



Third Session - Thirty-Seventh Legislature

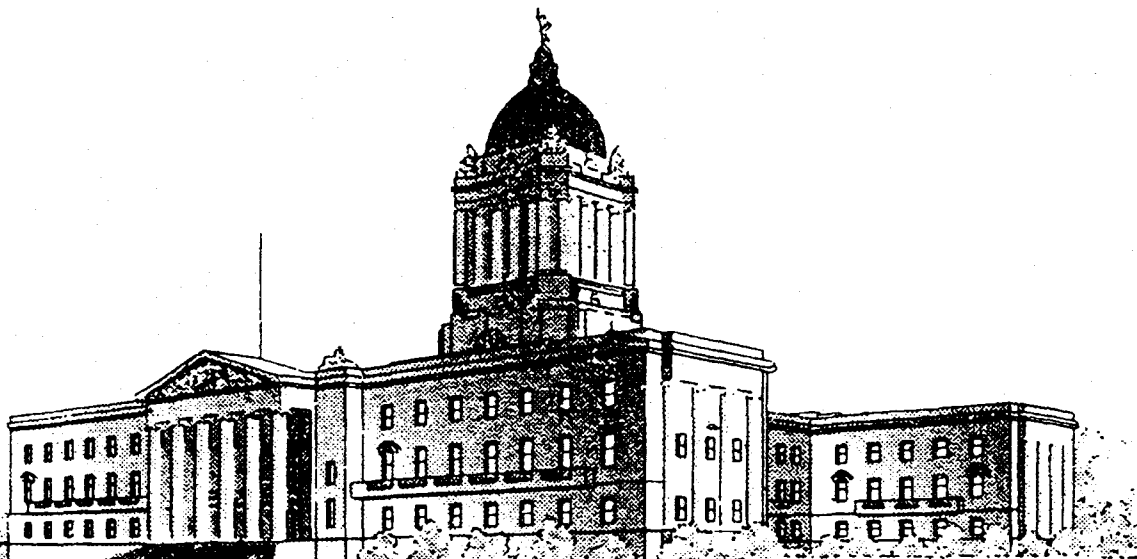
of the

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS**

**Official Report  
(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Seventh Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
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McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
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PENNER, Jim	Steinbach	P.C.
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REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
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ROCAN, Denis	Carman	P.C.
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## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 10, 2002

The House met at 1:30 p.m.

### PRAYERS

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

#### Transcona-Springfield School Division

**Mr. Ron Schuler (Springfield):** Mr. Speaker, I beg to present the petition of Don Brook, D. Colbert, N. Capner and others praying that the Legislative Assembly of Manitoba request that the Minister of Education, Training and Youth (Mr. Caldwell) consider halting plans to place portions of the Rural Municipality of Springfield into separate school divisions and to request that the Minister of Education, Training and Youth recognize that dividing the R.M. of Springfield will result in a lower quality of education for all of the students involved.

### TABLING OF REPORTS

**Hon. Gary Doer (Premier):** Mr. Speaker, I would like to table a communiqué as a report from the Western Premiers' Conference and a communiqué from the Western Premiers and Western Governors, a Progress Report, please.

### MINISTERIAL STATEMENTS

#### Philippine Heritage Week

**Hon. Becky Barrett (Minister of Labour and Immigration):** I have a ministerial statement.

This week marks the 104th anniversary of Philippine independence. I will now read the proclamation declaring June 9 to 16 as Philippine Heritage Week in Manitoba.

WHEREAS the number of people of Filipino decent who have settled in Manitoba is more than 40 000 and this community continues

to contribute greatly to the province's social, economic, political and cultural life, and

\* (13:35)

WHEREAS Philippine independence is a significant celebration for all Filipino people that reflect principles of universal significance, transcending cultural and linguistic barriers; and

WHEREAS Manitoba's Filipino community annually organizes activities to celebrate and share with all Manitobans the freedom and independence of Filipino people everywhere; and

WHEREAS the promotion of intercultural understanding, mutual respect and universal acceptance of our province's cultural diversity is supported and encouraged by the Government of Manitoba; and

WHEREAS the Government of Manitoba encourages all citizens to respect individual, cultural and historic celebrations; and

WHEREAS this day shall remind us to rededicate ourselves to promoting and protecting the independence and human rights of all people, everywhere in the world;

NOW THEREFORE BE IT KNOWN that we do hereby proclaim June 9-16, 2002, as Philippine Heritage Week in Manitoba and do hereby extend all greetings to all Filipinos in our province on this important occasion.

**Mr. Jack Reimer (Southdale):** Mr. Speaker, I thank the minister for the ministerial statement regarding the Philippine Heritage Week. I join with her in celebration of this independence, of the 104th anniversary, and also the fact that it is Filipino Heritage Week from June 9-16. Manitoba, in fact Winnipeg, is blessed with a very, very large community of Filipinos that live here in our province and in this great city of Winnipeg and contribute significantly to the

welfare, the sense of community, the contributions to the economic, the political and the cultural life that we so much enjoy here in Winnipeg.

We associate a lot of times the cultural events with the great Folklorama celebrations that we have during the summertime, but the Filipino community, along with a lot of other communities, working tirelessly throughout the year, not only promoting their own culture and their own heritage. In being involved with the various communities, we get a chance to recognize their great contributions to this mosaic in Manitoba. I congratulate the minister on bringing forth the statement of proclamation, and I encourage all members of the Legislature to take part in some of the events that will be happening in the Filipino community during June 9-16. It is a great time to get involved with the community. Thank you very, very much, Mr. Speaker.

**Hon. Jon Gerrard (River Heights):** Mr. Speaker, I ask for leave to speak to the minister's statement.

**Mr. Speaker:** Does the honourable member have leave?

**Some Honourable Members:** No.

**Mr. Speaker:** Leave has been denied.

#### **Seniors Residence Fire (Flin Flon)**

**Hon. Tim Sale (Minister of Family Services and Housing):** I have a statement for the House, Mr. Speaker.

Early in the afternoon of June 6, a fire broke out in the Hemlock Drive apartments in Flin Flon, a seniors residence which was home to 21 people. Thanks to the efforts of rescue crews, including firefighters from Flin Flon Fire Department, the Hudson Bay Mining and Smelting Company and the RCMP from both Flin Flon and Creighton, Saskatchewan, all of the tenants were safely evacuated. Four of the tenants were taken to hospital for observation, but due to the efforts of the Flin Flon General Hospital staff, no tenants require any further medical attention. Staff from the Norman

Regional Health Authority assisted in the evacuation and have worked with departmental staff in providing supports for the tenants during this difficult time.

In addition, there were a large number of volunteers from the community who offered their support, and the Salvation Army opened their facilities to the tenants. An example of community support included a pharmacist from the clinic pharmacy who stayed at work to ensure that all medications required by the tenants were provided. She left her home number at the hospital switchboard to be called in case anyone's medication was overlooked. The building has sustained major damage, and it appears that it will not be habitable soon and will require major reconstruction.

Manitoba Housing has identified some vacancies in housing managed by the Manitoba Housing Authority, as well as vacancies in the local private market. Hudson Bay Mining and Smelting has indicated that some of their housing can be accessed if required. My staff, in partnership with staff from the regional health authority, will work with each of the tenants on an individual basis to meet their long-term housing needs. On a short-term basis many of the tenants have been placed with family or friends. Local and provincial representatives will continue to work together to meet the needs of tenants as they evolve.

\* (13:40)

**Mr. Jack Reimer (Southdale):** I thank the minister for the update as to the fire that was up in Flin Flon, on June 6. I commend the volunteer firefighters in Flin Flon and Creighton, the Hudson Bay Mining and Smelting Company and the RCMP for their efforts in attending to the tragedy. Our concerns naturally are for the four victims that were hospitalized, and we hope that there is no undue stress for them and their families and that they are back to normal in a sense of trying to accommodate themselves back into the housing for the area in Flin Flon.

The minister has mentioned the lack of housing in the area, but it would appear that the volunteers and the people of the community are rallying behind the people of the area. It is another example of how, when tragedy does

strike in certain areas of Winnipeg or Manitoba or in any town in Manitoba, it is always the volunteers that seem to come up to perform the task and we see that with volunteer firefighters.

Manitoba Housing naturally has stepped in, and I commend the minister for giving the authority for Manitoba Housing to try to do their utmost to accommodate these people. I know that, with my tenure as Minister of Housing, Manitoba Housing and the people in the department are very, very dedicated to trying to help people of all areas in trying to support their needs. I commend the minister for giving them the ability to work to try and accommodate these people. So I thank the minister and the Government for this statement.

**Hon. Jon Gerrard (River Heights):** I ask for leave to speak to the minister's statement.

**Mr. Speaker:** Does the honourable member have leave?

**An Honourable Member:** No leave.

**Mr. Speaker:** Leave has been denied.

## INTRODUCTION OF BILLS

### Bill 35—The Child and Family Services Authorities Act

**Hon. Tim Sale (Minister of Family Services and Housing):** I move, seconded by the honourable Minister of Aboriginal and Northern Affairs (Mr. Robinson), that leave be given to introduce Bill 35, The Child and Family Services Authorities Act; Loi sur les régies de services à l'enfant et à la famille, and that the same be now received and read a first time.

His Honour the Administrator, having been advised of the contents of this bill, recommends it to the House.

Mr. Speaker, I am tabling a copy of the message from the Lieutenant-Governor.

*Motion presented.*

**Mr. Sale:** I am pleased to introduce for first reading Bill 35, The Child and Family Services

Authorities Act. This historic bill builds on the work that began in 1976, with the creation of Sagkeeng Child and Family Services as the first Aboriginal Child and Family Services agency in Manitoba, followed by the creation of the Dakota-Ojibway Child and Family Services in 1981-82. By now, Aboriginal Child and Family Services care for over 2000 children in all areas of our province. This historic bill creates the ability for First Nations and Métis people to provide child and family services to all of their people in Manitoba.

I would like to add, Mr. Speaker, that the jacket I am wearing was a gift from the Métis people to the people of Manitoba on the signing of the agreement to undertake this important work. It is a significant step in fulfilling the Government's commitment to implementing the recommendations of the Aboriginal Justice Inquiry of 1991. Thank you.

*Motion agreed to.*

## Introduction of Guests

**Mr. Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us from Original Woman's Network, eight visitors under the direction of Ms. Florence Raven. This school is located in the constituency of the honourable Member for Point Douglas (Mr. Hickes).

Also seated in the public gallery from Nellie McClung Collegiate 25 Grade 11 students under the direction of Mr. Grant Caldwell. This school is located in the constituency of the honourable Member for Pembina (Mr. Dyck).

Also seated in the public gallery from Springs Christian Academy 32 Grades 9 and 11 students under the direction of Mr. Brad Dowler and Mr. David VanDerSteen. This school is located in the constituency of the honourable Minister of Finance (Mr. Selinger).

On behalf of all honourable members, I welcome you here today.

\* (13:45)

## ORAL QUESTION PERIOD

### Manitoba Hydro Financing Requirements

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, over the last two weeks we have been hearing a number of stories from Hydro officials and the Doer government, regarding the impact Manitoba Hydro will face because the Doer government failed to balance their books from last year. Manitoba Hydro officials testified under oath that they do not have the millions of dollars the Government is demanding, and in fact, they are going to have to go out and borrow the money.

The president, Mr. Bob Brennan, and the Premier are both quoted as saying that they are going to be forced to borrow money this year. Manitoba Hydro is going to be forced, Mr. Speaker. But asked outside in the hallway by a member of the media, the Minister of Hydro (Mr. Selinger) stated that Manitoba Hydro would not have to borrow any money.

Does the Premier agree with the statements made by the Minister of Hydro who has stated that Manitoba Hydro will not have to borrow, despite the fact that this Government raided them for \$288 million?

**Hon. Gary Doer (Premier):** Mr. Speaker, members opposite will know that the telephone system was raided for \$440 million to balance the books in '95, '96, '97 and '98, and then had their rates increased by 66 percent to deal with the shareholder return that almost tripled. We need no lectures from Tories on this matter.

Furthermore, under the same logic as the member opposite, the largest borrowing requirement for Manitoba Hydro, which was not in the books when we came into office, was for Centra Gas, Mr. Speaker, which lost \$10 million last year.

**Mr. Murray:** Well, Mr. Speaker, this is a very simple question. The question is, and I will quote the Premier who stated: There is no question taking a dividend out of profits affects the borrowing requirements. That is a quote from the First Minister. That does not appear to be in

line with what the Minister of Hydro (Mr. Selinger), the Minister of Finance, is saying.

So Manitobans have a right to know. Who do they believe? Do they believe the First Minister who said they will be required to borrow, or do they believe the Minister of Hydro who said they will not?

**Mr. Doer:** Mr. Speaker, I mentioned Centra Gas. The contribution to this debate which was not in the books for borrowing costs was the highest borrowing requirement we have had since we have been in office, at Manitoba Hydro. There are other assets—

**An Honourable Member:** You acquired an asset though.

**Mr. Doer:** An asset that lost money last year, Mr. Speaker, a good point from the member from Russell. Thank you very much.

**Mr. Murray:** Mr. Speaker, this comes down to who can Manitobans believe. Now, if I could, I would like to introduce a quote that we talked about. The chief financial officer of Manitoba Hydro, his name is Mr. Vince Warden. I say this: Mr. Vince Warden said Manitoba Hydro will be financing the special payment and that the financing cost for the life of the current integrated financial forecast is some \$260 million to \$276 million. Is that correct? That was the question put to Mr. Vince Warden. Under oath, he answered: Yes, that is correct.

Mr. Speaker, does the Premier agree with the comments made by Mr. Warden, or does he have another story?

**Mr. Doer:** Mr. Speaker, the export revenues have generated over \$700 million in the last number of years.

A couple of days ago members opposite were calling: The sky is falling, the sky is falling, not enough rain. I thought the Leader of the Opposition would be standing up today and cheering on behalf of farmers and on behalf of Hydro. You know, I remember the doom and gloom on a drought a couple of days ago. However, we take no responsibility for the generosity of the skies in terms of getting this

water level which I am sure many producers in Manitoba are happy to see, particularly in south-western Manitoba.

Manitoba Hydro, as opposed to Centra Gas, is projected to make approximately \$220 million in the last fiscal year. The money is generated from having export sales well over \$400 million, primarily to the United States. Mr. Speaker, \$220 million minus \$150 million in a dividend equals a surplus still after the dividend of close to \$70 million. There are capital assets. Unlike members opposite that totally mothballed the development of dams in the past, we are a party that is building up Hydro, and we are investing in capital investments that will get more money for return. Stay tuned when we announce those returns.

\* (13:50)

#### **Manitoba Hydro Financing Requirements**

**Mr. John Loewen (Fort Whyte):** Mr. Speaker, at the very heart of democracy is the obligation of a minister of the Crown to tell the truth. I would ask the Minister of Finance if he would confirm and if he is in agreement with the statement made by Mr. Vince Warden, who is the chief financial officer for Manitoba Hydro, who, on June 3, swore under oath in response to a question. The question was: I understand as well, Mr. Warden, that Manitoba Hydro will be financing the special payment and that the financing costs for the life of the current IFF is some \$276 million. Is that correct? The answer Mr. Warden gave, unequivocal, and I quote: Yes.

Mr. Speaker, I would ask the minister if he concurs with this statement made by the chief financial officer of Manitoba Hydro.

