



Fourth Session - Thirty-Fifth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	Liberal
ASHTON, Steve	Thompson	NDP
BARRETT, Becky	Wellington	NDP
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHOMIAK, Dave	Kildonan	NDP
CUMMINGS, Glen, Hon.	St. Rose	PC
DACQUAY, Louise	Seine River	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DEWAR, Gregory	Selkirk	NDP
DOER, Gary	Concordia	NDP
DOWNEY, James, Hon.	Arthur-Virden	PC
DRIEDGER, Albert, Hon.	Steinbach	PC
DUCHARME, Gerry, Hon.	Riel	PC
EDWARDS, Paul	St. James	Liberal
ENNS, Harry, Hon.	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Clif	Interlake	NDP
EVANS, Leonard S.	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen, Hon.	Springfield	PC
FRIESEN, Jean	Wolseley	NDP
GAUDRY, Neil	St. Boniface	Liberal
GILLESHAMMER, Harold, Hon.	Minnedosa	PC
GRAY, Avis	Crescentwood	Liberal
HELWER, Edward R.	Gimli	PC
HICKES, George	Point Douglas	NDP
LAMOUREUX, Kevin	Inkster	Liberal
LATHLIN, Oscar	The Pas	NDP
LAURENDEAU, Marcel	St. Norbert	PC
MALOWAY, Jim	Elmwood	NDP
MANNESSE, Clayton, Hon.	Morris	PC
MARTINDALE, Doug	Burrows	NDP
McALPINE, Gerry	Sturgeon Creek	PC
McCRAE, James, Hon.	Brandon West	PC
McINTOSH, Linda, Hon.	Assiniboia	PC
MITCHELSON, Bonnie, Hon.	River East	PC
ORCHARD, Donald, Hon.	Pembina	PC
PALLISTER, Brian	Portage la Prairie	PC
PENNER, Jack	Emerson	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren, Hon.	Lac du Bonnet	PC
REID, Daryl	Transcona	NDP
REIMER, Jack	Niakwa	PC
RENDER, Shirley	St. Vital	PC
ROCAN, Denis, Hon.	Gladstone	PC
ROSE, Bob	Turtle Mountain	PC
SANTOS, Conrad	Broadway	NDP
STEFANSON, Eric, Hon.	Kirkfield Park	PC
STORIE, Jerry	Flin Flon	NDP
SVEINSON, Ben	La Verendrye	PC
VODREY, Rosemary, Hon.	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP
<i>Vacant</i>	Rossmere	
<i>Vacant</i>	Rupertsland	
<i>Vacant</i>	The Maples	

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, July 27, 1993

The House met at 10 a.m.

ORDERS OF THE DAY

(continued)

Hon. Clayton Manness (Government House Leader): Mr. Speaker, as this is still Monday and it is past ten o'clock Monday night, I would ask that one of our rules, namely 65.(11), be waived, which would then allow the introduction of certain motions after ten o'clock at night.

Mr. Speaker: Is there unanimous consent of the House to waive Rule 65.(11)? [agreed]

Mr. Manness: Mr. Speaker, will you call Report Stage, Bills 24, 35, 47, 49, 52 as amended—well, you would have the listing of which have been amended—and Bill 41.

REPORT STAGE

Bill 24—The Taxicab Amendment and Consequential Amendments Act

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, I move, seconded by the Minister of Northern Affairs (Mr. Downey), (by leave) that Bill 24, The Taxicab Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les taxis et apportant des modifications corrélatives à d'autres lois), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 35—The Fisheries Amendment Act

Hon. Harry Enns (Minister of Natural Resources): I have a proposed amendment to Bill 35, The Fisheries Amendment Act (Loi modifiant la Loi sur la pêche).

I move

THAT Bill 35 be amended by striking out the proposed subsection 33(4) as set out in section 4 of the Bill.

[French version]

Il est proposé que le projet de loi 35 soit amendé par suppression de paragraphe 33(4) énoncé à l'article 4 du projet de loi.

Mr. Speaker: It has been moved by the honourable Minister of Natural Resources, seconded by the Minister of Highways and Transportation (Mr. Driedger), (by leave) that Bill 35 be amended by striking out the proposed subsection 33(4) as set out in section 4 of the Bill. Agreed? [agreed]

Mr. Enns: Mr. Speaker, I had discussed the amendments with one of the critics of the official opposition, the honourable member for Flin Flon (Mr. Storie), and while we had agreed on the main amendment, this particular amendment that I am moving removes that one portion with respect to applying the moratorium on further northern potential transfer or sales of quota.

I am advised that that administratively will cause difficulties within the branch in a sense that some of what we refer to as the northern quotas is in the northern portion of Lake Winnipeg. It is the intent of my director of Fisheries, in fact, by direction and by policy to carry out the intent of the issue that the member for Flin Flon raised, and I so commit the department to it, but was advised that legally it presented a potentially legal problem for us if it were allowed to stand as we had agreed to and we had both concurred in at committee stage of the bill.

I want to assure the honourable member for Flin Flon, and I would ask him to certainly avail himself to have the opportunity of visiting directly with Mr. Joe O'Connor who is the director of Fisheries, that I was only apprised of this myself this last day that there is no intent on the part of the government and certainly on the part of this minister not to abide in principle with the points raised by the member for Flin Flon which I agreed with, and the Fisheries department agreed with.

That is, in essence, Mr. Speaker, for the edification of other members, to provide a greater degree of protection for the northern fishermen that in the event, and it is only in the event—because individual quotas are not established yet, as the member knows, in the northern fisheries—but in

the event they are established that there be kind of a further legislative check and balance put in place that would ensure that in the first instance and if anything the holding of fishing licences and quotas in these northern lakes should be biased and prejudiced in favour of northerners who reside in the area.

That was the intent of the recommended amendment to The Fisheries Act at committee stage, which I concurred with, and it is the intent of the Fisheries branch to carry out that very same policy, I want to assure the honourable member for Flin Flon.

Mr. Jerry Storie (Flin Flon): Mr. Speaker, I appreciate the comments from the Minister of Natural Resources. I was aware that this bill would affect fisheries on the east side of Lake Winnipeg. I appreciate that it may in fact cause some difficulties because of the administrative problems within the department because of the nature of the fisheries on either side of the lake.

I would simply ask, Mr. Speaker, I am prepared to—I cannot say that I am delighted by the amendment. I am disappointed, but I will take the minister's assurance that the interests of fishermen on the east side of Lake Winnipeg in Northern Affairs communities, in First Nations, will be protected by directive in the department.

I would also ask the minister to review the possibility that by regulation he may be able to segregate out part of the areas of Lake Winnipeg, because the minister has given himself the power to designate within the bill what areas and under what conditions quota is allowed to be sold. So by regulation, the government and the minister may be able to do what we are not able to do by law in the statute, Mr. Speaker.

Mr. Enns: Am I closing the debate on the—

Mr. Speaker: No, you are not closing debate. The honourable minister has spoken on the amendment, so has the honourable member for Flin Flon.

Is it the pleasure of the House to adopt the motion? That is agreed and so ordered.

Mr. Enns: Mr. Speaker, I am pleased to move, seconded by the honourable Minister of Northern Affairs (Mr. Downey), (by leave) that Bill 35, The Fisheries Amendment Act (Loi modifiant la Loi sur la pêche), as amended and reported from the

Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

* (1010)

Bill 47—The Residential Tenancies Amendment Act (2)

Hon. Clayton Manness (Government House Leader): Mr. Speaker, on behalf of the Minister of Consumer and Corporate Affairs (Mrs. McIntosh), I move, seconded by the Minister of Energy and Mines (Mr. Downey), (by leave) that Bill 47, The Residential Tenancies Amendment Act (2) (Loi no 2 modifiant la Loi sur la location à usage d'habitation), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 49—The Summary Convictions Amendment and Consequential Amendments Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move on behalf of the Minister of Justice (Mr. McCrae), seconded by the Minister of Government Services (Mr. Ducharme), (by leave) that Bill 49, The Summary Convictions Amendment and Consequential Amendments Act (Loi modifiant la Loi sur les poursuites sommaires et apportant des modifications corrélatives à une autre loi), reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

Bill 52—The Manitoba Foundation Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), (by leave) that Bill 52, The Manitoba Foundation Act (Loi sur la Fondation du Manitoba), as amended and reported from the Standing Committee on Law Amendments, be concurred in.

Motion agreed to.

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, we will deal with Bill 41 Report Stage this afternoon.

As I understand it, we have one bill to deal with in committee, that is private member's Bill 212. That has been called for Law Amendments committee at 2:30 this afternoon. Therefore, Mr. Speaker, I am now going to call the committee to go into Supply and go back to the concurrence motion. If we are to finish before 1:25 with concurrence or at least the consideration of concurrence at this time, then we would move to third readings—by leave.

I therefore move, seconded by the Minister of Energy and Mines, (Mr. Downey) that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

Mr. Speaker: Just prior to putting that question to the House, I will recognize the honourable member for Point Douglas with his committee changes.

Committee Changes

Mr. George Hlckes (Point Douglas): I move, seconded by the member for Transcona (Mr. Reid), that the composition of the Standing Committee on Law Amendments be amended as follows: the member for Dauphin (Mr. Plohman) for the member for Brandon East (Mr. Leonard Evans); the member for Swan River (Ms. Wowchuk) for the member for Wellington (Ms. Barrett) for Tuesday, July 27, 2:30 p.m.

Motion agreed to.

* * *

Mr. Speaker: It has been moved by the honourable government House leader (Mr. Manness), seconded by the honourable Minister of Energy and Mines (Mr. Downey), that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

Motion agreed to, and the House resolved itself into a committee to consider of the Supply to be granted to Her Majesty with the honourable member for Seine River (Mrs. Dacquay) in the Chair.

SUPPLY—CAPITAL SUPPLY

COMMITTEE OF SUPPLY

Madam Chairperson (Louise Dacquay): Order, please. Will the Committee of Supply please come to order, to continue to consider concurrence of the Supply motion.

Ms. Avls Gray (Crescentwood): I have a few questions for the Minister of Education. It is related to curriculum and special education programs, as well as programs for gifted children.

I am wondering if the minister could update the House in the area of programs for gifted children. What is occurring right now within the Department of Education in regard to any type of programs for gifted children? Is there a particular curriculum? Is there any assistance that is given to particular school divisions for that?

I am asking the question because I have had a number of individuals, parents, within the city of Winnipeg phone, who have gifted children and are concerned that in fact there is not much emphasis put on the needs of gifted children, that dollars and resources, albeit limited, are going into special needs children, but when it comes to gifted children, the dollars or the resources are not there.

So I am wondering if the minister could perhaps comment on that area of education.

Hon. Rosemary Vodrey (Minister of Education and Training): The area of gifted education, there has been a committee which has been working on gifted education, and we have had information from that committee.

Part of the difficulty in the area of gifted education has been for schools and for educators and for those involved to determine the best model for the delivery of education for gifted young people. There has, in the past, been a pullout model or a special class for gifted and talented education, but as we have had the opportunity to look at education for gifted and talented young people, there has been an increasing recognition that we are speaking of gifted young people who may be gifted overall or who may be gifted in a particular area and require enrichment in that one area, or we may be speaking also about talented young people. In terms of the area of talent, we might be looking at athletic talent or computer talent. So over the past year and a bit, there has been a much wider view of who are the young people that we may be looking at.

As I said in the past, the model has been a pullout model to enrich a curriculum. One of the areas brought forward for consideration now has been a cascading model or a different type of model, rather than the pullout, which we have been

asked to look at. It does have implications for teaching.

So I will say to the member that a decision has not been reached at the moment on exactly how we will implement that; however, I can tell her that there has been some significant work done, both by the department and also by the committee in the area of gifted education. I certainly will look at for her, and provide her with, some further information on exactly where we are in that area.

Also, in the area of gifted and talented young people, again, we are looking overall to make sure that our curriculum for all young people is of the highest quality so that all young people are challenged; however, we do recognize that some young people may in fact wish to, in the high school years, challenge some academic programs as well from the university level.

* (1020)

So it is an area that we are looking at with the community, and we certainly have recognized that it is an important area for Manitoba young people and their families.

Ms. Gray: A couple of questions in relation to that answer. Is the minister able to give us any type of time frame on when there might be some decisions made on the committee and the work that they have done? She kindly agreed to give me further information in this area.

Is there some information specifically related to the work the committee has done that she would be able to give me that we could pass on to members of the public who then perhaps could have some input in terms of responding to the committee or back to the minister, et cetera?

Mrs. Vodrey: I am not able to provide the member today with the exact time frame that we would be looking at in terms of implementation, however I will look at providing the information that I can. I have not released the report, which again was a committee which was doing some work and a task assigned to them by the Department of Education and Training, and we are considering the recommendations.

I will provide the member with what I am able to at this time, and I would ask too that with the people of Manitoba that she is meeting with, if she could let them know that we have recognized that that whole area of gifted and talented education is an important one, and we certainly are looking at it.

There was one other part that I wanted to respond to as well, to the first question. Another area that we have been asked to consider on behalf of gifted and talented young people is a designation in reporting so that where young people have done an enriched program there is in fact some kind of designation on a report card or a transcript of marks. I think that is one area which can be accomplished.

I have asked the department to look into how we can provide that designation. I cannot entirely commit that we will be able to have that designation available for the next school year though I have asked for that to be implemented as soon as possible, as soon as we come to a satisfactory way, because I do think that young people who do work in an enriched program should have the benefit on applying to further post-secondary education, whatever their choice, of that recognition of that additional work that they have done.

Ms. Gray: Moving to another area, and again I received some phone calls with some concerns expressed—this is in rural Manitoba—about the—and I do not even think I have the right term—it is what I remember as being called OEC classes in high school, occupational education, OEC.

There were some concerns expressed about where there was not a good enough job done by teachers. Perhaps, not necessarily, it was not a criticism of the teachers but a comment. It was perhaps related to lack of knowledge or information and resources about students who would be placed under the OEC program for a variety of reasons, and then once they had completed that program—in fact, first of all, are they considered to have had a Grade 12 education?—and that in fact they were very limited in terms of what their options were once they had completed that.

I am wondering if the minister could tell us: Is there criteria within the department? Is there resources available for teachers? What determination is made in terms of how is it decided that a student will or will not go into an occupational entrance type of course?

