

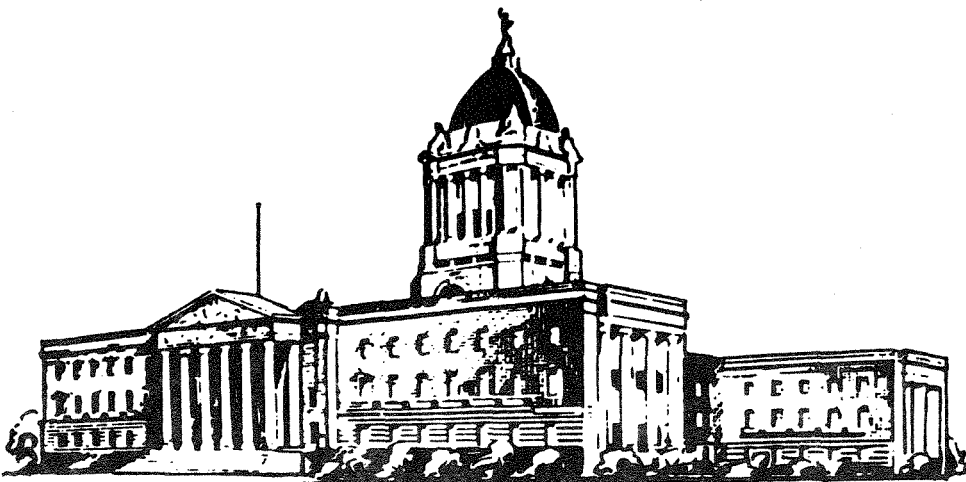


Second Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

40 Elizabeth II

*Published under the
authority of
The Honourable Denis C. Rocan
Speaker*



VOL. XL No. 22 - 1:30 p.m., MONDAY, APRIL 15, 1991



**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
CARR, James	Crescentwood	Liberal
CARSTAIRS, Sharon	River Heights	Liberal
CERILLI, Marianne	Radisson	NDP
CHEEMA, Gulzar	The Maples	Liberal
CHOMIAK, Dave	Kildonan	NDP
CONNERY, Edward	Portage la Prairie	PC
CUMMINGS, Glen, Hon.	Ste. 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
HARPER, Elijah	Rupertsland	NDP
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
MANNES, 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
NEUFELD, Harold, Hon.	Rossmere	PC
ORCHARD, Donald, Hon.	Pembina	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	Fort Garry	PC
WASYLYCIA-LEIS, Judy	St. Johns	NDP
WOWCHUK, Rosann	Swan River	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, April 15, 1991

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

Mr. Speaker: I have reviewed the petition and it conforms with the privileges and practices of the House and complies with the rules.

Is it the will of the House to have the petition read?

Some Honourable Members: Yes.

Mr. Clerk (William Remnant): Petition to the Legislature of the Province of Manitoba.

The petition of the undersigned residents of the province of Manitoba who desire the Government of Manitoba to assume responsibility for Sturgeon Road north from Four Mile Road, and to study and implement recommendations to decrease risk of accidents on Sturgeon Road, humbly sheweth:

WHEREAS many Manitobans have been injured or have died in traffic accidents occurring on Sturgeon Road; and

WHEREAS many other residents of the province of Manitoba have been subjected to threat of physical harm due to the safety risks presented by Sturgeon Road; and

WHEREAS the volume of traffic on Sturgeon Road is increasing annually; and

WHEREAS there exists confusion regarding responsibility to maintain Sturgeon Road;

WHEREFORE YOUR PETITIONERS HUMBLY PRAY that the Department of Highways and Transportation consider assuming responsibility for Sturgeon Road and undertake to compile a study of the accidents on Sturgeon Road within the Perimeter and implement recommendations of said study to reduce traffic accidents on Sturgeon Road.

AND as in duty bound your petitioner will ever pray.

TABLING OF REPORTS

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship): Mr. Speaker, I have the pleasure of tabling the Annual Report 1988-89 of the Manitoba Film Classification Board.

MINISTERIAL STATEMENTS

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship): I also have a ministerial statement and I have copies for the House.

Mr. Speaker, I would like to bring to the attention of the members an important week of celebration. As of 1987, citizenship has been celebrated on the anniversary of the signing of the Canadian Charter of Rights and Freedoms. Through the Charter, the values, rights and responsibilities of Canadian citizenship are expressed.

The theme of Citizenship Week this year, "Canadian Citizenship: A Commitment to our Future," reminds all Canadians that we share values, rights and responsibilities of citizenship developed through our history. We also share visions for the future and have tremendous resources to make Canada and specifically Manitoba a better place to live.

It was only in 1947 that the status of Canadian citizen was defined. No longer British subjects, but Canadians, we began the task of legally and politically shaping who we are as a people. As part of nation building, the Citizenship Act of 1977 improved access to citizenship and equal treatment for applicants. Notably, the act affirms that all Canadians, whether citizens by birth or by choice, share identical rights and responsibilities.

* (1335)

Today, Canadian citizenship is one of the most sought after in the world. During Citizenship Week, we can reflect on what it means to be Canadian. Canadians value the freedom, fairness and equality in justice of their political and legal systems that are enshrined in the Charter. Canadians share global concerns and responsibilities to the environment and other nations of the world.

Participation in the myriad volunteer agencies and social programs brings Canadians together to ensure the welfare of others. Canadians honour our rich cultural diversity.

As Manitobans, we take pride in the values of Canadian citizenship. We have a multiculturalism policy that affirms our multicultural society and celebrates the strength of our diversity, equal access to opportunity, participation in all aspects of life in the community and partnerships with the community and government.

Through the Department of Culture, Heritage and Citizenship, programs and services are provided to assist immigrants to gain opportunities and full participation in Canadian society.

National Citizenship Week is an opportunity for us all to recognize and affirm the contributions made by all of our citizens, by birth or by choice. Across the country and throughout Manitoba, many events will raise awareness of the values and contributions of citizens during National Citizenship Week.

Citizenship means, Mr. Speaker, that we must always act on our rights and responsibilities to make our future bright and strong and encourage all members of the House to actively support National Citizenship Week. Thank you.

Ms. Marianne Cerilli (Radlsson): Mr. Speaker, I would like to reply with a nonpolitical statement, a response.

I would like to start off by saying it is important to have weeks like this, National Citizenship Week, because it gives us a chance to draw our attention to some of the problems that are facing us in Canada. We are currently going through a process where we are trying to define once again what a Canadian identity is. There is an opportunity for us to really look at, in a week like this, how we can come to be able to put into policy and practice the whole idea that, as Canadians, we can be different and equal, that citizenship does not depend on how long you have been in Canada, and the rights that you have as a Canadian do not depend on how long you have been in Canada, but that we all should have equal rights, no matter how long we have been here.

To me that is one of the most important things that could come from this kind of a week. I will be able to go to some of the conferences this week and activities that are happening in the city that are going to celebrate this week, and I look forward to those.

Thanks very much.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, it is a pleasure for me to stand up and to give the Liberal Party's perspective, a few words, on Citizenship Week.

As the theme itself is the commitment to our future, Mr. Speaker, we, in the Liberal Party, recognize the fact that Canada's past, our first people, with our aboriginal, which was followed with the French and English and then different waves of immigrants, our future in Canada is going to be based on multiculturalism, and citizenship is a very important aspect of living in Canada.

I have had the pleasure on many or on several occasions to go out and participate in citizenship swearing-in ceremonies, both inside my riding and outside the riding, and it is with pleasure. Towards the end when they stand up and they sing our national anthem, you can see a great deal of pride. It is a pleasure for myself, as I say, to stand up and to give those remarks, and I hope to see more Canadian citizens in the upcoming years.

It is encouraging to see that the national government has finally allowed, or is hoping to see, 250,000 immigrants into Canada in the upcoming years. I think Canada will do well with that number of immigrants. We would like to see more immigrants, on a more compassionate reason, to be allowed to come into Canada.

Thanks again for allowing me to speak.

* (1340)

TABLING OF REPORTS

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I would like to table the Annual Report for '89-90 for the Manitoba Milk Prices Review Commission, the '89-90 Annual Report for the Farm Lands Ownership Board and the '89-90 Annual Report for the Manitoba Agricultural Credit Corporation.

INTRODUCTION OF BILLS

Bill 16—The Motor Vehicle Lemon Law Act

Mr. Jim Maloway (Elmwood): Mr. Speaker, I move, seconded by the member for Dauphin (Mr. Plozman), that Bill 16, The Motor Vehicle Lemon Law Act, Loi sur les véhicules automobiles

défectueux, be introduced and that the same be now received and read a first time.

Motion presented.

Mr. Maloway: Mr. Speaker, it gives me great pleasure to introduce Bill 16, The Motor Vehicle Lemon Law Act. I might remind the government that in opposition they too supported lemon law, but once they became government, it was a different story.

Mr. Speaker, in the United States over 45 states have such lemon laws to protect the consumers. Under this bill, where the repairs are required four or more times in respect to the same nonconformity or a motor vehicle is out of service for 20 or more days, the purchaser then notifies the manufacturer who will have 10 days to fix the vehicle. If the manufacturer is not successful, the manufacturer replaces the vehicle with one of comparable value, not the dealer—the manufacturer, not the dealer. The vehicle must be replaced with one with comparable value, less a reasonable offset for use, or a refund of the purchase price.

