lack of collegial interaction and support amongst their colleagues, and that by going to a larger district or region as proposed in Bill 49, that this will allow them to interact more freely and be encouraged to discuss the issues that are facing them in regard to health care and also in their education and training and upgrading. I have always said, and I think I made that point a few days ago when I stood to speak and was corrected by one of the honourable members as to procedure in the House, that doctors too need that in the sense of the camaraderie of getting together to discussing the issues that affect them most and lessons that they have learned as they have moved ahead in their careers in the medical field, and I think that this bringing together of this group of people to not only provide the service but also have the input as to the direction and the areas that we should be providing the service to in these regions will certainly benefit us.

I think that permitting and allowing the pooling of doctor resources is only going to benefit us. I think in some of the communities that I represent the fear is not so much that we cannot get doctors, it is a matter of they want to know that a doctor is accessible and available to them, and one of the examples I often use is that there are two communities in my area right now that are sharing doctor services, and that seems to have worked out very well amongst the two communities. Again, when you introduce change to areas, there are areas of reluctance,

and people have a tendency maybe not to accept it, but once they have had an opportunity to participate in that procedure they accept it and it becomes a part of our life, and I think in my particular experience it has worked very well. I also think that the idea of pooling the resources and consolidation of the doctor resources will maybe help us create some speciality services that are perhaps being provided in one area of the region but not available to the other representatives or members in that particular region. I am hoping that this will advance that shared co-operativism that is out there and will be out there with the regional health authorities and the associations that they develop.

I also think that when you get into a regionalization plan, the larger population base of the regions will provide a number of positive advantages for the communities. I think that the ability to have the larger data set will facilitate when they are trying to make some of the hard decisions that are out there for the region that they are representing. That evidence and that data will be available to them to make those decisions.

Again, as I said earlier, I think the ability to share the resources—I know some areas of the regional health authority of my particular area were envious of some of the hospitals down the road, some of the services that their communities in the past have worked hard to provide to the people that they serve. I am very pleased to say, now I will have an opportunity to share some of those services. I think that is a real benefit for all of us in rural Manitoba.

We talk quite often about the handicap of living in certain segments in Manitoba. I suggest that in rural Manitoba, southern Manitoba, we suffer from that too, Brandon being our major centre close to us, but Winnipeg, we do have travel costs. We do have overnight costs, and we do have expenses that are not considered as part of our health care and, I do not think, should be considered by anybody as part of the cost of health care.

I think going to the larger regional health authorities will allow us to access some of that within our own region. I think that getting into the regionalization will permit the government to basically minimize its involvement in the direct delivery of service but play a bigger role where we can set standards for the

communities of the province, where we can monitor some of the programs that are being put forward and that we can set goals and objectives and be able to evaluate them honestly and truly as to how they are serving the people that they are accountable to.

I think, Mr. Deputy Speaker, I will close up very quickly, but I do want to just put on the record that, again, I am pleased to see this bill moving forward. I do believe that when you introduce change to the people, it is sometimes done in reluctance, but the people that I represent in the communities I am hearing from, as they receive the information and become more educated in what is happening in the direction that we are going—and I know that the people that we have in the regional health authorities are getting the message out to the people. They are understanding what we are doing and what direction they want to go, and I certainly support them. I support the minister on this bill, and I would really dearly like to see all of Manitoba support Bill 49. Thank you.

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

**Mr. Daryl Reid (Transcona):** I am pleased to rise to add my comments on Bill 49. I listened to the comments for the member, I believe, for Turtle Mountain (Mr. Tweed), when he said that he congratulates those who have put forward their names to be included in on the committees, the regional health boards. I guess the question that comes to my mind is, what process is in place that would allow members of the public to come forward to put their names forward for inclusion on these committees, these regional health boards? Do they have to go down to the Minister of Health's office? Do they have to go to the Speaker's office? Do they have to go to some other department's office in the Health department and put their name forward and fill out a form, or do they have to have a little blue card and go to that office, not far from this building? Perhaps the provincial Conservative Party's offices that are not far from this building, is that where you go to apply?

Mr. Deputy Speaker, I guess another question I need to ask, what is the criteria that you have to have? What criteria are in place for the selection of these people?

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

**Mr. Deputy Speaker:** Order, please. Even though the member is on a fishing expedition, I do believe we have to have a little bit of decorum here. The honourable member for Transcona, to continue.

**Mr. Reid:** I guess that is the appropriate analogy. Perhaps this is a fishing expedition, because I am at a loss to explain how you get to be a member of these particular regional health boards, the ten that are being struck plus the one superboard in Winnipeg. What are the criteria? I want to ask the member for Turtle Mountain (Mr. Tweed) or the Minister of Health (Mr. McCrae).

**An Honourable Member:** You have got to run for the Tory party and lose.

**An Honourable Member:** Just simple competence.

**Mr. Reid:** So the Minister of Labour (Mr. Toews) is saying that you have to be purely competent. That is what he is saying. So the Minister of Labour is saying that all of the people that have been selected for these boards, the majority of them are competent people and that there are no other competent people in the province of Manitoba. That is what the Minister of Labour is saying and, yet, well—

**An Honourable Member:** There is no NDP in rural Manitoba.

**Mr. Reid:** The member for Turtle Mountain must recognize that I think with respect to Bill 49—

**Mr. Deputy Speaker:** Order, please. I am having great difficulty hearing this. Could I ask the honourable member for Transcona to put his comments through the Chair. It might not provoke the debate quite as much.

**Mr. Reid:** Mr. Deputy Speaker, getting back to the criteria that is used for the selection of these people, I listened to the questions that were asked by my colleague the member for The Pas (Mr. Lathlin) when he asked about vacancies that exist on the regional health board that is going to be serving that area, and the government had made the statement through the Minister of Health that there are no people that have come forward with their names and, yet, my colleague the member for The Pas said members of the First Nations communities have put

forward their names in writing to the Minister of Health and to the government for inclusion, so I guess— [interjection]

Now the member for Turtle Mountain, through you, Mr. Deputy Speaker, to the member for Turtle Mountain, said that there was a deadline. I guess we have to ask the question, did the public know about the deadline? They knew about the deadline. Okay, through you, Mr. Deputy Speaker, I want to ask the member for Turtle Mountain, where do you go to get the application forms to be included in the selection process to sit on these boards?

\* (1530)

Well, my colleague the member for The Pas put forward the names in this House of constituents of his that wanted to be included for consideration to sit on the regional health board that will serve The Pas and district, and the only names that we know of that are sitting on that board are defeated Tory candidates or Tory hacks.

**An Honourable Member:** There are a lot of them up North.

**Mr. Reid:** True, there are a lot of defeated Tory candidates in the North. There is no doubt about that.

Getting back with reference to Bill 49. I listened to the comments that were made by my colleague the member for Flin Flon (Mr. Jennissen), fine man that he is and a fine representative of his community. He referenced the fact that the three representatives that were selected for the regional health board for his area of the province are again three defeated Tory candidates. So is there a pattern developing here, Mr. Deputy Speaker? I guess one has to ask the question—

**An Honourable Member:** You are jumping to conclusions.

**Mr. Reid:** Well, the government House leader says I am jumping to conclusions here, but a few moments ago when I was talking on the other bills, and I do not mean to wander here, but there seemed to be a pattern developing where ministers of Health, Education and Labour do not want to divulge the regulations affecting at least a dozen pieces of legislation here that are somewhat controversial or very controversial, and now we have here

government saying he wanted to congratulate the members who had put forward their names to sit on these regional health boards and they are going to do a great and wonderful job, and perhaps they will, but it would be nice to see the criteria that were used for the selection process to sit on these.

I go back to the comments and the questions that were asked in this House by my colleague the member for Swan River (Ms. Wowchuk), asking the Minister of Health (Mr. McCrae) to keep his commitment, to keep his word and the word of this government that there would be elections for the members of the public who wanted to run for the regional health boards. After the Minister of Health indicated to Manitobans that he was going to have elections for those people, he reneged on his word, went back on his word and said there would be no elections and that he went ahead and politically appointed people to sit on those boards.

Now, Mr. Deputy Speaker, one should look at the reasons why the Minister of Health and this government wanted to politically appoint people to sit on these regional health boards. It is very obvious that the Minister of Health for some time, and his predecessor who is no longer here, wherever he may be now, serving on some board or committee somewhere, and I believe he is working in the health field, that the Minister of Health and the government has been taking quite a bit of heat, and, in fact, some time ago, lost their three by-elections largely related to the health issue.