Mrs. Vodrey: Madam Chairperson, I believe that the course the member is referring to we now refer to as the modified program. The modified program takes the existing curriculum but allows that curriculum to be modified for young people who are

seen to have difficulty in achieving in the 0001 area. Young people who are in that program do receive the designation of modified, so when their transcript of marks is prepared it would be known that they in fact did have a modified course at certain levels.

In terms of the actual follow-up, I am not sure if the member is saying that the difficulty has been for those young people as they wish to progress on to post-secondary or if it is in fact employment areas. One of the areas that we have been particularly wanting to pay attention to is the area of co-operative education, work experience, so the skills that young people have are recognized within the employment community, and the employment community has had some experience with all kinds of young people.

I would like to say that the whole area of work experience and co-operative education we are very interested in for all students in Manitoba. However, for students in the modified program, these students do sometimes take part in some community employment so that their skills are recognized. In that way it seems that we not only have to provide for some experience, but we also have to provide a way for the employment community to be as knowledgeable as they can be about the educational system.

I have spoken before about education as a two-way communication process. We in education have to make sure that our story is well told in the community, but we also have to make sure that the door is open for the community to come into education to be as informed as they can possibly be.

In the area of access to post-secondary training, I would hesitate to say, without checking with the department, exactly what is available in terms of moving ahead immediately for young people who come from the modified program. I will be happy to look into the educational opportunities at the post-secondary level. I think the member is speaking about training programs, college and university programs, if I am correct, so I will look into that and see she gets the information.

Ms. Gray: I thank the minister for that.

During the Estimates process, one of the issues that I discussed with the minister was the report that had been completed by The Manitoba Teachers' Society, the Manitoba Association of

School Trustees and, I believe, one more organization. It was related to medical needs of children in schools. I know the minister had indicated during the Estimates process that there was a committee of deputy ministers, I believe, and that her cabinet colleagues would be looking at this issue.

That was a number of weeks ago. As we have progressed into the middle of summer and throughout the session, I am wondering if the minister could shed any more light on that issue today basically referring to where it is on the agenda of cabinet. Does she have any better indication as to when there might be a decision made on what should be done in regard to that, given, in fact, we now have about five, six weeks at the most left before we begin another school year?

Mrs. Vodrey: Madam Chairperson, as I said in the Estimates process, this was an issue that was taken very seriously by several ministers and it does specifically concern, in the area of medically fragile children, the Minister of Health (Mr. Orchard), the Minister of Family Services (Mr. Gilleshammer) and the Minister of Education. In addition, the Minister of Justice (Mr. McCrae) and his department have also been involved in the work that we have done.

There has been a committee which the ministers requested to be struck. It has been a committee of deputy ministers and then a working group from our department. In terms of the time frame, the other ministers involved and myself will be looking to make an announcement by the beginning of the school year.

Ms. Gray: Madam Chairperson, I thank, again, the minister for that information.

One other question I wanted to ask the minister and it was in relation to her planning and audit section and looking at the whole issue of funding of education. Obviously within the province of Manitoba we still partially fund our public education system based on property taxes. That is done in some other provinces but there are a number of provinces where in fact it is not funded in any shape or form through property tax.

I am wondering if the minister and her department have had an opportunity or have looked at all at the whole issue of funding of education with perhaps looking at the pros and

cons of looking at an alternative model to funding education.

Mrs. Vodrey: Madam Chair, we have, in fact, looked at a number of models for the funding of education. We have looked at property tax which currently provides a basis of funding and we have looked at other models. We have looked at other models as they are around the world. Certainly we have looked across Canada. We have looked at Britain who has tried another model through a poll tax as opposed to a property tax.

At the moment, the information that I have received is that there has not been a method which has really been considered overall to be as, I suppose, efficient as the property tax. In areas where there has been a change from property tax to another type of taxation to provide funding, there have been, I have been informed by the department who has looked into this, some difficulties surrounding it. We have not yet found a method of funding that we believe at the moment could replace the property taxation.

I have spoken with municipalities and taxpayers who have spoken about the value of property and the taxation that comes with it, and the value of the property may not speak to the actual individual's ability to pay that property tax.

I am certainly aware of the issues raised and certainly do spend time speaking to Manitobans about that and certainly are looking at alternatives. If the member has other alternatives which she thinks would be helpful to us to look at, then by all means we will look at them. I can say in the reviews that we have done so far, we have not been able to find a method that appears to be as satisfactory, though we certainly will continue looking and continue the discussion.

*(1030)

Mr. Nell Gaudry (St. Boniface): Madam Chairperson, first I would like to say thank you to the minister for her co-operation whenever I did ask questions of her staff and herself.

My question today is in regard to the 50-50 français partielle program at the Norwood School Division. Can the minister advise what has happened with the program at this stage?

Mrs. Vodrey: Madam Chair, as the member knows, there was a meeting which was held between people, particularly parents, who had an interest in the 50-50 program with the department,

and they also have held meetings with their particular school board. My understanding is that they have reached an agreement, but I would just like to check with the department on the details of that agreement rather than attempt to put forth something that may need to be corrected.

My understanding is an agreement has been reached, and I am certainly happy to inform the member.

Mr. Gaudry: Madam Chairperson, on April 20 Mr. West and Mr. Gendron had sent a letter indicating that they had forgotten to ask you in regard to the department which was reviewing the status of the 50-50. Français partielle has recognized the program.

Can the minister advise if there has been any changes in regard to that program? I felt personally that it was a good program. My three children went through the program. Two of them went through to high school. My daughter decided after the 50 from Grade 9 she went to the complete Français program on her own choice. I respected that at that time, but I have always felt the 50-50 program was a great program.

Mrs. Vodrey: Madam Chairperson, as I said, I know that some discussions have been held, and there has been discussion as well with the home and school division. I will be happy to look into the details of those discussions and also what the results of those discussions have been and inform the member.

Mr. Gaudry: So if I understand very well, Madam Chairperson, at this time there have been no changes in the 50-50 program.

Mrs. Vodrey: Madam Chairperson, I did say to the member that I would like to check into the details of that particular question before providing him with an answer at this time. But I will look into it, and I will certainly give him the information as quickly as possible.

Ms. Gray: Madam Chairperson, I have a question for the Minister of Justice. I know during this session he has certainly referred to the fact that he and his department have spent time lobbying the federal government in regard to looking at potential changes to The Young Offenders Act. We are pleased to see that lobbying is going on.

I guess my question would be to the minister. Given that you cannot pick up a newspaper or listen to the television these days without hearing

something about violence, particularly within the city of Winnipeg, and oftentimes it relates to youth violence, I would ask the minister, is there anything that he sees his department being able to do in regard to taking some type of a proactive approach to what could be done in regard to violence, particularly youth violence?

When I ask this question I recognize that it is certainly not an easy solution, whatever the solutions are, and it is not probably short term either, but I am wondering if the minister could tell this House, is there something that is or can be done in regard to this ever-growing problem of youth violence?

Hon. James McCrae (Minister of Justice and Attorney General): Madam Chairperson, I thank the honourable member for her question. It reflects the frustration of many people in our society when the honourable member raises questions about escalating youth violence. Of course, it is no surprise there is no easy quick simple solution to the problem, but I believe that in Manitoba we are making a concerted effort, and I think with some positive results when I tell the honourable member that we are placing far more emphasis on high-risk offenders.

We are placing far more emphasis on assessments of offenders who come into our system and trying to tailor our corrections programs to address head-on the issues that come up in these cases. We are indeed doing a much better job than used to be done in this province and elsewhere when it comes to the assessments of people who come into our system.

But I fear that is not the only problem. We need to address this problem at the other end of the spectrum, that being the crime prevention end of it. Part of that will require input from a broad range of community groups and agencies. It is going to require, I think, more help from the volunteer sector that perhaps has not even been involved to this point.

We are pleased that we have youth justice committees in this province. We are pleased that we have volunteer probation officers and advisory groups and so on.

I think that flowing from a conference I attended earlier this year respecting crime prevention in our country, we are going to be watching very carefully

to see what leadership does flow from Ottawa in this regard.

One of the main recommendations of a House of Commons committee report on crime prevention was a national approach, and I think that is going to be getting started. But I think that we can almost mirror the same kind of efforts in the various provinces as well. We have to be able to convince the public that we cannot have a police officer on every corner. Everybody knows that, but on the other hand, we need a better recognition of that.

I think we have to find ways, through departments other than the Department of Justice, to deal with the underlying causes of the problems that are developing with some of our young people.

I have complained publicly about parenting and what is going on when we know that very young children are out there stealing cars and committing other crimes. I have to agree with Inspector Lou Spado of the Winnipeg Police who wonders what the parents are doing or what role they are playing.

So I think authorities have to bring to the attention of parents the shortcomings of their children. I think in too many cases the parents do not even know, or the parents or those who are charged with the responsibility of raising young people do not even know the kinds of difficulties and mischief young people can get into.

The Young Offenders Act is often cited as the reason for all of our problems. Well, I think the honourable member will agree with me that is only one part of the puzzle and that we indeed should address The Young Offenders Act. Officials are doing that this summer and ministers across the country have agreed to meet again in the fall to review what officials have been doing this summer with respect to The Young Offenders Act.

But I certainly try to remind people every time I get a chance that of course we should do something with The Young Offenders Act, but do not expect that magically to reduce the crime rate because it will not.

I can just say to the honourable member that the work that we are doing in Justice and Corrections will help prevent recidivism, will help keep young people from recommitting offences. And to the extent we do that well, then we will have achieved what we are trying to do. To the extent we fail, then we have more work to do.

* (1040)

Ms. Gray: Madam Chairperson, I agree with the minister on two points: (a) that obviously any changes in the Young Offenders Act are not going to suddenly make crime, particularly youth crime and violence, disappear; and secondly, that crime prevention needs to be what we are focusing on.

The minister mentioned that he was at a conference about crime prevention, and I am wondering if the minister, just for the record, could identify three or four of the main factors that were probably indicated in regard to the societal factors that have a direct or indirect relationship on the amount of crime that does occur in our society.

Mr. McCrae: Madam Chairperson, that goes to the heart of the conference I attended. It was a conference called as a result of the release of the report of the Standing Committee on Justice & Solicitor General, headed by Dr. Bob Horner, an M.P. from Toronto, an all-party committee.

The report was a unanimous report in the sense that some of these justice issues really do cut right across all the party lines. There was no partisanship involved at the meeting I attended. It was a meeting in Toronto, and I just cannot remember precisely what the date was, but it was earlier this year. There were representatives there of government, of various government departments, representatives of community agencies.

I remember, for example, having a good discussion there with Graham Reddoch of the John Howard Society here in Winnipeg who was a delegate to that conference. The two of us thought that we could go forward, perhaps, and work even more closely together. As we were able to announce yesterday, our participation in the John Howard Society's restorative resolutions program, which would deal more with adult offenders, but those kinds of programs, we hope, will be the right kinds of programs to use in the future.

But I think the seeds were planted at that particular conference for a national sort of effort, but also those who attended, the media was also involved and had delegates at that meeting, and I think the media got an earful from some of the other delegates about the role it can play in creating a crime-free society or a more crime-free society.

I think, through the contacts like that, our relationship with organizations like John Howard, who are interested in being involved in the kinds of activities that we are going to have to get into, it is

going to require more of the kind of thing we already see, but I mean more of it, more block parents, more neighbourhood watch, more people caring a little bit more about what goes on in their neighbourhoods in order for us to get a better handle on crime in our communities.

Ms. Gray: Madam Chairperson, I agree, as well, with the minister, that it is not just a Department of Justice issue. When the minister talks about other factors in regard to youth violence and where are the parents, et cetera, I concur.

That is where I cringe, because when I look at what is occurring in some of the other departments, such as Family Services, where whether the Minister of Family Services (Mr. Gilleshammer) likes to believe it or not, basically, children who are 16 and over are not even being dealt with by Child and Family Services, basically, any type of voluntary counselling programs that used to be organized and operated through government have since been cut from about '88 on. I do not think with teachers that are feeling stress today in schools, et cetera, I do not think we necessarily see a lot of extra programs within the school system that look at the whole issue of children and parenting, et cetera, so I certainly have concerns in regard to what is happening, particularly in the city of Winnipeg.

The minister referred to an all-party committee. One of the questions I would ask him, one of the things that I have been thinking about is that—and I hate to use the words “establish another committee”—but I am wondering if it is not time for the minister and some of his colleagues to establish, whether you call it a task force or whatever, perhaps task force, specifically related to the city of Winnipeg. I am not saying that we do not have crime and increasing crimes in rural areas, but this is certainly a problem, particularly youth violence is certainly ever increasing in the city of Winnipeg.

Get a group of individuals together to form a task force, representatives from City Council, from the Legislature, from the police force, perhaps from the media, from Parks and Recreation, other community groups, some of the ethnic communities. Get a group of people together who could sit down, decide on how they would want to go about collecting information but try to get a handle on exactly what some of the underlying problems are in regard to the increase in the

amount of youth violence in our city and then develop some recommendations or strategies as to what can we as a city and also a province do to try to curve this ever increasing problem.

Again, I in some ways hate to use the words "task force" because oftentimes we can use committees and task forces regardless of governments or political stripes. It is sort of a reason to not do anything, but I could see if we had the people together representing some of these various groups that would actually sit down and look at them, perhaps we could come up with some creative ideas that do not necessarily cost dollars in terms of brand new programs, where we could even utilize the existing community groups and volunteer organizations to maybe do some work in this area.

I think some community clubs, and I am sure the minister is aware of them as well, who have started to look at their own safety audits and are starting to work on, in a community basis, looking at some ways to actually change what goes on within their own communities in regard to crime. I am wondering if this is not something that government, in fact all members of the Legislature, could be looked at in terms of this problem. I would appreciate the minister's comments on that.

Mr. McCrae: I think what the honourable member says amounts to a very helpful suggestion. I think I will indeed take what she has said under advisement about perhaps a city of Winnipeg task force of some kind. It would replicate perhaps something like what we did in Toronto, which really raised awareness there, but in the national scheme of things, everything is so vague and it seems like crime prevention is such a hard thing to attack on a national scale, I give him credit for wanting to go ahead and do it. I do not know how much we can hope for in terms of results, even if it just raises awareness, then it will be better than not having done anything at all. This specific idea the honourable member raises about a task force here in Winnipeg is, in my view, something that should be looked at very seriously.

I think social agencies ought somehow to be represented on there, perhaps the probation division of my department, perhaps somebody from Family Services, the City of Winnipeg Police, teachers maybe, somebody representing City Council. I can understand the potential usefulness

of that, and I will indeed discuss this further with my department.