Mr. Speaker, this bill has fairly widespread support in the province as witnessed by the fact that Mr. Gordon Martin is here in the gallery. Aida Isaku, among others, has called me with problems with lemon vehicles since this story was aired on the weekend.

I urge the government to support the consumers and pass this law.

Motion agreed to.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, may I direct the attention of honourable members to the Speaker's Gallery, where we have with us today His Excellency Anthony Ayeni, the Ambassador of Nigeria, and Mrs. Ayeni.

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

Also with us this afternoon, we have seated in the public gallery, from the Sargent Park School, thirty-six Grade 9 students. They are under the direction of Bob Forester. This school is located in the constituency of the honourable member for Wellington (Ms. Barrett).

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

ORAL QUESTION PERIOD

**Payroll Tax
Elimination**

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, of course, we know that Manitoba is now the province that is predicted to be the last out of the recession by the Conference Board of Canada. Our private sector per capita investment is lower now than in 1987, the only province to have that situation.

The Premier, four budgets ago, promised that within four budgets he would in fact totally eliminate the health and post-secondary tax in Manitoba, something that both he and the Liberals had promised at that period of time, something that we argued we could not afford and it would not in fact create the jobs that were being given away in terms of those tax breaks, Mr. Speaker.

We are now finding that, notwithstanding the tax breaks to corporations, our corporate sector revenue will be very, very questionable tomorrow in the budget. The Premier well knows that, Mr. Speaker, because the private sector is not performing well.

I would ask the Premier today whether he will totally reverse his position in terms of the health and post-secondary tax and he will reverse his position not to get rid of the health and post-secondary tax to meet his promise of ridding us of that tax in four budget years.

Hon. Gary Filmon (Premier): Mr. Speaker, I find it difficult to understand the logic of the member for Concordia when he argues against having training dollars spent in this province by the private sector. That is exactly what he is arguing against when he suggests that there are somehow tax breaks.

* (1345)

The only break that the corporations get is they invest in training of new staff and retraining of existing staff so that they can meet the needs of the work force in Manitoba. That is a positive; that is the sort of thing that even New Democrats should argue for, Mr. Speaker, but he is arguing against it. I say he is wrong in that.

With respect to the pernicious payroll tax, if he is arguing against removal of the payroll tax from small businesses, businesses who employ 50 and fewer people, Mr. Speaker, that is again a wrong-headed

view that only a New Democrat can come up with. When he says, tax the formation of new jobs in this province, he is wrong on that.

In terms of advice, the kinds of things that New Democrats did to destroy job creation and investment in this province in the 1980s are not the kinds of things that we want to repeat. I can assure the Leader of the Opposition of that.

Economic Growth Job Creation Strategy

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, the thousands of people who are unemployed, the "for sale" signs, the bankruptcies, all the human stories that are out there in this province will argue clearly against the Premier and his government's position.

He has given away, and his government has given away—and I take from his answer that he is reversing his position. He is not going to fulfill his promise of getting rid of it in four years. He will not remove another \$180 million tomorrow in the payroll tax, the health and post-secondary tax.

He is starting to follow the logic of the NDP, because he is not getting the \$50 million in tax breaks to corporations. He is not getting the benefit in our society with created jobs, with private-sector investment, with growth in our economy, Mr. Speaker. In fact, he is now starving the education system. Is it 1 percent for the Winnipeg education system? Child and Family Services are going to get zero percent tomorrow. The social services are making up for his corporate tax breaks.

I would ask the Premier whether he will look at a more effective way of job creation in the province, rather than corporate tax breaks, which have failed this province and failed our revenues in terms of the Province of Manitoba.

Hon. Gary Filmon (Premier): Mr. Speaker, again, the Leader of the Opposition is totally confused. Those reductions in the payroll tax in those previous budgets were ones that were supported by the New Democrats when they were in opposition. They supported them and voted for them. Now, he is coming up and arguing against it.

If what he is suggesting is that we ought to go to the policy of the former Pawley administration—that Pawley administration that did short-term, make-work jobs that created this huge increase in

debt, more than doubling our debt in this province in only six years, causing us to have interest costs that now draw away from all of the vital services. Health, Education, Family Services can no longer be funded as well as we would like to, because we are paying \$600 million a year in interest.

If he thinks that we ought to go back to those policies that destroyed this province in the '80s, Mr. Speaker, he is dead wrong.

Mr. Doer: Mr. Speaker, let the record show that we voted against the '88 budget, we voted against the '90 budget and we supported one budget when it—when the Premier xeroxed our election promises, we supported the budget as we said we would.

My final question to the Premier is—and I am sure that Manitobans will not enjoy the rhetoric from this government. It is last in private sector per capita investment for 1991. It is last coming out of the recession. We are having thousands and thousands of more people unemployed every month.

My question to the Premier is: Will he reverse his standpat course, which is failing the people of Manitoba, failing our province, failing our economy, whether it is private or public sector? Will he reverse his course and start to develop a proactive approach to get Manitobans working again, rather than putting people on welfare where they are headed with the Tory budget and Tory policies in this province?

* (1350)

Mr. Filmon: Mr. Speaker, the Leader of the Opposition very conveniently eliminated the 1989 budget, which he supported along with his party, which included removal of the payroll tax from a considerable number of employers in this province, and he had better get it straight.

Mr. Speaker, the fact of the matter is, the so-called proactive approach that the Leader of the Opposition is now advocating is the one that he ridiculed when he was the president of the Manitoba Government Employees' Association. He said the only long-term benefit of those Jobs Fund jobs were the green and white signs that were on everybody's window and throughout the province.

He ridiculed that, because he said all that would be left would be the debt that is run up and, indeed, that is the case—no jobs to show for it, short-term,

make-work jobs, and signs around this province, green and white signs, and a debt that burdens all of us, because we have to pay some \$600 million a year in interest costs that we can no longer afford to allocate to health, to family services and to education. That was not the right approach in the 1980s by Howard Pawley, and that is not the right approach today.

55-Plus Program Deindexing

Mr. Doug Martindale (Burrows): Mr. Speaker, large numbers of seniors in Manitoba continue to live in poverty, especially women who have no company pensions or small pensions and no or small CPP pensions.

Since 1982, when introduced by the NDP, the 55-Plus income support program has been very helpful in raising seniors' incomes, but especially for 62 percent of recipients, over 16,000 individuals, who are women who receive this supplement.

In light of rising concerns by seniors and especially the Manitoba Society of Seniors, why did the Minister of Family Services not consult with any seniors organizations, but particularly not with MSOS before deindexing the 55-Plus income support program?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, the member and I have had the opportunity to discuss this issue quite recently. I have indicated to him and to others that the government is faced with many, many difficult decisions. One of the decisions that was made was to maintain this program at last year's levels. If we were in a better financial position, if we were not paying \$1.5 million a day on a debt that was accumulated throughout the 1980s, we would be in a better position to further enhance government programs.

We have made a commitment in the throne speech to maintain programs in health care, education and family services, and those will be maintained.

Mr. Martindale: Mr. Speaker, perhaps they could have applied some of the surplus they inherited to funding the seniors 55-Plus program.

Will the Minister of Family Services acknowledge that it is his government's policy to practice restraint on the backs of seniors, particularly those who can

least afford it, that is married seniors whose income is \$1,800 a year below the poverty line and single seniors whose income is \$3,300 per year below the poverty line?

Mr. Gilleshammer: I have indicated to the member as recently as a few days ago that my department deals with many, many vulnerable Manitobans. We have some 26,000 cases of social allowance, people with no income at all. We deal with numerous clients in the rehab and community living, where we are trying to put in place living accommodations and programs for these people who are very, very vulnerable.

The question of the 55-Plus, we are maintaining this program at last year's levels. It is an income supplement for low income Manitobans. Again, if we had the financial resources, there are many things we would be happy to do, but I do not want the member to forget that we do have a tremendous debt in this province, a debt that was more than double under the previous administration.

If we do not attack that debt now and get our financial house in order, we will not have the luxury of providing these essential programs in health care, education and family services in the future. I think that while the member is encouraging us to spend more and more money, our position is that we have to take a realistic look at the debt.

Mr. Martindale: Mr. Speaker, the seniors on the panel with the minister—and I acknowledged some of the things that the minister is saying, but they were still left unsatisfied.

Will the Minister of Family Services meet with representatives of the Manitoba Society of Seniors and reverse their announced decision to deindex 55-Plus as soon as possible, instead of punishing the most vulnerable members of our society while giving tax breaks to corporations and increasing funding to elite private schools by \$1.5 million?

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

* (1355)

Mr. Gilleshammer: I have indicated the tremendous respect we on this side have for the seniors of Manitoba. Traditionally we have met with the executive members of MSOS in previous years, and we will continue to do so in the future. We have a good working relationship with the MSOS.

I indicated to them both publicly and in recent meetings that we wish that there were more resources that we could access at this time to enhance programs, but I think that all Manitobans understand our priorities are health care, education and family services.

We have to make some tough choices and tough decisions, choices and decisions the previous government was not prepared to make. We are committed to facing the debt and the deficit problem we have head-on, and Manitobans over the long run will recognize that fact.