Now what this government is doing, of course, is setting up the regional health boards with their politically appointed people, all defeated Tory candidates or at least the majority of them, and the government will no doubt cap the funding to these regional health boards and say, now you are responsible for determining what level of services are going to be provided to the people that you are politically appointed to represent, not democratically elected, but politically appointed to represent.

So there is no doubt in my mind that the government's intent here is to transfer the responsibility, the decision-making responsibility, and the public flak that will no doubt follow for the decisions to cut back on health care services in the province of Manitoba. That is the intent of this government through Bill 49, to transfer their responsibility to their politically appointed people.

Now, I want to get back to another portion of this bill relating to something that ties in with other pieces of legislation here, Mr. Deputy Speaker, namely The Labour Relations Amendment Act, and other pieces of legislation that the government tabled that will affect working people in the province of Manitoba. The way this government has spun through the media their decisions with respect to The Labour Relations Amendment Act changes is that there is a need to democratize the workplace. There is a need to democratize unions in the province of Manitoba.

Well, let us take a look at what this government has done through Bill 49. This government has once again undermined the thought that there would be any democracy practised by this government. This government, through Bill 49, is a power grab by the Minister of Health (Mr. McCrae), the Premier (Mr. Filmon) and the other members of the cabinet who obviously made this decision. Now, I hope they consulted with the backbench members because they are going to be tarred and feathered by the same decision.

This government, through Bill 49, is going to politically appoint a commissioner who will have the powers to make decisions that will affect the lives of every person who will fall under the responsibility of these regional health boards. This minister and this government, through their political appointment of this commissioner, in cases where the employees who are represented by various health care unions in the province or people who work in the health care industry who would fall under direct responsibility of those new regional health boards will be under the direct control and thumb of the new commissioner who is politically appointed. He, indeed, will be a czar and will be only answerable to the Minister of Health.

It is my understanding that this government will, through its politically appointed commissioner, be able to make the determination which certified union in the province of Manitoba will be directly charged with the responsibility of representing and negotiating on behalf of working people who are employed in the health care under these new regional health boards. So what this essentially does is it transfers power away from the people that were democratically elected by the unionized members employed in the health care field and transfers that power to the commissioner who is politically

appointed by the Minister of Health and the government of the day.

Now, I hope that the Minister of Labour (Mr. Toews) is listening to the comments because I believe that this is in direct—the former Minister of Labour should know this, and I hope he as a member of cabinet advise his own colleague, the Minister of Health (Mr. McCrae), that what he is doing here perhaps could be in contravention of The Labour Relations Act of the province of Manitoba. [interjection]

Now, the member for Turtle Mountain (Mr. Tweed) says that they are going to change The Labour Relations Act to take away that power from the unions. I do not doubt that is what he really means, and that he is an anti-union individual, there is no doubt about that, Mr. Deputy Speaker. There is no doubt that he is anti-union just listening to his comments here today, and if he was not, I am prepared to allow him to rise on a point of order and say he supports unions in the province of Manitoba. But if he does not want to do that, the only result and logical conclusion to draw from that is he is an anti-union individual.

Mr. Deputy Speaker, there is no doubt, looking at the power grab that this government is taking through The Labour Relations Act amendments, through The Construction Industry Wages Act amendments, and Bill 49, The Regional Health Authorities and Consequential Amendments, that it is a power grab that this government is making, a power grab that is going to affect every working person that is working in the health care field and is a member of a union that represents them, democratically elected in the province of Manitoba.

\* (1540)

So the government on the one hand is trying to sell us on the need to democratize unions and workplaces in the province of Manitoba; and, on the other hand, through Bill 49, they are saying that there is no need to have democracy at work and that the government knows better and that they will through their politically appointed commissioner determine which union will be the negotiating body to represent people employed in the health care field under the various regional health boards in the province of Manitoba. So I raise that issue with the members opposite, with the former Minister of

Labour who should know better and perhaps did not advise his colleagues that this was in contravention of the act and that it was a power grab on their part and would not look good to the public. But I guess he did not take that opportunity.

I hope that when this bill goes to committee that members of this House, who may sit in on that committee and hear the public presentations of those that are going to come forward to speak on Bill 49 to add their thoughts, will recognize quite clearly that this government has not only gone back on their word with respect to the election of people to represent all Manitobans on those regional health boards, and that the government has skewed the process by politically appointing their defeated Tory candidates to sit in and make the decisions that have to be made by government instead of the government through cabinet and the Minister of Health, and that this government is on a power grab and are doing things in a way that are contrary to the labour relations history in the province of Manitoba by the appointment of a commissioner that will have the powers, nonappealable through the courts, and make decisions that will affect people that are employed in the health care field throughout the province of Manitoba.

I hope the government understands quite clearly, as I am sure they do, that they are moving in a direction that is contrary to the stable history of labour-business peace in the province of Manitoba by the move that they are making through Bill 49 and, of course, other regressive labour legislative changes in the province of Manitoba.

With those few words, Mr. Deputy Speaker, on Bill 49, I think this government is going in the wrong direction and that they should look very seriously at either seriously amending Bill 49 to correct the imbalance. If they cannot do that, to restore fairness to the working people of the province of Manitoba and the people that are going to be affected by this bill, at least have the courage to withdraw this bill. I think the public will respect you for having that courage to recognize that you are moving in the wrong way with the way this bill is laid out now and that there are changes that are seriously needed with respect to Bill 49. If you do not make those changes through amendment, do the honourable thing and withdraw Bill 49.

With those few words, Mr. Deputy Speaker, I look forward to this bill going to committee. Thank you.

**Mr. Frank Pitura (Morris):** Mr. Deputy Speaker, I would like to just put a few brief comments on the record. I think that one of the important things that we have to remember when we are talking about health care in this province is who is health care for. Health care is for those people who require the attention and need for health care. It is not necessarily the system itself. The system has to be put in place to serve the needs of the patient.

With that, I would like to relate in terms of where we are at coming into this regionalization, the regionalization of health care in Manitoba. I think it behooves us all that the point we are at today is we are here because of factors that have been forced upon us in terms of health care, with over 33.8 percent of our budget being spent on health care, having gone up over 2 percent since 1988 and continuing to rise—this past year another \$90 million was spent on health care.

Then, on the other side, having the federal government withdraw funding from health care, which really puts a lot of pressure on us as a province to be able to deliver health care as we now have it, it is imperative that we go through this health care reform process. The regionalization, or the regional health authorities, is one of those venues whereby we can take existing economic resources that are available to us and use them more efficiently to deliver health care throughout Manitoba.

Why have regional health authorities with their own boards? Why I would like to relate with some of the other members, because my background is agriculture and it is not in health, is that in history many programs have taken place in Manitoba which were Canada-Manitoba shared programs. That funding was put into place of local groups who then utilized those funds to carry out programs within a defined plan. These groups prove, Mr. Deputy Speaker, that in terms of efficiency of spending that they were able to take the public dollars and spend them wisely, spend them efficiently and they got the most success or the most results for the dollars spent.

Going to a regional health authority system or a regional board, as we are doing here in Bill 49, is exactly the same thing of placing funds into the hands of those

that would be able to deliver health care at the local community level. These are people that know what the needs are, know how to manage the finances, will get the most efficient delivery of health care for the dollars that are spent.

I would like to just put some facts on the record in regard to Bill 49. One of the areas of the bill implies that under this bill, when the 10 health regions and regional health authorities are established, that it provides for the continuation of the directors until the successors are appointed or elected. I think that is a very important part of that bill that comes out. It also indicates in the bill that the regional health authorities shall be nonprofit corporations. So, therefore, their intent is not to create profit but to spend the money that is given to them from government. It also requires, Mr. Deputy Speaker, that under the regional health authorities all of their by-laws that they pass, that they will have available, that these will be open for public inspection at all times during the business hours of the board office.

Another important area for the regional health authority, Mr. Deputy Speaker, which I feel is most important is the fact that this regional health authority must have an annual meeting each and every year, and this annual meeting must be open to the public so the public will have direct input into the regional health authority and that this regional health authority shall appoint, hire a chief executive officer to carry out the day-to-day activities of the regional health authority. The regional health authority also must put into place a regional health plan that must be approved by the minister. I mentioned earlier that many of the funding agreements between the province and local communities have to fall within a set framework. There is no question that these regional health plans would have to fall within a defined network.