I want to go back just one moment because we talked a few minutes ago about the causes of this, and I do not think I gave the honourable member a full answer with respect to the profile of a young offender, for example, or any other kind of offender, but certainly a young offender.

* (1050)

I think if you look at many, many of our young offenders here in Manitoba, you will find that they, one way or another, have been victimized at one time or another in their lives through abuse from grownups or from other young people. There may be drug or substance or alcohol abuse involved in their makeup and maybe they do not come from the highest levels of the social structure so that they end up with maybe less of a self-esteem than we would like to see. There tends in some cases to be a ghettoization. The crime is found in some areas more than in other areas. All of this leads to a lack of hope, which really leaves a person in a desperate situation and it is a very unhappy situation.

I remember the conference. There were some young people who put on a play for us which sort of helped break the ice for everybody there. I will have to see if I can remember the—yes, the play was entitled *Fear is a Two-way Street*, and we were meeting there to deal with the fear that is felt in the public about their safety. The young people who were part of this play were all former young offenders, had all either served time in a juvenile detention centre or they had undergone probation and had completed that, but they had learned something from all that and they were trying to tell us—I do not think I will ever forget it because I learned that fear is indeed a two-way street.

Many people who are out there are offenders. We do not feel very sorry for them because they are offenders and we have to deal fairly strictly with them, but some of them are quite a lot like you or I, Madam Chairperson, and all of these things in their lives have conspired to make them fearful for their future. This causes them to strike out and engage in inappropriate behaviour.

You need to understand all that, I think, to understand your profile of who it is you are trying to deal with and what kinds of programs you should

be putting together and who should be brought into the resolution of these problems.

When we are criticizing the amount of money we do not spend in certain areas of social agencies or Family Services, we should remember what one of my colleagues sometimes says. That is, if spending money would help us solve our problems, we should have them all solved by now because this government certainly has engaged in massive spending in areas that we have prioritized since we came into government in this province.

So we can defend the spending that we do. We can also say, oh, it will never be enough as long as we still have programs. I will be the first to say that, but honourable members, I think, have to remember there have been very significant changes in our society since the end of the war. Families are viewed differently than they used to be viewed. We now look to government to solve a lot of problems that families used to solve without the assistance of government. The need is growing faster than the ability of the taxpayer to meet that need, so we have to find other ways as well.

If we do not have the dollars, maybe we could afford to spend some time thinking about how we can get together on suggestions such as the one the honourable member made, which I intend to look at very seriously.

Ms. Gray: I am very pleased that the minister is prepared to look at that. I just want to comment, I do not want the minister to misinterpret my comments because in fact I do not think I referred to money at all when I talked about Child and Family Services and some of the other programs.

If the minister looks through the Estimates process over the last number of years, I think he will see that a number of suggestions and questions that the Liberals have asked in the Estimates process related to programs and services, sometimes related to reorganization and changes and how we do business, not necessarily always adding more dollars.

Thank you.

Mr. Gaudry: Madam Chairperson, my questions are to the Minister of Justice (Mr. McCrae). It is an issue that has been a long time, and it might not be an issue anymore, but the minister had given me some information at the time. It was the closing of one of the courtrooms in St. Boniface, and he had

given some statistics and estimated savings over a period of five years.

Can the minister indicate at this time what is the situation with the operation of just the one courtroom in St. Boniface?

Mr. McCrae: I did not come prepared this morning with facts and figures on the operation of our court services in St. Boniface, but I do believe that I made available to the honourable member some information. I remember at the time there was quite a fuss created when one courtroom was shut down at the St. Boniface facility there, but my understanding then, and there has been no indication different since, is that we are carrying out our responsibilities to Manitobans in St. Boniface, French-speaking Manitobans, and I do not know of any particular difficulty beyond the usual ones that happen right across the province.

From day to day to day in the justice system something happens that you do not expect, and so you have to look at each and every thing that comes along to see if there is not something structural that we need to do. I think in St. Boniface we are carrying out our mandate there and serving the public, but if the honourable member knows of any reason for that to be questioned, by all means bring me details, bring me circumstances, and I will indeed look into them and attempt to ensure that the service continues appropriately and without interruption.

Mr. Gaudry: No, I did not have any specifics on anything. It is just that I have never asked any questions really in the House with regard to the courtroom and felt at the time that answers had been given out. The minister had given me these details, so I felt comfortable with this.

Another question maybe is, when this decision was made was the Francophone community consulted on this issue?

Mr. McCrae: I am just trying to remember, but I do not think there was any particular, formal consultation process with that change at the St. Boniface courthouse. It was a matter of the ongoing operations of the Department of Justice delivering a service that we are mandated and must deliver, and we must do these things because that is our responsibility. I do not recall that there would have been any requirement for consultation, because we do not believe there has been any reduction in service.

Mr. Gaudry: Madam Chairperson, I thank the minister for his answer, but I would appreciate some statistics in regard to backlog if there is any, in regard to this at this time. Do I just contact the minister's office for the statistics?

Mr. McCrae: Madam Chairperson, the honourable member has asked me today, on the record, about statistics with respect to traffic at that office, and I will enquire and make some information available to the honourable member. I can write him a letter and let him know.

Mr. Gaudry: Thank you, Madam Chairperson, now I will just pass it on to the honourable member for St. Johns for one question, as a parting gift for the honourable member.

Ms. Judy Wasylycia-Lels (St. Johns): First, I must thank the Liberal caucus for allowing me this one brief question out of their time allotment for questions under concurrence motion.

My question pertains to a constituent, a case that the minister will be a bit familiar with since we have talked about it, and that is the case of Gerry Olfman [phonetic] who has a long-standing request of complaint before the Human Rights Commission. It goes back to a case involving the Winnipeg Police force back in 1985.

I want to thank the minister for responding to my letter. However, with all due respect, the point of my letter has not been addressed. I acknowledge in my own correspondence that in fact this complaint was taken to the commission, that the commission feels it had dealt with it, that a solution was proposed and the complainant rejected the solution, and therefore, the case has been dropped. I acknowledge all of that in my letter.

Considering that the complainant remains concerned about the handling of the case, he does not feel that the solution proposed was acceptable, and given the fact—

Madam Chairperson: Order, please.

* (1100)

Ms. Wasylycia-Lels: —that approximately 12 organizations and churches have joined his request for adjudication, my question to the minister is, would he consider looking into this case once more with a view to proposing the route of adjudication as a way to, once and for all, resolve this long-standing case involving the Winnipeg Police force and the Human Rights Commission?

Mr. McCrae: Madam Chairperson, I do not know if everybody knows, but in the ordinary day-to-day course of business of members of the Legislature and members of the government many of these kinds of matters come forward, and there is a good and co-operative working relationship on these kinds of matters, and I appreciate that. We do not always get the answers honourable members want to hear or their constituents or those people who come forward with complaints.

The way the Human Rights Commission works is that, in addition to its adjudication, its education and advocacy work, the Human Rights Commission also works to try to mediate disputes between members of the public who have complaints to make about various other agencies, in this case, the Winnipeg Police Department and the individual mentioned by the honourable member.

The Human Rights Commission did carry out its function and mediated the dispute and proposed a resolution which was unacceptable to the person complaining. In the light of that, however, the Human Rights Commission hardly could see its way clear, then, to move to adjudication when its best efforts, the commission's best suggestion, was this settlement proposition which was found by the complainant to be unacceptable.

(Mr. Gerry McAlpine, Acting Chairperson, in the Chair)

The complainant does have another remedy, and that would be to use the civil courts to seek remedies that might be available. I cannot today suggest to the honourable member that I will go and try to get the Human Rights Commission to get into adjudication, but I will ask if that option might be looked at once again—but I do not want to advocate for that—but I would ask them if they have looked at all the factors that they look at when deciding whether there ought to be adjudication.

It is a strange case because I guess if there is a settlement being suggested, the commission obviously is finding that there must have been some fault or else they would not be suggesting a settlement. Therefore the question is, does the punishment fit the crime, to use the wrong words to describe what I am trying to say.

I will ask the commission how much consideration it did give to the issue of adjudication, and if they might want to look at that again, and I will do that.

An Honourable Member: Committee rise.

(Madam Chairperson in the Chair)

Madam Chairperson: As previously agreed, committee rise, call in the Speaker.

IN SESSION

Hon. Clayton Manness (Government House Leader): Madam Deputy Speaker, it is my intention now to call a number of bills for third reading. Would you begin by calling Bill 55, followed by 54, 52, 51, 50—as you can tell, I am going backwards—39 and 35 at this point.

THIRD READINGS

Bill 55—The Legislative Assembly Amendment and Consequential Amendments Act

Hon. James McCrae (Minister of Justice and Attorney General): Madam Deputy Speaker, I move, seconded by the honourable Minister of Energy and Mines, (by leave) that Bill 55, The Legislative Assembly Amendment and Consequential Amendments Act (Loi modifiant la Loi sur l'Assemblée législative et apportant des modifications corrélatives à une autre loi), be now read a third time and passed, by leave.

Motion presented.

Mr. Conrad Santos (Broadway): Madam Deputy Speaker, I appreciate the fact that I am permitted to express my opinion, having been bound by the majority rule. In our system of government, we recognize two important principles which apparently are in conflict in this situation. First is the principle of paramountcy of legislative authority. That has been decided a long time ago in the Hodges case that the legislative authority of the provinces are not merely delegated powers from the imperial legislature or parliament, but it is a full plenary power inherent as any other legislative authority.

The second principle at sway here is that no one under the guise of any other rule should be permitted to determine his own self-interest, so we also accepted as basic in our system the principle of conflict of interest. In this particular situation, the Legislative Assembly of Manitoba, in its collective wisdom, has chosen to give primacy to the conflict-of-interest principle over the basic principle of the paramountcy of legislative authority.

It is, of course, within the power of a paramount Legislature to make the choice, sensing the atmosphere out there in the public of the rampant skepticism of the citizens on politicians and other elected officials.

I am not questioning the collective wisdom of that Legislature. This is the first time, though, that we are trying this experiment for a limited period of two years in upholding the conflict-of-interest principle over and above a very basic constitutional principle of the undiluted and unlimited legislative power of the Legislative Assembly of this province.

So what are we doing here? As the supreme Legislature, in order to distance ourselves to that decision and not be accused of violating the conflict-of-interest principle, we decided to create an independent commission of five persons who are not elected, who are not a segment of this Legislature, to make the critical decisions vitally affecting the members of this Legislature, not only for the present, but also for the future, and within a limited period of two years said that we are granting this body with full and plenary authority. We will not be reviewing what they will decide in the future. Whatever they decide, we will try for a period of two years. In that way, we cannot be accused of setting our own salary. That is what, in effect, we are saying.

Madam Deputy Speaker, having been reared in a democratic society and oriented to that tradition, I have always believed in the rule of the majority, because, like any other body, as Jean Jacques Rousseau had stated: Where the weight of the body goes, everybody should go.

(Mr. Speaker in the Chair)

* (1110)

Therefore, the rule of the majority shall be followed. Yet that same rule had recognized the right of the minority to be heard. This is the right that had been accorded me, and that right I appreciate. My concern therefore is the same concern that I raised in my caucus who, again by that rule of majority, had bound me. My concern, I am going to state explicitly and explain clearly.

First, I am concerned that it is unwise—I am not saying it is outside the power of the Legislature to do what it has done—I am saying it is unwise, and for that matter, also potentially dangerous and risky for any Legislature whatsoever to surrender its essential last say in anything. Because to do so, it

will amount to a divestiture of its legitimate authority.

It will amount to an abdication. It will amount to an abandonment of its authority, a surrender of parliamentary authority which has been cautioned in the case re Gray when the national Parliament of Canada passed the war measures legislation. But that was a different setting.

The setting there was that it was war time and Parliament has to be in continuous control and command of society. In that particular situation, the War Measures Act in 1918, in effect, had transferred to federal cabinet the following power, and I quote: To make, from time to time, such orders and regulations as the Governor-in-Council may, by reason of existence of real or apprehended war, invasion or insurrection, deem necessary or advisable for the security, defense, peace, order and welfare of Canada—which delegation was held valid.

But, in the opinion of four of the justices, they mentioned the words "abdication," "abandonment," "surrender of parliamentary power," and if this amounted to such an abdication, that would have been invalid. But the truth of the matter is that it was held valid. So I am not questioning the legitimate authority of this Legislature to do what it has done.

The second point of my concern is that it now created a system of delegation of legislative authority by reference to a mere anticipation of certain regulations that will be created by this independent commission of which the Legislature itself had no idea whatsoever what those regulations will contain. They are still not in existence. They are in esse, in the future, some hope, some expectation, and then the Legislature in its collective wisdom said: We will not even look at what they will decide; we agree that whatever they will decide will be binding. That is what the Legislature has done.

The point is that if I do not question the legislative authority to delegate authority, that is entirely within the prerogative of the Legislature. I do not question that they relegate it to any instrumentality, whether part of the government or not. What I am questioning is the self-deprivation by the Legislature of its inherent authority to take a second look when this regulation has been drawn and written and, at the same time, still observe its own

commitment to make those regulations binding if they so decide after they have seen what those regulations are.

But to prematurely deprive themselves of their inherent authority to even take a look at those regulations to me is unwise. That is the caution that I am saying.

The third point that I raise is that it will then facilitate this body of five persons accountable to no one to make, not a recommendation, but a decision how public money should be spent, and it will be done in a system of delegated legislation outside the whole of this Legislature and without any specific authorization by the Legislature until later when these regulations and rules have already been done and already binding on everyone.

Again, to me that is unwise, because whatever this commission of five persons will decide or will write in their regulation will then be beyond the reach of the Legislature by their unilateral consent. When that happens, then decision making is a body of persons or groups of persons subject to no one's review outside the system of legislation that is instituted within the framework of the British North America Act and within the framework of the constitutional act of 1982, because it is done indirectly through the system of delegated legislation by a body which is neither a Legislature, nor a cabinet, nor Lieutenant-Governor-in-Council, nor a board that is recognized as instrumentality of law making.

These are my concerns. Is it dangerous to do this? It is, because what we are doing is we are resuscitating a dead doctrine known as Henry VIII clause. Erskine May in his treatise on the law, Privileges, Proceeding and Usages of Parliament, said, and I quote: The justification and advantages of delegated legislation in normal times arise from its speed, flexibility and adaptability. It is not now practice to include in statutes the power to make delegated legislation which it is expressly provided shall have the force as if it had been part of the original act.