Cartwright, Manitoba High School Closure

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, my question is to the Minister of Education.

On Friday, the parents of the students at Cartwright senior high school pulled their children out of that school. Those children are not today attending school. Fortunately, they are receiving—hopefully, the quality will be able to be maintained—an alternative form of education taught by retired teachers and others in the communities with special skills.

Will the minister tell this House today: Now that the students are no longer in school, will he finally act in a manner appropriate for the Minister of Education and enforce his own guidelines with respect to school closures?

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, I indicated to the member of the third party on Friday that indeed this is a matter that is within the realm of responsibility of the local school board. I have no intentions of interfering in those matters that relate directly to that of the local school board.

I am aware of the fact that the students have been pulled out of the school, and indeed education is still the primary responsibility of the parent. The parents there have made it known that they will find alternative means of educating their children.

It is my hope that the parents of the Cartwright area and the school board will be able to get together and resolve this problem, which none of us like to see. Mr. Speaker, I have to indicate that it is a matter which the school board has responsibility for and will have to resolve.

Mrs. Carstairs: Mr. Speaker, it is not a local issue. It is a provincial issue because this minister has guidelines, guidelines which he is turning a blind eye to.

One of the trustees of this school division said on CBC Radio that they used the word "transfer" instead of the word "closure," because if they had used the word "closure," they would have had to have enforced the province's guidelines.

Now, it is clear that this board is circumventing his guidelines. Will the minister enforce his own guidelines?

Mr. Derkach: Mr. Speaker, any school division in this province has the right to transfer either one grade or several grades from one school to another. That is within the complete authority of that school board. That is spelled out very clearly in The Public Schools Act. That is what the school board did in this particular case. They transferred three grades from Cartwright school to a different school within that same school division.

Mr. Speaker, they did not close the school. As a matter of fact that school will remain open next year, but the grades' numbers that are in that school will be reduced. That does not constitute a school closure. However, I have indicated to the school board that should they require any guidance or assistance from the department, my staff and I, as minister, are prepared to meet with them at their earliest convenience.

Mrs. Carstairs: Well, the only thing connecting this school with the junior school is a gymnasium. The schools used to be two entirely separate different structures; this is a school closure.

Can the minister tell the House today why this school board is not presenting to the parents the fiscal and financial reasons why this school is closing, and does he not believe that they have a fiduciary responsibility and he has a responsibility to make sure that information is available to those parents?

* (1400)

Mr. Derkach: Mr. Speaker, I guess the questioning of the Leader of the third party shows very clearly that if she had the authority she would get right in there and try and overrule what the local school board is doing.

Let me indicate very clearly that there is a definition, a legal definition, of what a school is. The

Cartwright school is one school. It has one principal for the entire complex. Despite the fact that there is a gymnasium between the high school wing and the junior wing, that school is still one school.

Mr. Speaker, I do not know that the school board has not presented their financial situation to the parents of Cartwright school. That is the responsibility of the school board and, indeed, I am not going to exert my authority, as Minister of Education and Training, to try and impose something that is completely out of my jurisdiction.

Assiniboine River Dam Construction

Mr. Edward Connery (Portage la Prairie): Mr. Speaker, my question today is to the visionary Minister of Natural Resources who built the Shellmouth Dam in the 1960s.

The minister says now that an extension is the answer to our water problems on the Assiniboine, but this year the Shellmouth Dam will not fill. Meanwhile, downstream flows on the Assiniboine River are quite high, in fact, as high as 4,000 cfm, 20,000 cfm is what is required for the South Hespeler Diversion. It would not take many days of impounding of that runoff water that is downstream from the Shellmouth Dam to provide that water.

Will the Minister of Natural Resources have a second visionary flash and commit to build a second dam on the Assiniboine River so that all of southern Manitoba can have adequate water?

Hon. Harry Enns (Minister of Natural Resources): Mr. Speaker, allow me in the first instance to express my appreciation, indeed that of many Manitobans, for the moisture that we did receive over the weekend. It has enabled my forest fighters to put out some 55 to 60 fires which many Manitobans may not be aware that were already burning. Of course, for our agricultural community, the water is welcome.

I am not prepared to speculate as to the status of the reservoir. If we get some more moisture, it is every hope and expectation that the reservoir will fill to capacity, but I recognize in the member's question that there are ongoing problems with respect to solving some of the water shortages in south and south-central parts of Manitoba. At such time that the government has an opportunity to examine some of the alternatives, some of the

alternatives that I may acknowledge and put on the record that had been presented over the many years to different governments, I will be the first one, and I will be enthusiastic to make this House aware of those plans and certainly the honourable member involved.

Assiniboine River Diversion Government Commitment

Mr. Edward Connery (Portage la Prairie): Mr. Speaker, to the same minister. Has there been discussion and/or a commitment to the diversion project, and is there a time commitment in there?

Hon. Harry Enns (Minister of Natural Resources): The answer is absolutely no. I want to take this opportunity to put very firmly on the record that what the government has received in the company of several ministers back in February in Morris, Manitoba, a presentation of a task force report. I might say that there have been many reports dating back 20, 30 years that have been presented to governments with respect to trying to find a resolution to the water shortage problems of south and central Manitoba. That is the status of the report before us. No commitment of this government has been made to respond to this.

Mr. Connery: Mr. Speaker, I thank the minister for that reassurance.

Southern Diversification Initiative

Mr. Edward Connery (Portage la Prairie): Mr. Speaker, to the same minister, has there been any commitment or thought of using the Southern Diversification Initiative funding for the diversion project?

Hon. Harry Enns (Minister of Natural Resources): I think the question is probably more properly directed to the responsible ministers with respect to Rural Development and/or Agriculture perhaps, but from my knowledge I suspect that those funds are fully subscribed for the purpose they were intended for, namely to provide sewer and water infrastructure to the different communities in rural Manitoba.

Home Care Program Report Recommendations

Ms. Judy Wasylycia-Leis (St. Johns): Mr. Speaker, I never thought I would be happy following a question from the member for Portage la Prairie.

I certainly am given his constructive criticism in this Chamber. I will try to do the same only this time in an area pertaining to the Minister of Health's jurisdiction, and that is home care.

Three years now we have been raising, time and time again, questions about Conservative cutbacks to home care. We have raised serious concerns about the underspending of this government to the tune of \$4.5 million just last year for home care and, of course, the minister has always chosen to ignore those concerns.

Since we now have vindication for the concerns we have raised through a report by this minister's own task force on health services for the elderly, which has delivered quite a scathing commentary on the program talking about serious understaffing, problems that require urgent attention, I want to ask the Minister of Health what steps he has taken to address these 12 hard-hitting recommendations in this report to restore a proper level of funding, staffing and resourcing to home care to meet the growing aging population in Manitoba today?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, the report that my honourable friend has is an interim report by the task force, which is circulated back to all of those groups that made presentation to the task force for a compilation of their thoughts to the task force and submission to the Health Advisory Network, and then the report comes to me.

Mr. Speaker, I cannot act on recommendations that have not been presented to me by the Health Advisory Network, so I will take my honourable friend's question as notice and act upon and provide advice to her when I receive the final report from the Health Advisory Network in the near future.

Ms. Wasylycia-Lels: I would suggest the minister call in to his own department at 945-8599 to get a copy of this public report and give us some answers to these very serious constructive criticisms.

My question to the minister is: Is he saying that after receiving a report for five months now, that he has not seriously considered these recommendations and included them in the budget deliberations and having them addressed in the presentation of the budget tomorrow?

Mr. Orchard: This is the same issue that came up when an interim report on the extended treatment bed task force came to the House about 14 months

ago. It was not the final report. It changed in the nature of its recommendation from the task force which my honourable friend has, which is an interim report circulated back to the communities. That is why my honourable friend has a copy of it. It is not the final report and the final recommendation to the minister, as was not the interim report tabled by the Liberals 14 months ago, which left out a service area of the entire northeast quadrant of the city for extended treatment and personal care home beds, a recommendation that they agreed to as Liberals, but we disagreed with as government, Mr. Speaker.

All I ask my honourable friend is just to be patient. The Health Advisory Network will report. Their recommendations will be made public, and the public will be informed as to government's reaction to them and action plan taken.

Ms. Wasylycia-Lels: I wish he would tell the senior citizens to be patient when they cut off home care services, deny the right—

Mr. Speaker: Order, please. I would remind the honourable member this is not a time for debate. The honourable member for St. Johns, kindly put your question, please.

Financial Accountability

Ms. Judy Wasylycia-Lels (St. Johns): Let me ask the minister a question about an issue that the task force that I referred to says is being now addressed by the minister.

I will ask the minister: What steps is he taking to restore financial accountability to this program which, in the words of the task force, is a serious fundamental problem which requires political will to rectify and the urgency of which cannot be understated? What steps are being taken to deal with improper financial accounting—

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

Hon. Donald Orchard (Minister of Health): Finally, Mr. Speaker, a question of substance from my honourable friend, not the wild rhetoric that we hear from time to time.

In 1988, when we assumed government in May, the financial controls in the Home Care Program were absent, and that was identified by a Coopers and Lybrand—I believe it was Coopers and Lybrand—consultant study into the home care report. They made several recommendations.