Also, the bill requires, Mr. Deputy Speaker, that each regional health authority can have as many as four district health advisory committees. These district health advisory committees are put into place in order to have feedback from every local community within this regional area back up to the regional health authority so that they can take a look at the data and the feedback that is coming back to this regional health authority to make decisions about delivery of health care.

Then there is the area of funding, Mr. Deputy Speaker. The Health minister, who now funds each local district health board and also supplies funding for home care and supplies funding for personal care under this act will provide funding to the regional health authority. It will then have the responsibility of entering into agreements with each acute care centre in terms of home care, in terms of personal care, in terms of all the other health care services, community health care services that are offered in terms of underneath the one umbrella of funding. I think that is very important, because you are able to integrate the whole system of health care. The existing health boards that are presently in place with each acute care centre, and that is the prevalent health boards that we see, each one of these health boards can choose to stay in existence or can choose to take on a different role under this new regional health authority.

\* (1550)

One of the very important things, I think, under this Bill 49 is the fact that the regional health authority will not be able to apportion debt if incurred. Under the existing system of health care in Manitoba, if you had a district hospital board and if it incurred a deficit, the member municipalities and jurisdictions that are part of that district health board can be held responsible to collect that debt from the local taxpayers. Under Bill 49 the regional health authority will not have that ability to go back to the member jurisdictions to be able to recover debt. So it is important that they as a body with funding be able to operate the regional health delivery system within the parameters of the funding that they receive.

The other area that I would like to mention, Mr. Deputy Speaker, is the fact that in the debates over the last few days, we have heard that all of the power in health care is going to be concentrated in the office of the minister. Then we turn around and we hear another statement being made saying that the government is just offloading its responsibility onto the regional health authorities.

I would say to you, Mr. Deputy Speaker, that, No. 1, the responsibility will be with the regional health authority to deliver health care but deliver it in a linked manner, a linking between, you know, prevention, population health, how the population lives, and the treatment of the symptoms. That is very important, and

I think that overall the power that is with the minister right now in terms of health care in this province is probably all concentrated in one office. After Bill 49 it will be spread out into the regions. So the minister will indeed have probably less power in the future than he has right now.

In closing then, Mr. Deputy Speaker, I would like to say that opposition to Bill 49 will actually mean opposition to the linking of prevention, population, care and treatment into a seamless continuum of care. Opposition will be against the evidence-driven decision making. Opposition to Bill 49 means people will be opposed to better physician recruitment. Opposition to Bill 49 will mean that they are opposed to a broader base for service planning and delivery. Opposition to Bill 49 will mean opposition against enhanced consumer choice and involvement, and opposition to Bill 49 will mean opposition to getting government out of service delivery. Opposition to Bill 49 will also mean that they are opposed to more efficient, effective service delivery.

(Madam Speaker in the Chair)

So, Madam Speaker, in closing, I would like to say that this Bill 49, sure, people have a lot of apprehension about it. The talk in the coffee shop is a lot of speculation, some innuendos being tossed around, but basically change always brings about that no matter what it is in. Whether it be health or whether it be in agriculture or what have you, change always brings about apprehension, and I say that under this bill we have the opportunity to be able to deliver an integrated health care system throughout Manitoba within the constraints that we have in terms of the health care dollars that are being spent. Even though they are still on the increase, it means that there has to be a more cost-effective means of delivering health care so that all Manitobans can enjoy all health services. Thank you very much.

**Mr. Steve Ashton (Thompson):** Madam Speaker, I wish to put a few brief comments on the record in terms of Bill 49, because I think, as the member for Interlake (Mr. Clif Evans) was just referring in our private discussion, it is a scary piece of legislation, and it shows just how far this government is willing to go to extend its authority over pretty well every sector of Manitoba society.

I think there is something particularly scary about that because, sadly, this bill, which started with the basic concept of regionalization of health authorities, has turned into a bill that brings unprecedented powers to this government and to the minister.

I want to indicate on the record, it should be noted that the MHO, which represents the hospital boards, has put in a brief to the minister, has met with the minister, and I have had a chance to talk to members of MHO, and they are saying that this is a very scary item of legislation. I do not know what more it takes for the government to recognize than when those who are running our hospitals are saying there are problems with this legislation, that this bill is fatally flawed.

The second point I want to make, Madam Speaker, is, it is not just a question of the power, it a question of the legitimacy of what we are seeing take place here, and I appreciate the comments from the member for Transcona in terms of the appointment to the regional boards, because the government had a choice.

They did not have to adopt a policy, as I perhaps more jokingly called it, of affirmative action for defeated Tory candidates. They have got lots of places to put defeated Tory candidates. They put them in the civil service. There are quite a few of them there. They put them— [interjection] No, that is Saskatchewan, for the member for Flin Flon (Mr. Jennissen). They put them into boards and commissions, and you know what? I expect that from this government. There are certain ministers that are particularly adept at putting defeated Tory candidates and just plain Tories into main civil service positions.

**An Honourable Member:** Who do you think we are going to appoint, our enemies?

**Mr. Ashton:** Well, the government House leader says, who do you think we are going to appoint, our enemies? Madam Speaker, you know, right now, given the controversy this government is creating in this province, they are eliminating a lot of people from appointment if they include their political enemies as not being eligible for appointment, and I want to say to the member for Turtle Mountain (Mr. Tweed), because I was kind of concerned about some of his comments from his seat, and I know he was being facetious, when he said that there are not a lot of NDPers in rural Manitoba.

Well, it is interesting because, you know, this is sort of the yellow dog kind of mentality. I remember before the last federal election when they used to run around in rural Manitoba and Conservatives would say, well, this is yellow dog country. We always vote for Conservatives.

Madam Speaker, people in rural Manitoba, they said they have had enough of the Mulroney government. They elected not only Reform but they elected Liberals. Do you remember the days when the Conservatives used to say there were no Liberals in rural Manitoba? Now, there may not be too many after the next election, but that is another question.

But, you know, to the member for Turtle Mountain (Mr. Tweed), I want to tell him there are a lot of people in rural Manitoba who are not Conservatives. There is an increasing number who are not Conservatives, but even in his own constituency there are a lot of fine people who support the New Democratic Party, support the Liberal Party. In fact, I mention this on the record. In Arthur-Virden, represented by the Deputy Premier (Mr. Downey), there were more people who voted NDP in the last election than Conservatives who voted for the Conservative Party in Thompson.

**Madam Speaker:** Order, please. I am listening very intently to the member for Thompson, and I am having some difficulty recognizing the relevancy of his comments to the principles of the bill. I am sure the honourable member for Thompson is going to clarify that in his ongoing debate.

**Mr. Ashton:** Madam Speaker, I realize that you were not here for the earlier debate, but there was considerable debate as to why it is just coincidental that we have so many defeated Tory candidates being appointed to these regional boards, and there was some suggestion by members opposite that there are not people other than Conservatives in a lot of areas in rural Manitoba, there are not a lot of NDPers, and I wanted to put on the record that there is a significant number of people who are not necessarily aligned with any political party who I believe could have been very good appointments to these hospital boards.

But I have a better suggestion to the government, and I think this is what should have happened this time around with the regional hospital boards. If you want

some kind of legitimacy, allow for the regions to elect the people. They said they would do that, and there is an irony, I find. I mean, let us be blunt about this. In the last provincial election, Madam Speaker, one of the key issues was health care, and one of the reasons there are as many defeated Conservative candidates is because they ran on health care. There is an irony for a lot of people I know in The Pas and Flin Flon, the people who ran on health care and were rejected out of hand.

In my area, by the way, and I respected the defeated Tory candidate, but one of the reasons he was defeated by the biggest margin in 25 years is because of health care and what was happening in our local hospital institution, and I know he is now serving the community on the hospital board itself, but there is some concern that is being expressed about people who run—and they are fine people individually, but you know, the way you deal with that is you have a democratic election.

I was talking to somebody yesterday. They said we are going to invent a new term for this government. They have adopted a corporate decision-making model. We have seen it on other issues, but this is not even autocracy anymore. It is certainly not democracy. It is not autocracy. Someone was saying we should call it corpocracy. I mean, whatever word you want to use, it is based on this kind of we-know-best mentality, and in this case the key person here or the CEO, if you like, is going to be the minister. He is going to have all sorts of powers in this legislation that are unprecedented, and even the MHO has stated that, and who are the board of this? It is going to be these appointed individuals, many of whom may be fine people individually but just coincidentally a lot of whom happen to have run for the Conservative Party or be active Conservatives.