**Hon. Greg Selinger (Minister charged with the administration of The Manitoba Hydro Act):** Mr. Speaker, we are revisiting testimony that was given on June 3, and I have a quote for the record as well, a quote that was officially sworn testimony by a member of Manitoba Hydro. It says: What is the interest expense associated with the payments to government funded by export revenues? The answer then would be there is no interest expense. So it is a question of how the question is put.

We have made it very clear that profits off export sales would be the source and the basis for this dividend payment, and Hydro will borrow for other capital projects, which, as the Member for Russell (Mr. Derkach) has indicated, acquire assets, build the strength of Manitoba Hydro to provide profits in the future. That is the approach we are taking.

**Mr. Loewen:** Mr. Speaker, I would ask the minister if he concurs with the statement made by Ms. Carolyn Wray, who under oath on May 27, under oath at the Public Utilities Board stated, and I quote: It was a policy decision by the Government and announced as such that there would be no changes to rates as a result of the special payments. Does the minister concur with that statement that was made under oath?

**Mr. Selinger:** Mr. Speaker, the officially sworn testimony by the same person mentioned by the Member for Fort Whyte that I would like to put on the record is: With the special payments to the Province, Manitoba Hydro can still achieve positive net income without any electricity rate increases.

\* (13:55)

**Mr. Loewen:** Mr. Speaker, I would implore the minister to answer these simple questions. Will the minister simply advise the people of Manitoba who is telling the truth, the officials of Manitoba Hydro who have sworn under oath that Hydro will not only have to finance all of the \$288-million dividend, but also under sworn testimony they have indicated that it is Government policy not to raise rates as a result of the payment to the Crown? Who are they to believe, the minister or the officials under oath?

**Mr. Selinger:** Mr. Speaker, at the risk of being repetitive, I will read again into the record that Manitoba Hydro can still achieve positive net income without any electricity rate increases, additional to those already in the previous forecast, i.e., 2 percent a year from 2003-04 to 2008-09. I indicated in the record last week that when you look at the forecasts for '01-02 and '02-03, that the very prudent assumptions of Manitoba Hydro remain exactly the same before and after there was a decision to have a dividend.

### Health Care System Per Capita Funding

**Mr. Stuart Murray (Leader of the Official Opposition):** Mr. Speaker, the Doer government has made grandiose promises about how they would have all the solutions for Manitobans for health care. They promised to slash waiting lists, yet these lists have grown. The Government has failed miserably for one reason; they have no plan for health care.

Mr. Speaker, a *Maclean's* magazine annual ranking of Canadian health care services has ranked Winnipeg 16th for the second consecutive year, yet at the same time a recent report from the Canadian Institute for Health Information revealed that Manitoba spends more on health care per person than any province.

Mr. Speaker, can the Premier explain: How is it that on one hand we spend the most per person in Canada and on the other hand the best that we can do, our capital city ranks 16th? How is that?

**Hon. Gary Doer (Premier):** The member should note that the first report was '98-99 and the second report was '99-2000. I just noted this week, or just last weekend, for the first time in seven years there were not numbers, hundreds of people showing up as nurses at a job fair looking to go elsewhere because of the decent, respectful relationship that we are slowly but surely building up in our health care system.

The member will note, Mr. Speaker, there are a couple of areas that *Maclean's* has identified that we think are valid. The whole issue of cervical cancer detection, tests and systems, that was a matter that was promised in 1994 in the Speech from the Throne. In October of 2001, this minister delivered on the promise for that program. You will see the positive results as we proceed.

Another criticism of *Maclean's* is the issue of low-weight babies. I am proud of the fact that we have a new program for potentially undernourished and low-weight babies, the first program in North America, under the leadership of this Government. We will not see the positive results overnight in a *Maclean's* survey, but year

after year we believe in investing in healthy mothers. With new nutritional programs we will have less underweight babies in Manitoba, provide more babies to be born with dignity.

Thirdly, Mr. Speaker, we are on track for more specialists, and on the issue of the old statistic of the highest number or the highest amount per capita, we have gone from 10 to 9 to 8 on the various stats on a per capita basis. So we are making improvements and lowering our highest in Canada per capita cost which we inherited when we came into office in the '99 year.

### Hallway Medicine

**Mr. Stuart Murray (Leader of the Official Opposition):** It is clear that the analysis that has been put forward shows that the Doer government status quo to health care is not working. It is just simply not working. The Doer government promised during the election campaign to end hallway medicine, and we know and Manitobans know that they have failed to do that. In fact, it was interesting that the associate editor of *Maclean's* magazine had said despite these poor showings for Manitoba, they did not include hallway medicine. If they had, Mr. Speaker, the results would have been even lower. Does the Premier not—

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

\* (14:00)

**Mr. Speaker:** Order.

**Mr. Murray:** Thank you, Mr. Speaker. My question to the Premier (Mr. Doer) is very simple: Does this Premier not think that Manitobans and particularly Winnipeggers deserve a health care system that is better than 16th in the country?

**Hon. Dave Chomiak (Minister of Health):** That is why the people of Manitoba elected an NDP government in the fall of 1999.

Members opposite, in their great research effort, would have noted in *Maclean's* magazine that the stats were from the years '98-99 and '99-2000.



Secondly, the two areas that we were the best in, knee replacements and number of specialists, were two issues members opposite last week, two weeks ago, criticized us for not doing enough of, Mr. Speaker, the areas were the best in Canada. In addition, the two areas where we had more difficulty, low birth weight and pap smears, are two programs that we introduced because we recognized what they had failed to do for a decade.

### Ultrasound Waiting List

**Mr. Stuart Murray (Leader of the Official Opposition):** We always understand the sensitivity on the other side when it comes to health, because Manitobans know that during the last election, in this campaign, they said they would reduce waiting lists; they have gone higher. They said they would end hallway medicine; it has grown. They promised to hire more full-time nurses; they have doubled, Mr. Speaker, in terms of shortages. That is the record of this Government.

It is clear the numbers tell the story. While the NDP loves to spend money, there are no results whatsoever. Can the Premier (Mr. Doer) explain to Manitobans, who pay the most taxes per capita for their health care, can he simply explain to Manitobans, despite his promise to reduce ultrasound tests to one or two weeks, why they are forced to wait up to 20 weeks for an ultrasound? Why is that?

**Hon. Dave Chomiak (Minister of Health):** First, let me correct the inaccuracies by the Member for Kirkfield Park. Firstly, radiation therapy, life-saving therapy: September 1999, 10 weeks; now, 3 weeks. Nurses: job fair after job fair, United States, B.C., all across the country, there was a job fair a couple of weeks ago, and do you know what happened? Nobody showed up. Hallways: CIHI, which this data comes from, said the best in the country and the program was copied by the Tory government, the Tory government of Ontario has recognized as the best in the country.

### Medical Equipment Fund Status Report

**Mrs. Myrna Driedger (Charleswood):** Mr. Speaker, in October of 2000, the Doer govern-

ment received \$37 million from the federal government for the purchase of medical equipment such as MRIs and CT scanners. From our own Freedom of Information document and from their own budget documents, it shows that they have only spent \$2.8 million of that money.

Can the minister please explain why on May 15 he insisted that \$18 million was spent of this money, as reported in the *Winnipeg Free Press* of May 16, when official documents show that only \$2.8 million has been spent? Why is this Minister of Health misleading Manitobans?

**Hon. Dave Chomiak (Minister of Health):** Mr. Speaker, this is another example of a little bit of information in the hands of members opposite being a very, very dangerous thing.

I will list—

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

**Mr. Speaker:** Order.

**Mr. Chomiak:** Yes, Mr. Speaker. MRI, Health Sciences Centre \$3.7 million, request for proposals completed, evaluation, and the renovation underway; ultrasound and other diagnostic \$2.9 Winnipeg; neuroangiography \$2.5, evaluation and RFPs underway; linear accelerator—*[interjection]*

The problem is, Mr. Speaker, members opposite did so little in terms of equipment. They do not know it takes renovation, it takes tender, the money is committed, the money is up-front. It has been the most in the last decade.

**Mrs. Driedger:** Mr. Speaker, can the minister explain why he is insisting that \$18 million was spent, when we read in the *Globe and Mail* today that his department staff, Pat Hosang, executive director of Urban Regional Support Services, confirmed that most of that money has not been spent yet? Why is he continuing to mislead Manitobans?

**Mr. Chomiak:** Mr. Speaker, I do not know if members opposite understand, but we are renovating at Health Sciences Centre to put in an MRI. We cannot park it in the trailer beside Health Sciences Centre and wait for it to be

reconstructed, as members opposite tried to do with Brandon Hospital. We have a \$55-million capital project at Brandon. We cannot commit that this year. It is spent. We cannot commit that in our books, because the money is not totally expended. That is what happens with these dollars.

Unfortunately, members opposite do not understand that. The money is in a fund. The money has been committed. The money is committed to the MRI at Health Sciences Centre, neuroangiography Winnipeg, 2.5; critical care Winnipeg, 123; information technology \$500 million; CT scan Selkirk \$1.7 million; CT scanner The Pas \$1.7 million; one linear accelerator CancerCare \$4 million. Most of these are either ordered or in the process of being ordered or being constructed, Mr. Speaker. Some of them are already up and running.

**Mrs. Driedger:** Mr. Speaker, I would like to ask this Minister of Health if he can guarantee that this money is safely put aside for medical equipment and that he has not spent it on something else. It is very hard to trust this Minister of Health when he is putting this information forward all the time.

**Mr. Chomiak:** Mr. Speaker, let me table a letter that came from the federal Minister of Health that says, and I quote: I note that your Government has dedicated \$73 million to the purchase of new equipment in April 2001, in its first round. I am pleased with your ongoing consultation with regional health authorities and medical experts to identify the best way to spend money on more equipment and your multi-faceted approach to long-term planning.

Also noted, Mr. Speaker, is the Canadian Association of Radiologists' acknowledgement of your response to its requests and its satisfaction with the minister's use of the fund. Your continued commitment to addressing medical needs—[interjection]

Now the member is calling the federal Minister of Health a liar, Mr. Speaker. It is unbelievable what depth the members opposite will go to. I cannot believe that they would go to such depths.

## School Divisions Amalgamations

**Mr. Harold Gilleshammer (Minnedosa):** In November, the Minister of Education announced the forced changes to school division boundaries throughout Manitoba, an issue that has been of great concern to many Manitobans.

Can the minister indicate what subsequent changes have been made since the November announcement? How have boundaries been amended since that time?

\* (14:10)

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** I thank the member for his question. He is an éminence grise of this House, and I respect his stature in the Chamber, Mr. Speaker.

Of course, the reasons for amalgamation are to free up resources for the classrooms of the province. We have been engaged in an ongoing consultation with school divisions, with municipal officials, with parent groups, indeed with students and teachers around the issue of amalgamation.

We believe that it is in the best interest of all parties to be engaged in a consultation so that all parties are part of this process. There has been, as a result of consultations, most famously the boundary of the Transcona-Springfield merger whereby all of the Rural Municipality of Springfield was contained in the Agassiz Division.

## Amalgamations—Appeal Process

**Mr. Harold Gilleshammer (Minnedosa):** Could the minister indicate if there was a formal appeal process that was in place that allowed for these changes?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, I should say the new Sunrise School Division in eastern Manitoba, the trustees have been exercising tremendous leadership in eastern Manitoba in the creation of the Sunrise School Division, which will be the largest rural school division with an extraordinarily broadly based tax assess-

ment level and opportunities for tremendous program growth to benefit the children of eastern Manitoba.

**Mr. Gilleshammer:** I assume there was no formal appeal process. Can the minister indicate which appeals or requests were denied by him?

**Mr. Caldwell:** Well, Mr. Speaker, as the member knows and as the people of the province of Manitoba know, this process began in 1993-94 with the Norrie report. *[interjection]* The Norrie report cost \$700,000 and sat on the shelf until the change in government in 1999.

Mr. Speaker, this Government believes in—

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

**Mr. Speaker:** Order.

**Mr. Caldwell:** This is a process, as Manitobans know, that has been underway for the better part of a decade, since 1993-94, with the Norrie report.

Our Government prides itself on consulting with the field broadly and in being partners with the field. That will continue.

### True North Entertainment Complex Ernst & Young Report

**Hon. Jon Gerrard (River Heights):** My question to the Premier. Last year, the provincial government commissioned a report to be done by Ernst & Young to provide an assessment of the downtown arena project and the business plan for the project.

The report cost taxpayers \$95,000 plus expenses. I ask the Premier to provide to this Legislature a list of the concerns that were raised by the Ernst & Young report in relation to the arena project.

**Hon. Gary Doer (Premier):** I believe the questions were asked last week. I will double-check the due diligence, the various reports on due diligence that took place as we prepared our investments for this new arena. As you know, we conducted reviews of the capital investments under the infrastructure program and the tax

receipts that we received back, the sales tax, the payroll tax and other tax considerations. The economic analysis that we received was for the \$13-million investment that is in the sheet that is tabled in the House. We would make approximately \$11 million. Of course, along with other activity in downtown Winnipeg, and as we continue to build and rebuild downtown Winnipeg, there is obviously ongoing activity in the area.

I note, Mr. Speaker, that the member opposite wrote a letter congratulating Mark Chipman, and then a couple of months later he jumped on the bandwagon to oppose the True North project. We are optimistic about our future, and we do not have two different positions on the arena.

**Mr. Gerrard:** Manitobans deserve legitimate answers to questions. Why does the Premier hesitate to make the Ernst & Young report public? Why is the Premier hesitant to discuss the shortcomings in the Ernst & Young report? Were sufficient changes made to the True North business plan to address the risks assessed in the Ernst & Young report? These are questions to which Manitobans deserve answers.

**Mr. Doer:** The member opposite would know that the federal Liberal Treasury Board had the same information before it in the fall of 2001 and approved the project. This member has two different positions on the arena. We can only afford to have one position on the arena.

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

**Mr. Speaker:** Order. The honourable Member for River Heights has the floor.

### Disability Access

**Hon. Jon Gerrard (River Heights):** Manitobans deserve some legitimate answers. My supplementary, Mr. Speaker. I ask the Minister of Family Services what arrangements have been made to ensure the new arena conforms completely to universal design standards for full disability access, and what efforts have been made to ensure that a significant representation of people from the disabled community will be hired to operate and run the new arena?

**Hon. Tim Sale (Minister of Family Services and Housing):** That is a very important question. I think it is interesting that those who oppose the new arena were quite prepared to sacrifice public housing in the inner city in the interests of what they were pursuing. But I will consult with our officials and determine what steps are being taken.

I can tell the member that the requirements of the new arena come under the current building code in regard to access and accessibility. I would expect that they will make use of the universal design guidelines as well in the preparation of this project. But I will ascertain the facts and the specifics for the member.

#### **Morris-Macdonald School Division Representation**

**Mr. Harold Gilleshammer (Minnedosa):** In response to a question put by residents of Morris-Macdonald School Division, the Minister of Education said: I am interested in facilitating some of their concerns around representation. Can the minister indicate what he has done to give those ratepayers representation?

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** There is a bill before this House, Bill 14, The Public Schools Modernization Act. I look forward to that bill moving to the public hearing process, the committee process. I look forward to that bill getting to committee. There has not been a lot of debate in this House since it was introduced in early May, Mr. Speaker.

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

**Mr. Speaker:** Order. The honourable Minister of Education, to conclude your comments.

**Mr. Caldwell:** Thank you, Mr. Speaker. Manitobans, of course, are seeking great accountability and responsibility in our public school system. Bill 14 goes a long way to achieving that.