Mr. Speaker, we undertook—pardon me, it was not Coopers and Lybrand. My honourable friend the author of the report said it was Price Waterhouse, which identified during the previous government no financial controls in the home care system, an issue which I had brought to the floor of the House as opposition critic.

* (1410)

Several initiatives have been undertaken to bring the kind of administrative control necessary for effective delivery of the Home Care Program. Those have not been easy to accomplish, given the size of the program, the number of clients that we serve each month and the number of individuals working in the program.

My honourable friend, from her seat, again mouths the NDP rhetorical phrase “cutback.” Every year we have spent more money to serve more needs in home care, and I refuse—

Mr. Speaker: Order, please.

Value-Added Processing Government Initiatives

Mr. John Plohman (Dauphin): Mr. Speaker, the rural economy continues to decline in Manitoba, hurt by the neglectful policies by this government, hurt by the Mulroney trade agreement, which this government supported, and hurt by a declining agricultural economy.

Now we see the latest target by the Americans through the trade agreement. That is the alfalfa processing and the delivery of alfalfa products to third markets in Manitoba, which could cost some 40 jobs in Dauphin and many other potential jobs throughout this province.

I ask the minister: What specific policies has this minister put in place in rural Manitoba to stimulate value-added processing in rural Manitoba so that jobs can be created rather than contribute to the decline of these jobs, as is happening now?

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, as I mentioned to the member the other day when they made light of the Free Trade Agreement, Manitoba has done a very good job of accessing American markets in wheat, canola, flax and certainly in many other grain and oilseed crops. We have doubled and tripled and sometimes quadrupled our access to the American market.

The most recent action—the most recent indication of action in the United States is they are going to look at alfalfa products going from Canada to the United States with the idea of looking at a countervail—is certainly a most reprehensible degree of action that the Americans may well take. It goes without saying that it is following the same line that was used in the pork industry which brought countervail in place and which is causing us great heartache, even though we are winning the dispute settlement mechanism panels.

We are winning the cases and the Americans are refusing to acknowledge that those panel cases are binding, and the decision that is to come down by May 15 on the pork countervail will go a long ways to determining how we are going to react on many of the other issues that are going to come up in trade-related matters with the United States in agriculture.

Mr. Plohman: Mr. Speaker, given the fact that value-added processing is absolutely essential in Manitoba if we are going to have economic stimulation in the rural areas of Manitoba, and given the fact that the trade deal is at cross-purposes with this potential development because, in fact, the trade deal takes away from the processing, does not assist in process, I ask this minister how he can justify and rationalize his continued support of the trade deal when in fact it is only raw materials that are increasing in export to the U.S. and value-added products are declining as a result of this trade deal?

Mr. Findlay: Mr. Speaker, the member's analysis that value-added processing is not supported by access to the American market is truly false. The only access we have got for the products we can value-add in this province really is the American market, that is the growing market. We are growing in north-south trade and I have just given some examples; canola is the very best one. We have increased our export of canola oil, which is processed in Manitoba, some fourfold between 1988 and 1990, fourfold, and that market access is growing and growing. So the evidence is on the table that access to the American market is very critical for us to be able to have further value-added processing here in the province of Manitoba.

Mr. Plohman: Mr. Speaker, the facts are clear that the food processing industry has declined some 200 percent in terms of balance of trade since the trade agreement was put in place.

Will the minister table today any objective studies that have been done by this government to support his position that the trade deal has been good for value-added processing in this province, and will he use that to explain to the people of Dauphin and the people of Manitoba who are going to lose these jobs in processing of alfalfa products that the trade deal is good for this province?

Mr. Findlay: Mr. Speaker, in the province of Manitoba, we have to export 50 percent to 60 percent of what we produce and the growing cash market that we can export is the United States. Since the Free Trade Agreement our sales to the United States have increased some 23 percent. That is called market penetration and a secure market that can pay cash for the products they buy. In the same period of time across Canada, we have had 50 new processing plants and 55 processing plants that have been expanded, totally contrary to the misinformation that member just put on the record. -(interjection)-

Mr. Speaker: Order, please. You had an opportunity—order, please.

Child and Family Services Deficit Relief

Mr. Reg Alcock (Osborne): Mr. Speaker, up to now this government has enjoyed the confidence of a majority of the members of this House, but in addition to that confidence, it must have the trust of the people whom it works with. It must honour the agreements that it makes with people.

When the government became aware the Child and Family Services agencies were running deficits in their '89-90 year, the Minister of Family Services entered into an agreement in which he gave them three conditions to get that deficit pickup—three conditions. All agencies have met those three conditions, and yet the minister will not give that deficit relief that they so desperately need. He has given it to two, but not to the others.

Why is he breaking his commitment?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, as the member is well aware, the deficits have been there for a number of years. We have grave concerns about the deficits that have been run by the Child and Family Services agencies in previous years and in the year just passed.

We are in the middle of a process of working with those agencies to deal with their deficits to have them bring forward service agreements and to enter into funding agreements. The process is in a state of evolution, as we become aware of the deficits for 1990 and '91.

Certainly with the first agencies we entered into an exchange of letters of understanding regarding the deficit. The situation has evolved to the point where we want a more formalized structure. We are working on a funding agreement that was forwarded to one of the agencies last week. We have indicated, if there are some problems with that, we are prepared to sit down and discuss it with them.

Mr. Alcock: Mr. Speaker, while this minister is evolving, he is prioritizing his relationship with the Minister of Finance (Mr. Manness) over the needs of children in this province.

This is the '91-92 fiscal year. These agencies are operating now. Every one of them presented balanced budgets, but this minister will not give them that relief. They are going to go back into deficit, because they are carrying the interest cost of those deficits which he has recognized and agreed to support.

Will he today see that those agencies get that relief that they deserve?

Mr. Gilleshammer: Mr. Speaker, I want to say very clearly that our commitment is to the children and families of Manitoba. -(interjection)- Well, the member, who is a frequent consultant to the agencies, feels that we are not treating them fairly. We have to be concerned with those deficits. We have to be concerned with the escalation of those deficits in the year '90-91. We are in the process of looking at the funding agreement that we forwarded to one of them.

I met as recently as this morning with the umbrella agency which represents the agencies, and we have grave concerns. We are prepared to continue to meet in the near future to try and remedy these.

Mr. Alcock: Mr. Speaker, every agency produced a balanced budget. Two of them got the deficit relief; the others did not. Why?

Mr. Gilleshammer: Mr. Speaker, each of the agencies operates quite differently. Some have traditionally had balanced budgets, and we applaud them for that. We applaud them for the fact that for a number of years they have had a balanced budget,

some of them with surpluses. Some of the agencies who were late in submitting their plans and having these finalized are the agencies with the largest deficits—

An Honourable Member: Not true, Harold. Northwest had the largest—

* (1420)

Mr. Speaker: Order, please. The honourable member for Osborne has had an opportunity to ask this question, and I would ask all honourable members to give the honourable minister an opportunity to respond to the question.

Mr. Gilleshammer: I know that the honourable member is intimately involved with the agencies, and I am not sure that he shares our concern that they are running deficits and debts.

I can tell you that some of the agencies with the largest debts, we have had a more difficult time or they have had a more difficult time in presenting a balanced budget. As a result, this has taken more time than we initially expected.

Video Lotteries Job Creation

Mr. Gregory Dewar (Selkirk): Mr. Speaker, my question is for the minister responsible for Lotteries.

Given the fact that this minister has lost 52 jobs to Stettler, Alberta, and recently, along with other members of the Western Canada Lottery Corporation, lost over \$600,000 to the Pogo ad campaign, can this minister tell this House how many jobs will be created through the new video lottery scheme, and what guidelines will she put in place to ensure that children are not exploited by this scheme?

Hon. Bonnie Mitchelson (Minister charged with the administration of The Manitoba Lotteries Foundation Act): Mr. Speaker, I think I would like to correct some of the infactual information that has just been put on the record, as usual, by members of the official opposition.

Mr. Speaker, had we continued along with an NDP administration over the last couple of years, we would have lost some 120 jobs from Western Canada Lottery, because the former minister was very amenable to breaking up the corporation rather than trying to work together in the best interests of all the provinces, and we would have lost many

more jobs under that administration than we were able to accomplish. I wanted to correct that infactual information and also the insinuation that there was \$600,000 lost through the Pogo advertising.

The print campaign went ahead in the province of Manitoba, and I am very concerned about that kind of money being spent. I have asked my board members who represent Manitoba in the Western Canada Lottery Corporation to bring that issue forward at the next meeting and ensure that we do some proactive rather than reactive work in the future.

Crystal Casino Revenue Forecast

Mr. Gregory Dewar (Selkirk): Mr. Speaker, after last year's fiasco with labour relations at the Crystal Casino, will this government still make the anticipated \$10 million in revenues?

Hon. Bonnie Mitchelson (Minister charged with the administration of The Manitoba Lotteries Foundation Act): Mr. Speaker, we had indicated that the casino would generate \$10 million in revenue in its first full year of operation. We had a two-month strike by the casino workers. Every expectation is that we will be somewhere between \$8.5 million and \$9 million in the final figures after 10 months of operation, because of the two-month interruption by a work stoppage.

Video Lotteries Revenue Forecast

Mr. Gregory Dewar (Selkirk): Actually my first question dealt with the video lottery scheme. I was wondering if the minister could tell us the anticipated revenues forecast from this scheme.