\* (1600)

Madam Speaker, how can you have a legitimate regional board, for example, in northern Manitoba with the lack of representation from aboriginal people? How can you have that, and The Pas being a classic example. If you want legitimacy you have to have a democratic process. Democracy in this province is much more than having an election every four or five years. It is about democracy in all our institutions on a yearly, on a monthly, on a daily basis.

I appreciate the comments from the member for Morris (Mr. Pitura) who acknowledges a lot of concern in the coffee shops in rural Manitoba—there certainly are in my area in northern Manitoba—about what is happening with our health care system and a lot of concern about this structure. People do not want to see the Minister of Health, any Minister of Health, having this kind of authority. The sad part is, there are a lot of advantages to regionalization if it is done in the right way. It could be looked at. There is no problem with the principle of regionalization.

In my area, I have been fighting for years to see a personal care home. We have none in our region, but it is because those decisions are not made in our region, and people leave our communities and they go to other communities because the overall health care bureaucracy has not recognized that. I believe we can solve that by having the control in our area, but we will not solve it unless we have a representative board. Once again, I am not saying anything critical of any of the people who are on the board in my area. They are very good people, but you know what? They would be far more legitimate in terms of their democratic authority if they were elected.

I look at the comparison between school boards where you elect people and people are accountable, and, for example, hospital boards where we do not have elections, or in this case the regional health boards, and I think anybody in this House knows what I am talking about, because each and every one of us at some point in time has to be accountable. Whether we like it or not, we have to be accountable. The buck does stop and it stops at least once every four or five years with the voters, and that creates the accountability we see in this, and each and every person in this House is accountable because of that, and it makes the people who sit in this House representative.

Now, we may argue back and forth, as we do on the issues of the day, but in the end we know that at some point in time we have to be accountable to the people. That is not in this legislation, Madam Speaker, and that is a serious, serious error.

So we are caught in a dilemma on this side, and I appreciate some of the rhetorical suggestions by members opposite who were debating this bill, saying if we vote against this bill we are voting against this, that, the other.

I will tell the members opposite why we are voting on this bill and why we are voting the way we are. It is because it is a fundamentally flawed bill. It is undemocratic in the extreme. It is not the only item of legislation, Madam Speaker, that falls in this category, but you are dealing with health care. When you are dealing with health care, do you really need to bring in something that is so draconian that even the MHO has said this is a serious problem and there are serious problems with this bill?

I want to appeal to members opposite, because we will vote, as we will in just a few minutes, on this bill, but this will go to committee. There is an opportunity for the government to at least take a few steps back from where it is at right now in terms of the regional health authorities. There are a number of areas of this bill that can be amended, and that is part of the committee process.

Let us start with the MHO brief. Please read that brief. It is a very well-prepared brief. It has some very excellent suggestions. I would say go into the committee with some sense of removing the arbitrary power that is established, whether it be over employees or the power of the minister in other areas. Try and reform the bill to be a democratic bill.

You know, regardless of the political disagreements we may have, I still believe that if we allow the committee to listen to the presentations, and I understand there are a significant number, we can bring in a better piece of legislation in the final analysis. That is one of the reasons we are taking the stand we are on this bill right now before committee, to signal the government. I look to members opposite—and, by the way, I look particularly to rural members who I know are getting a lot of questions raised about this—to listen to those people because I believe there are some very legitimate concerns out there. I look to them to support some of the concerns that have been expressed, some of the concerns we will be taking to the committee, and I think it is a good opportunity to put aside in that committee process some of the partisan differences and look at some very real problems in this bill.

So I want to say, Madam Speaker, that we believe this is a flawed bill, and we believe that you should not be bringing in this kind of arbitrary decision-making

process, an unrepresentative process that you have on something as important as health care.

If there is one area that should be accountable and should be democratic in its administration, it is health care, the largest area of government, the area that we have to be concerned the most about. I say, and I appeal to the government members, they have the opportunity at committee, please listen to the presentations and please correct many of the fundamental flaws in this bill. Thank you.

**Mr. Edward Helwer (Gimli):** Madam Speaker, I would just like to add a few remarks in support of Bill 49, the Manitoba health authority act. I think it certainly is a step in the right direction, and I certainly support the initiative of our minister, Mr. McCrae. I think that the regional boards will take a new approach to protect the health care of Manitobans.

I am a little familiar with the Interlake area because I have served on a local health board and know how the health board works. I think we have in Manitoba and in the Interlake one of the best health care systems in Manitoba, and I think it is our duty to protect that. Some of the reasons are because of the cutbacks by the federal Liberal government, the number of dollars that have been cut back to Manitoba in the transfer payments. It is putting our health care in jeopardy.

The cutbacks by the federal Liberal government are putting our health care in Manitoba in jeopardy. [interjection] Yes, that is correct, so in order to continue the health care system that we have, and present the quality care that we have, we must look at the whole system and find a way of doing things a little more efficiently. I think the idea of the regional health authorities is certainly a step in the right direction.

I just want to mention the member for Thompson (Mr. Ashton) spoke about the appointments to the boards. I think our minister did an excellent job and, to the point, we have very good people on the boards. I just want to mention the hypocrisy of the NDP of how they shuffle things around. I happen to have the statistics here of the number of personal care beds in the Interlake region. Out of the 504 care beds in the whole Interlake, 274 are in Selkirk. Do you know why they are in Selkirk? Mr. Pawley, the former Premier, came from Selkirk. That is

why they built all these personal care beds in Selkirk. The NDP—

**An Honourable Member:** How about public housing in Selkirk?

**Mr. Helwer:** Well, that is another one. That is another story.

Just getting back to the excellent health care facilities that we have in Manitoba. In the Interlake, we have one of the most modern eye care centres in Manitoba. Dr. Oakley, in Gimli, has built a new eye care centre. He and his partner Greg Hosegood have one of the most modern eye care centres, and they look after the—in the whole Interlake we have 76,000 people. We have two people that look after the eyes, the ophthalmologists, Dr. Oakley and his partner. They do an excellent job and have some of the best equipment in Manitoba. I am really proud to say that we have one of the best eye care centres in Manitoba.

One of the reasons why health care is so important and one of the reasons we have to protect it in the Interlake is 27 percent of our population is over 60 years old. The town of Gimli, Winnipeg Beach, areas such as that, are great places to retire—[interjection] Yes, sir, Mr. House Leader, I will complete my remarks as soon as possible, but it is important that I do put a few remarks to support Bill 49.

I also want to say just how things are not properly distributed. In Selkirk, we have 274 personal care beds; in Stonewall, we have 30. Now a town, a progressive community, like Stonewall and only 30 personal care beds—we are correcting that. We are going to build 20 more new ones, and we have a new hospital in Stonewall, so things are going to be corrected. Plus, I think, we had a 27-bed addition at Teulon which is being held up by the minister, but hopefully those will be able to go ahead.

In conclusion, I just want to say that I support Bill 49. I think our Health minister is doing an excellent job and we want to protect health care in Manitoba, for Manitobans, and to improve the system and the health care that can be provided. In order to do that, in order to attract the physicians that we need, we must look at the whole area as a region. I support the bill 100 percent. Thank you, Madam Speaker.

**Madam Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 49. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Speaker:** No. All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

#### Formal Vote

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

\* (1610)

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

\* (1620)

#### Division

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

#### Yeas

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

#### Nays

*Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry,*

*Hickes, Jennissen, Kowalski, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 28, Nays 24.

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

\* \* \*

**Hon. Jim Ernst (Government House Leader):** Would you call Bill 36, please, Madam Speaker.

**Bill 36—The Social Allowances Amendment and Consequential Amendments Act**

**Madam Speaker:** To resume second reading debate, Bill 36, on the proposed motion of the honourable Minister of Family Services (Mrs. Mitchelson), The Social Allowances Amendment and Consequential Amendments Act (Loi modifiant la Loi sur l'aide sociale et apportant des modifications corrélatives), standing in the name of the honourable member for Point Douglas (Mr. Hickes).

Is there leave to permit the bill to remain standing?  
No? Leave has been denied.