**Mr. Gilleshammer:** On a new question, Mr. Speaker.

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Gilleshammer:** Thank you, Mr. Speaker. The minister clearly indicated to ratepayers in Morris-Macdonald that he was interested in facilitating their request for representation. My question to the minister is: What has he done about that?

\* (14:20)

**Mr. Caldwell:** Well, Mr. Speaker, again, there have been numerous meetings in my office with the Morris-Macdonald coalition that we have been reading so much about recently in the media. There have been meetings with municipal officials, with reeves, councillors, mayors of the region to share perspectives on representation in the Morris-Macdonald School Division.

The elections for the public school system in our province are October 23, about three and a half months hence. There will be a new board in the Morris-Macdonald School Division, the new school division, the amalgamated school division of Red River and Morris-Macdonald, an amalgamation that has been worked at for a number of years by citizens in that part of the province.

**Mr. Gilleshammer:** On a new question, Mr. Speaker.

**Mr. Speaker:** The honourable Member for Minnedosa, on a new question.

**Mr. Gilleshammer:** Mr. Speaker, this minister fired the board and then promised ratepayers in Morris-Macdonald that he would facilitate their request for representation. He has done nothing about that and he has done nothing about trying to retrieve money that was sent to third parties, friends of the NDP. What is he going to do about allowing the people in Morris-Macdonald to recover those funds that were flowed for phantom students to groups like Hope and Anokiiwin?

**Mr. Caldwell:** Mr. Speaker, if only the Member for Minnedosa was as concerned about his taxpayers in his constituency as he was concerned about the ratepayers of Morris-Macdonald, because taxpayers in the province of Manitoba are out \$4.5 million, as identified by the provincial auditor. Those are taxpayers in

Minnedosa, in Boissevain, in Killarney, in Russell. Those are taxpayers throughout the province of Manitoba.

There was a system of adult learning centres set up without any legislative authority, and over \$40 million went out the door of this building without any accountability. We are restoring accountability on behalf of the taxpayers of the province of Manitoba.

### **Manitoba Lotteries Corporation Wrongful Dismissals**

**Mr. Leonard Derkach (Russell):** Mr. Speaker, when the NDP took government, they began a program of mass firings within the various departments and with intergovernment agencies. One of those was Manitoba Lotteries. The minister who is responsible for Lotteries, as a matter of fact, saw a number of individuals who had been fired launch civil suits against her department for wrongful dismissal. One of the victims was the executive general manager of Club Regent, Mr. Charles Devenney. I would like to ask the minister whether she could tell this House the date of dismissal of the former executive director of Club Regent.

**Hon. Diane McGifford (Minister charged with the administration of The Manitoba Lotteries Corporation Act):** I certainly take issue with the inaccuracies housed in the member's question. Certainly there were not mass firings under this Government in Lotteries or any other department. So I really want to point out the inaccuracies that are part and parcel of his question.

As to Mr. Devenney, I do not think it is a very seemly place to discuss the career of anybody, but since the member has brought his question to the floor of the Legislature, Mr. Speaker, I cannot remember the specific date that Mr. Devenney left MLC, but I would think it was probably around June 2000. If the member would like the date more specifically than that, I will get the date. I can rise in the Legislature perhaps tomorrow and give him the specific date that he is seeking.

**Mr. Derkach:** Mr. Speaker, on a new question.

**Mr. Speaker:** The honourable Member for Russell, on a new question.

**Mr. Derkach:** To the Premier (Mr. Doer), Mr. Speaker: Could the Premier please identify the date of hiring Mr. Charles Devenney as the former executive general manager of Club Regent, then into the position as an investigator with the Gaming Control Commission?

Given that Mr. Devenney was first fired, then he was paid a generous package for wrongful dismissal, and then he was rehired, could the Premier tell me the date that Mr. Devenney was rehired?

**Ms. McGifford:** From what I can hear, it was really the members opposite who launched massive firings when they came to government in 1988. Now they would like to tell a different tale.

Mr. Speaker, Mr. Charles Devenney did not, and I think the member said, sue for wrongful dismissal. That was not the case at all. Mr. Devenney was given a package and left Lotteries. As to the date of his hiring by the Manitoba Gaming Commission, I will take that question as notice on behalf of the minister for the Manitoba Gaming Control Commission.

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

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

**Mr. Speaker:** Order. May I remind all honourable members, when the Speaker stands all members should be seated in their seats.

### **Speaker's Rulings**

**Mr. Speaker:** I have a few rulings for the House.

Order. During debate of Bill 5, The Workers Compensation Amendment Act, on May 23, 2002, a point of order was raised by the honourable Member for Ste. Rose (Mr. Cummings) regarding comments spoken in the debate by the honourable Member for Transcona (Mr. Reid). The honourable Member for Ste. Rose contended that the honourable Member for

Transcona referred to members of the Opposition as racists and requested an apology. The honourable Minister of Family Services and Housing (Mr. Sale) also spoke to the point of order and noted that the member had not used the word and had not attributed it to any specific members in the House. I took the matter under advisement in order to peruse Hansard carefully.

\* (14:30)

As Speaker, I take this issue very seriously, as the word "racist" can have a terrible and hurtful connotation. The word has a history in the House and has been the subject of interventions by a number of Speakers.

Looking at the comments of the honourable Member for Transcona (Mr. Reid), on page 1814 of Hansard, the honourable member is recorded as saying, "I would ask you perhaps you want to explain to members of the House why you are either excluding on the basis of science or you are excluding it on the basis that they are First Nations people. I suppose if it is the latter reason there is a word that is used to describe that, which, Mr. Speaker, would be unparliamentary for me to mention, but it begins with the letter 'r.' I am sure members of the Opposition know what that reference is to, why they would have excluded that particular coverage."

The issue is a difficult one because the honourable Member for Transcona did not come right out and say the word "racist" or "racism." However, it was strongly implied in his remarks. As *Beauchesne* Citation 487(2) advises, words may not be used hypothetically or conditionally, if they are plainly intended to convey a direct imputation. I am troubled that members would allude to or attempt to make an indirect reference to other members in the House as being racists. Therefore, I am advising the House that the interpretation I have for use of the word "racist" in this House is that the word should not be used, either directly or indirectly, against individuals or groups of members in the House to convey the impression that the members are racist or have racist attitudes. Let there be no misunderstanding of this. I do not want members to be making indirect references to the "r" word or attempting to use the word against a group of persons in the House and expect that by using a

generic reference it would be okay to use the word. As I mentioned previously, the word can have a very hurtful and harmful connotation. I am not prepared to allow the use of the word directly or indirectly against members.

Given that the honourable Member for Transcona (Mr. Reid) did not actually say the word, I cannot call upon him to withdraw it, but I would call upon the honourable Member for Transcona to offer an apology for implying something that caused other members to be offended.

**Mr. Daryl Reid (Transcona):** Mr. Speaker, if there was any disruption of the House that was caused by any comments that were attributed to me, I apologize for that disruption.

**Mr. Speaker:** I thank the honourable member for that. I have another ruling.

During Oral Questions on Wednesday, May 29, 2002, the honourable Government House Leader (Mr. Mackintosh) raised a point of order concerning the use of the words "lie" and "lying" which he indicated that he had heard the honourable Member for Emerson (Mr. Jack Penner) say from his seat. The honourable Official Opposition House Leader (Mr. Laurendeau) also spoke to the same point of order.

I took the matter under advisement in order to peruse Hansard. Page 1939 of Hansard indicates that the words "why is he lying" and "why do you often lie" do appear. However, the words are not attributed to a specific member. Although the honourable Government House Leader made reference to the words as being spoken by the honourable Member for Emerson, the honourable Member for Emerson did not state on the record whether he did or did not say the words in question.

As I ruled on November 14, 2001, and on May 2, 2002, without a clear indication either through identification in Hansard or by admission from a particular member that the words in question were indeed spoken by that member, it places the Speaker in a difficult position to rule on the language used. I therefore cannot rule on whether there was or was not a point of order in this instance. I would, however, like to take this

opportunity to remind all members that we should be referring to each other in terms and language that are temperate and are worthy of this Chamber and the positions that we all hold.

I have one more ruling.

During Oral Questions on Tuesday June 4, 2002, the honourable Official Opposition House Leader (Mr. Laurendeau) raised two points of order concerning the content of replies given by the honourable Minister of Finance (Mr. Selinger) to questions asked by the honourable Member for Fort Whyte (Mr. Loewen).

The honourable Opposition House Leader cited *Beauchesne* Citation 417 which states: Answers to questions should be as brief as possible, deal with the matter raised and not provoke debate.

The honourable Minister of Finance also spoke to the points of order, and I took the matter under advisement. After reading the answers of the honourable Minister of Finance that appear on pages 2172 and 2173 of Hansard, I would rule that there is a point of order. I would like to remind all ministers that, according to *Beauchesne* Citation 417, answers to questions should be as brief as possible and should deal with the matter raised.

## MEMBERS' STATEMENTS

### Friends of Bruce Park

**Ms. Bonnie Korzeniowski (St. James):** On May 25, I had the pleasure of joining some very community-minded groups and individuals in cleaning up a valuable park area. The Friends of Bruce Park are dedicated and very competent stewards of the park and Truro Creek. They have diligently cleaned up and maintained Bruce Park each spring for many years. The members carefully monitor the water for toxic materials or other threats to the natural environment in and along the banks of the creek.

I am happy to see that representatives from the Winnipeg Airports Authority have joined this group in their endeavours. As well, the clean-up crew was joined this year by the St. James Rods football team. Several boys in their

late teens helped with the new facelift by painting over three graffiti-plastered buildings in the playground. Pat Martin, M.P. for Winnipeg Centre, lent his support by sanding graffiti off the wood covering of the play structure. Tom Brodbeck, whose backyard borders the playground, also generously chipped in by lending a hand and his electricity for sanding. He has offered to keep watch for necessary touch-ups.

Finally, Rods' coach Jim McMillan, Pat Martin and I hosted a barbecue at the event. The food and socializing capped off a great day. I would like to thank all the people from so many walks of life who have pitched in to help make St. James the beautiful constituency it is. This kind of co-operation and sense of civic duty is to be commended. It plays a huge role in building a healthy community.

### Île des Bois Cemetery

**Mr. Denis Rocan (Carman):** Mr. Speaker, yesterday, June 9, I had the pleasure of joining the former lieutenant-governor, the Honourable Yvon Dumont, and Reeve Bill Roth in bringing greetings at the plaque dedication ceremony of the Île des Bois Cemetery of the St. Daniel Roman Catholic Church.

\* (14:40)

Métis hunters populated this area originally in the early 1800s and began permanent settlement in the 1830s. Records show the first baptism, in 1837, of a child named Elzear by Father Charles Poire. This location became their first burial grounds with over 100 sites. A log school was constructed across the road on section 21-7-5 in 1870. A log church was built on this location and the parish became known as St. Daniel.

In 1899, the church was relocated to section 24-7-6 and a new cemetery was established. The school had been moved to section 30-7-5 in 1894. Surnames from this time included on the plaque are: Aymont, Bellevue, Barnes, Boucher, Delorme, Ducharme, Desjardins, Dumas, Dupuis, Fontaine, Gagnon, Gauthier, Godon, Gosselin, Guiboche, Guthrie, Grant, Jolicoeur, Lapointe, Lili, Lesperance, Loisselle, Major, McDermott, McIvor, McNabb, Moreau, Nadeau,

Ouelette, Paul, Payette, Proulx, Pruden and Ritchot.

Mr. Speaker, I would like to recognize other individuals who have made contributions to Sunday's ceremony. Doug Sisson and Michael Funke, chairpersons; plaque unveilers Lorraine Middleton and Raymond Grant; Father Jim Gray; piper Bruce Wood; entertainers Ryan Richard, Emile Lavalee and Madeline Provo, and the many individuals who have helped to keep the history of St. Daniel and the Île des bois cemetery alive. On behalf of a proud Métis nation, thank you very much.

### **Encounters with Canada**

**Ms. Linda Asper (Riel):** As an MLA, I have the pleasure of interacting with and supporting students on a variety of issues, including young people who participate in exchange programs, sports and other special events. Let me share the experience of two students who participated in the program Encounters with Canada in Ottawa.

Pawel Buczkowicz, who participated in the program last month, reported that his experience was amazing. In his letter to me, quote: I have learned so much about government operation. The visit to Parliament was exciting and educational, but I would also like to express thanks to you for giving me the opportunity to meet all the amazing people in Ottawa. I have found new friendships that will hopefully last a lifetime. The best part of the trip was meeting all the people from all the provinces and territories across Canada and learning about the differences and similarities we share. I also learned something I never expected to. There were some students who were hearing impaired. While spending time with them, I found I had learned a lot of sign language that they used and could actually tell them what I did during the day and they understood me.

Susan Durnin, Grade 11 student at Glenlawn Collegiate who also participated in Encounters with Canada last winter said, quote: I had a fabulous trip, experiences and memories.

She described exciting activities such as sitting in the Senate, skating on Rideau Canal,

visiting the National Gallery and the Terry Fox centre.

Encounters with Canada is a fantastic program. I had the time of my life, explained Susan.

Erica Young, a Senior 4 student at Collège Jeanne-Sauvé, was selected to be part of a student exhibition to Antarctica this past year. Students on Ice, a Canadian company, brought students and scientists from around the world together for two weeks. Daily landings and Zodiac cruises allowed Erica to do some hands-on learning, experiences she will not forget.

It is very rewarding to learn about these young people's opportunities to widen their horizons. Bravo to their parents who provide support and encouragement.

### **Winnipeg River Brokenhead Community Futures Development Corporation**

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I had the pleasure last week to attend the annual general meeting and awards banquet of the Winnipeg River Brokenhead Community Futures Development Corporation.

Four awards were given to various entrepreneurs from Lac du Bonnet constituency. Mrs. Lucci's Second Hand Store in Lac du Bonnet received the Community Initiatives Award to recognize the outstanding efforts of a community organization to advance a project intended to contribute to the economic development of the community. The recipients of this award work within a regional perspective, portray an attitude of co-operation with neighbouring communities, demonstrate community commitments and have undertaken community-driven initiatives focussed on improving the local economy.

Jodene Toews, chairperson of the board, and Karen Kost, program co-ordinator, accepted the Community Initiative Award on behalf of Mrs. Lucci's Second Hand Store.

Book Break, a business in Pinawa, received the Business of the Year Award to recognize the outstanding efforts of Dorothy Wilkin and Allan



Cassidy. The recipients embody all of the positive attitudes of entrepreneurs, including determination and enthusiasm for the development of their business. With a focus on future growth, the business has prospered over the past year and maintained a commitment to the community through local investment, community involvement and community support.

John Gibson, who owns and operates Provincial Helicopters Ltd. in Lac du Bonnet, was the recipient of the Warren D. Besel Memorial Award which recognizes the outstanding contributions made by a local person to their community. Recipients are local entrepreneurs who over time have contributed significantly and selflessly to their community, who have demonstrated leadership and pride in their community and who have a proven track record of working with the community to make it a better place.

Corley Sweeting from Falcon Lake was named the Youth Entrepreneur of the Year for operating and owning Rewind Productions which is an innovative videography business. To obtain this award, Corley displayed a true entrepreneurial spirit, strong business management skills and an attitude of co-operation with and support of the community and other businesses.

I congratulate Winnipeg River Brokenhead Community Futures Development Corporation for recognizing entrepreneurs in the Lac du Bonnet constituency to encourage entrepreneurial growth.

I note that Winnipeg River Brokenhead Community Futures Development Corporation has created 441 jobs.