That is precisely what we are doing, what Erskine May in his authority has been saying, it should not be done, it ought not to be done, because the regulation, that these five persons who are not legislators, who are accountable to no one, the regulations that they will write will in effect

be the statute that will govern the composition of this Legislative Assembly.

Nevertheless, he says, modern statutes do confer power on the executive to make delegated legislation which amends the statutes themselves. This is done by what is known as the Henry VIII clause which is used, broadly speaking, to confer power, to alter financial limits, to bring lists up to date, to make exceptions to the operation of a statute and to make alteration of details within a narrowly defined field.

* (1120)

I have expressed my concern. Now, let me explain why I shall be voting for this bill, despite what I say. Then you can say, what is he talking about? He is acting contrary to what he is saying. That is your point. I want to make that clear. As I have already stated, regardless of the wisdom or the foolishness of legislation, a minority should always be bound by the rule of the majority in a peaceful and orderly way, but the minority will always have a right to speak its mind, so that when the majority will realize that they did make a mistake, then there will be a reason for changing its decision.

I am not saying that the majority has made a mistake. I am hoping that they did not make a mistake, because if they did what they are instituting here is like the triad in Rome. It is a form of tyranny, a rule by men who are not accountable to anybody.

I am voting, because as I said, I am bound by my caucus, the majority in caucus. I am voting here. I am bound by the majority in the Legislature, despite the fact that I have raised and I have been raising this caution. Let me summarize. The Legislature had no moral right or authority to abdicate its responsibility by avoiding decision making in order that it can evade accountability. The Legislature cannot create a parallel system of legislation by indirection, or by delegated legislation that will compete with the normal legislative process enshrined in the British North America Act and in the Constitution Act of 1982. This Legislature also ought not to facilitate the expenditure of public money in any way that is beyond the scrutiny of the Legislature itself, who is accountable to the people that it represents.

Thank you, Mr. Speaker.

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Downey), that debate be adjourned.

Motion agreed to.

Bill 54—The Municipal Assessment Amendment Act (2)

Mr. Speaker: Is there leave for third reading of Bill 54, The Municipal Assessment Amendment Act (2); Loi no 2 modifiant la Loi sur l'évaluation municipale? Leave? [agreed]

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 54, The Municipal Assessment Amendment Act (2), be now read a third time and passed.

Motion agreed to.

Bill 52—The Manitoba Foundation Act

Mr. Speaker: Is there leave for third reading of Bill 52, The Manitoba Foundation Act? [agreed]

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 52, The Manitoba Foundation Act (Loi sur la Fondation du Manitoba), be now read a third time and passed.

Motion agreed to.

Bill 51—The Municipal Amendment Act (2)

Mr. Speaker: Is there leave for third reading of Bill 51, The Municipal Amendment Act (2)? [agreed]

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 51, The Municipal Amendment Act (2) (Loi no 2 modifiant la Loi sur les municipalités), be now read a third time and passed.

Motion agreed to.

Bill 50—The Statute Law Amendment Act, 1993

Mr. Speaker: Is there leave for third reading of Bill 50, The Statute Law Amendment Act, 1993? [agreed]

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the

Minister of Natural Resources (Mr. Enns), that Bill 50, The Statute Law Amendment Act, 1993 (Loi de 1993 modifiant diverses dispositions législatives), be now read a third time and passed.

Motion agreed to.

Bill 35—The Fisheries Amendment Act

Mr. Speaker: Is there leave for third reading of Bill 35, The Fisheries Amendment Act? [agreed]

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Natural Resources (Mr. Enns), that Bill 35, The Fisheries Amendment Act (Loi modifiant la Loi sur la pêche), be now read a third time and passed.

Mr. Speaker: It has been moved by the honourable Government House Leader, seconded by the honourable Minister of Natural Resources (Mr. Enns), that Bill 35, The Fisheries Amendment Act; Loi modifiant la Loi sur la pêche, be now read a third time and passed. Agreed?

Some Honourable Members: No.

Mr. Speaker: No? The question before the House is third reading of Bill 35, The Fisheries Amendment Act; Loi modifiant la Loi sur la pêche.

All those in favour of the motion, please say yea.

Some Honourable Members: Yea.

Mr. Speaker: All those opposed, please say nay.

Some Honourable Members: Nay.

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

Some Honourable Members: On division.

Mr. Speaker: On division.

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Hon. Clayton Manness (Government House Leader): Mr. Speaker, would you call Bill 39, followed by Bill 34, third reading.

Bill 39—The Provincial Court Amendment Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), that Bill 39, The Provincial Court Amendment Act (Loi modifiant la Loi sur la Cour provinciale), be now read a third time and passed.

Motion agreed to.

Bill 34—The Public Schools Amendment (Francophone Schools Governance) Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Downey), that Bill 34, The Public Schools Amendment (Francophone Schools Governance) Act (Loi modifiant la Loi sur les écoles publiques (gestion des écoles françaises)) be now read a third time and passed.

Motion presented.

Mr. Speaker: Agreed? No?

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I would move, seconded by the member for St. Boniface (Mr. Gaudry), that debate be adjourned.

Motion agreed to.

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Hon. Clayton Manness (Government House Leader): Mr. Speaker, would you call the following bills for third reading: 33, 27, 25, 20, 19, 18, 17, 15, 14, 13, 12, 11, 8, 7, 6, 5, 3 and 2.

Bill 33—The Provincial Railways and Consequential Amendments Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Highways and Transportation (Mr. Driedger), that Bill 33, The Provincial Railways and Consequential Amendments Act (Loi concernant les chemins de fer provinciaux et apportant des modifications corrélatives à d'autres lois) be now read a third time and passed.

Motion agreed to.

* (1130)

Bill 27—The Environment Amendment Act (2)

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Agriculture (Mr. Findlay), that Bill 27, The Environment Amendment Act (2) (Loi no 2 modifiant la Loi sur l'environnement) be now read a third time and passed.

Motion agreed to.

**Bill 25—The Public Schools
Amendment Act (4)**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Health (Mr. Orchard), that Bill 25, The Public Schools Amendment Act (4) (Loi no 4 modifiant la Loi sur les écoles publiques) be now read a third time and passed.

Motion agreed to.

**Bill 20—The Social Allowances
Regulation Validation Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Downey), that Bill 20, The Social Allowances Regulation Validation Act (Loi validant un règlement d'application de la Loi sur l'aide sociale) be now read a third time and passed.

Motion agreed to.

**Bill 19—The Court of Queen's Bench
Amendment and Consequential
Amendments Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 19, The Court of Queen's Bench Amendment and Consequential Amendments Act (Loi modifiant la Loi sur la Cour du Banc de la Reine et apportant des modifications corrélatives à d'autres lois), be now read a third time and passed.

Motion agreed to.

**Bill 18—The Corporations
Amendment Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Health (Mr. Orchard), that Bill 18, The Corporations Amendment Act (Loi modifiant la Loi sur les corporations), be now read a third time and passed.

Motion agreed to.

**Bill 17—The Crown Lands
Amendment Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Natural Resources (Mr. Enns), that Bill

17, The Crown Lands Amendment Act (Loi modifiant la Loi sur les terres domaniales), be now read a third time and passed.

Motion agreed to.

**Bill 15—The Boxing and Wrestling
Commission Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Health (Mr. Orchard), that Bill 15, The Boxing and Wrestling Commission Act (Loi sur la Commission de la boxe et de la lutte), be now read a third time and passed.

Motion agreed to.

**Bill 14—The Personal Property Security
and Consequential Amendments Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Downey), that Bill 14, The Personal Property Security and Consequential Amendments Act (Loi concernant les sûretés relatives aux biens personnels et apportant des modifications corrélatives à d'autres lois), be now read a third time and passed.

Motion agreed to.

**Bill 13—The Manitoba Employee
Ownership Fund Corporation
Amendment Act**

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 13, The Manitoba Employee Ownership Fund Corporation Amendment Act (Loi modifiant la Loi constituant en corporation le Fonds de participation des travailleurs du Manitoba), be now read a third time and passed.

Motion agreed to.

Bill 12—The International Trusts Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 12, The International Trusts Act (Loi sur les fiducies internationales), be now read a third time and passed.

Motion agreed to.

Bill 11—The Regional Waste Management Authorities, The Municipal Amendment and Consequential Amendments Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 11, The Regional Waste Management Authorities, The Municipal Amendment and Consequential Amendments Act (Loi concernant les offices régionaux de gestion des déchets, modifiant la Loi sur les municipalités et apportant des modifications corrélatives à d'autres lois), be now read a third time and passed.

Motion agreed to.

Bill 8—The Insurance Amendment Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 8, The Insurance Amendment Act (Loi modifiant la Loi sur les assurances), be now read a third time and passed.

Motion presented.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I know we did not get the opportunity to comment on this particular bill in second reading. Just quite simply, we support the bill. It is fairly noncontroversial. We would like to, in fact, see it get Royal Assent.

Motion agreed to.

Bill 7—The Builders' Liens Amendment Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 7, The Builders' Liens Amendment Act (Loi modifiant la Loi sur le privilège du constructeur), be now read a third time and passed.

Motion agreed to.

Bill 6—The Real Property Amendment Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Justice (Mr. McCrae), that Bill 6, The Real Property Amendment Act (Loi modifiant la Loi

sur les biens réels), be now read a third time and passed.

Motion agreed to.

Bill 5—The Northern Affairs Amendment Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Northern Affairs (Mr. Downey), that Bill 5, The Northern Affairs Amendment Act (Loi modifiant la Loi sur les affaires du Nord), be now read a third time and passed.

Motion agreed to.

Bill 3—The Oil and Gas and Consequential Amendments Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Downey), that Bill 3, The Oil and Gas and Consequential Amendments Act (Loi concernant le pétrole et le gaz naturel et apportant des modifications corrélatives à d'autres lois), be now read a third time and passed.

Motion agreed to.

Bill 2—The Endangered Species Amendment Act

Hon. Clayton Manness (Government House Leader): Mr. Speaker, I move, seconded by the Minister of Natural Resources (Mr. Enns), that Bill 2, The Endangered Species Amendment Act (Loi modifiant la Loi sur les espèces en voie de disparition), be now read a third time and passed.

Motion agreed to.

* (1140)

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, by prior agreement, before I call the motion to go back into Committee of Supply, we will rise at approximately 1:25 p.m.

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

Motion agreed to, and the House resolved itself into a committee to consider of the Supply to be

granted to Her Majesty with the honourable member for St. Norbert (Mr. Laurendeau) in the Chair.

SUPPLY—CAPITAL SUPPLY

COMMITTEE OF SUPPLY

Mr. Deputy Chairperson (Marcel Laurendeau): The committee will come to order to continue to debate the concurrence motion.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Chairperson, I had a couple of questions for the Minister of Finance (Mr. Manness) and also the Minister of Health (Mr. Orchard).

Earlier during the session I had asked the Minister of Finance during Question Period some of the concerns that I have as an MLA representing a north-end riding that happens to be in Winnipeg School Division No. 1. What I was asking the minister was with respect to taxation. The government talks about its fair approach dealing with taxation for all Manitobans.

I wanted to comment with respect to how fair this taxation really is in terms of the property tax. One could ask why would I ask the question of property tax in the Legislature to the Minister of Finance. It is because the provincial government is the only one that can rectify this particular problem, and I am going to go over the problem.

If by chance you happen to live in Winnipeg School Division No. 1 and you live in a home valued at \$100,000, you will pay approximately \$400 more on property tax only because you happen to live in Winnipeg 1 compared to, let us say, the school division of St. James. So the same house valued at \$100,000 in St. James compared to one in Winnipeg School Division No. 1, you pay \$400 of additional property tax.

Now, you can bring that down to—and I did that during Question Period. If you live in Brooklands versus Weston—Keewatin Street separates those two homes, if you like. They are all wartime homes, probably valued maybe around \$40,000. What you are talking about is a senior that lives on a fixed income in Weston would pay approximately \$100 more than someone who lives across the street, the same senior living across the street in Brooklands, again, because the one senior living in Weston happens to live in Winnipeg School Division No. 1.

Now there are many different arguments as to why we do not need to have the number of school divisions in the city of Winnipeg that we currently have, but I do believe that there is an issue, school division aside, talking about fair taxation.

I am interested in knowing what the Minister of Finance (Mr. Manness) is prepared to do to all those individuals who happen to live in School Division No. 1, because we are paying a disproportionate amount of our tax dollars going towards school divisions than any other school division scattered throughout the province. And that is significant.

If you take a look at it and you say, for example, the demographics of Winnipeg School Division No. 1 is that we have some of the poorest people in the province living in School Division No. 1, yet we are paying the highest in terms of school taxes. I am interested in knowing what the Minister of Finance is prepared to do to try to ensure that at that level we will get fair taxation, because there is nothing that the school divisions can do. Only the provincial government can rectify that problem. What is the Minister of Finance prepared to do to alleviate that problem?

Hon. Clayton Manness (Minister of Finance): Mr. Deputy Chairperson, I wonder whether or not the member for Inkster is really taking his question to the logical end that it has to be taken, if he is going to take seriously the discrepancy on either side of the street because individuals happen to be in one school division or the other.

What is the higher order here? If he is saying that all seniors, using his example, regardless of where they live, whether it is on one side of the street or the other, should be treated equally in a school tax sense, then what he is advocating is the provincial government take over all the school divisions.

What he is saying is there will be one school division in the province of Manitoba and maybe that is the way he wants it. There are others who do. There is nothing sacred about setting up autonomous school divisions just the way that our forebearers decided to organize the affairs of this province generations ago.

If he does not like the system we have now, and that is what he is advocating, I would say to him then that he should make that part of the Liberal public policy. To not do that, then, is to say that the

taxing authority that we have given school divisions, which may be realigned as a result of boundary reform, should be removed.

The very essence of arriving at certain levels of taxation was on the basis of basically two principles. Firstly, that a local autonomous school division should have the right to decide what level of services they want to provide; secondly, what level of pay they want to provide to the people who provide those services; and thirdly, to tax accordingly.

Now there is another offsetting principle which says that more wealth sometimes accrues to certain areas. What the public education funding formulas have done for the most part through equalization is try to take, certainly from the provincial levy, funds from more highly assessed regions in the province or school divisions into the lower.

So he is then going to have to, by the essence of his question, address those two principles and indicate where he wants to come down to try and ameliorate the problem which he brings before the House, again, that being that there seems to be two levels of taxation for individuals who live on either side of the street.