**Mr. Tim Sale (Crescentwood):** Madam Speaker, this bill is one of the most mean-spirited of all the legislative package that is before this House. That is strong competition.

I want to make only a very few remarks, but I will tell the House that my partner works with people in one of the most difficult areas of the city, many of whom, in fact the majority of whom, are on social assistance.

Without exception, these people have serious physical handicaps, mental handicaps. They are not equipped for the kind of work that is available to anybody today. The expectation that these people will turn in every couple of weeks 15 job contacts when they have no means of transportation, when they have no realistic opportunities to do the kind of work which is available to them is simply punitive, mean-spirited and ultimately counter-productive.

In particular I want to close my comments by pointing out that when you deliberately cut people off social assistance because they have not followed some bureaucrat's direction to make 15 futile contacts for work that is not there anyway, and when you reduce their income you increase the lack of public safety on our streets, Madam Speaker. If we are worried about people who are desperate now, think what we will face when people have been cut off public assistance or had their public assistance so reduced that the only option they have is a food bank or petty theft. If you want to make streets safe you do not cut off people's income, you do not cut off their hope, you do not demean them, you do not send them on useless job search for work that is not there. This is a bad bill. It is bad legislation. It is mean spirited. It lowers our ability to meet the needs of the most vulnerable in our society, and we oppose this legislation.

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, just in the event that matters do not proceed quite as quickly as we had anticipated, is there leave of the House to not see the clock in order to complete Bill 36?

**Madam Speaker:** Is there leave of the House for the Speaker not to see the clock at 4:30, to proceed, if necessary, on debate on Bill 36? [agreed]

Is the House ready for the question? The question before the House is second reading Bill 36, The Social Allowances Amendment and Consequential Amendments Act. Is it the will of the House to adopt the motion?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

**Voice Vote**

**Madam Speaker:** No? All those in favour of the motion, please say yea.

**Some Honourable Members:** Yea.

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

**Some Honourable Members:** Nay.

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

#### Formal Vote

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

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

\* (1630)

The question before the House is second reading of Bill 36, The Social Allowances Amendment and Consequential Amendments Act.

#### Division

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

#### Yeas

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

#### Nays

*Ashton, Barrett, Cerilli, Chomiak, Dewar, Doer, Evans (Brandon East), Evans (Interlake), Friesen, Gaudry, Hickes, Jennissen, Kowalski, Lathlin, Mackintosh, Maloway, Martindale, McGifford, Mihychuk, Reid, Robinson, Sale, Santos, Struthers.*

**Madam Deputy Clerk (Bev Bosiak):** Yeas 28, Nays 24.

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

#### House Business

**Mr. Ernst:** Madam Speaker, as a result of actions taken by the House this afternoon, Bills 27 and 71 are referred to the Committee on Economic Development which will meet on Thursday, October 10, at 10 a.m.

**Madam Speaker:** Bills 27 and 71 are accordingly referred to the Standing Committee on Economic Development which will meet Thursday, October 10, 10 a.m.

**Mr. Ernst:** Madam Speaker, the Committee on Law Amendments will meet on Thursday, October 10, at 7 p.m., to consider Bill 36. If unable to complete their work Thursday evening, the committee will resume again at 9 a.m. Friday morning.

**Madam Speaker:** The Committee on Law Amendments will meet Thursday, October 10, 7 p.m., to consider Bill 36, and if the committee is unable to complete its work, the same committee will reconvene at 9 a.m., Friday, October 11.

**Mr. Ernst:** Madam Speaker, the Committee on Municipal Affairs will meet on Thursday, October 17, 1996, at 7 p.m., to consider Bill 54

**Madam Speaker:** The Standing Committee on Municipal Affairs will meet Thursday, October 17, 7 p.m., to consider Bill 54.

**Mr. Ernst:** Madam Speaker, the Committee on Economic Development for Thursday, October 10, at 2:30 p.m., to consider the report of Venture Manitoba Tours will now start at 3:30 p.m.

**Madam Speaker:** The Standing Committee on Economic Development to meet Thursday, October 10, originally scheduled for 2:30 p.m. to consider Venture Manitoba will now be rescheduled to meet at 3:30 p.m.

#### Committee Changes

**Mr. Edward Helwer (Gimli):** Madam Speaker, I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Economic Development be amended as follows: the member for Minnedosa (Mr. Gilleshammer) for the member for Turtle Mountain (Mr. Tweed).

**Motion agreed to.**

\* \* \*

**Madam Speaker:** Is there leave of the House to call it 5:30 p.m.?

**Some Honourable Members:** No.

**Madam Speaker:** No, leave has been denied.

### PRIVATE MEMBERS' BUSINESS

**Madam Speaker:** The hour being 4:30 p.m., time for Private Members' Business.

### PROPOSED RESOLUTIONS

#### Res. 17—Manitoba Environmental Council

**Mr. Gregory Dewar (Selkirk):** Madam Speaker, I move, seconded by the member for Dauphin (Mr. Struthers), that

WHEREAS the government of Manitoba has been operating in violation of the spirit of The Environment Act since the minister withdrew financial support and duties from the Manitoba Environment Council in April 1993; and

WHEREAS the Minister of Environment has reduced the size of the Manitoba Environment Council from at least 50 to six individuals; and

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

**Mr. Dewar:** WHEREAS the effectiveness of the council has been seriously undermined by the withdrawal of support; and

WHEREAS the Minister of Environment has not taken advantage of the advice and experience offered by both experts and the general public, and has caused his relationship with the community to deteriorate; and

WHEREAS the mandate of the Manitoba Environment Council, which is to serve as an independent advisory body and a source of expertise for the minister, is not being fulfilled; and

WHEREAS during its existence the Manitoba Environment Council developed a large network of volunteers who lent their expertise to examine the

environmental impacts of various policy initiatives and also performed an important public education role.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider reinstating the Manitoba Environment Council to include a representative cross section of expertise from the fields of science, natural resource management, environmental groups and others. Thank you.

\* (1640)

#### Motion presented.

**Mr. Dewar:** Madam Speaker, it is an honour to rise today to present this resolution to the House, one that I hope all members of this House will seriously consider and, I am certain, all members of this House will endorse and will support. I want to begin by offering a tribute to all the members of the Manitoba Environment Council, both past and present, men and women who gave of their time to provide expertise and advice to the government and to the Minister of Environment and to the government on environmental issues pertaining to Manitoba.

The Manitoba Environment Council was formed in 1972 and its functions and duties were confirmed in The Environment Act. The act states, and this is Section 8, Clause 1: The minister shall appoint a Manitoba Environmental Council to provide advice and recommendations on environmental matters, promote environmental awareness and provide assistance in the development and in the presentation of environmental education programs.

The Manitoba Environmental Council was given the mandate to initiate an investigation into environmental matters either on its own volition or on the request of the minister. The act also requires that the minister shall appoint the chairperson of the council from within the council and that the Manitoba Environmental Council and the Clean Environment Commission shall conduct at least one meeting per year.

Madam Speaker, in 1982, for example, the Manitoba Environmental Council had 68 members; in 1993, the government, the minister, reduced that amount to the present. I believe at that time in 1993 he reduced it to six. I believe it is up perhaps closer to eight now. But at

that time he had 68 members representing a cross-section of individuals from across this province, individuals who again gave of their time to provide expertise to the government, representing a cross-section of individuals who were concerned about very different environmental issues.

Looking back at that list they have individuals, farmers and writers, lawyers and city councillors, individuals who are interested in energy policy and animal ecology, fisheries research scientists, town councillors, consultants, teachers, physicians, city planners, farmers, a professor of civil engineering, management consultants, retired biologists, individuals who are concerned with energy and transportation, wildlife policy, animal-plant ecology, recycling, environmental legislation, financial planners, pharmacists, Madam Speaker, as I mentioned, 68 individuals who represented many different occupations and interests across this province.

In 1993 the government eliminated that council and formed their own council. Now he has again maybe six, maybe eight individuals on it, which was significant, obviously which is quite a lot smaller in number, but as well I think, even though I do want to commend the individuals on that council and thank them for participating, but I do not think it represents a broad enough cross-section of Manitobans and individuals concerned with environmental issues. The issue was, why would this government do this?