### **Philippine Heritage Week**

**Mr. Conrad Santos (Wellington):** Mr. Speaker, despite the rain and threatened thunderstorm, on the Sunday of June 9, at 9:30 a.m., the Philippine community held a flag-raising ceremony program at the City of Winnipeg building, attended by the honourable Minister of Labour and Immigration (Ms. Barrett) and other guests and representatives, to officially start the Philippine Heritage Week 2002.

On the 13th of June, 2002, the Manitoba Association of Filipino Teachers will sponsor a cultural event at Machray School at 320 Mountain Avenue with free refreshments of ethnic food.

On Friday, June 14, 2002, the Philippine Association of Manitoba, an umbrella organization for many Filipino associations and groups, will hold the Philippine-Canadian Ball following dinner and program under the leadership of its president and members of the board of directors at 1800 Wellington Avenue, Radisson Suite Hotel.

On Saturday, the 15th of June, 2002, the Philippine Association of Manitoba will feature a cultural variety show led by the renowned locally raised singer, Ma Ann Dionisio, at the Manitoba Centennial Concert Hall.

On Sunday, the 16th of June, 2002, the Philippine Canadian Centre of Manitoba, led by its president and members of the board of directors, will hold a picnic accompanied by an official ground-breaking ceremony to start the construction of the new Philippine Centre at the Burrows-Keewatin vacant lot near 765 Keewatin Street.

Therefore, this MLA for Wellington, as messenger, officially conveys the gratitude and thanks of the entire Philippine community to the City of Winnipeg, to the Province of Manitoba, to the Government of Canada, and to all other selfless donors and contributors.

\* (14:50)

## **ORDERS OF THE DAY**

### **GOVERNMENT BUSINESS**

#### **House Business**

**Hon. Gord Mackintosh (Government House Leader):** Mr. Speaker, there have been discussions about whether there would be leave to extend the sitting today after private members' hour till 10 p.m. to deal with 14. That is not available today. Would you please call then Bill 14, debate on second reading, Bill 14.

**Mr. Speaker:** Before going to Bill 14, the honourable Official Opposition House Leader, to clarify some matters?

**Mr. Marcel Laurendeau (Official Opposition House Leader):** On a point of order, Mr. Speaker.

**Mr. Speaker:** On a point of order.

### Point of Order

**Mr. Laurendeau:** I understand what the Government House Leader was attempting to do. That was to put information and gibberish on the record, Mr. Speaker, but the Government House Leader was correct when he was going to seek leave for the House to sit till 10 o'clock this evening. I did say that that would not be necessary.

**Mr. Speaker:** Okay, that should clarify it. There will be no evening sitting tonight. So we will proceed to the ordinary, regular time. There is no point of order. Discussion between House leaders is between the House leaders. There is no point of order.

### DEBATE ON SECOND READINGS

#### Bill 14—The Public Schools Modernization Act (Public Schools Act Amended)

**Mr. Speaker:** Debate on second reading, Bill 14, The Public Schools Modernization Act (Public Schools Act Amended). The Member for Lac du Bonnet must speak now or lose his right to speak.

**Mr. Gerald Hawranik (Lac du Bonnet):** Mr. Speaker, I welcome the opportunity to debate Bill 14 on behalf of all residents of Lac du Bonnet constituency.

Bill 14 is a bill that limits the number of school trustees to nine across school divisions throughout the province. It also empowers the minister to control budgets within school divisions. It reduces, as mentioned earlier, 54 school divisions in the province of Manitoba down to 38. I believe that it should not be called The Public Schools Modernization Act. Instead, because of all the controversy that it has instilled in Manitobans, it probably should be called the public schools disruption act.

Section 22 of that act indicates and gives unprecedented power, I believe, to a minister to revise budgets. It takes control from local school boards. I think that is not what we want in the province of Manitoba. It takes control away from local school boards, local trustees who were elected for that purpose. Also, I feel that the minister can undermine the financing of education and the quality of education. I do not think that that is what Bill 14 should be doing in the province.

This forced amalgamation process has been, I believe, flawed from the outset. There was no public consultation, as required by The Public Schools Act, and there was a six-month time lag between the amalgamation announcement and any enabling legislation. Regulation preceded this legislation. These comments are not my comments. These comments come directly from the Manitoba Association of School Trustees. I believe they should be heeded.

The Public Schools Act, I believe, has provision already to allow the minister to amalgamate school divisions without passing Bill 14. Without passing Bill 14, the minister can in fact amalgamate school divisions by utilizing either the provisions under section 5 of The Public Schools Act, or in fact, section 7 of The Public Schools Act.

Under section 5, the minister can merge or amalgamate school divisions if he receives written requests from municipal councils or school boards within that division or written requests from 10 or more electors within that division. Then the minister can in fact form a board of revision, which will then decide the matter. The board of reference has hearings which are in fact public hearings. In the event that the minister does not receive a request from 10 or more electors or in fact does not receive a request from a school board or a school division, the minister himself can request that board of reference to decide the matter.

However, under section 5 of the act, when we are talking about the amalgamation of Agassiz School Division with the Springfield portion of Transcona-Springfield and the Pine Falls School District and the Pinawa school district, under that provision it would require in

fact four boards of reference. I feel, for that reason, considering the number of amalgamations and the number of divisions, 54 going down to 38, that in fact going under section 5 would be too cumbersome and probably too time-consuming.

However, the minister can proceed under section 7 of The Public Schools Act, and under section 7, the minister can add territory or withdraw territory from any school division and also can amalgamate any two or more school divisions or school districts. Under this section, if he chose to do so, he could form the Boundaries Review Commission, and the Boundaries Review Commission could review the matter. Under this section, the minister establishes the commission and appoints its members and instructs the commission to conduct a review of all the boundaries of school divisions within the province. There is no appeal from the findings of the Boundaries Review Commission. The Boundaries Review Commission's hearings are in fact in public. I feel that proceeding under section 7, under the Boundaries Review Commission, would be the most efficient way to proceed under The Public Schools Act, given the numbers of amalgamations that are out there.

I hope that the minister would reconsider Bill 14 and, in fact, proceed under The Public Schools Act, because there is existing legislation which permits him to proceed. Why not proceed under section 7 of the Public Schools Act? There are only two reasons I feel that the minister is proceeding under that act: firstly, maybe the minister does not want to consult with the public, maybe he does not want public hearings; secondly, the minister under Bill 14 has the authority under section 22 to control school division budgets. Maybe that is another reason why he wants to proceed under Bill 14 rather than proceeding by way of a public consultation process under The Public Schools Act, section 7.

I think it is important, before you find my views of Bill 14, that you realize what it is that we have in Lac du Bonnet constituency, and that will give you some idea as to why I feel the way I do about Bill 14. In our constituency, we have seven secondary schools, at this point. We have one in Pinawa, Lac du Bonnet; we have

Wanipagow School in Manigotagan, Whitemouth, Powerview; we have a secondary school in Edward Schreyer School in Beausejour; and on Sagkeeng First Nation, we have Anicinabe School, a total of seven secondary schools. In our constituency, we have three adult education facilities: one in Beausejour; one in Lac du Bonnet; one in Pine Falls and Powerview areas.

I have four school division and districts in Lac du Bonnet constituency. We have Agassiz School Division, whose head office is in Beausejour; the Whiteshell School District, head office in Pinawa; the Pine Falls School District, of course, in Pine Falls; and the Frontier School Division, which is located north of Agassiz; and included in there are schools in Bisset and Manigotagan.

Under Bill 14, in fact, as it currently exists, there still will be four school divisions and school districts in Lac du Bonnet constituency, so there will not be any amalgamation at this point. Eventually, it will be reduced to three, with Pine Falls School District eventually becoming part of Agassiz School Division and becoming new Sunrise School Division, and then eventually to two, once the Whiteshell School District becomes part of the new school division.

I, of course, graduated from Whitemouth School. So I am a product, of course, of the Agassiz School Division. Whitemouth School, in fact, is now a K-to-12 school. It used to be, at one point, 600 students attending that school about 30 years ago, and now it is less than 300 students in the last 30 years. I can tell you that there have been many accomplishments from people who have graduated from that school, in spite of the fact that it is a very small school. We have had people who have graduated who became lawyers and professors, accountants, doctors, teachers, people in the police force. We have had many outstanding citizens in Manitoba and many outstanding volunteers. During those 30 years that I have been outside of that school, many of those years that I was inside that school, and, in fact, many years in which the school has been open, Alex Shewchuck was the principal of that school. He was a very caring person. The current principal is Craig Mackenzie.

The amalgamation of school districts occurred many years ago, probably about 40 years ago, as I recall. Many one-room schoolhouses were amalgamated into divisions at the time and that made sense. It made sense from the point of view that one-room and two-room schoolhouses became larger schools. There were synergies that were in place that made sense for the amalgamation of those schools. As well, there were economies of scale that were important, and for that reason I believe it was very much supported at the time. It made a lot of economic sense. Better facilities and better resources came out of those amalgamations of those one-room and two-room schoolhouses.

\* (15:00)

Just one school in Whitemouth was the result of the amalgamation of many, of seven one- or two-room schools in the Whitemouth area, the Stony Hill, Darwin, River Hills, Oldenberg, Seven Sisters and Elma, a total of seven schools to make one school with centralized services at the time. I believe at that time the Government of Manitoba gave Manitobans a vote after extensive public consultations and had referendums and that was the Manitoba way, to ensure that Manitobans were consulted and Manitobans had a voice in the process, and they were given a voice in that process. This process is not the same.

We have heard many speakers on the other side of the House over the last couple of weeks mention that the Norrie report is an important reason why they are proceeding with Bill 14. In fact, the Norrie report was commissioned more than eight years ago, and that report came down about eight years ago. That report is eight years old. Feasibility studies are not relied on after one year.

What makes the difference with the Norrie report? Why should we rely on a report that is eight years old? Who acts on studies that are more than a year old? We do not. I do not believe we should. Banks, credit unions and other financial institutions do not rely on reports, on feasibility studies that are more than a year old. Why should we? I think it is outdated, and it has to be revised before we act on that report and before we follow any recommendations that we

perceive to be in that report, Mr. Speaker.

The Norrie report, though, if you read it, says, first of all, that if we move on amalgamation of school divisions, it will do absolutely nothing to reduce costs. That is what the Norrie report says. Secondly, the Norrie report says that the amalgamation process will do nothing to improve education. It is exactly what it said. It may close smaller schools. Schools in our school division that may be vulnerable would include, I believe, Hazelridge, the Whitemouth School, the Reynolds School, the Pointe du Bois School and so on.

I think it is important, before we make a decision as to whether to amalgamate, we have to decide whether in fact it will do something for education. Is that not the big issue? Will it do something for students? I do not think it will. In fact, I think it will increase bus travel for many of the students.

In fact, I can relate a story to you that happened to me seven or eight years ago. After I had finished working in Beausejour, I took the opportunity to go by the Beausejour Elementary School seven or eight years ago, and on the sidewalk I found a seven-year-old student who was crying on the sidewalk. So I stopped and I offered my help and my assistance. I asked the student why he was crying, and he said, well, I am crying because I missed the school bus at the time.

So I volunteered. I asked him his name. I did not recognize the name, so I did not know where they lived. So I volunteered to offer him a ride back home, and he was very happy at that because he did not want to bother his parents who were home at the time. He thought that, perhaps, he would be in trouble with them. So I volunteered to drive him home, and I told him to give me the directions. I must have gone down every gravel road in the rural municipality of Brokenhead in taking him home until I finally found his place. It took 30 minutes before I got to his house and gave him a ride home.

What I found, though, was that his home was only five minutes from the school and, had I known that, I would have taken a more direct route, but I did not know that. But the reason he took me on such a roundabout route was because

the only way he knew how to get home was the way the school bus took him home, and it took him 30 minutes to get home. I do not believe a thirty-minute bus ride or an hour bus ride does anything for the quality of education that students get.

*Mr. Harry Schellenberg, Acting Speaker, in the Chair*

I believe that amalgamation in fact may increase the time that students travel on the way to school, and that certainly does not do anything to improve education.

I am not entirely against the amalgamation of school divisions, but what I am against, I can tell you, is the forced amalgamation of school divisions. I feel that forced amalgamation of school divisions is in many ways like a shotgun wedding. In fact, the Premier (Mr. Doer) and the Education Minister (Mr. Caldwell) and others on the opposite side of the House agree with me. They agreed that forced amalgamation was not a good idea, as I did.

First of all, the Minister of Intergovernmental Affairs (Ms. Friesen) stated that there was no evidence that the government's proposed boundary revisions would save money, and she cited reports, including one prepared in 1994 by the World Development Institute which stated there is no economic or educational rationale for proceeding on forced boundary revisions. The minister said this in an NDP news release on March 27, 1996, after the Norrie report. What has changed her mind since?

The Premier told the Manitoba Association of School Trustees that there will be no forced amalgamations. It is not the Manitoba way. This was reported by the Manitoba Association of School Trustees fall 2001 newsletter. What has changed his mind since?

The Minister of Education, in December of 1999, advised he was against forcing school divisions to amalgamate and stated: I am not inclined to impose anything; I am really not. That was reported in the *Winnipeg Free Press* on December 22, 1999. What has changed his mind since?

Well, I can tell you forced amalgamations produce bad results. Forced amalgamations are like hostile takeovers in business. An example is Nortel takeovers. Nortel took over many businesses which formed part of their competition. They went from \$128 a share down to less than \$4 a share today. That is the result of forced takeovers. That is the result of forced amalgamations. Forced amalgamations create animosity with government. There is absolutely no doubt, that forced amalgamations create animosity with government as a whole.

Several of the quotes include Reeve Holland of the Rural Municipality of Springfield. On December 20 of last year, he says he is disappointed with everything he heard coming from the minister. Carol Lalonde, in *The Clipper Weekly* newspaper on November 19 of last year, said that the Rural Municipality of Springfield is getting the shaft for political reasons. She says Transcona is a long-standing supporter of NDP philosophy while Springfield is predominantly Conservative and fiscally responsible. This political decision benefits no one. Again, it creates animosity with government.

The chair of the Assiniboine South Board of Trustees, in a letter of November 26 last year, expressed concern over perceived lack of planning on the part of government to implement amalgamation plans. These are only some of the comments that people are making and creating animosity toward government as a whole, and I think all of us know of plenty more comments that are out there.

Secondly, I think that forced amalgamations produce bad results because they produce divisions within communities. I think a classic example of that is the Agassiz School Division amalgamation with the Whiteshell School District that was proposed. On November 8 of last year, the Minister of Education (Mr. Caldwell) announced the amalgamation of school divisions including Pine Falls, Whiteshell and Transcona-Springfield, the rural section of that, with the Agassiz School Division. The school district of Whiteshell was created as a special revenue district in 1968 under a master agreement between Atomic Energy of Canada Limited and the Province of Manitoba. That master agreement established the LGD of Pinawa and set out

conditions regarding the payment of funds being in the amount of approximately \$1.3 million every year for the operation of the schools and the operation of the town. This agreement was done at the request of Atomic Energy of Canada who wanted to ensure that Pinawa provided the best educational opportunities possible to attract top scientists and engineers to the Whiteshell plant.

\* (15:10)

Under that agreement, the boundaries of the school district were established to conform with those of the LGD of Pinawa. It made absolute sense. It, in fact, provided that the boundaries could not be changed without the consent of the LGD of Pinawa, the Whiteshell School District and the Province of Manitoba, and there was no expiry date for that agreement.