I would tell him that is not an easy course of discussion and/or public policy presentation that has to be made. He has to be prepared to understand education financing and, indeed, the setting up of school boards and the histories associated with them before he poses his question to me, because the posing of the question says, why do you not fix things? Why do you not just move things around? Well, how in the dickens do I move things around without killing the autonomy of the boards, the taxing autonomy? Or is he saying, well, infuse in the education finance formula pure socialism, now not by district, but by the value of the House, let that be the higher order. What he has to then agree is that there has to be higher orders. There has to be the highest order here as to what decision is made so that you can make the next one below it. Therefore, he has to tell me what his higher orders are, because if his higher orders are the provincial government now embrace all of us, bring him back home, dismantle school boards, then he has to say so.

Right now, the higher the order of sequence is like this, the provincial government—not this

government but governments long before us have delegated through The Public Schools Act and other education acts certain authority to local school divisions who have the right to tax right up to the edge of their boundaries. What we have done as governments, not only ourselves but ones preceding us, to try and reduce that impact taking into account the wealth and disparity through equalization, is try to moderate that influence. If he is saying, well, now moderate it more, well, then what he is really saying is that if you ever put your value into your household, God forbid, because you are going to be nailed. If you ever, ever attempt to take the fruits of your labour and put it into your household, you will pay the price. So I say to him, what are his higher orders?

* (1150)

Mr. Lamoureux: Mr. Deputy Chairperson, I would like to enter into that discussion, because it is an issue that I have been following over the last number of years. There are a number of options that the government can do, and the Minister of Finance (Mr. Manness) alluded to three of them. I want to talk about those three options, the whole issue of school divisions, the number of school divisions. I am on record inside the Chamber as commenting that the city of Winnipeg does not need more than two school divisions.

An Honourable Member: You still have a border.

Mr. Lamoureux: Right, you will still have a border. My suggestion to this Chamber is that we do not need more than two.

So, Mr. Deputy Chairperson, yes, I, and I believe this Chamber, should be open to that particular option. What I am suggesting to the Minister of Finance and this government—and this is where we can comment in terms of the equalization—Winnipeg School Division No. 1 has the inner-city schools and other schools that have demands on it that other school divisions do not necessarily have in terms of the numbers. There are programs that are necessary in Winnipeg School Division No. 1, more financial demands than other school divisions have.

You can go through different things such as lunch programs, the whole idea of you cannot learn on an empty stomach. [interjection] What the minister is referring to is all the more reason why one should look at the school divisions and should have been looking at the school divisions because,

quite frankly, you do get that. You can go from one school division to another school division and find that they use completely different computers. Sometimes they will not necessarily have the same sort of courses that are being made available.

There are a lot of inequities, and I am just referring to the finances, the taxation issue, because I believe that this government can do certain things. Through equalization, it can ensure that the individuals that happen to live in Winnipeg School Division No. 1 are not being excessively taxed on their property tax, which I believe we are—and I guess maybe I might have a conflict in the sense that I live in the riding I represent so I am unfortunately—

An Honourable Member: . . . your local school autonomy.

Mr. Lamoureux: Well, we can talk about local school autonomy. I would suggest the former Minister of Education read Bill 16 before he starts talking about local school autonomy, because you are doing more to that than what I am suggesting in terms of equalization. I think that is a viable option that this government could look at today that if, in fact, it is quite content to rule out the first option by saying, well, the school divisions, we are now as a government five years into a mandate, where after being in a government for five years, we are now prepared to look at the school divisions. Fine, that is Option 1.

Option 2 is the equalization. If this government believes, Mr. Deputy Chairperson, that individuals are being taxed unfairly, that there is something that they can do, we do not see this government acting on that. I find that unfortunate, because again I would suggest to you—and you can take Census of Canada information, and you look at where the average income is. You will find it is not in the inner city or the Shaughnessy Park or the Weston. It is where it is the low end, yet these are the individuals that are being taxed the most regressive tax that is there in terms of our property tax.

This is something that the school divisions—and we can talk about the local autonomy, and, yes, Winnipeg School Division No. 1 should be able to reduce their property tax, but they have more demands. The government has to recognize that fact. I would suggest that the Minister of Finance (Mr. Manness) and his government look at the

funding formula of equalization. That is the second option.

Now the Minister of Finance talked about this third or this other order. Mr. Deputy Chairperson, I, as I am sure most individuals in this Chamber, do believe in the need to have school divisions in the province of Manitoba. There is an argument to be made in terms of why it is that we are relying on school taxes from our property tax, the shifting of the school tax away from our property tax into general revenues. I know this is not something that could occur overnight or even within five or 10 years, but I think we have to look at it as a general direction of government.

What we have seen over the last number of years is more of a reliance on the property tax because of the government's lack of commitment to funding education through general revenues. As a result, we see the increased reliance on the property tax. Mr. Deputy Chairperson, whom is that going to hurt? Is it going to hurt the school divisions as it is currently structured that can least afford it or have the tax base that is not necessarily based on income in terms of which divisions need how much revenue? Worse yet, you are relying that much more on a very regressive form of taxation.

If government was wanting to send direction and wants to talk about fairer taxation, one would believe the direction, that order that the Minister of Finance is talking about, at least in part, should be from shifting from property tax to general revenue.

During the last number of months in the discussions that I have had with many different Manitobans, and not just within the Liberal Party, Mr. Deputy Chairperson, many individuals feel that education is not that much different than health care, that we, as a society, value education and believe that there is a significant role for the provincial government to play and to ensure that we have an educational system that is funded from general revenues.

I personally believe moving in that direction would be the right way to go, and this government is not doing that. So, if I were to end with the question, I would go by saying, I am going over those three options.

The first option being the one of school division reform. Unfortunately, the government is very late in bringing up the whole discussion of school

division reform. That is one option, and I can understand the minister saying no to that particular option.

The second option is equalization, and that is really the option that I would like the Minister of Finance (Mr. Manness) to comment on, is the whole question of the equalization. Does he not believe that through equalization, that individuals who live in the north end would be far better off if the government were to address that particular issue?

The third one is the general shift of financing our education from K to 12 to general revenues, as opposed to the more gradual shift that has been occurring to property tax because of the lack of commitment from the government.

Mr. Manness: Mr. Deputy Chairperson, I have never heard such poppycock! I mean that is pure unadulterated garbage the member is speaking.

He talks about shifts, the property tax from general revenue because of lack of commitment. I mean, where does he stand? Does he want a billion dollar deficit? Where do you think this money comes from? See, what I despise about his commentary right now, he tells us the high priority is of health and education, we all agree with him, but he has not got the courage to stand up and tell us in what areas he is prepared to reduce spending.

I am not talking now about a million, a half-million dollars, I am talking tens, twenties, hundreds, 200 million. See, he does not have the courage to stand. But if he had the courage to say, ah, but increase taxes, then I would pat him on the back, and I would say, well, at least you are principled enough to tell us that you are going to support increased income taxes. I would say by the increase of roughly 40 percent, taking the personal tax rate from 52 percent of federal tax up to around 70, 75.

Because remember now, you are talking about the middle class, because the people earning \$60,000 and over, there are not any. They are roughly 3 or 4 percent. So other than that, who is going to be paying all these \$200 million? So maybe it is not personal income tax he is talking about, maybe he is talking about consumption taxes. Maybe he wants to see the retail sales tax increase from 7 to about 11 percent. If he does,

fine. A principled man would say, yes, I support that, and I will go out to the public and say so.

*(1200)

Indeed, if that revenue can come in, taking into account the negative impact it is going to have on the economy, but nevertheless there will be additional revenue. If he is saying, then this should go to education, then certainly, the provincial government could relieve some of the property tax burden. No doubt.

It could probably do more in the area of equalization, and that is where this whole discussion ended, or it started on equalization. But I remind him right now, there is roughly \$100 million flowing out from the so-called wealthier-assessed divisions to the lower. I am glad I looked at the member for Emerson (Mr. Penner), because the member for Inkster (Mr. Lamoureux) obviously forgets, we did more for the homeowner in Winnipeg School Division No. 1, with an issue unrelated to education, when we brought forward assessment reform. We did more for the homeowner in School Division No. 1 than anything else that was ever done before.

Mr. Lamoureux: Clayton, we still pay the highest taxes than any other person, yes, we do.

Mr. Manness: Well, part of the reason you pay the highest taxes is because you have the most programs anywhere. Yes, you do. You have the most programs. You would say that, well, some of them are for special needs. We put supplementary funding into the formulas to the Winnipeg School Division No. 1 more so than any other division to try and help ameliorate the—

Mr. Lamoureux: We have more special needs children than any other school division.

Mr. Manness: Well, that is why we put the money there. Why do you think we put the money there? So there is no use arguing, we agree.

When the member says he wants greater equalization, what he is really saying is he wants suburban Winnipeg to pay more for Winnipeg School Division No. 1. But you see where he falls down, he draws his thinking around the city of Winnipeg. He does not care about those rural divisions. Where does that fit into the equalization model?

I can tell him that if you have pure equality of programming through all the school divisions in

Manitoba, Winnipeg School Division No. 1 would have to have higher taxes and lower services because there would be more of a transfer of money out from Winnipeg School Division to the rural areas. If you wanted equality of programs—because I can take you through school division after school division in rural Manitoba that collectively do not have any of the extracurricular activities.

An Honourable Member: Not even close.

Mr. Manness: Not even close—band programs, swimming programs, interzone sports programs. I could take him into the academics. There are many school divisions that do not have advanced calculus in Grade 12.

An Honourable Member: Why is that?

Mr. Manness: Well, why is that, the member asks? Why is it? Because the local school divisions and the ratepayers have decided that they cannot tax themselves to support it.

Mr. Lamoureux: To support how many individuals? In one school?

Mr. Manness: The member says, in one school. I do not know. In some cases one school, in some cases in two schools within the same division. I do not know what he is talking about.

Mr. Lamoureux: Every school does not offer those very same courses that you are talking about. You have to have a certain size.

Mr. Manness: Well, Mr. Deputy Chairperson, now the member is not caring about universal equality of education.

Mr. Lamoureux: It does not even apply to the city of Winnipeg.

Mr. Manness: Of course, it does not, and because it does not apply is because there are two different tax rates on either side of the street. The member had better think through his question. He is saying greater equalization. Today in Canada we have provinces, so-called wealthy and so-called less wealthy, and I say to him that the federal government does not impose upon the Province of Manitoba a provincial tax rate at a level other than what the Manitoba government is prepared to accept. Right now, 52 percent, one of the lowest in Canada. No thanks to the members opposite who voted against every one of our taxation reduction moves.

I hear what he is saying. He is saying put more money into the pot, take the effect off the property taxpayer if you can, but now it is up to him to tell me where I am going to get that money.

Mr. Lamoureux: Mr. Deputy Chairperson, it is interesting, you know, you listen to what the minister—and at first he has used the word, and I am not too sure if it is even parliamentary, the word “poppycock.” I notice the minister is the only one who uses that word in the Chamber because he used it on me last year, too.

Mr. Deputy Chairperson, accepting the challenge of the minister, he talks, he tries to give the impression, here is what the member for Inkster wants: he wants now general revenues to cover for all of the educational costs. So what does that mean? The member for Inkster wants to have increased personal income taxes. We are going to have to increase personal income taxes by 40 percent.

Well, the Minister of Finance (Mr. Manness) is very good at twisting the facts around and trying to come up with what he believes would be maybe not necessarily a popular thing for an opposition party or, in fact, any member of this Chamber to say.

No member is suggesting that you increase personal income tax by 40 percent. At no point did I make that suggestion. I talked about a general direction of this government. The general direction of this government is to move more towards regressive taxes as opposed to progressive taxes. A good example of that is in fact the property tax with respect to the school divisions. Mr. Deputy Chairperson, that is what I was referring to.

If the Minister of Finance was wanting to move into the other direction, there are other things that the Minister of Finance can do. You know, the Minister of Finance thought nothing of taking \$75 off of the \$325 rebate. Well, if in fact the government was wanting to have more of a shift over to the school division taxes, you could take the balance—what is it?—\$250 now in terms of the rebate. There are areas. That is not going to increase or decrease, but it does send a very strong message that government is quite prepared to move more towards the general revenues, not more towards the regressive tax of a property tax to finance our educational facilities.

If in fact the Minister of Finance even made the suggestion that the member for Inkster was going

to increase income tax by 40 percent, what the Minister of Finance does not say is that if in fact the government decided to do that, what would be the result? You would see a dramatic decrease in the property tax, which was much more a regressive tax than the personal income tax.

Now, that is not to say that I am saying that the school divisions should be 100 percent financed through general revenues, but what I am saying is that there should be direction from the government in the other way, indicating that, yes, the school division tax on your property tax is a regressive tax, and if in fact you start cutting back on the general revenue towards education, you are going to have more of an onus on the property tax which is a more regressive tax.

I am saying that you should change that direction; that you should have more of an onus on the general revenue taxes than you do—

An Honourable Member: Like what?

Mr. Lamoureux: On your education funding, through equalization as a perfect example.

An Honourable Member: Where do I get the rest then?

Mr. Lamoureux: Well, Mr. Deputy Chairperson, right now the Minister of Finance says, where are you going to get the money from. Well, unfortunately, the Minister of Finance is in government, and you know we see the direction, and I am talking about the general direction. The general direction is that this government is quite content on saying that the revenues to finance education should rely more and more on property tax. That is what this current government is saying.

I am saying that it should not be saying that.

* (1210)

An Honourable Member: That is why we froze it. We put a bill through that froze the increase on the property taxes.

Mr. Lamoureux: Well, Mr. Deputy Chairperson, that could enter into the discussion about the autonomy in which 15 minutes ago someone was criticizing myself for not talking about the autonomy, but I wanted to get right back to the original question. The original question is what is this Minister of Finance doing to ensure that, in fact, the senior that lives in Weston versus the senior that lives in Brooklands, what is he doing to ensure that discretion is in fact being narrowed, that, what

I believe, is most unfair, the argument in terms of, well, one school division wants to provide such-and-such courses.

Mr. Deputy Chairperson, the province of Manitoba benefits by many of the courses. For example, some of the nursery programs that Winnipeg School Division has, we benefit very much so. Some of the lunch programs that are being provided—[interjection] Well the free lunch program—all Manitobans in fact benefit from that particular program even if it is just being applied primarily in Winnipeg School Division No. 1. Why should individuals in the suburbs of Winnipeg School Division No. 1 have to be the only ones that have to subsidize?