Some would argue that the reason the minister eliminated this council was that this council was too critical of this government and of this minister on certain environmental issues. As well, they received, I believe, a small allowance. They had an office. The government provided them with an office, I believe, and they had a very important function to perform here in Manitoba on behalf of individuals who were concerned about environmental issues. Part of their role was of course advice to the Minister of Environment, either specific requests from the minister, and as well they would provide advice on notice of environmental problems.

Part of their task is to provide evaluations of initiatives by this government, whether it is in the area of policy documents, legislation and regulations, activities of certain government boards such as ACRE, formal enquires before a quasi-judicial board such as the Clean

Environment Commission. They made a presentation before the Clean Environment Commission on stubble burning, before the Public Utilities Board on activities of Manitoba Hydro. As well, they were providing advice and evaluation of initiatives by other jurisdictions that affect this province, evaluation of initiatives from the federal government, for example, on national parks policy or water quality guidelines in other provinces; Shoal Lake which is, of course, the source of the city of Winnipeg's drinking water or the Rafferty-Alameda dam, and, as well, not only within Manitoba or Canada but, as well, initiatives taken by foreign governments such as the United States as it relates to the Garrison Diversion.

So, Madam Speaker, they were very active. It played a very important role in the debate on environmental issues here in the province, but for whatever reason the government reduced that from 68 members down to the handful we have now, and we feel that by reducing this, the government reduced the ability of this council to function and to provide advice to the government. We feel that because of that reduction, that it is restricting. I would suggest, a healthy debate on environmental issues here in the province

Why would the government do this? Perhaps they were saying things this government did not want to hear. I know they were critical of, I believe, the government's policies on the review process of the Louisiana-Pacific project. That is one example, or the government's initiative on hydro development in the North, and in this particular case it was Conawapa. They offered this advice; they offered criticism to the government, and perhaps the minister did not want to hear this particular information, so he disbanded that group and set up his own council, a smaller number without the office space, unfortunately limiting their ability to function.

Madam Speaker, I also was interested in finding out the activities of the Manitoba Environmental Council, and I did a little investigation. I went to the Clerk's Office and went to the Legislative Library trying to get an annual report, and I understand the last report that was prepared by the Environmental Council was in 1988 to 1990, so we are kind of interested in what happened in between that time. Is it because the minister is concerned about what they are saying? Is that why there has not been a report over the last four years, five years, six

years? Even in the annual report that was tabled in the House a number of weeks ago, there is very little mention. There is just one line in here, and it says, the Manitoba Environmental Council is responsible for the provision of advice to the Manitoba government on environmental matters—one little line within the annual report of this council.

\* (1650)

We are concerned about why the government does not fund other environmental groups that are out there, as well. I think that is the other issue, that instead of withdrawing funding to environmental groups, they should be broadening that to allow other groups out there to—even though they have the person power, as it were, they have the expertise, but they lack the financial resources, and maybe that is a strategy of the government opposite, to try to muzzle some of the criticism out there, and our concern about what they are doing is that they are manipulating the hearing process to their benefit.

I guess another question that we want to know about the current council is what is the criteria that the minister is using in the selection process. We feel that if he had a much broader council representing individuals of many interests, many concerns, that the government would be able to develop a better, more comprehensive environmental strategy, Madam Speaker.

We feel the council is very useful, has served a useful purpose for many years, and the purpose of our resolution is to get the government, of course, to change its strategy, to listen to Manitobans and to listen to individuals who have environmental concerns, Madam Speaker.

So we hope that the minister across the way is an individual that is open to our suggestions. He has proven that in some ways. Some ways he has proven that and some ways he has not. So we offer him today the chance to stand up and endorse our resolution and to support our resolution so that the Manitoba Environment Council can get on with the task that it was originally assigned, and that is to provide environmental advice to this government. Thank you very much.

**Hon. Glen Cummings (Minister of Environment):** Madam Speaker, I am certainly pleased to respond to the

comments from the member for Selkirk regarding his view of the present Environment Council and the changing of the guard, as it were, in terms of the Manitoba Environment Council.

I think he does a disservice, first of all, to the previous council and to the existing council when he observes that it has reduced from 50 or 60 individuals down to six. Both ends of that spectrum are somewhat out of sync, because one of the things that in fact I was encountering with the old Environment Council was that we had a large number of people—and my predecessor, as well—had a large number of people who were appointed to the council, but their attendance was somewhat sporadic. There was in fact a core group of individuals who were very dedicated and worked very hard on behalf of the council, and I want it on the record that their dedication to the Manitoba Environment Council was never in question.

However, let me address as well the comment that there are now only six individuals. There are 12 and potentially 15 is the normal size of the existing format that Manitoba Environment Council will follow.

But, Madam Speaker, to context this in whether or not the council was receiving additional support and funding from the province or from any other source of revenue and to indicate whether or not that has any bearing on the influence or the opportunity for the council to influence I think does a disservice to the people who are on the council, because what we have today is a council that—two things changed in terms of the size of the council, yes. That was one. The other is the direct access that they now have to the minister's office.

They, in response to a smaller council, have a direct commitment from myself that they will meet a minimum of four times with me or a significant portion of the management of Department of Environment and that they will have a quality opportunity to influence policy and direction and provide advice.

Frankly, I think that is a much more productive format for the council to be involved in than previously occurred when the council met on an ongoing basis and frankly had a meeting probably only about once a year where they communicated directly with the minister of the day.

Whether it was me or whether it was any of my predecessors, no matter what their political stripe, it was not a situation, as I understand it, where the council met face to face for any ongoing period of time or for any large number of times with the minister of the day.

I suggest to the member that if he is serious about examining the mandate of the Environment Council that he has to ask himself the question, is it an opportunity to provide policy advice, direction and provide advice and opinions in advance of decisions being made by government or is it the responsibility of the council to, after government has made a decision, dissect, observe and criticize?

I suggest that if the council wants to influence the direction of environmental management in the province that the format that is available today provides them a significant opportunity to shape environmental practices in this province and that is in fact what we are attempting to have them capable of doing. As with any other advisory council, I would say that its efficacy is a direct reflection of the willingness of the advisors and the minister, in this case the Minister of Environment, and our government or any other government being advised by a volunteer group of individuals, that they have a willingness to provide a forthright and a clear comment on direction that they wish to see unfold. That is the true sense of being able to provide advisory status to a department as opposed to only providing the other comments, very often in a post-implementation period.

I would also tie that to the context and the criticism that Manitoba Environment Council used to make some number of presentations to the Clean Environment Commission, to other independent bodies dealing with environmental matters. I want to make it very clear that I have indicated to the present council that they are in no way inhibited from making presentations, but they should indicate that those presentations are being made on behalf of individuals, and their opinions may very well be developed during their discussions within the meeting framework that we have set up. But one only needs to look at the present make-up of the council to know that this is a pretty broad cross section of our community and a broad cross section of the environmental community that certainly is not of the matter where there are about four dozen people sitting at the table. In this case, we

have about a dozen members on a regular basis, and I would say the good part about today's council is that there is a real recommitment on the part of the members to actively become involved.

In response to that, the ministry and myself have made every effort to make sure that issues are presented to them prior to their becoming issues in the public or issues within government so that they can truly provide some comments on what direction they would like to see environmental responsiveness taking. If you consider, and I will pick up on one issue my critic raised in terms about their ability—formerly they took considerable advantage of the opportunity to comment on parks policy, they took the opportunity to talk about waste reduction, obviously, in the early years of our administration. The opportunity to influence and shape those types of policy early on is very important because they are ultimately developed very often by consensus, and the direction of some of the consultative pieces that go out have been a direct result of input by a group such as this. Any government needs the best broad-based consultation and not just from people who are prepared to say, yes, that is a good idea just because you put it on the table

\* (1700)

You need quite regularly a group who will not always agree with you. I know that there is a criticism out there by some people who are saying that this present council may be some sort of a group that I have hand-picked. One who knows any of these members, first of all, they have a significant scientific background to a large extent, but I think it would be fair to say, and in this Chamber certainly it should be appropriate to say, that this is not a list of people who are necessarily politically aligned with myself or this administration. They are people who are prepared to speak their mind, and we approach this with the opportunity for them to speak their mind to my department and to our government before we actually embark on some of the adventures that we have recently in terms of environmental regulation and environmental initiatives.