The mayor of Pinawa, Len Simpson, told the Minister of Education that the LGD of Pinawa was not prepared to open that master agreement. It was then, because his homework was not done, because his research was not done, that the Minister of Education, who did not even know of the existence of the master agreement, that he did another flip-flop and decided to include the school district of Whiteshell in the amalgamation plans with the Agassiz School Division. Later, the minister suggested to the trustees of the Whiteshell school division to attend negotiations with the school boards of Agassiz and Springfield as observers.

I think this further alarmed the community of Pinawa in the sense that they now believe that a forced amalgamation is inevitable, and they believe that it will happen at some point in time. They are concerned that, if a forced amalgamation occurs, their school may disappear, or it may be downsized and students will be bused out of the community to other centres in the Agassiz School Division. This would be a major blow to the community, and this would be a major blow to the community at a time when the community is already reeling due to the downsizing and the intended withdrawal of Atomic Energy of Canada from that community.

A few years ago, 1300 employees worked at Atomic Energy of Canada Limited, and today

less than 200 employees work at AECL. Within five years, it is anticipated that there will be fewer than 50 employees left in that community and the federal government has completely ignored the pleas and the requests of the residents of Pinawa and the Pinawa council to replace those jobs. It is completely unprecedented where the Government of Canada completely pulls out of a community yet does not replace at least some of those jobs that are lost.

I call on the federal government, members opposite, my colleagues and the Premier (Mr. Doer) to join with me in holding the federal government accountable for this withdrawal and to join with me to ensure that the federal government replaces those jobs. The time for a study of the situation is long past. What we need is action, and now, to ensure the continued growth and the continued viability of Pinawa so that their education and health services can be maintained.

In the meantime, the council of the LGD of Pinawa, led by Mayor Len Simpson, and all the council members are working extremely hard to revitalize this community, including, of course, the volunteers of the Pinawa Development Corporation and their economic development officer.

*Mr. Speaker in the Chair*

Some of the comments made by the school district of Whiteshell during this amalgamation process illustrates the division between the communities of Lac du Bonnet constituency. They include comments by the school district of Whiteshell indicating that research has repeatedly found that small schools are superior to large schools on most measures and equal to them on the rest. Pupils and communities and taxpayers, they say, have the right to expect that education dollars are being invested in effective, research-based ways that maximize the benefit for children and not for politically popular movements.

Local trustees in the school district of Whiteshell are most concerned that extensive consultations with the board, the Local Government District of Pinawa, and the community did

not take place prior to that announcement. They also state that the board and the Local Government District of Pinawa council are united in their concerns about the proposed amalgamation. Taxpayers across the entire new division would have to pick up increased costs and ongoing costs of harmonization of collective agreements, increased compensation costs, debt servicing, capital debts and other costs.

Another example that forced amalgamations produce divisions within communities includes the proposed amalgamation between Agassiz School Division and the Springfield portion of the Transcona-Springfield School Division. The decision to force amalgamation here really pits the parents of Springfield against all the constituents in all the communities in the Agassiz School Division.

On January 10 of this year, more than 900 people attended a public meeting at Springfield Collegiate. They expressed their concerns to the Minister of Education (Mr. Caldwell). At that meeting, residents could not get the Minister of Education to cite any benefits to Springfield children of the amalgamation with Agassiz School Division. Residents also informed the minister about their concerns regarding skyrocketing taxes, loss of teachers, transportation of children, and losses of programs.

Outcry against the proposed amalgamations has been greatest in Transcona-Springfield. One concern is that under the plan, students enrolled in French immersion at Dugald School will have to travel 200 kilometres to Powerview in order to continue their education in French past Grade 8, again, a concern, of course, of increased busing and decreased educational opportunities.

Another issue is that the division was being split at the floodway rather than at the city limits, a move that the reeve of the R.M. of Springfield suggested would cost Springfield \$1.5 million in taxes. Reeve Holland stated that the bottom line is that the chunk of his tax base would stay with Transcona and go to River East, while 98 percent of the students will go to school in Agassiz School Division. On the response from the Minister of Education, Holland

continued: I am disappointed with everything I have heard from the minister.

The forced amalgamation process pitted the parents of students in Springfield who are unhappy with the forced amalgamation process against the Agassiz School Division. The parents of Springfield, who are desperate to prevent the forced amalgamation at times, I feel, said things that they should not have said and criticized the educational program and the educational system in the Agassiz School Division. I believe that the criticism is unfair and unwarranted. I can tell you that the educational programs offered by the Agassiz School Division are as good as any offered in any school division in the province and have done so at a lesser cost than most other school divisions.

Over the years, the trustees of Agassiz School Division have ensured that a high-quality education was provided to students at a reasonable cost to the taxpayer. However, given the frustration of these parents and the lack of local control over education as a result of this bill, this Bill 14, I can understand, in their desperation, why those parents made those statements.

Thirdly, Mr. Speaker, forced amalgamations do not reduce costs, as many members opposite have laid claim. I do not believe they reduce costs at all. One of the major benefits, according to the Government, with respect to amalgamation, is the fact that they stated that the amalgamation will reduce costs. One of the arguments used by the current Government is that costs will be reduced because there will be fewer trustees province-wide.

\* (15:20)

Trustees are really inexpensive when it comes time to educational costs. Being a trustee is really a volunteer service. When one compares the number of hours a trustee works to the indemnity they receive, they are really performing a community service. They are really volunteers. In the year 2000, school divisions across the entire province only spent \$7.14 million on trustee salaries, trustee expenses and trustee support. This is a drop in the bucket compared to the Education budget. Even if

trustees were reduced to only two-thirds of their numbers, the cost saving would only amount to less than \$2.5 million annually.

But what about other costs which will most likely increase exponentially? The Government did not take into account all of the factors before announcing the forced amalgamation of Agassiz School Division with the Springfield portion of Transcona-Springfield School Division. It was initially proposed that all land within the R.M. of Springfield but outside the Perimeter Highway would go to the Agassiz School Division, yet all land inside the Perimeter Highway and within the R.M. of Springfield would join the River East School Division. This led to the MLA from Springfield to correctly comment that: Why are you going to send 99 percent of Springfield's costs and students to the Agassiz School Division and only send 85 percent of the revenue? That is what the member from Springfield said.

The reeve of the R.M. of Springfield, John Holland, on December 10 of last year, noted that with the new school division boundaries, minus the tax revenues, residents of the R.M. of Springfield are destined for drastic tax increases, drastic tax increases. Eric Towler, the chief administrative officer of the R.M. of Springfield, stated on January 11 of this year that the current plan would lead to a 13.3% jump in Springfield's school taxes.

A trustee at the River East School Division, Wayne Ritcher, stated on November 21 of last year that, on the challenges posed by the amalgamation, what I do not like is spending time, money and expertise and ending up with a pocketful of rain. We know this is going to be a huge cost to the ratepayers with no significant benefit. The trustees of the Agassiz School Division, on January 14, indicated that they could discern no financial efficiencies in the amalgamation of the Springfield portion of the Transcona-Springfield School Division with Agassiz. Areas of concern included the wide differentials in existing labour contracts and in the mill rates. There is more than a two-mill difference in mill rate between the Agassiz School Division and the Transcona-Springfield School Division. That difference will likely be

added to the tax bills of property owners within the Agassiz School Division.

In addition, the salaries of the two divisions will need to be harmonized. Harmonizing salaries between Agassiz School Division and the Springfield portion of Transcona-Springfield School Division will cost taxpayers an additional \$400,000 annually, and that is year, after year, after year, because it gets added to the base cost of salaries. Homeowners, businesses and farmers will have to bear the brunt of that tax increase, and those tax increases come at a time when residents can least afford it, particularly farmers.

Farmers are being squeezed with the U.S. farm bill, as we have seen earlier in debates in this Legislature. The U.S. farm bill is going to decrease the gross annual income of farmers. They have absolutely no control over the price for their product. They also have absolutely no control over the cost, the input costs in their farms. They have absolutely no control. Those costs are skyrocketing, and the net incomes of farmers are decreasing. They have absolutely no control over it. This comes at a time, I believe, when farmers can least afford it.

Mr. Speaker, forced amalgamations increase costs, particularly in Agassiz School Division. I believe that more school construction will be required in the new Sunrise School Division, which, of course, is the amalgamation of the Agassiz School Division with the Springfield portion of the Transcona-Springfield School Division. The Agassiz School Division currently depends upon the Selkirk School Division for access to a regional school, because the cost of constructing a regional school is high compared to the number of students within the Agassiz School Division.

With the proposed amalgamation and the increased numbers of students in the new Sunrise School Division, most likely a new centralized regional school will need to be built. This will come at a cost to the provincial taxpayer. I believe that other school division amalgamations will produce the same result with the same increased costs. In the new Sunrise School Division, larger administrative offices will be required for the new, larger school division,



because there will be, of course, increased numbers of students and increased numbers of teachers and support personnel.

Some employees will be redundant. We do not need two superintendents. We do not need two chief financial officers. We do not need those kinds of duplicated numbers of employees. What we are going to have to do, I believe, is in fact early retire a number of employees from the division. A number of them will be receiving retirement or early termination packages. That comes at a cost, of course, to the provincial taxpayer. I believe that increased costs to taxpayers in this province will be as a result of the amalgamation of Agassiz with Springfield and will likely be in the neighborhood of at least \$10 million in capital expenditures due to the possible construction of a regional school and expenditures related to larger administrative offices within the division.

In addition, Mr. Speaker, the amalgamation, I believe, will increase the salary base line for employees by at least \$400,000 annually. Settlements to buy out and to reduce the number of employees will again increase the cost substantially. I predict that within the next year, in 2003, taxes will go through the roof as a result of the amalgamation of Agassiz School Division with the Springfield portion of the Transcona-Springfield School Division.

The Manitoba Association of School Trustees agrees. It is not just my prediction. The Manitoba Association of School Trustees agrees with that assertion. Mr. Speaker, the president, Don Dunnigan, noted that changes like that do not come cheap. That is what he said. He also said amalgamation efforts are hugely complex and time-consuming and generally cause significant disruption in school systems. There are also substantial cost factors, he says, to be considered such as harmonization of salaries, benefits, and working conditions for all employee groups, short-term costs to redesign service delivery models, costs incurred to extend or expand existing programs and services to larger numbers of students. There are going to be facilities modifications. He agrees with me. He agrees there are going to be upgrades where required and to be technology and equipment acquisitions. All of these add to the costs. Those

I think are things that are going to happen within our division as well.

Fifthly, Mr. Speaker, forced amalgamations will not increase educational opportunities or enhance education. That is why we are bringing this bill forward, I thought. Are we not bringing it forward to enhance education? I do not think it enhances education. If we are not doing that why are we forcing amalgamations? I think firstly there will be fewer trustees for more population in school divisions. In our division there are now 11 trustees, but after amalgamation there will only be 9 trustees for twice the school population in the Sunrise School Division. There is less local control. Trustees should be there for more local control and more local input to education.

\* (15:30)

Mr. Speaker, I move, seconded by the member from Seine River,

*THAT all the words after the word "THAT" be deleted and the following be substituted therefore:*

this House declines to give Second Reading to Bill 14 – The Public Schools Modernization Act (Public Schools Act Amended), until such time as the Minister of Education, Training and Youth undertakes meaningful consultations with all effected stakeholders within Manitoba's education system.

**Mr. Speaker:** The amendment is in order.

*Motion presented.*

**Hon. Jon Gerrard (River Heights):** I move, seconded by the Member for Lakeside (Mr. Enns), that debate on Bill 14 be adjourned today so that we can move on to other legislation.

**Mr. Speaker:** Order. On the motion put by the honourable Member for River Heights, he used the words "on Bill 14." We are now debating the amendment, not Bill 14.

**Mr. Gerrard:** I stand corrected. The debate on the amendment of Bill 14 be adjourned.

**Mr. Speaker:** It has been moved by the honourable Member for River Heights, seconded

by the honourable Member for Seine River (Mrs. Dacquay), that debate be adjourned. Agreed?

**Some Honourable Members:** Agreed.

**Some Honourable Members:** No.

#### Voice Vote

**Mr. Speaker:** All those in favour of adjourning debate, say yea.

**Some Honourable Members:** Yea.

**Mr. Speaker:** All those opposed to adjourning debate, say nay.

**Some Honourable Members:** Nay.

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

#### Formal Vote

**Mr. Marcel Laurendeau (Official Opposition House Leader):** Yeas and Nays, Mr. Speaker.

**Mr. Speaker:** A recorded vote having been requested, call in the members.

Order. Following Manitoba practice, please turn the bells off. The question before the House is the motion of the honourable Member for River Heights (Mr. Gerrard) that debate be adjourned.

#### Division

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

#### Yeas

*Cummings, Dacquay, Derkach, Driedger, Dyck, Enns, Faurschou, Gerrard, Gilleshammer, Hawranik, Helwer, Laurendeau, Loewen, Maguire, Mitchelson, Murray, Penner (Emerson), Penner (Steinbach), Pitura, Reimer, Schuler, Smith (Fort Garry), Tweed.*

#### Nays

*Aglugub, Allan, Asper, Barrett, Caldwell, Cerilli, Chomiak, Dewar, Doer, Friesen, Jennissen, Korzeniowski, Lathlin, Lemieux, Mackintosh, Maloway, Martindale, McGifford, Nevakshonoff, Reid, Robinson, Rondeau, Sale,*

*Santos, Schellenberg, Selinger, Smith (Brandon West), Struthers, Wowchuk.*

**Madam Clerk (Patricia Chaychuk):** Yeas 23, Nays 29.

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

\* \* \*

**Mr. Speaker:** Now we will resume debate on the amendment to Bill 14.

**Mr. Gerrard:** Mr. Speaker, I rise to put a few words on the record on Bill 14 and the amendment made by the Member for Lac du Bonnet (Mr. Hawranik).

In looking at the legislation which we are discussing today, this legislation is about education. It is about school boards. It carries the title modernizing education, but the legislation, itself, has very little in the way of focus on the most important and most essential element, that is the quality of education. That is where we should be looking to improve. That is the critical end point that we are talking about here. We would indeed have been better off with a bill which comes to a direct focus on issues of quality of education and which looks at standards, looks at ways in which we will improve directly the quality of education in working together as a government with the school trustees and the school boards.

Mr. Speaker, there are many ways that the quality of education in Manitoba can be improved. Certainly, there are good examples in a variety of other jurisdictions of areas where we could focus efforts in this province to improve the quality of education, the access to learning materials, the availability of supports, the putting in place of approaches which will ensure that we have the highest possible quality not only of teachers but principals and superintendents and measures which would look, step by step, at those things which have been done in jurisdictions around the world which would focus on the issues directly pertaining to the delivery of the highest possible quality of education.

This bill addresses not the quality of education but the amalgamation of school boards. I think it is fair to say that amalgamation of school

boards may give better or worse quality. It is a change in structure, but it is not necessarily a change in the quality of education. Indeed, there are some concerns that this legislation, by taking decisions out of the hands of the local school boards and the school trustees and putting them in the hands of the minister, may in fact lead to decisions which could be detrimental to students, to learning and to the quality of education in this province.

I think it is important, as we progress, as we consider this bill, as we look through the committee stage, we seek input from individuals, school trustees and others around the province at the committee stage, that we constantly maintain the focus on how we improve the quality of education in Manitoba, and that if indeed we had some measures within this bill which would address quality issues, it certainly might be more palatable than the kind of bill that we received today by the NDP government.