You know, Winnipeg School Division No. 1 also has suburbs. I represent some suburbs. So it is not a question of saying that the suburbs of the city of Winnipeg have to do some subsidizing. Currently there are some suburbs—it is called Meadows West and Garden Grove—that are doing the subsidizing, at least in part, and there are other areas that are doing some of the subsidizing, and the city of Winnipeg benefits as a whole and, through that, the province of Manitoba.

But quite simply, what is the government prepared to do to ensure that those individuals that happen to live in School Division No. 1 are not being overly taxed in comparison to other individuals in the city of Winnipeg in particular?

Mr. Manness: Mr. Deputy Chairperson, naiveté is an endearing quality for a while. I wish I had the numbers under my control, but it seems to me that we take, as a provincial government, I think it is around \$150 million. We take from the wealthy and we give to the less wealthy in equalization, and if we had not done it, and if we were not doing it, I am not so sure that this \$40 disparity between one person living on one side of the street—

An Honourable Member: One hundred dollars difference.

Mr. Manness: A \$100 disparity. I do not know, again—this is what, the St. James division and the—

An Honourable Member: Winnipeg No. 1.

Mr. Manness: —and Winnipeg No. 1 division. I do not know what dynamics are at play, what quality of education, indeed what expenditures are at play that are mostly responsible for that difference, but I can attest to the fact that if we did

not have this \$150 million to equalization, that either the disparity, the \$100 he is talking about, could either be \$500 greater or it could be minus \$300 the other way different. I mean, we are talking about hundreds of millions of dollars by way of formula, a very complex and complicated formula which, I dare say, Mr. Deputy Chairperson, maybe 25 people in the whole province of Manitoba understand. What the member is saying to me, he says, well, make it more complex, make it harder to understand.

An Honourable Member: Well, if it makes it more fair—

Mr. Manness: Well, you see, but—more fair, or fairer I think is what he meant.

Mr. Deputy Chairperson, the reality is he has a decision to make. In opposition, if he is going to be in opposition, other than charge the government and to ride the government for not being able to give him that fairness, exactly the same tax payable in two jurisdictions by imposing our will, I would say to him that he has to come up with a better alternative. We will work, I know, through the boundary review. I am certain that there will be a reduction in school boundaries. That will help, possibly, but that is not the question. That is not what we are talking here.

As the member is calling for greater equalization, what he is saying is attack the rich more so. What he is saying is for those people who have put the fruits of their labours into their homes that they definitely should be attacked for it. What he is saying is attacked. Well, he is not saying attacking earning ability, he is saying attack wealth.

Thirdly, Mr. Deputy Chairperson, I say to him, he has to tell me where it is I am going to get the extra money to take the greater pressure off of the property taxpayer. I can tell him there is nothing more I would rather do. There is nothing more I would rather do than try to safeguard the property taxpayer.

But you notice the member for Inkster (Mr. Lamoureux) not once in this discussion says or suggests that the school divisions themselves should be doing something on their expenditure side. To him, it is simply a revenue issue. As long as he believes that there is nothing that the school division should be doing on the expenditure side, then he and I cannot agree. He and I will never ever have agreement with respect to this issue.

Because I am telling him like I am telling some other people in educational circles, just like this government, the Minister of Health (Mr. Orchard) particularly, every day is being attacked because—

An Honourable Member: And rightfully so.

Mr. Manness: —and the member says rightfully so, because he is not finding enough money to put it—oh, well, it all comes down to money. The issue comes down to money. Yes, oh, yes, and nobody is—[interjection]

Well, let me say something about Connie Curran. As the head of Treasury Board, I have gone through that contract, Mr. Deputy Chairperson. As I have said to this House before, and I will say it again, the desire to engage Connie Curran was not overly strong. Everybody understood the potential political fallout from employing Connie Curran. You do not have to be a genius to understand that. How many votes in the crowd do we get out of employing an American consultant? You could have all the handicaps known to society and you would still know that there is no percentage behind it.

An Honourable Member: Because you did not know what you were doing.

Mr. Manness: Oh, well, did not know what we were doing. You see, no, no, this is very relevant, very relevant.

But the reality is, Mr. Deputy Chairperson, when everybody is an expert like they are in the education community, everybody knows how to fix the problem. And you know what you find out very quickly? That all of their solutions seem to conveniently leave themselves untouched. I am not speaking of the health area particularly well, but I understand education better. Everybody has a solution, and they are all workable. But you know what? Every one of their solutions safeguards themselves. Every one of them.

So when you start to look around for the honest broker, who is going to lead us down the path? All of a sudden, you have people who more or less agree on the honest broker. I will tell you, you have to seriously look at that person, and that is exactly why we have Connie Curran, no regrets and no apologies, none whatsoever.

(Mr. Edward Helwer, Acting Chairperson, in the Chair)

* (1220)

Mr. Acting Chairperson, in the education question, the member is going to have to decide what the higher order is. If it is pure socialism he wants in support of education, get up and say so. If it is higher taxes he wants in support of general revenue taxes, get up and say so. If it is no impact on the expenditure side in school divisions, get up and say so, because those are the three major criteria that everyone in a position of power has to deal with. The member says that we are offloading on the property taxpayers. We brought in Bill 16 to prevent and safeguard the property taxpayers so they would not be held accountable for our less-than-wished-for level of funding this year to the local school divisions.

Mr. Acting Chairperson, this is all thought out. There is great consistency behind all of our decisions as a government, and I am proud of them.

Mr. Lamoureux: What I want, and I believe that even the government wants at times, is fair taxation. I do not believe it is fair taxation. I do not believe it is because of excessive spending on the part of Winnipeg School Division No. 1 school trustees that has resulted in an individual that has a \$100,000 home paying \$400 more a year on school tax—[interjection] for those ministers that did not hear my opening remarks, a house valued at \$100,000 in Winnipeg School Division No. 1 compared to one in St. James, you are paying approximately, from what I understand, \$400 more a year in property tax.

If a senior—and this is one to St. James—[interjection] I am talking about Winnipeg School Division No. 1—[interjection] I am not aware of any schools that have been closed in Winnipeg School Division No. 1. The schools are busting at the seams. In Sisler High, you have 11 schools feeding into it. It is growing. If anything, there is more of an additional demand, but the government does not recognize that. Anyway, I do not believe that the services that are being offered to the individual children that are attending the schools in Winnipeg School Division No. 1 are that much in excess to justify having the difference of—as I say, in a \$100,000 home, \$400; in a \$30,000, \$100. I do not believe that is in fact the case.

The Minister of Finance (Mr. Manness) said he wished that he had the numbers. I too wish he had the numbers. I too wish that the Minister of Education (Mrs. Vodrey) was able to say, this is the

reason why the discrepancy is there, to justify it. If in fact the minister, the government—because I do not have the resources that the government has—can justify by saying, this is the reason why the discrepancy is so much. [interjection] The Minister of Finance says that he will give me the reason, and I hope he will give me the reason as to why. We have a number of months between now and the next session, and I hope that in fact I will find out from the government why the difference is there.

I know when I asked the Minister of Finance questions in the last session dealing with a particular issue, he had made a commitment to getting it back to me, and I never did get the information.

Mr. Manness: Is that right? On this issue?

Mr. Lamoureux: Not on this issue, on another issue.

An Honourable Member: You are mixing apples with oranges.

Mr. Lamoureux: Well, no, mixing apples with oranges. I am just hoping that the Minister of Finance will get back to me.

Mr. Manness: No, I did not. I said, right now, I would tell you one of the reasons.

Mr. Lamoureux: He has backtracked a bit now. He says, right now, he will give me one reason.

Well, I would be content with the one reason right now, but I am wondering if the minister would take it under advisement and get back to me any time within the next six months as to why it is people in Winnipeg School Division No. 1 have to pay the tax level that we are currently paying under the school division compared to other school divisions. What services is it that the residents in Winnipeg School Division No. 1 are getting that those that are living in St. James are not getting? Can the minister take that question as notice and get back to me in some sort of a detailed breakdown of it? That is reasonable.

Mr. Manness: I will endeavour to do a better job than I did a year ago and try and shed some greater light on the question. Certainly, I know for certain two of the factors will be—I cannot quantify the weight of either of them—but the two factors are: one, the level of programming in Winnipeg School Division No. 1 is the highest compared to any school division, so therefore, there is costlier

provision of programming; and secondly, I also know in the St. James School Division, because colleagues have told me, that they have reduced some of their costs significantly by closing some 11 or 14 schools over the course of the last 15 years.

Now I am not entering into their realm of responsibility in passing judgment whether that is right or wrong, but obviously, there have been cost savings effected as a result of those decisions. Those are two of the real reasons why there is such a discrepancy, and all of that is basically as a result of local autonomy, decisions made within those local school division offices. So I would say to him, if he really wants the question answered, he should go to those school divisions and ask them, but I will endeavour to shed more light on that, on his question.

Mr. Lamoureux: Mr. Acting Chairperson, I was wanting to go to the Minister of Health (Mr. Orchard), but I just want to comment very briefly. With respect to the first answer, I think that the equalization should have addressed that issue.

Mr. Manness: It has in a big way.

Mr. Lamoureux: The minister says, it has in a big way. We will hopefully find out how it has in a big way.

The second one, he makes reference to St. James in terms of closing schools. Well, I can speak on behalf of the constituency that I represent of Inkster. We have a great demand for schools, because it is a growing area and it is part of the whole division. But if it is a growing area, chances are you have got more families moving in, we have got more houses being built, a bigger property tax base—[interjection] That is right. I will do my best to ensure that I look at it in as fair a fashion as possible. I do appreciate the minister's commitment to getting back to me with respect to it.

I want to move on to the Department of Health, Mr. Acting Chairperson, and that is with respect to another issue that has come up time after time.

I have a working group established in my riding that deals with health care issues, and one of the discussions that we have had on a couple of occasions is the whole question of access to our health care.

* (1230)

As it stands today, and the best way is to give an example, and I have been giving this example—

and hopefully it is a fairly accurate example—over the last number of months, and the example would be, if someone is riding a bicycle and they fall off the bicycle and they scratch up their knee, they would go into a walk-in clinic, possibly. The knee would be looked at, all prepped up and so forth, and then once that has all been done, a medical doctor would come in and take a look at it and say, yes, you know, put a band-aid on it or whatever it might be.

You can go from that to the institutions and the hospitals where our registered nurses and LPNs, I would argue, are being underutilized and in fact could be more utilized by recognizing the professionals that they are by giving them the authority to do more. It is not because I do not necessarily appreciate the hard work that our medical doctors put into it. I think the medical doctors perform a wonderful job within our medical services, but the question that comes up is, why is it, whether it is the walk-in clinic, whether it is a prescription for drugs, our hospitals, our personal care homes, the only access to any of these facilities is in fact the medical doctor?

Is the government looking at access to some of our medical facilities through other professions, in particular I would say the registered nurses or Bachelor of Nursing, the prescription of drugs and so forth? I am wanting to know from the minister if in fact the government currently is looking at expanding the roles of those other health care professionals in terms of access to our health care?

Hon. Donald Orchard (Minister of Health): Mr. Acting Chairperson, the answer to the question is yes, but not in the dimension my honourable friend presumes to propose in his question. The one issue in terms of drugs, for instance, pharmaceuticals, my honourable friend is wanting to know if we are, as I understand it, going to broaden the prescribing ability of drugs to nurses, for instance. No, that is not in the cards. I want to tell my honourable friend why it is not in the cards.

There would be a pretty reasonable argument, I think, made even by the professional nursing associations that their current training program would not adequately prepare them for that role, and I think that is an argument that could be sustained. It is not that one has any particular adversity towards nurses undertaking more services in the system, but even nurses themselves in making that request to government

put limits on what they believe they can reasonably do as professionally trained, as educated.

Prescribing drugs is not one of them. Admissions to hospitals, I sense my honourable friend is wanting to know if we are contemplating having people other than physicians have admitting privileges to hospitals, with the exception, and this is the only exception that is being contemplated, of how midwives, when we bring that opportunity for practice into the Manitoba health care system, how it is they might access a hospital if that is the choice of the woman giving birth. In terms of offering admitting privileges to hospitals to other professionals, no.

Again, I will tell my honourable friend very clearly why. It is difficult enough under the current context to assure that you have appropriate admissions from 2,000 physicians in Manitoba, let alone having competing professional disciplines wanting to admit patients for varying reasons into our Manitoba hospital system. There again can be the argument as to which professional group would have the professional training to make the judgment as to whether individual A should be admitted to a hospital or seen on an outpatient or indeed seen by a nurse.

Now to answer by honourable friend's question a little further, we have initiatives underway which are bringing more nurse-managed care into the Manitoba health care context. One project that comes easily and quickly to mind, of course, is the shift of a lot of the outpatient emergency activity from the Health Sciences Centre over to the Health Action Centre with accompanied salaried professionals providing the care; a shift away from the tertiary care, our trauma centre for emergency care at Health Sciences Centre, an attempt to move less complex care needs away from that very critical operating trauma centre to receive the most significant of emergencies and serious injury in the province of Manitoba in taking a lower level of complexity away from that emergency and moving it to the Health Action Centre—very, very pragmatic, a very sensible approach. Nurses are going to have a greater role in the Health Action Centre in doing that.

But my honourable friend, I submit with all due respect, ought to seriously consider his suggestions about widening the expansion of prescription drugs or widening the admitting privileges to our acute care hospitals beyond

physicians. I will tell my honourable friend why. You take a look at the Health Action document, and you will find that if you go to the latter pages of that document, that over the multiyear tracking of the cost of drivers in our health care system, you will find, even with adjustments to the Pharmacare program which raised the deductible so that consumers paid more of their own prescriptions, that line is the fastest growing line in the province.

That is why my honourable friend's colleague the member for The Maples (Mr. Cheema) was so adamant that we pursue as quickly as possible plastic card technology on the Pharmacare program, because yes, it had the potential advantage of the reimbursement aspect, but it also offered the ability to prevent adverse drug reactions, inappropriate prescribing and a whole number of initiatives. That is why three and a half years ago, for instance, with the Pharmacare program, as suggested by the pharmacists of Manitoba, that we bring in the triplicate prescription program for addictive pharmaceutical products, because they made the case that there was inappropriate prescribing patterns in addictive pharmaceuticals.

The Ritalin and Talwin issue, the R&Ts, the street drugs, we have essentially curtailed the—they are still there, but their availability is significantly lower today because of that action.