So the criticism of the size in counting numbers is not the only criteria. In fact, what we have found is that the members of the present council have been encouraged, and I have in fact encouraged them to use their linkages

within the community to go out and discuss some of the issues that we have raised with them. They are genuinely issues that have not yet reached the floor of this Chamber who have necessarily not reached public consultation situation, and I will give an example, being the White Paper on Sustainable Development. This body has twice reviewed that prior to it ever being presented here or in the public. I think, much to the amazement of other members, in the early commentaries on how we develop thinking around and in this manner, that has to be an example of true consultation and a true willingness to accept from a broad cross-section comment about initiatives that we are making.

The member makes one other comment that I want to respond to specifically. I think it demeans not necessarily just his comments, but I think the members of the original council demean themselves when they refer to the fact that they could not function because there was not funding available for them to run the type of process that they used to run before. The fact is that what we are looking for and what we have and what we had to a large extent even prior to the reorganization is that the active members of the council were those who were there because they were concerned about the issues, because they felt they could make a difference and because there was, in many cases, a lifelong interest in the environment.

Those people continue to function in the council; they continue to function in the community. We even made available to the council all of the environment offices across the province. If they wish to communicate with people across the various regions of the province, whether it was in the North or in the west or in the south, they were given access to communication processes, fax machines and other opportunities to work with the Department of Environment on predetermined areas of consultation if they wanted to bring in people from the other regions. That is one of the areas where the funding was previously spent. It was spent on travel.

I have to ask you, is it not better to spend those dollars perhaps in enforcement or other areas of responsibility within the Department of Environment when we can on a regional basis? If people are so interested or so desire to become involved, we can still receive their advice and it can still be funnelled through the existing Manitoba Environment Council.

I would only comment further on one small aspect. We have put some significant emphasis on the technical qualifications of the people who are involved in the present advisory council, not to the exclusion of others who are simply active and dedicated people within the environmental community. When I look at the likes of Will Grieve, who is formerly the head of Ward Lab here in the province, a long-time civil servant, I think the kind of thinking that he brings to the table when balanced with that of some of the environmental activists who are also at the table, and we have the past president of the Sierra Club at the table as well as part of this—the local chapter of the Sierra Club—we have that person at the table as well in the person of Christine Common-Singh. That kind of balance is the kind of debate that myself or anyone else who might want to sit in that office or be given the opportunity to sit in that office will need in order to make sound decisions.

I reject out of hand the WHEREASes in this resolution that effectively leave the impression that there is no longer a consultative approach, that we somehow have a group of puppets that meet for pizza and coffee four times a year and have little or no impact on where the thinking in the Department of Environment might go in relationship to the issues of the day.

In fact, they are being given an opportunity ahead of the issues rather than after the issues, and that I think is a much better way of dealing with the problems and having some real opportunity to impact on them.

In fact, Madam Speaker, there is a statement out there that some people from time to time use tongue in cheek, and that is that you can be famous or you can be influential, but you cannot be both. I suppose there is an element of that in relationship to the present Environmental Council as it is presently operating. They have individually gone out, presented, made headlines in their own right and comments on environmental matters, but in terms of their advice to the ministry, because they are talking to the department early on in the process, they are in fact flagging issues for the Department of Environment and for this government in advance of their becoming an issue that perhaps we might not have dealt with as soon as we would have otherwise.

So I make no apology for the fact that they are seen to be meeting on a much more regular basis and that they

meet with a commitment from myself and from the department, that the topics on the agenda, while they have a significant input on the agenda, but in fact we deliberately make sure that we search out areas of interest and areas of concern that they want to discuss in advance of decisions being made or initiatives being taken on our part in order that we have sufficiently canvassed all the views that are out there. They represent that cross section.

A good example, obviously, is the sustainable development act, but also issues around forestry. There are some people on this council who are very interested in forestry and continually raise at the table issues of management, licensing and sustainability of our forestry. That is legitimate, but they were raising those questions long before the Clean Environment Commission sat on hearings. They were raising those issues as a matter of the overall management of resources in this province. So I think, Madam Speaker, that they are contributing significantly. The premise of this motion, I reject.

**Mr. Stan Struthers (Dauphin):** Madam Speaker, I am pleased to be able to rise today and talk briefly on the resolution put forward by my colleague from Selkirk, and I want to commend my colleague from Selkirk for putting the environment back on the table here again and to put it forefront in the Legislature, where we need to have this type of discussion take place, because the environment is something that we must treat very carefully. I also wish to commend the Minister of Environment (Mr Cummings), the current Minister of Environment, for explaining to us that he does believe that there is a role to be played for a strong council, diverse council, one that has a lot of technical expertise. My hope, though, is that the government will actually listen to this environmental council and not continue with the practice of simply cherry picking the kind of issues from the environmental council that suit its very big business kind of approach to our environmental issues that we have before us.

\* (1710)

The question is not so much what the numbers are on the council and what this government has done to reduce those numbers. That issue is clear. The downsizing of this environmental council has in fact taken place. Nobody can dispute that the council is much smaller now than it was at one time. What are the results of that?

Well, the minister mentioned the Sierra Club in his statements, and I want to remind everybody in the House—I am sure they will remember—the mark that the Sierra Club has given this government for its performance on environmental issues. It has a D-minus from one group. An F—I realize that the minister—it slipped his mind. I imagine he intended to tell the House that that mark was the one that was given to his government. You know, they get those kinds of marks for very valid reasons, and one such reason is the lack of input that northern people had when new parks were established in the northern part of our province just recently, that the public process is something that needs to be taken very seriously when it comes to environmental issues. That is an area that this government has, in my opinion at least, completely fallen down in.

Another example is, and the minister mentioned briefly, forestry. It does not make a lot of sense, from a sustainability environmental kind of an angle, to take a process which is there to be followed by companies like Louisiana-Pacific and mess around with that process simply to allow the company easier access to our timber in the Parkland Region. The government took that process and split it in two, allowed the company to do an environmental impact assessment of the plant first and then at some point later decided that then maybe we will see if there are enough trees to run through this plant and whether we have got enough wood, in fact, to satisfy the needs of Louisiana-Pacific.

Common sense tells us that you would do that all at once or, if the government was really intent on splitting the process, find out if there are enough trees first and then build the plant and do the environmental assessment on the plant then. That makes sense from a sustainability point of view. It does not, however, jibe with this government's big-business attitude towards purely developing what we have in rural Manitoba. It does not jibe with this government's pro big business kind of an attitude, pro corporate transnational corporation attitude that says that this government's role in life is to simply jig the system so that big business and multinational corporations can make huge profits and cut away at its will, clear-cut in our parts of the province.

What I would like to do is speak briefly about where this government can look to get some good, solid advice on how to approach issues of sustainability and issues of

the environment. Now, I know the background of the Minister of Environment (Mr. Cummings) and I know that the minister and I represent similar parts of the world here in the Parkland area. We have a large agricultural base and many commonalities between our two ridings.

What I would suggest to the minister and to other government members is that we take a good lesson, good hard look and learn from what our farmers are doing out there that are very sustainable agricultural practices. The sustainable practices in agriculture can very easily be transmitted to sustainable practices generally in the environment.

Let us look at some of the things that farmers are doing in my community and in the minister's community, things like green manure, ideas such as clover plow-downs. These are two very practical ways that farmers are using to cut down. It may be that it is driven partly by an economic reality that says we cannot afford the input costs anymore for chemicals and fertilizer that are going through the roof but, at the same time, in the farming community, there is a drive, there is an ambition to become more sustainable.

By sustainable, we mean long term. We mean that we are going to practise these agriculture practices so that, No. 1, the soil and the content of the soil is there for years to come so that we can pass on our farms to the next generation. Over the past number of years, farmers have been leaving a lot more trash on top of their fields. Instead of simply just burning off the amount of straw that we leave on our fields, we have been taking the more sustainable approach of plowing that trash back into the fields and not simply blackening the land so that it can float off across into the neighbours' fields.

In agricultural parts of our province, we are into triple rinsing of the chemical cans that we do use. Triple rinse the cans and then recycle them into such things as fence posts, very much in keeping with the sustainable principles upon which I would like to see this government move. In both the constituencies of Neepawa and in Dauphin, there is a tremendous use of shelter belts. Shelter belts, the zero-till concept is something that has been promoted—[interjection] Cutter bees, yes, sure.

Organic farming is another way that this government, I think, can do a lot more in promoting, but individual

farmers and farm families out there in rural Manitoba are looking at all of these kinds of options so that they know they can have some assurance that their land is going to be there for the next generation.