Hon. Bonnie Mitchelson (Minister charged with the administration of The Manitoba Lotteries Foundation Act): Mr. Speaker, I do not know, again, where the member is getting his information from, but there are informal discussions about video lottery terminals throughout the province of Manitoba. There has been no decision made, and I will assure the member opposite that as soon as any decision is made that we will inform him.

Mr. Speaker: Time for Oral Questions has expired.

ORDERS OF THE DAY

Hon. Clayton Manness (Government House Leader): Mr. Speaker, would you call the bills in the following order: Bills 5, 6, 20, then Bills 8 and 12.

DEBATE ON SECOND READINGS

Bill 5—The Mental Health Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Health (Mr. Orchard), Bill 5, The Mental Health Amendment Act; Loi modifiant la Loi sur la santé mentale, standing in the name of the honourable member for St. Johns (Ms. Wasylycia-Leis). Stand?

Mr. Jerry Storie (Flin Flon): I would like to speak to this bill and have it remain standing in the member's name.

Mr. Speaker: Is there leave for this matter to remain standing in the name of the honourable member for St. Johns? Leave? Agreed.

Mr. Storie: Mr. Speaker, I appreciate having the opportunity to put some remarks on record with respect to Bill 5, The Mental Health Amendment Act.

We were chastised by the Minister of Health (Mr. Orchard) and the government House leader (Mr. Manness) for not directing remarks to this bill. There seems to be an assumption on the part of the Minister of Health that this bill had the approbation of all members of society and all those involved in the mental health community.

Mr. Speaker, that clearly is not the case. There are, clearly, some significant points of confusion, significant differences of opinion with respect to the implications of this bill on people in the province of Manitoba, both individuals and families who unfortunately might come under the purview of this act.

I think it is important that this Chamber review the amendments to the, I think it was, 1987 Mental Health Act Amendments, a major rewriting of The Mental Health Act, which was done in a consultative way with the mental health community, with those involved both in providing services and those with family who have or are suffering from some form of mental illness.

Mr. Speaker, these are difficult issues. I respect the fact that much of what is contained in this legislation is designed to improve the

circumstances for those who suffer from mental illness and those who have family members who are currently suffering or have suffered from some type of mental illness.

Mr. Speaker, perhaps if I could start by saying that this particular piece of legislation and implementing this legislation is difficult because of the nature of the problem we are attempting to deal with. Mental illness is a serious problem. The forms that mental illness takes create a dilemma for professionals who treat mental illness, for the families who suffer along with people who experience mental health problems, and the disease itself creates problems for legislators who try to cope with all of the demands of society, the family, and the individual, in creating legislation that is workable.

(Mrs. Louise Dacquay, Deputy Speaker, in the Chair)

Madam Deputy Speaker, the original amendments to The Mental Health Act were introduced to really resolve a number of problems. They were introduced to resolve a problem with respect to individual rights, because we are all aware in this Chamber that individual rights have been abused as a result of mental health legislation both here and in other jurisdictions across the country and around the world.

It is only in the recent past where the true nature of mental illness has begun to be understood. I say begun, Madam Deputy Speaker, because no one to date completely understands the vast array of mental illnesses that confront us and confront health care professionals. Diseases, mental illnesses, such as schizophrenia, paranoia and depression, are only beginning to be understood.

* (1430)

There are very few certainties when it comes to the treatment of people with mental illness. We have designed for ourselves an onerous task. We have said we are going to create a mechanism for assisting people who have mental illnesses. We are going to design a mechanism that will provide support to families of people who suffer from mental illnesses. We are going to design a method of ensuring the public safety when it comes to protecting the public from people who suffer from one or another form of mental illness. Finally, we are going to create a system where the person suffering the illness does not, him or herself,

become a victim. Madam Deputy Speaker, that is not an easy task.

I, at one time, was a school counsellor and have had an opportunity to work with individuals, particularly young people who are suffering from mental illness. Over the course of my experience, Madam Deputy Speaker, I also had an opportunity to work with many professionals, mental health care professionals, in dealing with the variety of symptoms, the variety of situations, in which both illness sufferers and families find themselves in the course of an episode of mental illness. I say that simply to indicate that what we are trying to do here is going to create its own set of problems, because there are no simple answers. There are no simple solutions when it comes to dealing with these kinds of problems.

Madam Deputy Speaker, the Minister of Health (Mr. Orchard) indicated when he introduced this legislation for second reading that the amendments were really only to clarify and make more workable the previous mental health amendment. Well, as we go through this legislation, we find that some of the suggestions that are being made by way of amendment are going to create their own set of problems. I think we want to take some time to talk about whether the course that is being recommended by this legislation is, in fact, the direction that we want to take.

I would intend to talk more specifically about some of the provisions in a moment, but I want to say first that, in general, the amendments that we are seeing here are not going to address the fundamental dilemma facing the families of people who suffer from mental illness or the sufferers themselves, because I guess the objectives of everyone involved in the treatment of mental illness is to provide a quality and a level of mental health care that serves the patient and serves the society as well.

Madam Deputy Speaker, one of the dilemmas is trying to decide how and under what conditions people who suffer from mental illness can remain in their home, can remain in their community or must of necessity be institutionalized, and it is not clear from these amendments how we are going to address that balance.

This government is now introducing its fourth budget. They have had the opportunity to prioritize their spending both in the Manitoba Health Services

Commission and the Department of Health to indicate a greater level of support for those who suffer from mental illness, particularly in rural and northern Manitoba.

I want to go on record as saying that my community, the community of Flin Flon, is one of those communities that unfortunately offers very little by way of service to those with serious, acute mental illness problems. Madam Deputy Speaker, there are no acute psychiatric beds available in the immediate area. There are no psychiatrists resident in my community or for that matter resident in most of the communities outside of the city of Winnipeg. We have in Manitoba two institutions where, if required, people can go to protect their own health and well-being and the health of their family or community. There is a dearth of resources available to thousands, certainly thousands of Manitobans in the general population who suffer from one or another form of mental illness.

In the last six months I have written a number of letters to people in the Mental Health division, to the minister himself regarding services that are being made available or should be made available, I should say, to people in northern Manitoba.

Madam Deputy Speaker, I am aware of individuals in northern Manitoba who suffer from severe depression, from manic depression, who have absolutely no acute care available to them should they suffer from an episode of depression. In fact, the only recourse is for the family or a caring friend to assist by transporting that individual to facilities in Saskatoon or the city of Winnipeg—or Selkirk, I should say. I do not think that is acceptable. We continue to hear from the government and from this minister that mental health is a priority, that providing services, more adequate and appropriate services to people who suffer from these kinds of illnesses is a priority. We have yet to see it, certainly in rural Manitoba.

My colleague, the member for Dauphin (Mr. Plohman), talked about the Taj Mahal, the psychiatric institution that is being constructed in the city of Winnipeg. Madam Deputy Speaker, I would be the last to suggest that if that facility is constructed that it will be utilized, but I would be the first to say that it should not be the first line of defence in the treatment of mental health. I think there are many, many in our community, people who are involved directly or indirectly in mental

health issues, who would argue that the need for services outside the city of Winnipeg is great and is growing greater as we speak.

Madam Deputy Speaker, I know that in Flin Flon, for example, the community residents have taken it upon themselves to organize, to attempt to provide support to people who suffer from mental illness. That support can only be provided in a nonprofessional way. There is a growing mental health support group in the community, and they have formed recently a chapter of the Manitoba Mental Health Association.

Madam Deputy Speaker, these steps, however, are interim steps and should not be confused with a real plan of attack on the part of mental health care workers or the government of Manitoba. I think that is what we need. I think we need to make sure that where there are people willing to spend time and energy supporting individuals who suffer from mental illness, that we should have also a government plan, a government strategy, a strategy from the Mental Health division of the Department of Health, to help these people and offer assistance when clearly the problem has gone beyond what nonprofessional individuals can provide by way of help.

The problems that are being experienced in Flin Flon and outlying communities, whether it is reflected in suicide statistics, aggression, abuse, are only the tip of the iceberg. The fact is that we do not have very good statistics when it comes to the real ramifications of mental illness in the province of Manitoba. I think it is obvious to everyone in this Chamber that the statistics that we do have certainly are not particularly reliable when it comes to the problems being experienced in outlying, remote communities.

* (1440)

We should never kid ourselves. Just because we do not hear of the mental health problems that are being experienced in isolated communities, we do not see the violence that is inflicted on family members, we do not see the self-abuse, Madam Deputy Speaker, we should not kid ourselves that it does not exist. The fact is that there is no Free Press reporter on the scene to report that kind of unfortunate incident, but it does occur and it occurs on a too frequent basis in many of those communities.

Madam Deputy Speaker, there was a report very recently on the incidence of youth suicide in the province of Manitoba. I recall approximately a year and a half ago, one single community—one single community—in the province of Manitoba, a northern remote community, reporting six youth suicides in one year.

Now, I know it is never going to be possible to identify the underlying illness, the underlying reasons for those suicides. I do not know that it is going to be possible to identify in any specific way whether there was something concrete and tangible that could have been done to prevent those suicides.