You know, what it did is it put greater constraints on the physician and his freedom to prescribe, and I make no bones about it. That was recognized by myself when I accepted that recommendation from the pharmacists. I also recognized that the pharmacists, in making that recommendation, were in essence doing themselves out of business, and they did, because that program alone saves on average \$750,000 per year.

Even with those changes, that is still the fastest growing line. So I want my honourable friend to reconsider what he is saying here, because when you get into prescribing of drugs, admitting to hospitals, uh-uh. That is a very narrowed area that I think we do not expand.

However, there are other areas, as I have given the example. There is managed care, Health Action Centre, where there is an appropriate greater role for nurses, for instance, and other care professionals. I want to tell my honourable friend that is exactly the kind of shift that has been going

on in the Home Care program for 10 years or better. Let me put the argument simply to my honourable friend.

An individual needs a bath, and that is the home care assessment of need that should be provided in the home. There was a time when that was an almost exclusive function of nursing.

You have to ask yourself at the cost per hour of a nurse versus a home care attendant, do you really need to focus the professional training and cost which is associated with a nurse providing that service, sole service, when there are no medications, no change of dressing, no nurse trained medical need being met in the home? Could you make that service available, without compromising the outcome and the quality of the service to the individual, by having a home care attendant do it? The answer is yes. That is what the Pawley government started to do; that is what we continue to do.

Now, same service, lesser-trained professional delivering it, no compromise of the quality. Those kinds of shifts, yes. Yes, very much so, because I want to tell my honourable friend, one of the most poignant cautions, and I have used this time and time again when I have talked publicly and in this House, of what governments and advocates of health care must always be cognizant of comes from the British Columbia Royal Commission on Health Care, Closer to Home, is the title. It said in there that what health care planners and governments must be always vigilant is that they do not overprofessionalize care.

Do you know what that means? It means exactly the example that I gave to my honourable friend. If the home care provision of service of bathing can be done with other than a nurse by a home care attendant, as we call them in Manitoba, at a lower cost, same quality, that is what we should be doing.

We should not be escalating our system up to the highest paid professional delivering that service. That is where the whole shift in reform is happening. That is why we are not providing long-term stay geriatric capacities in our teaching hospitals, but rather providing them in our community hospitals, Deer Lodge, municipals at a lower cost per patient day without compromising the quality.

Those sort of shifts are happening right now all across Canada and North America and indeed

Europe in all of the publicly funded health care systems. Those kinds of shifts, and it is putting emphasis on quality of care delivered by the most appropriate and most effective and economic caregiver. Those suggestions, yes, but the suggestions of giving our cost drivers over to a wider group of people who can make those decisions and prescribe to you as an individual a drug therapy or admission to a hospital, no, because those two areas, you look at the costs of our system, \$60 million in Pharmacare, \$950 million in hospitals, over \$1 billion out of \$1.8 billion. Those are two of our larger program entities, and they are solely driven by 2,000 practitioners, namely physicians.

* (1240)

To expand that net of who can prescribe, who can admit to hospitals, I would suggest to you, would be very difficult to manage in today's financial environment.

Mr. Lamoureux: Mr. Acting Chairperson, the Minister of Finance (Mr. Manness), I thought, put it right when he said there are a lot of people who are self-proclaimed experts, if you like, in terms of issues, and I personally do not believe that any individual inside this Chamber can have that expert experience to be able to address all the different issues that are out there.

That is the primary reason why I have these working groups on my health care committee that I have. I have experts that are in fact there, both teaching in the professions, different professionals. I do not have a medical doctor, and I would still love to get a medical doctor onto the committee itself. But I do rely on the information, very much so, in terms of what it is they are saying and feel that it is worthwhile in pursuing some of the answers.

The access to health care was a very important and debated issue. Now, unfortunately, I cannot do justice in terms of bringing up the sorts of examples and dialogue and debate that they would be able to do, being the experts in the field, but in essence what this particular group is talking about, if we are moving towards this health care reform and we are talking about deinstitutionalizing and delivering more into the communities and the costs that are going to be saved, I would argue, as I know the minister and even both opposition critics have argued, the quality of care can improve under real, true health care reform. I have tried to get some

form of discussion going in terms of how can you add to it, and the result that I have received is you have to look at the different professions that are there.

I respect what the minister is saying in terms of, well, \$60 million in terms of pharmaceuticals. Well, the problem that was pointed out was that many of these prescriptions that are filled are not one-time prescriptions. You will get individuals that will come in virtually on a monthly basis—it is the same prescription—yet each time a prescription is filled, for example, they have to go through a medical doctor in order to get it filled.

In some cases, with respect to the hospitals, admission to the hospital—and I alluded to admission of hospitals. Maybe I should not have been as general. I believe that there are areas within the hospital that in fact the professionals are being underutilized, because the minister himself said that in some cases you do not have to have, like he used, bathing in the personal care home or a home care program, where we do not necessarily have to have a registered nurse or even an LPN doing these tasks, that a nurse's aide would suffice, and the quality is not going to go down. I think that has got to be the overriding concern, the quality of health care.

(Mr. Deputy Chairperson in the Chair)

Again, in essence what comes up in the discussions that we have had with access to health care is the underutilization of the professionals on jobs that they could be doing. I guess the question that I would have for the minister is, what is the government and, particularly, what is the Minister of Health—and I know he has working groups—doing to address those issues? How can we maximize the talents that our other health care professions have?

You know, one could look at, for example, those repeat prescriptions, if someone is going to be receiving a prescription every month or every second month or whatever it might be, from now till, you know, three, four, five years. The example that was given, I believe, at our last meeting was the issue with birth control and the birth control pills.

So I am wondering if in fact the minister can indicate to the House, through the House to myself and to my working group, what is the government prepared to do to recognize those talents and to maximize that aspect of health care reform?

Mr. Orchard: Mr. Deputy Chairperson, two things. Since roughly, I guess, 1990, '91 maybe would be more appropriate, deputy ministers across Canada believed there was value in the implementation within, for instance, institutional system in health care the concept of CQI, Continuous Quality Improvement, or TQM, Total Quality Management, because that very much brings to focus utilization of an individual's skills to complete tasks.

The second initiative which will be emerging over the next number of months, of course, is the work that Connie Curran and APM is doing in our two teaching hospitals. The whole concept behind work restructuring does end up in greater utilization of talents in the workforce through process of cross training. For instance, instead of narrow-focus, single-job-description employee concepts, multidisciplinary approaches to care giving, team approach to care giving—that is very much part of their restructuring process

The example given, I think it is Toyota, that is the car manufacturer, apparently has a handful of job descriptions within their workforce as a major multinational corporation involved in a lot of very complex operations. There is the analogy made—and this is a rhetorical analysis but it has substance—that there are almost as many job descriptions in one of our hospitals as there are employees.

* (1250)

Now, how is it that Toyota manages to virtually take over the automotive market of the world with a handful of job descriptions in their work organization, and we have to make things so complex that we have got layer upon layer, grouping upon grouping of job descriptions within our workplace to accomplish a very direct, straightforward task of providing quality patient care?

Of course, again there is the process of rethinking the very fundamentals of how we manage work and tasks within our institutions. We have not done this rethinking in 25 years. Sure, we have had the quality improvement initiatives, and we have had a number of initiatives throughout the last two decades no doubt that have measured. It is the old stop-watch trick. Well, if employee A in hospital B can accomplish the task in 78 seconds, then if you are taking 100 seconds to do that task you need to get yourself down to 78.

That is sort of the assembly-line process of measuring contribution in the workplace. That is not where we are thinking today. It is such a fundamental change in thinking that it is challenging managers of the system to understand what they have to do to undertake the process of change.

But I want to tell you that at the end of the day there are two things happening. There is better-quality patient care, because of the restructuring of how we deliver that care process to the individual in an institution, and there will be less consumption of budget to do it. Almost sounds as if it is almost too good to be true that you improve care, reduce budget, but that is exactly the process that we are engaged in now with those results at the end of the day.

Mr. Nell Gaudry (St. Boniface): Mr. Deputy Chairperson, my question is to the Health minister. First, it is in regards to the cardiac unit of St. Boniface. I understand there is some reform going on there. We had a call from a few of the employees who were concerned. I did not raise this before. I figured there would be a chance here. I do not want to fearmonger anybody, but the fact is that there is some reform going on.

Apparently there was a meeting called with the staff, but these gentleman, a few called—they did not attend so they were not aware what was happening. Could the minister tell me what is happening in the cardiac unit at St. Boniface?

Mr. Orchard: Mr. Deputy Chairperson, the cardiac program is one of the major provincial programs that we are taking a look at. There is it; there is the cardiac program; there is neurology; there is orthopedics; there is urology; there is ophthalmology. Now, that is not a complete list, but that is certainly some of the major surgical programs that are under review with a two-fold purpose.

To bring those programs—and I will deal specifically with cardiac program—under the leadership of one program director, one program head versus two, because it is now at both teaching hospitals, so that we have a provincial program under single provincial leadership. So that we maintain, for instance, a common waiting list with common criteria for access so that we can have assurance that those in the greatest need access the system first, that there is not any differential

approach, and more importantly, that by maintaining two programs in two separate institutions, that we are not duplicating, hence wasting, resource and program.

I think my honourable friend can see that if we can achieve one program leadership, one program direction, it can well end up that service delivery carries on in both institutions but under one leadership, that there is an opportunity for greater integrity to the program, greater opportunity for savings through avoidance of duplication of process, and achieving that can do nothing but benefit, to an even greater degree, Manitobans who need to seek cardiac care, open-heart surgery.

Mr. Gaudry: Mr. Deputy Chairperson, first I would like to maybe compliment the Minister of Health (Mr. Orchard), because I have written him letters where he has helped me. For example, I had this older gentleman in St. Boniface that wanted to die at home, which he did not too long ago. The minister really did help me in looking after him so that he would get home care in the last days that he was in this fine world that we live in.

Now I will attack the minister, and I do not want any b.s. I use the word b.s. for brown sugar.

On May 13, I asked a question of the minister. I know it is a touchy issue. I will quote what he said: "Mr. Speaker, with all the apologies I can muster to my honourable friend, I will provide the information to him, as I indicated . . ."

This information I had requested way back in October 1991. To date I have not received a reply to the letter. I do not know if he is afraid to give me an answer or what. I am sure he has it on his desk, but he maybe forgot. It is in regard to closing the offices on Provencher and moving them temporarily to 185 Smith Street. I know there are spaces there, and there were concerns in St. Boniface when they closed the offices there. I have no problems with that. I would still like to see, in this reform of home care, if the offices will be returned to St. Boniface.

Mr. Orchard: Mr. Deputy Chairperson, I take my honourable friend's criticism legitimately because that is one initiative that I have not been able to untangle between two bureaucracies yet, but we have a problem in—

Mr. Gaudry: I see a smile over there.

Mr. Orchard: I know. Believe me, I would have liked to have had this one resolved with a course of

action that I could lay out with my honourable friend. Let me give my honourable friend this assurance, that the situation, the move is temporary. It is taking longer to resolve. There are a couple of issues that we have to come around, specifically, how much—

Mr. Gaudry: Financing.

Mr. Orchard: Well, the finance is always part of the equation, but that is not the major issue. The major issue is the amount of office space that we need presumably to provide office space for people who are working ostensibly 90 percent of their time, or whatever the figure might be, in the community.

The argument and the discussion, as I understand it, is trying to determine what is an appropriate amount of physical office space to provide for individuals that do the vast majority of their work outside of an office, in other words, on an outpatient basis. It is truly outpatient services that are being provided, as my honourable friend well knows. It is assessment and continuing care, reassessments and any array of initiatives that are part of the Continuing Care Program. We have not resolved—and my honourable friend did not raise it in Estimates, but it was raised in Estimates. We attempted in the limited time we had available between Estimates sittings to get a better handle on it. I have it unresolved as of yet, but it will be resolved. I give my honourable friend that assurance despite delays.

* (1300)

Mr. Gaudry: I thank the minister for his response.

Mr. Deputy Chairperson, my other question is in regard to the Sister Clermont Outreach Program. As of May 31 this year, it was closed because of a lack of funding. Since then, there has been a volunteer group that has prepared a proposal, and it has been forwarded to the minister. I do not know if he has had a chance to review it.

This program, I feel there is a merit with the proposed health reform, the community-based care, and the Grey Nuns are prepared to provide a major portion of the needed equipment to the continuing program at no cost to the government. Rent or space cost is presently not necessary as adequate space is currently available. The commencement of service delivery has been set for August 3, 1993.

Can the minister tell us if he has had a chance to review this proposal of \$74,500 from the Outreach Program?

Mr. Orchard: Mr. Deputy Chairperson, as of today, I have not received recommendations from the department as to whether they would recommend this proposal to be funded. We have had some difficulty with the ongoing funding of Sister Clermont, and there was one other program that we had some difficulty with two years ago in terms of continuation of funding.

So I cannot give my honourable friend an answer, but if it is starting to deliver services, my honourable friend indicates August 3, that is about one week away—[interjection] Yes, and I can simply indicate to my honourable friend that the process, should it be recommended, has to go before Treasury Board for approval, and I have not received any advice internally. I will take that issue as notice, but certainly we would not be able to give an indication by August 3.

Mr. Gaudry: I thank the minister. It is just that I have just received that this week here. I requested a copy of the proposal, and I felt that it should be given consideration. It has been a good program in St. Boniface because of the volunteers involved. I was on the board at one time of the Sister Clermont clinic before I was elected. I felt that the numbers of volunteers that were involved, that it was a good program. I hope that the government will consider refunding this Outreach Program.

Thank you, Mr. Deputy Chairperson.

Mr. Manness: Committee rise, Mr. Deputy Chairperson.

Mr. Deputy Chairperson: Committee rise. Call in the Speaker.

IN SESSION

Hon. Clayton Manness (Government House Leader): Madam Deputy Speaker, would you call Bill 28, followed by Bill 30.

An Honourable Member: Bill 34.

Mr. Manness: Oh, 34.

Madam Deputy Speaker, would you call Bill 34. I believe it is standing in the name of the honourable member for Inkster (Mr. Lamoureux).

THIRD READINGS

Bill 34—The Public Schools Amendment (Francophone Schools Governance) Act

Madam Deputy Speaker (Louise Dacquay): Third reading, Bill 34 (The Public Schools Amendment (Francophone Schools Governance) Act; Loi modifiant la Loi sur les écoles publiques (gestion des écoles françaises), standing in the name of the honourable member for Inkster (Mr. Lamoureux).