Madam Speaker, I point in rural Manitoba to new technologies that are starting to come on stream in the area at harvest time when, without using chemicals, we can control the weed problem that we have in rural Manitoba.

Indeed, Madam Speaker, there are some lessons in rural Manitoba where we have messed up where we have to learn, as well, and in this case, I point directly to the use of chemicals to produce spray-resistant weeds. In some parts of this province, we have gone so overboard with the use of chemicals that we have produced weeds that develop a resistance to these chemicals. So now we are looking at different ways to—[interjection] Exactly, they are the superweeds. We are looking for ways now to make ourselves less reliant on synthetic fertilizers and chemicals. It is a very progressive, very sustainable step that we in rural Manitoba are willing to take.

We have put a lot more emphasis on crop rotation, and we have put a lot less reliance on the burning of stubble. Cattle producers in both my area and in areas represented by Conservative MLAs, cattle farmers recently have got a lot more up to date on the care of riverbanks. We realize that we in agriculture have a role to play in taking care of our streams and the banks that are found along the streams. We have enhancement groups that have arranged and spent a lot of money on their own rehabilitating these streams. We have fish and wildlife enhancement groups in Dauphin. I know we have one there. I think there is one in Neepawa. There is one, I know, in Swan River, where they are reclaiming areas that we have made mistakes in before.

So, Madam Speaker, the reason I go through quite a long list—and it is not an exhaustive list of all the things we are doing right out there in Manitoba, in the rural parts, in agricultural Manitoba. There are a lot more other sustainable practices that we are employing. The reason that I put them out here today is to try to convince all MLAs and in particular the Minister of Environment (Mr. Cummings) that what we need to do is base our decisions here in the Legislature on good solid common sense and base our laws, our legislation, on the fact that

we want our environment to be sustainable and not just succumb to the easy way out of signing agreements with the large multinational corporations, be they mining companies or forestry, where we simply sell the farm, which this government has a penchant of doing.

So, Madam Speaker, with those words, I would like to congratulate the member for Selkirk (Mr. Dewar) for bringing forward this resolution, and I certainly am one who would support it.

\* (1720)

**Mr. David Newman (Riel):** Madam Speaker, I am pleased to rise to speak against this resolution. It is always, I think, a great opportunity to be able to speak on environmental issues. I have a deep and abiding interest in that area, having practised law and having been involved in some public education in that area before I entered the political life.

The resolution has a certain amount of worthiness, and that is that it has brought us up to speak and to speak of the spirit of the environmental legislation we have and the sustainable development legislation that we have in this province which I as one of the many honourable members in this Legislature on the government side believe is state of the art, setting an example for the rest of the country and for the world, and we do not toot our horn enough about this. The mean spiritness of the resolution tries to do the opposite.

So in speaking against the resolution, I want to emphasize the many positives of this department and its approach to public consultation which seems to be one of the targets of this resolution. No department in government, I would submit, does more to seek public opinion and input and to respect it.

Madam Speaker, we have the Round Table on the Environment which is given the highest status one could possibly give it as a government because the Premier (Mr. Filmon) chairs it. We have, right in Winnipeg, Manitoba, Canada, the Canadian Council of Ministers of the Environment with a presence and, I might say, with a whole variety of processes that are very sophisticated in getting public consultation on all kinds of issues, not just affecting this province but affecting the whole country and the world beyond that. After all, we are all very

interdependent now, and what happens in Manitoba, what happens in Winnipeg, affects other parts of the world as well.

We have networks of interest groups in this province that are well known and vocal, and we have now an increasing number, Madam Speaker, of informed individuals and. I am delighted to say, many of them being young people, young people who are not even in school yet, young people in elementary school, all of them becoming very conscious of the environment. Whenever I go into the schools, I am delighted to see the degree of awareness which reaches beyond what many of our generation, my generation, received by way of education through our public school system. They are becoming very, very aware, and they, as individuals, are conscientious stewards reminding sometimes their parents and grandparents of some of the things that can be done to better protect the planet for their sake and their children's sake. There is a lot of wisdom that is being accumulated in these young minds and hearts which is positive for our future, and their very vigilance and their informed vigilance makes a contribution to the development of policies, better administration and better legislation.

We have processes that this department has used, and the sustainable development group. We have policies and methodologies that they have used, workshops and workbooks, policy books, white papers, all to get consultation. This minister, in this department, has gone even further and, as we have seen over the past months, has developed a near bill which was circulated for more public opinion. A huge effort is made to make sure we do things right, that this government does things right in this area, and there is a demonstrable respect of the quality of input that individual citizens and interest groups can offer in this respect.

Now, the composition of the committee. The minister, in his humble way, his characteristic humble way, did not brag about the quality of this council, for which he can take considerable credit in appointing as an advisory group. Even in the press release, there is an understatement when he says that the make-up of this council will ensure well-rounded, candid advice on a variety of topics. The new council will feature a mix of members from the previous council joined by newcomers. The minister also noted that additional members may be

added to the council as required. A broad range of experience, interest and expertise is represented in the latest of round of two-year appointments with the council chairperson appointed from within the council by the minister.

Lest we forget, these names are so well known that they probably need not be stated. But for the record, because they are deserving of recognition: Mrs. Christine Common-Singh, a well-known community leader and environmentalist; Mr. Rick Howard, a member of council since 1976, also, formerly president of Manitobans versus Garrison Diversion in North Dakota, formerly member of a think tank, Conservation Association of Manitoba; Dr. Bill Turnock, served as a council chairman, '76-77, and is currently the chair, and he was involved with the Entomological Society of Canada, member of the Naturalist Society of Manitoba and an adjunct professor, Department of Entomology, University of Manitoba, 1975-82. I know him personally as well because I worked at Red Rock Lake in my first summer job in a camp when I was about 17 years of age, after Grade 11, before I went to university, and Bill Turnock and his doctoral colleagues there introduced me to the wonders of the sauna beside Red Rock Lake in the Whiteshell. We were studying the life cycle of the larch sawfly, and the eggs are laid in the new growths in tamarack trees in swamps throughout the province.

#### Point of Order

**Hon. Linda McIntosh (Minister of Education and Training):** I am sorry to interrupt but on a point of order, if the members opposite do not like these names, and they think these people are just laughable and are making fun of them and laughing at them, maybe they would like to stand and put on the record that they do not have any respect for these individuals that are being named right now, instead of just muttering across the hall.

**Madam Speaker:** Order, please. The honourable Minister of Education does not have a point of order.

\* \* \*

**Mr. Newman:** I think that the honourable minister might have been concerned that I was sort of writing an essay on what I did during my summer vacation sort of

thing, but the honourable members apparently do need reminding of who these people are, so I will continue and depart from my essay.

Dr. Ian Rollo, former member of the MEC for over 20 years; Dr. Diane F. Malley, research scientist with the Freshwater Institute and a published author; Dr. David Punter, the past chairman of council, Professor of Botany at the University of Manitoba; Dr. Peter Miller, Associate Professor, University of Winnipeg, Department of Philosophy, and a prolific author; Mr. Will Grieve, chief chemist with Department of Environment Laboratories until 1994; Dr. Bill Pruitt, Professor of Zoology, University of Manitoba, and previous member of council; and Dr. Derek Muir, research scientist with the Freshwater Institute, a member of the MEC since 1978, also a published author; Mr. Jim Bell, a silviculture specialist with the Canadian Forest Service, Forest Development in Winnipeg, another published author; and Mr. Dale Stewart, the Chair of the Clean Environment Commission.

What a sterling committee. The size of the committee shows it is a lean and effective committee made up of quality people providing quality advice, treasuring their volunteer time, respecting their volunteer time. It is a working committee. It does good work. I have had the personal and pleasurable experience of sitting in on their supper meetings, giving up volunteer time, away from their homes and families over a sandwich—I might say a humble sandwich—and coffee after long days of work. They have made contribution that I have seen translated into actual changes in proposed legislation. They have that wisdom and that sense of responsibility and conscientiousness that is characteristic of volunteers in this province, and we respect that and we respect their time well.

I urge all honourable members to resoundly defeat this resolution, and by doing so, we will send out a positive message of congratulations and appreciation to the hardworking and capable members of the council.

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable member for Riel (Mr. Newman) will have five minutes remaining.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, October 9, 1996

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