\* (16:40)

One of the significant concerns of this legislation is a significant transfer of authority from the school boards and the school trustees to the Minister of Education (Mr. Caldwell). This legislation would permit the Minister of Education to make arbitrary decisions, to impose arbitrary decisions on local school divisions, and those arbitrary decisions could even be impracticable or unnecessary and may not necessarily be in the best interests of the students or the school divisions or the local ratepayers.

I am concerned that the minister, under Bill 14, will have to make sure that once in a while the minister needs to be listening more carefully than he is at the moment to people in this Chamber and to people around the province who are concerned about education.

I am concerned that the minister, under Bill 14, would have a totally unfettered right to impose any change whatsoever on school divisions, small or large or potentially even in opposition to what a division is trying to achieve in its own planning and budgetary processes. The minister does not have an obligation to explain the changes, nor even to present any rationale or educational reason for the changes.

Indeed, there is no limitation, direction, focus or guidance in the legislation with respect to areas where the minister may demand changes to the Budget, nor any requirement that the changes be reasonable. If the minister is interested only in reviewing the amalgamation costs to be decided in divisional budgets, then, indeed, the minister could have brought in quite different legislation. It would have been considerably better if the legislation could have been drafted to provide a framework to or limits to the minister's arbitrary budgetary changing authority, Mr. Speaker.

So one of the major concerns with this legislation is a transfer of authority from school trustees to the minister. It is an area where I think it is quite important that we get input from school trustees and citizens and ratepayers around the province at the committee stage and that this input is listened to very carefully.

One of the concerns that I have with the approach that the minister is taking—

#### Point of Order

**Mr. Laurendeau:** Mr. Speaker, I wonder if you might ask the Minister of Education (Mr. Caldwell) to put away his newspaper and listen to the debate.

**Hon. Drew Caldwell (Minister of Education, Training and Youth):** Mr. Speaker, the member does not have a point of order. I am at my desk here and working and listening to the remarks of the Member for River Heights (Mr. Gerrard).

I guess more to the point, all honourable members in this House know that we have Hansard that is available to apprise ourselves of debates when they are taking place in the House and when honourable members are out in the communities of the province doing their own constituency work, Mr. Speaker.

**Mr. Speaker:** On the point of order raised by the honourable Official Opposition House Leader, I would like to take this opportunity to remind all honourable members of some rules that we have in the House.

First of all, we have a rule that states no reading of newspapers in the House; a second rule, I would like to take this opportunity, no eating of food is to be allowed in the House; and No. 3, there is to be no use of telephones in the House.

So I thank the honourable Official Opposition House Leader for raising that point of order. I would like to remind all honourable members of those rules. I expect the full co-operation of all honourable members.

\* \* \*

**Mr. Gerrard:** Mr. Speaker, I have concerns about the overall costs related to the proposed amalgamation and amalgamation process. The Minister of Education, in discussing this bill, has suggested that there are to be \$10 million of savings to the education system in Manitoba. I and many others have concerns that in fact past experience and the wisdom of many school trustees in this province who have experience in this area would suggest that the savings, certainly in the short term, are somewhat illusory.

There are many reasons why previous amalgamations have ended up costing more than expected to school boards and to ratepayers. These reasons should have been considered. I think it is very important that the minister be prepared to provide an accounting of all the amalgamation expenses, the costs as well as the benefits. I think it is very important that Manitobans have an opportunity in due course to be able to look carefully at whether or not we have had savings or expenses on a net basis.

Clearly, to look at the words of a variety of people who have assessed this situation, all the way from Bill Norrie to many others, it is quite likely that there are significant costs associated with amalgamation and that the savings, as a result of amalgamation, are much less than predicted. I think, in looking at how school boards can work together, that there may be benefits, under some circumstances, of amalgamation, that those benefits come from larger school divisions being able to operate a larger variety of courses. Some of those benefits, on the other hand, could be achieved by better

working relationships between school divisions and by an approach taken by the Province which would look and enhance the ability of school divisions to work together to improve the quality of education, as well as the cost, rather than pushing amalgamations on divisions quickly and perhaps much more costly than they would have needed to be.

Certainly, from the point of view of how budgets are run by school divisions, how quality of education is delivered, it is disappointing that there was not an effort here made by the minister to look at ways in which school boards could be helped to co-operate and work together in areas of improving quality of education. The focus has been primarily on amalgamation and less on the quality of education.

\* (16:50)

The budget time frames that we have traditionally had will potentially result in some significant problems if the Minister of Education continues the traditional NDP provincial funding announcement between mid- and late January. Occasionally, the announcement in the past has even been delayed until February. The result of this is quite tight time frames in terms of how the process may go, particularly with the requirement now for ministerial review and perhaps for significant changes, as I have said, significant and potentially arbitrary changes by the minister.

I believe that one of the things which could have been in this bill, but which is not, was a commitment by the Government to a two-year planning horizon so that the Budget, when it is now delivered, comes late enough so that it puts school boards in a difficult circumstance. It would have been much better in this bill had it been accompanied by clearer budgetary time frames for announcements, and indeed, for a two-year instead of a one-year planning horizon so that school boards would be able to plan, not just for the coming year, but for two years in advance, and be able, through better planning processes, to be in a position to deliver higher quality education.

So, certainly, the issue here, which deals with time frames and planning, could have been

better addressed in this legislation, together with this legislation, than the Government has done.

There is, I think, a whole potential variety of reasons why, if the Government had put a focus on quality delivery of education, amalgamations, and school boards and school divisions working together, it might have provided an improved environment for children in our school divisions. It is too bad that a number of these items were not better addressed in the present legislation. It is too bad that the Government has seen fit to move to a greater central control, ministerial authority versus school board authority, and away from local control and local impact on the quality of education.

There is a role certainly for central framework, for the quality of education, and for ensuring that there be high-quality education and strong delivery throughout the province. But the somewhat arbitrary nature of the potential decisions by the minister and circumstances under which these have been made and are being made lead one to have some concern about this bill, Bill 14.

Certainly, the Minister of Education (Mr. Caldwell), in his decisions to date on Morris-Macdonald and Agassiz to be Sunrise School Division, leaves some considerable concerns in the minds of many citizens in this province.

Citizens in the school divisions, Morris-Macdonald versus Agassiz and soon to be Sunrise, one school division was provided extra funding and another school division has had a considerable amount of funding clawed back because of circumstances that arose within the two divisions. These decisions highlight the potential arbitrary nature of ministerial action. They also highlight the fact that there has not been as good a framework for ensuring that school divisions are treated fairly and equally. I am sure the Minister of Education and other members of this Government in this House would complain if the federal government clawed back money from one province but not another. Yet here the Minister of Education and the NDP government have treated two school divisions quite inequitably, clawing back funds from one and providing funds to another.

Certainly, there have been major concerns with issues and the circumstances that arose in the Morris-Macdonald School Division. Certainly, there needs to be improved accountability, greater transparency, and better running of such school divisions in the future, but at the same time the Minister of Education himself delayed in acting initially when he was first elected. He could have, if he had acted initially when he was first elected and became the minister, in fact resulted in a situation where many of the overexpenditures and problems in Morris-Macdonald would not have happened.

I would like to describe briefly to the Minister of Education my visit not long ago to the Nellie McClung school in Manitou, where the minister's brother, Grant Caldwell, is, in fact, a teacher. This was a school division and a school which is named after Nellie McClung, one of the foremost women in the history of Manitoba. Certainly this school division has an important history and tradition. There were, when I visited the school, many eager students keen to learn, keen to understand better the political process and what was happening at the Legislature.

I believe that, when we look and put in context what is happening at the Legislature, the changes that are being made through bills such as Bill 14, that we need to be quite careful about what is the balance between centralized control and centralized government as the NDP are pushing towards improved ability for local decision-making and improved ability for school trustees to take real responsibility and real action in areas which relate to the quality of education.

Certainly, there are some school divisions that will benefit from amalgamation. I think that it is important to acknowledge this. There are some which have amalgamated voluntarily which have found significant benefits in the ability of people in larger areas to work together.

On the other hand, a move, as the present Minister of Education is doing, to grab authority in ministerial hands, to be in a position where he can make a lot of arbitrary decisions, raises questions about the direction of this Government, questions which I think it is very

important that they are looked at carefully at the committee stage, at report stage, and indeed at third reading of this bill. I think that it is critical that we have broad input at that committee stage so indeed the measures in this bill can be evaluated and assessed very carefully to make sure that we are not forgetting the most important target of all, which is improving the quality of education for people in Manitoba.

**Mr. Speaker:** When this matter is again before the House, the honourable member will have 16 minutes remaining.

The hour being 5 p.m., we will now move to Private Members' Business.

\* (17:00)

### PRIVATE MEMBERS' BUSINESS

**Mr. Speaker:** We will be dealing with the proposed Resolution 13 brought in by the honourable Member for Fort Garry, Youth Criminal Justice Act.

### PROPOSED RESOLUTIONS

#### Res. 13—Youth Criminal Justice Act

**Mrs. Joy Smith (Fort Garry):** I move, seconded by the Member for Emerson (Mr. Jack Penner),

WHEREAS youth crime is on the rise, with Statistics Canada reporting that the rate of violent crimes committed by young people rose by 38 percent between 1989 and 1999, and by another 7 percent in 2000 alone; and

WHEREAS the Young Offenders Act has serious omissions and limitations which severely restrict provincial efforts to fight and prevent youth crime; and

WHEREAS in the spring of 1999 the previous government initiated a panel, chaired by the honourable Member for Emerson, to carry out consultations throughout Manitoba on the Young Offenders Act; and

WHEREAS as a result of these consultations it was determined that many Manitobans believe that young offenders must take full

responsibility for their actions and that the youth justice system must provide significant consequences for youth who commit serious criminal offences; and

WHEREAS the Government of Canada passed a Youth Criminal Justice Act in the House of Commons on May 29, 2001, as a replacement to the Young Offenders Act, despite harsh criticism of the new act from judges, victims of crime, youth workers and provincial governments; and

WHEREAS the Government of Québec is an avid opponent of the Youth Criminal Justice Act, claiming that the legislation would inhibit some of the positive justice initiatives that have been implemented in that province, and further indicating that it may refer the bill to the Québec Court of Appeal in order to challenge its constitutionality; and

WHEREAS the Government of Ontario also feels that the Youth Criminal Justice Act does not go far enough in dealing with youth crime, and has drafted approximately 100 proposed amendments which it submitted to the federal Justice Minister as the No-More-Free-Ride for Young Offenders Act; and

WHEREAS under the act, a person 14 years or older may be sentenced as a youth even in cases of violent crimes such as murder, attempted murder, manslaughter, or aggravated assault, and there are no mandatory minimum sentences for weapons offences; and

WHEREAS for many offences the act continues to allow, on an arbitrary basis, youth to be released from incarceration into community supervision after two-thirds of the sentence has been completed, without undertaking a risk assessment or taking into consideration the behavior of the offender while incarcerated; and

WHEREAS the Government of Canada, through the Youth Criminal Justice Act, will be imposing significant fiscal costs onto the provinces without providing the appropriate supports.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Government of Canada to consider revisiting

and strengthening the Youth Criminal Justice Act to ensure that young people are held accountable for their actions by providing more significant consequences for youth who break the law.

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the Government of Canada to provide the provinces with the necessary financial resources to implement and enforce any changes imposed under the Youth Criminal Justice Act.

**Mr. Speaker:** The honourable Member for Fort Garry, I would just like to get clarification on the last WHEREAS on the second page where it states: "WHEREAS the Government of Canada, through the Youth Criminal Justice Act, will be imposing significant financial costs" because the word you used was "physical." So is that clarified, that it will be financial?

**Mrs. Smith:** Fiscal.

**Mr. Speaker:** Fiscal or financial?

**Mrs. Smith:** Necessary financial resources to implement.

**Mr. Speaker:** Very good. Financial then.

**Mrs. Smith:** Yes.

**Mr. Speaker:** Very good.

It has been moved by the honourable Member for Fort Garry (Mrs. Smith), seconded by the honourable Member for Emerson (Mr. Jack Penner)—dispense?

**Some Honourable Members:** Dispense.

**Mrs. Smith:** Mr. Speaker, this resolution, as you know, was put into place several months ago to address the lack of strength in the Youth Criminal Justice Act that was being presented at the federal level.

As you know, Mr. Speaker, the Youth Criminal Justice Act received Royal Assent in the House of Commons on February 17, 2002, and the federal government anticipates the law coming into force in April 2003, to allow time

for the provinces and territories to prepare their workforces and develop programs to support implementation. The federal government has also committed approximately \$1 billion over five years for cost-sharing agreements with the provinces to assist implementation.

Mr. Speaker, the bill's passage represented the third attempt—the third attempt—by the Liberal government to reform the Young Offenders Act and required 160 amendments in order to make it through the House. The act allows provinces to lower the age at which youth can receive adult sentences for serious crimes like murder or sexual assault from 16 to 14 years of age. Defendants may still be tried under less severe youth rules if their lawyer can convince the court to do so. There is also a clause requiring mandatory release of young offenders after only one-third of their sentence has been served.

The Youth Criminal Justice Act is extremely controversial, Mr. Speaker. It was voted against by the Canadian Alliance and the Bloc Québécois at the federal level. Québec argues that the legislation would inhibit some of the positive justice initiatives that have been implemented in that province. That is a very serious problem with the Youth Criminal Justice Act, and the Government of Québec has indicated that it may refer the bill to the Québec Court of Appeal in order to challenge the constitutionality. So the Youth Criminal Justice Act clearly has some real problems that need to be addressed.

The Government of Ontario feels the act does not go far enough and drafted approximately 100 proposed amendments that were forwarded to Justice Minister Anne McLellan in June 2001.

The Manitoba government is on record, too, of being critical of the act, and our present Justice Minister (Mr. Mackintosh) spoke out against it in Ottawa in the fall of 2001. I might say that members on this side of the House have very clearly spoken out against it as well and are critical. Criticisms of the Youth Criminal Justice Act include: (1) it would be extremely expensive to implement; (2) it is too soft on repeat offenders; and (3) its complexity will only increase backlogs in the courts.

It needs to be noted again that youth crime is significantly on the rise. It rose 38 percent throughout the 1980s. In 2000 alone, the number of violent offences by teenagers rose by 7 percent, and the sexual assault charges rose by 18 percent.

Mr. Speaker, members on this side of the House have to speak clearly to the Government of Manitoba and clearly to the federal politicians to be addressing the lack of strength in the Youth Criminal Justice Act.

The recently reintroduced Youth Criminal Justice Act contains no significant changes from the legislation debated in the House of Commons last year. It still does not go far enough to ensure that Canadian youth are held responsible for their actions, particularly repeat violent offenders. It is frustrating that the federal government has excluded the provinces from this process, since the provinces will be responsible for implementing this act.

As we know already, the Youth Criminal Justice Act received Royal Assent February 19, 2002, and actually comes into force in April 2003. Even though the federal government has committed some monies over the next five years for cost-sharing agreements to assist implementation, it still falls far short of what is needed at the provincial level.

In June of 1999, when the act was first introduced, the former government, members on this side of the House wanted Manitoba to have a provision added to the Youth Criminal Justice Act allowing a court process to consider charging children under the age of 12 who were involved in serious offences or show a pattern of criminal offences. It can be noted that, over the time that the present Government has come into power in this province, they have lifted up the torch, and there has been at least one press announcement of the current Government lifting up that torch and continuing on under the same venue. I must say and must put it on record that Manitoba's recommendations in June 1999 were the first on record standing firm to strengthen the Youth Criminal Justice Act.