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, I had adjourned debate knowing that the Leader of the Liberal Party was wanting to comment on it.

Mr. Paul Edwards (Leader of the Second Opposition): I want to comment very briefly on Bill 34 as it winds its way closer and closer to becoming a law and as we see the structures put in place to accommodate this new school division in our province.

I had the opportunity to review the Supreme Court decision, and I have compared that to the legislation. Our party, on the recommendation of the MLA, the député de St. Boniface, are pleased to support passage of this bill into law.

I did want to very briefly, Madam Deputy Speaker, indicate that I have one area of concern about this piece of legislation which I have spoken to representatives from the community about, and am convinced that this will be set up in a way such as to minimize any adverse effect of the concern that I have.

The concern that I have, Madam Deputy Speaker, is that I view public schools as being available or should be available for entrance from any child in this province. I believe that, obviously, in this school division it would be entirely appropriate to indicate to parents, to a child, that that child could not come to that school if the child could not keep up linguistically, if the child did not have enough skill in the French language to participate fully in the training in the school. What gives me some concern is that another criterion would be set which is that the child come from a certain type of parentage, that is, parentage of French descent or from a certain cultural background.

I looked at the three-part test for a child going to that school, and I must admit I did have some concern, because my sense is that if my child were able to speak French fluently enough to participate in that school—it is a public school, and if I were able to get my child there, I would think that I would want to have that opportunity. Whether my name was Edwards or of some French derivation or Ukrainian or any other ethnic background, I would not want that, or whatever particular ancestry I had, to be a bar to my child or any other child.

So, Madam Deputy Speaker, that is a concern that I had. I do not like tests set up in our society based on ancestry or cultural background for access to what are essentially public and publicly funded institutions. It is different if it is a private organization. We want to respect the right of people from certain cultural backgrounds and certain sectors of society to be members of private organizations, but entirely publicly funded ones, that poses some problem. I think we all see that in this House.

However, having indicated that concern, I also want to say that this is an experiment. We are moving forward with something which is new. We, to a certain extent, had this put upon us by the Supreme Court of Canada decision. I am convinced that the people who are attempting to set this up are doing so in good faith and not with a view to exclusion of people based on necessarily what cultural background they come from, but I am convinced that they will, and I certainly hope that they will, take an open approach to this for all children and bring back the primary criterion, or at least set as primary criterion, a child's ability to actually function in the school, which is an appropriate criterion.

Madam Deputy Speaker, I want to also say that I know lots of people who have very non-Francophone backgrounds and last names and everything else who speak French fluently. I also know a number of people with Francophone names who do not speak French at all.

Mr. Lamoureux: I am one of them.

Mr. Edwards: My colleague the member for Inkster is good enough to indicate that he is one of them. I am inherently suspicious of any attempt to decide the accessibility of any child to a publicly funded system based on what cultural background

their parents come from or what language their parents speak. So I have that concern.

I believe that all members of this Chamber perhaps share that concern, but I do want to allow this bill to go through. I want to give it to the community to responsibly deal with the setting up of this school board.

I also want to say that it was my hope and indeed my advice that the government of the day preapprove, if you will, a proposal, a piece of legislation. It could have easily been done, sent by reference, this matter, back directly to the Supreme Court of Canada.

There are precedents for that. You do not have to go through all kinds of different courts. If a provincial government has been given a certain task by the Supreme Court, they are entitled and will be given leave to go back with a plan, which they have hopes will satisfy the Supreme Court requirements, and get the Supreme Court to tell them so that you do not have another court challenge which is going to start at the lower courts and wind its way up.

I think that was the way to have done this, to have gotten preapproval, if you will, from the Supreme Court of Canada.

However, they have chosen not to do that, have chosen to come forward with this design, this structure. I want to give it a chance to work, and I want the Francophone community in Manitoba to get the full benefit of their rights guaranteed to them under the Manitoba constitution. So I am pleased to support this legislation. I do have that concern, and I wanted it noted on the record. I also want to indicate to the community who will be participating in this new division, I have faith that they will establish this school board responsibly, that they will view it as inclusive rather than exclusive with respect to children and parents who would like their children to be able to participate in this school division, in the French milieu.

* (1310)

With those comments, Madam Deputy Speaker, I will speak on behalf of all members of our party as the député de St. Boniface (Mr. Gaudry) has in indicating that we look forward to passage of this bill and the establishment of this school board.

Thank you, Madam Deputy Speaker.

Madam Deputy Speaker: Is the House ready for the question? The question before the House is third reading of Bill 34, The Public Schools Amendment (Francophone Schools Governance) Act (Loi modifiant la Loi sur les écoles publiques (gestion des écoles françaises)). Is it the pleasure of the House to adopt the motion? [agreed]

* * *

Hon. Clayton Manness (Government House Leader): Madam Deputy Speaker, I would like to have the unanimous consent of the House to revert to presenting of reports by special and standing committees. We would like to have a few other bills reported to the House.

Madam Deputy Speaker: Is there leave of the House to revert to presenting reports by standing and special committees? Leave, yes? [agreed]

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Jack Penner (Standing Committee on Law Amendments): Madam Deputy Speaker, I beg to present the Fifteenth Report of the Committee of Law Amendments.

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

Your committee met on Monday, July 26, 1993, at 7 p.m. in Room 254 of the Legislative Building to consider bills referred.

At the July 26, 1993, meeting, your committee elected Mr. Rose as Chairperson.

Your committee heard representation on bills as follows:

Bill 28—The Manitoba Intercultural Council Repeal Act; Loi abrogeant la Loi sur le Conseil interculturel du Manitoba

Wade Williams - National Black Coalition of Canada and the National Council of St. Vincent and The Grenadines Association of Canada

H.C. Lim - Private Citizen

Don LaFreniere - Private Citizen

Donald A. Bailey and Deon Ramgoolam - Manitoba Association of Rights and Liberties

Terry Prychitko - Manitoba Intercultural Council

Marty Dolin - Social Planning Council of
Winnipeg and Interfaith Immigration Council

Written Submissions:

Bill Blaikie - Member of Parliament,
Winnipeg-Transcona

Michael Lazar - Chairman, League for Human
Rights, Midwest Region, B'nai Brith Canada

Your committee has considered:

Bill 28—The Manitoba Intercultural Council
Repeal Act; Loi abrogeant la Loi sur le Conseil
interculturel du Manitoba

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

MOTION:

THAT section 1 be amended by striking out the
definition "minister".

MOTION:

THAT sections 3 and 4 be struck out and the
following substituted:

Assets and liabilities transferred

3 On dissolution of the council

(a) all assets, including money and other
assets, in the name of or in trust for the
council; and

(b) all obligations and liabilities of the council;

are transferred to and vest in Manitoba Intercultural
Council Inc.

MOTION:

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

Your committee has also considered:

Bill 50—The Statute Law Amendment Act, 1993;
Loi de 1993 modifiant diverses dispositions
législatives

Bill 53—The Justice for Victims of Crime
Amendment Act; Loi modifiant la Loi sur les droits
des victimes d'actes criminels

and has agreed to report the same without
amendment.

All of which is respectfully submitted.

Mr. Penner: I move, seconded by the honourable
member for Gimli (Mr. Helwer), that the report of the
committee be received.

Motion agreed to.

* * *

**Hon. Clayton Manness (Government House
Leader):** Yes, Madam Deputy Speaker, would you
call report stages, please, Bill 28, Bill 50 and Bill 53.

REPORT STAGE

**Bill 28—The Manitoba Intercultural
Council Repeal Act**

**Hon. Clayton Manness (Government House
Leader):** Madam Deputy Speaker, I move,
seconded by the Minister of Justice (Mr. McCrae),
on behalf of the Minister of Culture, Heritage and
Citizenship (Mrs. Mitchelson), (by leave) that Bill
28, The Manitoba Intercultural Council Repeal Act
(Loi abrogeant la Loi sur le Conseil interculturel du
Manitoba), as amended and reported from the
Standing Committee on Law Amendments, be
concurrent in.

Motion agreed to.

**Bill 50—The Statute Law
Amendment Act, 1993**

**Hon. James McCrae (Minister of Justice and
Attorney General):** Madam Deputy Speaker, I
move, seconded by the honourable Minister of
Finance, (by leave) that Bill 50, The Statute Law
Amendment Act, 1993, (Loi de 1993 modifiant
diverses dispositions législatives), reported from
the Standing Committee on Law Amendments, be
concurrent in.

Motion agreed to.

**Bill 53—The Justice for Victims of Crime
Amendment Act**

**Hon. James McCrae (Minister of Justice and
Attorney General):** Madam Deputy Speaker, I
move, seconded by the honourable Minister of
Finance (Mr. Manness), (by leave) that Bill 53, The
Justice for Victims of Crime Amendment Act (Loi
modifiant la Loi sur les droits des victimes d'actes
criminels), reported from the Standing Committee
on Law Amendments, be concurrent in.

Motion agreed to.

* * *

**Hon. Clayton Manness (Government House
Leader):** Madam Deputy Speaker, I will be calling
third reading of Bill 28, with the leave of the House.

THIRD READINGS

Bill 28—The Manitoba Intercultural Council Repeal Act

Madam Deputy Speaker: Is there leave of the House for third reading of Bill 28? Leave? Leave has been granted.

Hon. Clayton Manness (Government House Leader): Madam Deputy Speaker, I move, seconded by the Minister of Justice (Mr. McCrae) that Bill 28, The Manitoba Intercultural Council Repeal Act (Loi abrogeant la Loi sur le Conseil Interculturel du Manitoba), be now read a third time and passed.

Motion presented.

Mr. Kevin Lamoureux (Inkster): Madam Deputy Speaker, I was wanting to put just a few words on the record on this particular bill because it has been an issue which I have followed personally for the Liberal Party for the last few years, as the critic, and even prior to that when I was first elected.

I wanted to comment in terms of the concept of what the Manitoba Intercultural Council is and the potential that MIC could have done. Last night we heard from the minister saying that this is a new opportunity for MIC, a new partnership with government and so forth. I am not as optimistic as the minister was last night. I do not believe that the Manitoba Intercultural Council will be able to prosper as much as it could have had the government made the decision to, at the very least, leave it with its legislative mandate.

Madam Deputy Speaker, the idea of the bridging of different cultures, I believe, MIC had the greatest potential for growth, getting all the different communities together. I am not aware of any other organization that had as much potential as this particular organization. The taking away of the legislative authority and mandate of the Manitoba Intercultural Council, I believe will in fact do a lot of harm to this particular organization. I hope that it will still be able to mature and do the multicultural fabric some good and, knowing some of the personalities involved, they will definitely give it their best shot.

I am very disappointed in the government in the way in which they have chosen to treat the Manitoba Intercultural Council. Right from its origins, when this government first took office, it was very critical of the Manitoba Intercultural

Council. For whatever reasons, I have always been of the opinion that this government was wanting to dismantle the Manitoba Intercultural Council. I am not sure as to why it is. I, even up to last night, Madam Deputy Speaker, am not convinced this minister has not done her job in terms of telling interested parties as to why it is necessary that the minister opt for the recommendation that Mr. Blair brought forward. One of the two recommendations, the minister could have, in keeping with Mr. Blair's report, opted for the second one which would have been just the amendments to The Manitoba Intercultural Council Act.

The way I do see it is if the government was wanting to—and the message that we hear from the government day after day has been one of cost savings. The argument for MIC that the minister herself has talked about is one of allowing the MIC to be that much more independent, and that is the purpose of doing this. So you really have those two factors that have to be taken into consideration.

* (1320)

Madam Deputy Speaker, both of those factors could have been taken care of, whether it was the cost or the other one. In terms of the cost, they could have sat down with the Manitoba Intercultural Council and come up with some form of agreement. If they could not achieve an agreement, they could have still just taken the grants away from MIC.

In terms of the other issue of trying to make MIC completely independent of government so it can enter into new opportunities, well, that too could have been accomplished by making the amendments to The Manitoba Intercultural Council Act, and that would have been no cost to government.

So I have to question the motives of this government for dismantling the Manitoba Intercultural Council, and I do not believe that this government is being straightforward with, in particular, those individuals, hundreds of individuals, that have been involved in the different ethnic groups over the last number of years. The government likes to talk a lot about multiculturalism and how committed they are to multiculturalism, but actions speak louder than words. There is absolutely no benefit whatsoever to the government to dismantle the Manitoba Intercultural Council. Our preference, Madam Deputy Speaker,

I hope that in fact what will happen is this minister will incorporate MIC in the next session into the multicultural act.

Ms. Becky Barrett (Wellington): Madam Deputy Speaker, I want to very briefly put my party's final comments on the record on The Manitoba Intercultural Council Act, Bill 28. The minister throughout this process, which is several years now, has had choices to make. She has had choices to make to retain the Manitoba Intercultural Council, to amend The Manitoba Intercultural Council Act or to repeal The Manitoba Intercultural Council Act. Even the Blair report that was commissioned by herself gave the minister options.

The minister stated last night that the government had difficult choices to make. Well, Madam Deputy Speaker, we feel that this government made the wrong decision, made the wrong difficult decision, and that they will live to rue the day that they introduced Bill 28, The Manitoba Intercultural Council Repeal Act, and that they did not listen to virtually every single community group that presented either directly to the minister or to government and opposition MLAs or last night in written and oral presentations at the public hearings.

They will regret that they did not pay attention to those multicultural groups, because the decision to repeal The Manitoba Intercultural Council Act is one that will come back to cause them a great deal of concern and a decision that they will regret having made.

There is no legitimate reason, has been no legitimate reason put forward by this government at any one of the stages of the legislation to justify the repeal of The Manitoba Intercultural Council Act and, Madam Deputy Speaker, with those words we come to the end of a sad chapter in the history of Manitoba, which states that it is a multicultural society. The enactment of Bill 28 will put the lie to that statement, at least on behalf of this particular provincial government.

Madam Deputy Speaker: Is the House ready for the question?

The question before the House is third reading of Bill 28, The Manitoba Intercultural Council Repeal Act (Loi abrogeant la Loi sur le Conseil interculturel du Manitoba). Is it the pleasure of the House to adopt the motion?

Some Honourable Members: No.

Madam Deputy Speaker: No? All those in favour, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Some Honourable Members: On division.

Madam Deputy Speaker: On division.

As previously agreed, the hour being 1:25 p.m., this House is adjourned and stands adjourned until 1:30 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, July 27, 1993

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