I do know that until we get people who have some expertise in those communities, even on an itinerant basis, we stand no hope of relieving these communities of that kind of tragedy. Suicides and so forth are going to happen, and how many are a direct result of some lingering or chronic mental illness we will never know until we get the resources that we need into those communities to do a mental health survey, if you will. It is something that I think the government should be thinking about doing.

However, I will leave that for the moment, Madam Deputy Speaker, and simply say that if the government is concerned as it says it is with mental health services, there are areas of the province where residents certainly feel at the present time that they have no access. They do not know where to turn when they or one of their family members are experiencing a mental illness episode.

However, I wanted to speak for a moment about some of the specific concepts mentioned in this particular bill, Bill 5, the amendments to The Mental Health Act. One of the issues that I mentioned in my earlier remarks was the question of admission. Who decides—under what circumstances is it decided that someone will be admitted against their wishes, against sometimes the wishes of their family, to an institution?

Madam Deputy Speaker, this bill I think attempts to clarify the process to ensure that the individual rights of that patient are not undermined unduly. I know that the Minister of Health (Mr. Orchard) has a serious problem on his hands when it comes to conflicts between The Mental Health Act and perhaps the Charter of Rights.

As an example, I know that the Department of Health has from time to time been taken to court over

its admissions policies and admissions practices by individuals seeking some protection under the Charter of Rights. I say that to recognize the fact that the admissions policy, regardless of how restrictive it is or how thorough in fact it may be, it is going to run into problems from time to time based on individual perceptions that their rights are being violated in one way or another.

I wanted to also make it clear that one of the things that people who have suffered from mental illness, people who have been institutionalized under the provisions of The Mental Health Act, have been saying for a long time is that there has to be a mechanism to ensure an appropriate appeal process, to make sure that whatever appeal process is put in place is both understandable and accessible from the patient's point of view. It is not good enough to have an appeal process where only the interests of the institution or the psychiatric profession are represented. That is one of the issues, I think, that needs to be addressed more clearly in this bill.

Madam Deputy Speaker, I think there are two sections in this legislation that attempt to address it, but I am not satisfied that they address it clearly enough. One of the sections of the bill deals with the right of certain patients to refuse treatment. Again, we are talking about a situation where judgment ultimately determines whether a person can refuse a treatment or not. That judgment is going to be provided by an attending physician, a psychiatrist, but it is nevertheless a decision with a tremendous set of implications for the individual patient.

Madam Deputy Speaker, the second requirement in the legislation is something that I think certainly members on this side will accept readily, and that is the requirement that where treatment is to occur without consent that detailed records of that treatment be provided.

Now, Madam Deputy Speaker, there is a celebrated case in Canada with respect to treatment that is provided without the knowledge or consent of patients. We are all familiar with the case of Val Orlikow, who underwent psychiatric treatment without her consent, without her full knowledge of the nature of the treatment or its likely result. These two things put together, the acceptance of the principle that a psychiatric patient, even though he lives with the label "psychiatric patient," still may in

fact be capable of determining for him or herself whether he or she should receive treatment and what treatment that might be.

The second principle, which I think is even more important, is that if treatment is provided under the authority of this act that that treatment be detailed and the doses, the kinds of medicines that are provided, the circumstances in which that treatment is provided, be detailed for the record because it is, I guess, totally unacceptable to most people, or it should be, to have someone treated against their will and have no legal recourse should that treatment turn out to be ill advised.

Madam Deputy Speaker, the unfortunate facts of the matter are that the public record shows that in many, many instances those who are treating people with mental illnesses have in fact abused the physical and the mental rights of their patients. The uncontrolled use, the inappropriate use of electric shock treatment is only one example.

Of course, a person that is in an institution with no support, no immediate family support, has no recourse to redress wrongs that are done in an institution, because they have no records. This provision will ensure, hopefully, that if treatment is provided that is unnecessary, if the treatment itself becomes worse than the disease, that the patient will have some recourse. The institution and those attending will have some responsibility to the patient, and it seems to me that is an important principle, Madam Deputy Speaker.

Another issue which is raised by this legislation is the question of voluntary patients. I think that many, many in the mental health community are going to have some serious reservations about the provisions that are found in the section covering the return of voluntary patients to a facility.

Madam Deputy Speaker, the medical profession, the mental health care givers in the province have historically encouraged people to voluntarily admit themselves to psychiatric institutions when they the patients felt that it was necessary. The difficulty, of course, for voluntary admissions is not getting in for treatment, or being accepted in the main, but in getting out, in being discharged from that institution.

Although I recognize that this amendment is an attempt to clarify the process for the return of patients, I am still concerned that what we may end up doing, rather than protecting individuals or, as the act suggests, protecting the individual from

himself, or the individual from the community, is that we may, in fact, be inadvertently discouraging self-admissions. We may, in fact, be discouraging it because of, I guess, the potential for mistakes, changes in status, as has been suggested.

* (1450)

We have to know, and the patients have to know, that if they admit themselves voluntarily they have the right to discharge themselves voluntarily; and that, if that right is going to be taken from them, there is a process in place that protects them, whether or not they are currently capable, in the view of mental health professionals, of making the appropriate choice.

Again, we are dealing with a very difficult area in law. We are dealing with an area where it is very difficult to paint things as black or white. It is difficult for anyone, even the most experienced psychiatrist, to delve into the human mind and know whether there is any real insight into important personal questions. We are dealing with best guesses in most instances, and when that starts to happen, you always have to worry about the rights of the individual, you always have to worry about overriding individuals' rights as a result of institutional concern or societal concern.

Again, Madam Deputy Speaker, it is a difficult balance, we recognize that. However, in reviewing this legislation, I think certainly members on this side and our Health critic want to be abundantly careful in coming to conclusions about what the impact of these amendments is going to be. These are important questions, and the only way to know—perhaps not know, perhaps we can never know—but the only way to increase the level of certainty is to consult as broadly as possible with health care professionals and those who have been or are affected by the provisions of this act. In other words, we have to consult very broadly before we rush to introduce amendments to The Mental Health Act to solve problems that exist because, in doing that, in rushing in that way, we may actually be creating more problems for the institution, the professionals in the field, and the patients ultimately.

Madam Deputy Speaker, the other area that this bill is addressing deals with confidentiality provisions. Again, because of the stigma that is attached to a diagnosis of mental illness, these provisions are very, very important.

Again, I am familiar with an individual, again from the community of Flin Flon, who publicly acknowledged that he had suffered and occasionally suffered from severe depression, a mental illness. I would like to report that that disclosure had no impact on the way he was perceived or the way he was treated by individuals. Unfortunately, I do not think anyone could report that kind of statement.

The fact is that mental illness still retains significant stigma, that people who are viewed as being mentally ill, people who have periodic episodes of mental illness, whether it is depression or schizophrenic episodes, are viewed as different, as potentially dangerous.

The importance, I guess, of confidentiality in dealing with mental illnesses is paramount. What we are talking about in this particular piece of legislation, I think, is the right of an individual to a) access their records and b) to correct the record or attempt to correct the record if they feel that their confidential records are somehow in error. I think it is a good idea, and we only hope that the process of correcting the record can be made in such a way that allows not only the individual patient but perhaps other practitioners, mental health practitioners, to also attempt to correct the record because there is very little certainty in the diagnosis of mental illness—very little certainty.

Two individual psychiatrists may come to very different conclusions about the degree to which someone is affected by a mental illness, about the degree to which that mental illness affects the ability of the individual to conduct his daily life, the degree to which that individual is likely to present a danger to himself or herself, the degree to which that individual is likely to present a danger to the community, so you have the same individual presenting the same symptoms with very differing diagnoses.

The right of the individual patient to correct the record, should a diagnosis be present in his record, is extremely important. I know that most members in this Chamber, and probably most individuals, have heard or followed individual cases where remarks left on the record by a psychiatrist, the diagnosis left on the record, have affected dramatically individuals' lives, dramatically, because clearly there are many professions, for example, there are many occupations,

occupations, circumstances, where a person's health records become part of the review for employment. When you consider the degree of difficulty there is in diagnosing mental illness, the degree of error which occurs, you recognize how important it is to be able to correct the record.

Now this, of course, is true of most of our records. You could talk about school records, employment records or anything else. It would always be nice to be able to correct the record, but because of the stigma that is attached to mental illness when it comes to employment opportunities and the ability to get visas to go to other countries, to travel to other countries, the implications are quite astounding and quite serious.

The inclusion of new provisions to allow mental health patients to correct the record is important. It is important for a lot of reasons, so we will, I think, Madam Deputy Speaker, be looking to consult with those who have been or may be affected by this particular amendment and trying to ascertain whether the amendment proposed by the minister is going to resolve some of the problems that remain in The Mental Health Act with respect to confidentiality and the rights of patients to correct the record.

Madam Deputy Speaker, the only other section that I wanted to talk about was the treatment decisions by other section which deals with the right of the patient to refuse psychiatric and other medical treatment when that individual is deemed to be competent to make those decisions.

I said earlier that because of the vagaries involved in defining mental illness and determining how dangerous one individual is to himself or others, that decision had to be weighed very carefully. Clearly there are going to be incidents when an individual does not believe that he should or she should require treatment. It then falls to the health care professionals, as required by The Mental Health Act, to make that decision for that person. That is the most difficult circumstance of all for the individual and for family members.