\* (17:10)

I have to give the present minister credit for lobbying for this inclusion in the Youth Criminal Justice Act because, on February 7, 2001, the current Justice Minister announced that Manitoba would be the first jurisdiction in Canada to initiate a province-wide program for dealing with young offenders under the age of 12. The current minister and the current Government, No. 1, adopted what the former government recommended, because they knew that it was something that had to be done. Unfortunately, no credit was given to the former government for introducing this particular initiative. Having said that, we keep hearing from members opposite it is the first of its kind. Well, we need to work in collaboration on both sides of the House and not be afraid to give credit where credit is due. I was very dismayed to see the exclusion of the credit given to the former government when the former government made this recommendation in June 1999.

Now, at this point, the Province, to my knowledge, has received \$17,000 from the government to develop an action plan. I still have not seen any of the action plan. As we know, this present Government, it is my understanding, or members on this side of the House, that it will cost approximately \$750,000 the first year to prosecute this new Youth Criminal Justice Act here in the province of Manitoba. I understand that the Province has received, as I said, \$17,000 to develop the action plan concerning children under the age of 12 who are involved in serious offences. The current minister has not provided specific details of the plan, but he said the rules might include such things as an apology and restitution to the victims, specific programming for the young offender and involvement by Child and Family Services in extreme cases. I am looking forward to the time when the current Minister of Justice puts forward some specific action on this initiative that was started in June 1999, when the former government was in power.

Under the proposed Youth Criminal Justice Act, whether a young person is going to serve a youth or an adult sentence was to be decided after a guilty finding instead of before the trial. It was Manitoba's position that this process does not account for the seriousness of the offence or repeated involvement in the criminal justice



system. It tends only to use age as the guide. Moreover, Manitoba wanted provisions to be added to the proposed act to address chronic property offenders and ensure they are sentenced in adult court. So, once again, what we are hearing is a lot of photo ops and press conferences with little or no concrete action.

What we see also here in this province is a government that takes ideas from former governments, and that is fine as long as credit is given to the former government for the initiative. But, again, we see no action plan and no accounting of what has happened to the \$17,000 given by the federal government for this action plan.

The proposed legislation recently passed by the House of Commons provides that, if the Crown intends to make an application for an adult sentence, they must give notice of their intention to do so to the young person and to the youth justice court either before the young person has entered a plea or with leave of the court before the commencement of the trial. However, the hearing on whether a youth or adult sentence should be imposed does not occur until just prior to the sentence hearing.

Section 72 of the proposed legislation, Mr. Speaker, provides that when the youth justice court is making the decision on whether a youth or adult sentence should be imposed, the court shall consider the following factors: seriousness and circumstances of the offence, age, maturity, character, background of the young person, any previous record, any other factors that the court considers relevant.

Manitoba supported action taken in the proposed act to lower the age that adult sentences are applied for murder, attempted murder, manslaughter and aggravated sexual assault from 16 to 14, and members on this side of the House absolutely supported that initiative. However, there was no provision for offenders who have demonstrated a pattern of offending, specifically repeat property offenders, and with all due respect an apology is not enough. With all due respect, we have to strengthen the consequences here in Manitoba, ideas like providing committees that are represented from the communities in which the offence has occurred. If any apologies are forthcoming, it should be

before a committee based on where the offence actually occurred and the victims of such an offence.

Mr. Speaker, offences that were not included that Manitoba wanted were robbery with a weapon, use of a firearm, possession of a weapon for purposes dangerous to the public peace, sexual assault, sexual interference, assault causing bodily harm, home invasions and offences relating to firearms.

The proposed legislation provides that adult sentences may also be applied to a young person who is found guilty of any, and I quote: serious violent offence for which an adult is liable to imprisonment for a term of more than two years if the offence was committed after a young person reached the age of 14.

Mr. Speaker, as I say, it has been noted that this present Government has received \$17,000 from the federal government to develop an action plan to be put together for dealing with young offenders under the age of 12. I would say that at this point in time it is time for the present Government and for the Justice Minister (Mr. Mackintosh) to put that action plan forward and put the specific details forward so Manitobans and members on this side of the House can see what is going on.

I tie that into the fact, Mr. Speaker, that because the first announcement about this was made in June 1999, when the former government was in place, it is quite obvious that members on this side of the House would support that initiative and would encourage that initiative to be happening.

So, having said that, we continue with this resolution here in the House, and I would assume that members opposite, since they adopted the initiative in June 1999, would vote in favour of this particular resolution. Thank you, Mr. Speaker.

**Hon. Gord Mackintosh (Minister of Justice and Attorney General):** I am pleased to speak to this resolution today. While the two RESOLVED clauses will find, in general, some sympathy from this side, the WHEREAS clauses, I think, are quite lacking in terms of

their scope and breadth and their reflection of the position of the Manitoba government.

Mr. Speaker, the member opposite talks about the need to have given the former government credit for the position of the incumbent administration. I waited two and half years for a position from members opposite on the YCJA. All I got from members opposite was a criticism when I went off to Ottawa to demand that the federal government listen to Manitoba, that they listen to the Attorneys General of Canada, a meeting where I met with the federal minister and representatives from most of the political parties that are represented in the federal Parliament. All we got was a criticism from the then Justice critic that it was a waste of money. That meeting was very significant. It, at least, got some movement on some amendments to avoid, what I think, would have been a very significant shortcoming of the legislation.

Mr. Speaker, it has been two and a half years. Then, just on the eve of the passage of this legislation, in fact, I think it might have been out of the House of Commons by the time this resolution was brought forward, all of a sudden, it is, well, me too, in terms of the Opposition.

\* (17:20)

Now, in terms of the under-12s, the work that we have done on dealing with under-12s is under way, Mr. Speaker. It certainly is not an initiative that the former administration had developed at all, to my understanding, whatsoever. If there had been some public statement on it, I am not even aware of that, but there certainly had been no work done in the department in dealing with youth under 12.

Now, Mr. Speaker, I just want to deal with some of the concerns that Manitoba has been advancing with regard to this legislation, which we have to recognize has already been passed by the House of Commons and the Senate of Canada. Passed, I should say, unfortunately, because it was our position that this legislation did not deserve to be put into law. Quite frankly, I think that the public has been told by the federal government that this legislation is providing more serious consequences for the most serious offences. I have serious, serious

questions if that is the case. In fact, I think that the public will be entitled to be even more critical of the Youth Justice System under this legislation, as it is under the current Young Offenders Act.

Mr. Speaker, the act provides for a maximum youth sentence of three years in cases where an adult could receive a sentence of life. For a crime for which an adult would be liable to less than a life sentence, a youth can be sentenced for up to two years. So the three-year and two-year maximums are the same maximum penalties that currently exist in the YOA. The YCJA further provides that the final one-third of a custody and supervision sentence is to be served in the community, albeit under supervision. The result is that a three-year sentence means a two-year custody sentence followed by supervision in the community for the last year of the sentence. The maximum custody time that can be imposed under the act for these types of offences is therefore actually less than under the YOA.

Now, the effect of this change is simple, Mr. Speaker. For a serious offence, such as sexual assault with a weapon, for example, at knife point, the actual custody time that is available as a maximum sentence is reduced from two years to only 16 months. That is the maximum available as a youth sentence.

The biggest public criticism of the Young Offenders Act is that the sentences the courts can impose are too short, that the Youth Justice System is far too lenient as it deals with youth crime and violent crime. Custody sentences should be increased for the serious violent offender, not reduced. The public has to be concerned, surely, with this new legislation as a result, Mr. Speaker.

I think that the new sentencing provisions can undermine confidence in the court system because the provisions do not afford adequate protection for the public from dangerous young offenders. They give a misleading impression, by the way, and this should not be understated, of the impression of the length of the custodial sentence imposed.

So, with the new legislation, the release of many youth will be automatic. It will not be with

regard to the behaviour of the youth while in custody. It will not be with regard to the risk on returning to the community, Mr. Speaker. So I think that, on this issue alone, it is unlikely that this legislation will inspire confidence in the new legislation. I think the legislation, in many, many other ways, also causes significant concern to the Government.

The statutory release of young offenders at two-thirds of sentences is completely arbitrary. I think that the offender's progress, the rehabilitation, for example, or the apparent reduction in the risk the offender presents to the community are important considerations.

Manitoba Corrections, for one, can do an individual assessment of risk and does today, Mr. Speaker, but to have this two-thirds imposed arbitrarily and, I will say, unilaterally by a federal government that has not consulted adequately with this so-called—with what it thinks and without regard to the partnership that the provinces are in delivering this legislation, I think is regrettable.

Mr. Speaker, there are other areas of concern. For example, the Declaration of Principles should be modified to include denunciation of criminal behaviour as a clearly articulated principle. I think that, as well, when we look at the legislation as a whole, we have some very serious new challenges.

It is very important, Mr. Speaker, to address the complexity and the extensive sections that are in this new legislation. The act has been made more difficult to understand and will, as a result of the complexity, create delays in court backlogs. The act itself has gone from, as I recall, 70 sections as the Young Offenders Act to about 200 sections, from 86 to 171 pages. I just note section 42 regarding sentencing has 17 subsections, 38 sub-subsections and refers to 89 other provisions in 9 pages.

Mr. Speaker, at a time when we should be simplifying the youth justice system, the YCJA brings in, imports the complexity that is apparent in the adult system and brings in, I think, provisions that were unique to the adult system that will only serve to further victimize those who have already been victimized by youth

crime and I do not think will deliver the message to a young offender that there should be timely consequences, meaningful consequences. I think the proximity of consequences to behaviour is a fundamental principle of child development and one that should be worked towards.

There is a rat's nest of police warnings, of cautions, referrals, Crown cautions, extra judicial sanctions. I am particularly concerned, though, Mr. Speaker, of the introduction of preliminary hearings now into the youth justice system. At a time when preliminary hearings are being seriously questioned for their usefulness, given the new laws of disclosure in this country, the youth justice system now is going to have this complicating feature. This is going to add a whole other round of litigation.

The need for preliminary hearings in youth court is highly questionable in light of the increased disclosure obligations that have been placed on the Crown in recent years and indeed ever since the Supreme Court decision in *Stinchcomb*.

The Young Offenders Act and, before that, the Juvenile Delinquents Act operated for decades without any demonstrated need for the introduction of preliminary hearings. If there is any trend with regard to preliminary hearings, it is not only to question it in terms of the adult system. Alberta and Manitoba have been very strong advocates for its abolition at the federal provincial level, but there also has been in fact a trend to limit the use of preliminary hearings in the adult system. So there are additional costs for legal aid, for prosecutions and for courts as a result of the extension of preliminary hearings now into the youth justice system. Unfortunately, while the bill introduced a principle of time lines, it was virtually hidden among other principles in the legislation.

Mr. Speaker, the complexity in drafting must also be noted as I mentioned earlier. The sections are too long, too many clauses, too many subclauses. The whole principle of plain language writing is to keep sentences short. So some plain language principles have been recognized, but the efforts fall far short of, I think, the kind of legislation that should be readable by Canadians.

Mr. Speaker, we are interested in having a legal process that moves along expeditiously so that victims can get on with their lives. This legislation contains too many provisions that will result in significant delay, and that is a disservice to victims. While the principles speak to victim treatment, minimum degree of inconvenience and respect for dignity and privacy, the act, as currently structured, does not support those principles.

Now, for offenders under age 12, Manitoba had made the pitch that, although we recognize that many offences and indeed a great number for criminal offences committed by children under 12 can be dealt with by referral to parents or child welfare authorities or by other methods, where a child under 12 is repeatedly involved in criminal offences or commits a very serious offence, in our view the public is frustrated to learn that the youth court is powerless to do anything. The options are too limited.

As well, there is no mechanism, Mr. Speaker, to allow a full hearing of the circumstances to either allow responsibility for the behaviour to be determined or to clear the name of the young person. It may be very important for the youth to be able to access the constitutional rights or the Charter rights presumption of innocence that is there for others but does not appear to be available for a youth under 12 who is accused of serious criminal wrongdoing. So due process is another issue when looking at how under-12s are dealt with.

\* (17:30)

So, Mr. Speaker, we have made the case that the act should be amended to permit the dealing in the youth court system of offenders under 12 in very exceptional circumstances. That would be done, of course, on application, and there could be a consideration of many factors such as the nature of the offence, the circumstances of the offender, including the history, the maturity of the offender and whether it is in the long-term interest of the offender to have the matter dealt with through the courts. As I mentioned earlier, the rights of the accused individual as well should be taken into consideration.

Mr. Speaker, the financing of the system is another very live and significant issue. We have

to recognize that funding for youth justice used to be on a 50-50 basis with the federal government but now the provinces carry most of the burden, and we do expect that there could be new costs for the provincial jurisdictions in Canada. We have done some calculations, and we certainly have cause for concern. As I mentioned earlier, even with regard to the introduction of preliminary hearings, there will be increased costs there.

Having said that, I also want to note that there is a positive attribute to this legislation in that it does recognize the use of community options, community justice for lesser offences where an individual accepts responsibility, and that, although recognized, was nonetheless available, I would argue under the Young Offenders Act, and I think the potential of that for delivering local, swift, tough justice is yet to be entirely recognized and realized.

So, with those remarks, Mr. Speaker, we certainly have many other concerns about the legislation that goes beyond the resolution. I think Manitobans will not be as well served by this legislation, certainly, as the federal government would like us to believe. Thank you.

**Mr. Doug Martindale (Burrows):** Mr. Speaker, I am pleased to take part in this debate today, partly because at one time I was a volunteer probation officer. I was also a chaplain at a youth lockup facility, and I have been a victim of crime. I assume that some of the people who were victimizing me were young offenders.

In fact, as my colleagues will know, our car was stolen four times. They are probably sick of hearing me say that. Our house was broken into twice, and our garage was broken into four or five times. So I certainly understand the concerns of the constituents in Burrows and Manitobans about young offenders. I am quite sure that, at least in one case, they were young offenders because they had the opportunity to take a number of things from our house, and what they took were sweaters with designer labels and other things that belonged to our children, and they took the mountain bikes but almost nothing else from our house. So they were probably young offenders.

This Government has taken a strong stand on the Youth Criminal Justice Act. We took a national lead to try and ensure the act was strengthened, and we lead the nation in fully endorsing community justice. We also wanted to be able to allow the Crown to deal with youth under 12 accused of heinous crimes, so that they are assured constitutional protection while being held to account for their actions.

Now, Mr. Speaker, the Attorney General (Mr. Mackintosh) has listed many of our concerns and his suggestions for improvements, but I am going to concentrate on actually one thing that we do support in this act, and that is our respect for community justice and the social need for it, and it is the respect inherent in the process for the victims of crime. Thus we are actively exploring ways to further develop community justice in this province.

I would commend the Attorney General for a number of things that we have done. For example, we have expanded and we fully support the youth justice committees. In the North End, we have the North End Youth Justice Committee, the St. Johns Youth Justice Committee that was started by the MLA for St. Johns (Mr. Mackintosh), Burrows-Keewatin and an Aboriginal youth justice committee.

The reports from these committees are very positive. In fact, one of the anecdotal stories that I heard was that a youth justice committee in rural Manitoba had a number of young offenders referred to it, and after the first year they ran out of young offenders. Nobody else was being referred to them, because the program was so successful.

One of the things that happens in a rural area is that when the young offenders are given community work to do, people—[interjection] I know lots about rural areas. I go there all the time. I have lots of friends in rural Manitoba, and they tell me that because it is a small community, people know that the people doing the community work have been referred by the youth justice committees. Of course, this is embarrassing for young people to have everybody in a small community or a rural community know that they are doing this because of some wrong that they committed.

The result is that at least in one youth justice committee, they did not get anybody else referred because the amount of vandalism and graffiti and that sort of thing went down to zero, which shows the success of the youth justice committees. I mentioned that it was initiated by the previous government, and we support it and we have expanded it. I noticed the Justice critic commended our Government for a few things, so I think I am willing to give credit where credit is due.

One of my constituents had an experience where he had a break-and-enter. He offered to the police to meet the young offender, and he wanted to have restitution made. It was rather an interesting experience for him because, of course, he had this image which the police will tell you that all victims of break-and-enter have in their minds, and that is that the young offender or the person perpetuating the crime is 18 years old and they are big and tough. That was the image that he had of these people who broke into his house.

It turns out it was two fourteen-year-olds. They came from troubled families, and they did pay restitution. They apologized. They did yard work for him and gardening, and he actually befriended them and discovered that they came from troubled homes, and it was a very positive experience for him in terms of being able to be a positive male role model for these young offenders.

I think this is important because if the justice system is impersonal, which in many cases it is in spite of the fact that people go to court and there is publicity and they may get their name in the paper, if people are sentenced to jail which in many cases is appropriate—but in alternative programs, for example, sentencing circles, people are more likely to be left in the community and they have to face the victims and face their families and face their friends and their neighbours. They are reminded of what they have done on a daily basis, as opposed to doing jail time which tends to be impersonal and where there is no contact between the victim and the offender. So, in many ways, community justice can be tougher than the penalties of the court system.

Certainly, the record of many of the youth justice committees, especially with first offenders, is that these young people do not come back, which I think is an endorsement in itself. Certainly, we need to take preventative measures so that people do not offend in the first place. I have certainly done that in Burrows constituency by organizing five Citizens on Patrol groups. People appreciate this because it is a good thing for people to feel responsible for their neighbourhood and for the safety of themselves and their neighbours in being the eyes and ears of the police and preventing crime from happening in the first place.

So this is a very good program, and I am very pleased that Manitoba Public Insurance is now providing equipment to Citizens on Patrol groups free. I think it is probably paying off because auto thefts were down in January and February of this year quite substantially, plus the benefits of people feeling responsible for their neighbourhood.

Briefly, I would like to talk a little bit about my experience as a chaplain to a lockup facility and being a probation officer. I did not have very much to do with the young offenders going into court and receiving penalties, but I did visit them in the lockup, and I visited them sometimes when they went to training schools, the Ontario training school system. The most interesting experience of all was being a volunteer probation officer. In addition to spending time with a young offender one on one, he was also part of a group of young offenders who were on probation. We used to get together for recreation activities.

\* (17:40)

Interestingly, the offence that ended up in him being on probation was identical to things that I had done in my youth. The only difference was that he got caught and I did not. Quite often, that is the difference between people getting involved in the court system and not. Once you get involved in the court system, if you do not get out of it, then it tends to perpetuate. People tend to re-offend, and then it becomes a revolving door. So prevention is really important and programs that are successful like youth justice committees are very important.

Speaking of prevention, I would like to commend the Canadian Polish Athletic Club in Burrows constituency because they have been raising money through their bingos for many decades and using the proceeds to support teams, especially at Sinclair Park Community Centre. Of course, their philosophy is that if young people are participating in organized sports, that they do not have time to get into trouble. Every year CPAC has an awards banquet. One year our daughter, Tanissa, was, I believe, an athlete of the year and got a jacket from CPAC and was honoured with a trophy at their banquet. I think they have been doing this for over 40 years. One year they got the mayor's Volunteer Service Award, I believe, just going by memory. So I commend CPAC for their concern and commitment to youth over several decades in the North End.

Now, going back to the Youth Criminal Justice Act, this act is unduly complicated resulting in delay and confusion. In fact, I found a good quote from our Attorney General (Mr. Mackintosh) in one of the news stories where he said that this act, in itself, is a rat's nest. I think the minister gave us some examples in his speech as to why it is a rat's nest, and the fact that it is complicated resulting in delay and confusion is probably just one of the reasons. Part of the problem is that it requires the release of prisoners into the community after they have served only two-thirds of their sentence.

Our Government has been very vocal on these problems. Experts have estimated the courts will take two to five years to interpret this legislation, perhaps a modest guess. Rather than increase the complexity, the federal government should be simplifying it to ensure greater consistency, to ensure the changes are used effectively across the country and to ensure consequences follow swiftly in actions absolutely essential to young offenders. *[interjection]*

The Member for Fort Whyte (Mr. Loewen) is reminding me about our commitment to the North Y. Our Government has allocated or set aside a million dollars for renovations or new construction of the North Y. I commend the Member for Fort Whyte who has offered to raise at least a million dollars, I think it is up to \$2 million now, from the private sector. But we have a number of problems. One is that the City

of Winnipeg will not put a nickel into the new facility or into any of the operating costs. Even though recreation is a City of Winnipeg responsibility, they are not interested in doing anything to reopen this facility. So we are going to need at least a million dollars from the federal government just to do phase one of this project which is estimated to cost about \$3.9 million.

It has been a great loss to the community to have this facility closed. I have had people phone me and tell me their kids play in garbage bins in back lanes because there are no recreation facilities. A kid that was in my son's youth basketball program became involved with Child and Family Services after the North Y closed. I am sure there are many, many examples out there of kids who do not have anything to do because this facility closed.

We are working very hard with the community. It really is a community-driven process of a number of different community organizations and government departments. They have got a very good business plan which will cover almost all of the operating costs once it is open, which is one of the problems that had to be overcome because, in the past, United Way subsidized the North Y to about the tune of \$287,000 a year. That money is gone. It has been re-allocated to other agencies.

There needs to be a plan in place, and there is a good plan in place to cover almost all of the operating costs. Not all, I wish I could say all, but there is a bit of a—*[interjection]* Give them 10 VLTs. I do not think I will go there. I am not sure that we want VLTs in a recreation facility showing young people what to do with their spare time and waste their money. I was just using this as an example of a need for recreation to keep kids off the street and out of trouble and give them something positive to do, because that certainly benefited my children. My children would have had something positive to do whether the North Y was there or not, but the good thing is that it was there, and they learned to swim there. They were part of the volunteers in training program. As a result, my son got summer jobs because of that, and he got a teaching assistant job because of the North Y. Unfortunately, my daughter did not get all of her swimming qualifications finished before it

closed, but she went on to get her swimming qualifications and work for the City of Winnipeg as a pool supervisor. That opportunity is not available to other young people, especially other young people whose parents cannot afford to pay for those kinds of things like swimming lessons.

There is a need for these facilities in this community, especially on a basis that is subsidized. I see that my time is winding down, so I will conclude my remarks and let someone else get a chance to put remarks on the record about the Youth Criminal Justice Act.

**Ms. Nancy Allan (St. Vital):** It is my privilege today to put some comments on the record in response to the MLA for Fort Garry, her private member's resolution. I would just like to read the **THEREFORE BE IT RESOLVEDs** into the record:

**THEREFORE BE IT RESOLVED** that the Legislative Assembly of Manitoba urge the Government of Canada to consider revisiting and strengthening the Youth Criminal Justice Act to ensure that young people are held accountable for their actions by providing more significant consequences for youth who break the law.

I would like to thank my members for heckling me in the first 30 seconds of my speech. I really appreciate that. I always know that they show such respect for their colleagues in the House, particularly for the simple fact that I am never one to heckle my colleagues across the House. So I would just like to thank them for that.

**BE IT FURTHER RESOLVED** that the Legislative Assembly of Manitoba urge the Government of Canada to provide the provinces with the necessary financial resources to implement and enforce any changes imposed under the Youth Criminal Justice Act.

I think it is important that we read those **THEREFORE BE IT RESOLVEDs** into the record because our Government has been very active, and our Attorney General and Minister of Justice have been very active in regard to the concerns around the Youth Criminal Justice Act. When the federal Justice Minister attempted overhauling the country's young offender laws, the act took seven years, three drafts and more

than 160 amendments before the Liberals pushed their revamped bill through the last parliamentary hurdle.

At the very outset, our Attorney General was outspoken about his concerns in regard to this act. The new bill, designed to replace the much-maligned Young Offenders Act, has many problems. Our Attorney General has been very vocal regarding our Government's concerns. I would like to thank him for that today. The federal Justice Minister brought in a bill and missed an opportunity to consult with the provinces and find some common ground. Their idea of consultation was taking the amendments and putting them on a Web site and letting the provinces all across the country find them on the Web site and look for those opportunities to respond. This is shameful, considering that this is a very, very complex bill and falls entirely to the provinces to administer and enforce.

The federal government did go in baby steps to meet some of Manitoba's concerns, but our two main concerns were not addressed, and this will remain a serious problem for administration and is also going to bog down the system. Our Attorney General objected to sections of the legislation that would automatically release young offenders to community supervision once they had served a third of their sentence, regardless of their behaviour or risk to the public. The maximum youth sentence is three years. The new law also fails to allow criminal charges for children under 12 and, because it is so complicated, would add to court backlogs.

This Government has taken a strong stand on the Youth Criminal Justice Act. We took a national lead to try and ensure that the act was strengthened, and we lead the nation in fully endorsing community justice. We also want to be able to allow the Crown to deal with youth under 12 accused of heinous crimes so that they are assured constitutional protection while being held to account for their actions. We think it is important that we avoid arbitrary cutoffs, arbitrary ages to determine consequences. We have said that, in exceptional circumstances and very serious cases, there should be the ability on application for offenders under age 12 to be brought into the youth justice system, and that is in the interest both of justice and to ensure

process protection and Charter protection for offenders.

\* (17:50)

Manitoba will be the first in Canada to try a new approach in dealing with young offenders who are under the age of 12. Manitoba's approach helps to fill the gap left by the new young offenders act. The new bill still does not allow police to charge someone under the age of 12 with a crime, but Manitoba will be allowed at least to deal with those under 12 to teach them there are consequences to their actions. Those consequences could be as simple as having the child face a victim and apologize or could involve having Child and Family Services intervene with the family.

I do not think it is enough for governments, as they have in the past, to keep pointing a finger at Ottawa alone saying that it is up to them to deal with offenders. We do have a responsibility to move in this direction. We cannot throw kids in jail under 12 because that is the criminal law and the federal law, but we can develop a protocol and consequences that will hopefully deter youth crime. A significant part of our respect for community justice and social need for it is the respect inherent in the process for the victims of crime. Thus, we are actively exploring ways to further develop community justice in this province.

The act is unduly complicated, the Youth Criminal Justice Act, resulting in delay and confusion, and it requires the release of prisoners into the community after they have only served two-thirds of their sentences. I had that incorrect at the beginning.

Our Government has been very vocal on these problems. Experts have estimated the courts will take two to five years to interpret this legislation, perhaps a modest guess. Rather than increase the complexity, the federal government should be simplifying it to ensure greater consistency, to ensure the changes are used effectively across the country, and to ensure consequences follow swiftly on actions, absolutely essential with young offenders.

Representing this Government, our Attorney General presented his concerns about the Youth



Criminal Justice Act to the House of Commons Senate in October of 2001. One of the major problems with the changes is in sentences available to young offenders, besides obvious public safety issues, is that they serve to further erode public confidence in the justice system. We suggested that the statutory release of young offenders after having serviced two-thirds of their sentences is arbitrary and not reflective of either their crime nor their behaviour while incarcerated. We propose this section be dropped from the legislation.

This Government recommended that the declaration of principles be modified to include denunciation of criminal behaviour as a clearly articulated principle. It is our position that, in cases where an adult could be handed a life sentence, that should not be done. Unfortunately, the federal government chose not to work in a spirit of co-operation with their provincial counterparts to develop good public policy around such complicated legislation. Ottawa rammed this legislation through the House of Commons without time for careful analysis of the extensive federal amendments.

This was the second time the provinces were snubbed. Mr. Speaker, Liberal M.P.s banned provincial Justice ministers from making submissions at public hearings on the bill. I certainly hope that the MLA for River Heights is aware of this and has spoken with his counterparts at the national level in regard to this absolute unbelievable process around such complicated legislation.

I commend the Minister of Justice who has consistently raised justice matters at federal-provincial-territorial meetings, not just Bill C-7, sexual offender registry, criminal voyeurism, Convention on the Rights of the Child, Internet luring and Manitoba's victim initiative. The Minister of Justice, I know, will continue to lobby Ottawa for more funding for the justice system.

Initially, the federal-provincial agreement was a 50-50 cost-shared agreement, but, as in health care, the federal portion has gradually diminished. Currently, Manitoba pays 70 percent of the cost associated with enforcing the Criminal Code while Ottawa pays 30 percent.

Manitoba looks forward to the day when we go back to the 50-50 agreement.

In the meantime, Manitoba will pave its own way to reduce youth crime. This Government is looking at youth criminality in a broad fashion. This approach recognizes that young people offend for a variety of reasons, many of which relate to early childhood development.

We have increased funding to the Healthy Child Initiative and are working hard on an effective and far-reaching fight against fetal alcohol, and developing Lighthouses programs for safe and fun places for young people to go after school.

I am fortunate to have a Lighthouse program in St. Vital working with Teen Stop Jeunesse. This is a program that has been incredibly successful in the St. Vital community. They have developed an art therapy program, a music therapy program. This is a drop-in centre that is open seven days of the week. On most nights when you go there, you can find anywhere between 50 and 75 young people participating in safe and fun activities with their peers.

We have also published Project Gang Proof for parents and are teaching staff to learn about gang-related activity and help young people involved. However, once young people offend, there must be programs in place that support them to keep them from reoffending. To meet that need, we have initiated Ototema: Her Friend. This program brings volunteer mentors together with young female offenders on supervised probation. This program has been running in Winnipeg and has now been expanded to Brandon. This is an innovative initiative designed to break the cycle of crime by connecting young female offenders to long-term, stable mentor supports.

Young women sometimes slip back into a life of crime because they have not had a chance to connect with another path. This is a successful program providing guidance, supervision and long-term connections for young women in Winnipeg and Brandon.

Young women need to be shown that there is another path in life that does not involve

gangs, addictions, violence and poverty. Mr. Speaker, on average, approximately 35 to 40 young female offenders are on supervised probation in Brandon. Ototema will work with 10 who are assessed as a medium risk to re-offend as the program gets under way.

The program is structured so that the mentor relationship will continue to be supported and fostered after the offender's probation term is over. Additional community supports will be incorporated as the participant's needs are defined.

We have already urged the federal government to revamp the Youth Criminal Justice Act. We have also taken preventative approach to youth criminal activity with our STOP FAS and Healthy Child programs, Lighthouses, Project Gang-Proof and greater support for community justice.

Mr. Speaker, we will continue to develop community-based, made-in-Manitoba programs, and I know the Attorney General of Manitoba (Mr. Mackintosh) will continue to advocate on

justice issues at the national level to address the inadequacies in the Youth Criminal Justice Act.

**Mr. Jim Rondeau (Assiniboia):** I am pleased to put a few words on the record about the Youth Criminal Justice Act. I am happy to see that what we are doing is, instead of doing the punishment part, what we are trying to do is proactive work in helping youth. Therefore, it is not just the stick approach; it is also the carrot-and-stick approach.

So what we have done is we have developed parent centres to help people work and develop their parenting skills. We have the Lighthouses program that keeps kids busy. Busy kids stay out of trouble, and it is very important to have something for young people who have lots—

**Mr. Speaker:** Order. When this matter is again before the House, the honourable member will have 14 minutes remaining.

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, June 10, 2002

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