* (1500)

We have a situation where an individual believes himself capable of making his own decisions with respect to treatment, a professional who believes otherwise, and we have a decision to make. What we need to do, and I would recommend, and perhaps others will recommend, that the process of

determining competency will not be left at the sole discretion of an individual and that there be an appeal mechanism, an informal appeal mechanism perhaps, of ensuring that the patient's interests in all of this are protected.

We now have a situation where a patient is assessed, it is determined that he is not competent, despite his own objections and feelings to the contrary. Now we have to make sure that the next step in the decision-making process respects the inherent rights of the patient. I am not sure that the current amendments satisfy the interests of the patient to the extent that is possible. I guess what I would like to see and perhaps many would like to see is a much more rigorous requirement for the involvement of the patient's family, spouse, friends, et cetera. I think it is important that when an individual's competency is being questioned, when treatment decisions are being made, that we not leave it to the sole discretion, the unchallenged discretion of psychiatrists or doctors in every case.

I think that we may need and it may be useful for everyone involved to get the benefit of an outside opinion, an opinion that comes from those who may ultimately be responsible for the care of that individual should he or she not be institutionalized, which apparently and hopefully is the goal of all of our care.

Madam Deputy Speaker, the amendments which are being introduced, in the main, I think are positive. There are many that will receive the support of the majority of the members of the Legislature, but there are some which raise some questions.

I want to assure the Minister of Health (Mr. Orchard) that I and others will be contacting our interest groups in our communities to get their thoughts on the proposed amendments. I want to assure the minister that where the amendments warrant support, they will receive support; and where, in the opinion of members on this side and the opinion of the groups that we consult, there are need for improvements, there will be improvements.

(Mr. Speaker in the Chair)

Having said that, Mr. Speaker, I am prepared to support much of what is presented and look forward to the comments of my colleagues and perhaps members opposite on the strength of the document that is before us today. Thank you, Mr. Speaker.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for St. Johns (Ms. Wasylycia-Leis).

Bill 6—The Mines and Minerals and Consequential Amendments Act

Mr. Speaker: On the proposed motion of the honourable Minister of Energy and Mines (Mr. Neufeld), Bill 6, The Mines and Minerals and Consequential Amendments Act; Loi sur les mines et les minéraux et modifiant diverses dispositions législatives, standing in the name of the honourable member for Point Douglas (Mr. Hickes).

An Honourable Member: The question stands.

Mr. Speaker: Stand. Is there leave that this matter remain standing? Leave? Agreed? Agreed and so ordered.

SECOND READINGS

Bill 20—The Animal Husbandry Amendment Act

Mr. Speaker: Bill 20, The Animal Husbandry Amendment Act; Loi modifiant la Loi sur l'élevage, the honourable Minister of—

Hon. Clayton Manness (Government House Leader): Mr. Speaker, the minister has been detained in his office. I wonder if there might be a willingness of the House to revert back to Bill 20 when the minister joins the House.

Mr. Speaker: The honourable government House leader, I believe, has the right to call the bills in any order that he chooses.

At this time the honourable government House leader did indicate that he wanted Bill 20 called up third. Would you rather now call it up last?

Mr. Manness: Yes.

Mr. John Plohman (Acting Opposition House Leader): Mr. Speaker, the House leader had indicated he was calling Bill 20 after Bills 5 and 6 and because the minister was unable to introduce it at this time he is changing the order. However, I do not know that necessarily means it has to be the last bill called.

I would appreciate if it was done a little bit earlier, if the House leader would consider it, because I was anxiously waiting to hear the introduction of the bill. We do not have any other speakers on the bills that are on the table at the present time, Mr. Speaker.

Mr. Speaker: There appears to be a willingness to call Bill 20 shortly.

DEBATE ON SECOND READINGS

Bill 8—The Vital Statistics Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Family Services (Mr. Gilleshammer), Bill 8, The Vital Statistics Amendment Act; Loi modifiant la Loi sur les statistiques de l'état civil, standing in the name of the honourable member for Wellington (Ms. Barrett).

An Honourable Member: Stand.

Mr. Speaker: Is there leave that this matter remain standing?

An Honourable Member: Leave.

Mr. Speaker: Leave. Agreed.

SECOND READINGS

Bill 20—The Animal Husbandry Amendment Act

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I move, seconded by the Minister of Natural Resources (Mr. Enns), that Bill 20, The Animal Husbandry Amendment Act (Loi modifiant la Loi sur l'élevage) be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Findlay: Mr. Speaker, The Animal Husbandry Amendment Act, Bill 20, is doing some housekeeping amendments to the act since the act was last introduced to the House in 1987. The act consists of seven different parts.

I will identify three different parts that we are going to make some amendments to, basically in response to some concerns that people at large, particularly the UMM and the Manitoba Association of Urban Municipalities had about the act, the way it was introduced by the government of the day back in 1987. I guess it is another bit of evidence where they did not consult with people before they went ahead and put a bill in place. -(interjection)- The member for Dauphin (Mr. Plohman) now understands what we are talking about.

In Section 1 of the act, we are changing the definition of animal and poultry so that the definition clearly represents that we are talking only about

livestock that are used for agricultural purposes and not talking about pets, neither dogs nor cats nor, I guess we might say, fowl that are used for recreational purposes or the fancy flocks that really are not for agricultural purposes but are for hobby uses.

In Section 2, we are removing Sections 35 to 38. Those sections required that damages had to be paid to people who actually experienced some damage to their animals or poultry by animals and the compensation had to be given by the municipality. We are deleting this entirely, because the truth of the matter is animals or birds can have private insurance to cover those kinds of damages. So the fact that the act allows for compensation when an animal is killed on the road or killed by a dog is really not necessary.

The municipalities clearly did not want that responsibility to determine the value of the loss and then in turn compensate for that loss. As I said, those kinds of compensations were available through private insurance. We clearly agree with them, so we removed those elements from the act.

I guess I would have to also tell the House that there was a fair bit of consultation with UMM officials and with MAUM officials. We also talked to the Manitoba Cattle Producers' Association, the Keystone Agricultural Producers, and all of those are very strongly in favour of the information I have just given to the House in regard to the changes to the act.

* (1510)

The Manitoba Sheep Association has a fair bit of concern about dogs and stray dogs killing their sheep. The act does still contain, and this section was not changed, the act still contains the ability for any livestock owner that if a dog is destroying their sheep or any other animals, they have the right to destroy the dog. That right exists. It was in the act and it remains in the act; so sheep producers are covered both from that aspect of the act. They can destroy a dog that is killing their sheep, or they have the right to compensation through private insurance.

We have had considerable consultation with all those groups, and I think it is fair to say that there is a very strong consensus that these act changes need to be done and should be done. It makes the act much more operational for municipalities and for livestock producers. The municipalities can under

The Municipal Act develop by-laws to handle stray pets and dogs and cats, so there is no need for that aspect to be in this act. It presently allows them under The Municipal Act to develop the by-laws to deal with dogs and cats.

One other aspect, Mr. Speaker, to the bill that we are asking it be introduced at this time is that technology does change over time. We are asking in Part 3 that some changes be done to include electronic identification as a means of branding livestock or animals. State of the art—today's technology allows electronic identification—is being developed and probably will be a fairly significant means of identifying animals in the future. We are asking that this be added to the act so that in the future if regulations need to be developed around electronic identification, it can be done under the auspice of this act without any further amendments. It will also give an opportunity for clearly defining the roles of inspectors under the act with regard to branding and/or electronic identification. It will allow for the procedure of collecting fees and developing cost recovery, if needed, for administering that part of the act.

So, Mr. Speaker, those are the main elements of the act in terms of the bill that we are introducing here today. It is a changing of the definition of animal and poultry to exclude pets. It is the removal of the requirement for municipalities to determine level of damage and compensate for those damages, and it is adding the aspect of electronic identification under Sections 41 to 63 with regard to the regulations for branding.

I strongly recommend to the House that this bill be approved by the House. It does have the support of the, say, Union of Manitoba Municipalities and also Manitoba Association of Urban Municipalities and the farm organizations of the province of Manitoba. It will streamline the act and allow it to deal strictly with agricultural animals and take away some of the onus that had been put on the municipalities in the previous act that had been brought in, in 1987.

Thank you, Mr. Speaker.

Mr. John Plohman (Dauphin): I just wanted to ask a question, if I could, of the minister before moving to, well, have a speaker on it. I have a question of the minister, Mr. Speaker.

Mr. Speaker: Does the honourable member for Dauphin have leave to ask the honourable minister a question?

An Honourable Member: Leave.

Mr. Plohman: Thank you, Mr. Speaker, for granting—members for granting leave. I just wanted to ask the minister if he could clarify, because I do not have the main act in front of me and perhaps it is not clear if wildlife that is domesticated falls into the definition of animal under this act, and comes under the jurisdiction of this act; such as buffalo, for example, and perhaps others. Is this under The Wildlife Act?

Mr. Findlay: I do not have the definition of animal specifically in front of me either, but I will find out for sure. My intuition tells me the buffalo, since it is domesticated, is included in the definition of animal under this act. Any other species I am not clear on, but buffalo definitely is domesticated for the purpose of agriculture. I am positive it will be in, but I will get the definitive information for the member.

Hon. James Downey (Minister of Rural Development): I rise, Mr. Speaker, to speak. Just to make sure I keep track of my time, I want to—(interjection)—well, the members opposite again want to take lightly a very important part of the economy of this province, that, of course, being the livestock industry.

Before any industry can carry out the normal activities, it has to have the protection, the normal protection of the Legislature as it relates to creditors, as it relates to anything that would in fact discourage producers from being involved in the production of livestock.

Mr. Speaker, I want to make it very clear that the whole process that we are going through is extremely important to the industry and one which I am pleased to stand and speak on. I want to speak, as well, as the Minister responsible for Rural Development.

As my colleague, the Minister of Agriculture (Mr. Findlay), has clearly indicated, this has been supported by the Union of Manitoba Municipalities, has been discussed with them and again a commitment of this government—not like the NDP who would move unilaterally in most cases, this has been discussed with the Union of Municipalities and generally supported by them. I think it is important to put that on the record.

Bill 20, Mr. Speaker—and I want to talk about the livestock industry in Manitoba. I heard the member for Flin Flon (Mr. Storie), formerly from Baldur, who had some good rural roots and has good rural roots and, unfortunately, there happened to be something that distorted his thinking as he was developing in life and got into the NDP philosophy. One cannot hold that against him to too big a degree, but one has to bring into context the importance of the livestock industry. I am going to do that. I am going to do that because it is extremely important.

(interjection)—I will speak to the bill, and I will speak to the amendments. —(interjection)— Yes, it is. The livestock industry is extremely important to the economics of this province, and this bill is directly related to the support of the livestock producers and the protection of the product which they produce. So, Mr. Speaker, let it not be said by the member for Flin Flon that this is not an important bill and protection for livestock producers and poultry producers in this province.

Point of Order

Mr. Jerry Storie (Flin Flon): Mr. Speaker, the member for Arthur (Mr. Downey) is attempting to put words in my mouth, saying I did not support the livestock industry. What I said was that this government has no agenda. Now they are going to waste another full day of the Legislature's time debating and talking on an amendment that is really quite an unfortunate waste of time for all of us.

Mr. Speaker: The honourable member for Flin Flon did not have a point of order. It is clearly a dispute over the facts.

* * *

Mr. Downey: Mr. Speaker, it was the members opposite, the other day they tried to grandstand when there was a group of my constituents in here, tried to get an emergency debate on the floor dealing with agriculture for their own political purposes. Now he is trying to say, when I want to speak on an agriculture matter, he wants to deny me that privilege and that opportunity.

Mr. Speaker, shame on the New Democratic Party for not wanting to debate agriculture in this Legislative Assembly when we have the opportunity to do so.

The reason they did not want to speak—that they wanted to delay the other day was twofold: one is

to grandstand to a group of constituents; secondly, was because they wanted to delay the introduction of Bill 33. Mr. Speaker, need I say any more?

Mr. Speaker, let us deal with how important the livestock industry and the protection of the livestock industry is under Bill 20. Agriculture today has, and I say this particularly in the area which I represent, the producers have gone under severe economic pressure and strain due to mainly two main problems: one is continued drought; secondly, a depressed price for the grain industry.

* (1520)

Mr. Speaker, I say thanks to those producers who have seen fit to diversify their agricultural production units to both the livestock and the poultry industries, although very restricted as to what they can get into in the poultry industry because of the regulations in marketings boards, but at least it is an opportunity to continue to enhance and develop an industry and diversify an industry that so desperately needs it. This kind of bill, this protection that they get from predators, particularly from tame or neighbouring dogs and animals that would cause problems, is important.

Let me point out how important the livestock industry is. We would have, particularly as it relates to the southwest part of Manitoba and I am sure the member for Interlake (Mr. Clif Evans) would agree with me because there are some similarities other than usually the moisture conditions are somewhat different, but we are usually based on pretty much of a diversified soil types and the need for the use of livestock to take advantage of some of the more marginal ends and the kinds of incomes that do not traditionally come straight from the grain industry.

I say, Mr. Speaker, in 1977 to '81, I had the opportunity to be Minister of Agriculture. Those days compared to today, I have to say for a Minister of Agriculture, were somewhat better. I will admit that the days, previous to our coming into office, with the previous NDP government were somewhat strenuous on Ministers of Agriculture because from about 1981 on, we saw some very difficult times develop in the agricultural industry, both with the inflationary costs of everything a farmer had to buy and continued pressure on those things that they had to sell.

I was of the mind in those particular days that one should encourage increased livestock production. I called for the doubling of hog production in this

province, and over a period of some 10 to 12 years that in fact took place. The value of the hog production industry in Manitoba today is something like \$250 million. Yes, we have seen some difficulties in our packing house industry, but at least we still have a packing house industry as it relates to the hog industry.

Mr. Speaker, if we do not continue to encourage the diversification of our agricultural base, then we will have no job opportunities in the packing house industry, no job opportunities in the feed mill industry, no job opportunities in an area that is a natural advantage to this province, and I believe, whether it is Bill 20, when we are encouraging people to protect or the government is bringing in legislation to further enhance and protect livestock and poultry production, then I think we should all be prepared to speak to it.

I, Mr. Speaker, am extremely troubled, and I say that at this particular time, because I believe what is in particularly some of our farm communities is a far greater devastation than one would have thought several weeks and months ago. I am seeing a group of farmers who are continually coming to me in the last few days, even though there had been some proposed changes which have to be agreed to by the federal government, as it deals with the recently announced GRIP program, who still continually say to me, the program still does not cover what they thought it should cover.

I am not critical of them for coming forward. In fact, I am continually trying to press and find ways which may in fact enhance and give them the kind of comfort and coverage they need, but I have come to the realization that it is an extremely short-term, short-cash position that they are in, that they are faced with the banking industry, faced with those people who would normally give them credit probably saying no to those individuals.

Mr. Speaker, we have a very, very difficult situation facing many of those young people, and the alternatives are difficult, the options are difficult. I know that there are some people in the community which I represent, and I again go back to Bill 20 and to the livestock industry, who have in fact been able to maintain a fairly good livestock herd, been able to produce some, but not a lot of poultry, and very few sheep producers.

It appears to me that those people who have been able to maintain and to foster and husband a

livestock unit within their farm operation have been able to at least keep their head even with the commitments that they have made and to make the payments that they have committed themselves in their farm operations to, but, Mr. Speaker, there are a group of individuals out there who have had a shortfall in production, they have had a shortfall in moisture and now, when it comes to meeting their financial commitments, they have a shortfall and are faced with absolute frustration, pressure and are having a difficult time coping with it.

I want those constituents of mine to know that I have not forgotten about them, and we as a government have not forgotten about them. I can tell you that I have probably had the most troubled time and concern over the last two months that I have had since I entered politics in trying to deal with the concerns of individuals. As I said earlier, and I will say it again now, the answers do not come easy. We are trying to I think resolve to the best of our ability some of the short-term problems with long-term solutions. Mr. Speaker, there are individuals who may not get to that longer-term position.

So what are the options? Well, I have asked, and I will continue to ask, for other action to be taken as it relates to some short term solutions, and I know that the federal government is working on certain options. I know that closer contact has to be made with some of those individuals—and I plan to try to do that—to try and assess on an individual basis what some options may be. It certainly is not going out to borrow more money to further dig them deeper into debt. It is to try and enhance and encourage some sympathetic approach to making some positive changes to their crop insurance coverage, which does not come by the snap of your fingers but, I believe, should be through a committee of farmers.

There should be a committee of farmers established to make recommendations as to how to make those improvements. But, Mr. Speaker, what the long term has to be is a move to greater returns through, whether it be GRIP programs, and price support, whether it be to try and enhance the understanding of the consuming public to try and make sure that they are ever mindful of the deepening difficulties that our producers have, and continue to give us the support that is needed through a tax base to give the kind of relief needed; that the need for a sympathetic banking industry and

the need for a sympathetic ear at the government lending agencies is extremely important and crucial; that we work together to try and utilize some of the more marginal-type lands that do not have the capabilities of producing some of the grains as they do in more highly productive soil zones; that we work for an enhanced multiple use program for that land with both wildlife conservation, grazing programs, which have been embarked upon by the Departments of Agriculture, Natural Resources.

* (1530)

I would hope they would be enhanced and brought forward not only to work on the principle of conservation, not only to work on the principle of what is right to do for the environment, but to provide some forms of cash support for those farmers who are trying to earn a livelihood on lands that are less capable of crop production than what some of the better soil zones are.

Mr. Speaker, the point I am trying to make in speaking to Bill 20 is that we truly do have to work without underestimating how important it is to maintain that farm base. I say this, and I say it very seriously, that the longer-term answer, I believe, not only is to increase the market prices for the grain industry, for the livestock sector, but it is to expand into greater areas of opportunity and diversification through our livestock and poultry sectors. If we do not, we will continually see the erosion of that basic unit of the family farm, which has been such a tradition and such an important instrument and component part of our rural and our community lives.

Mr. Speaker, the member for Crescentwood (Mr. Carr) asks for some solutions. I believe there have been some positive initiatives put forward, and I am not underestimating the commitment that this government has put into the recent agriculture program.

Let me say seriously that I think there have been some problems in understanding and certainly, as I have been told, it is to try and get support out there. There has been an urgency, a pressure, on the delivery mechanisms, whether it is crop insurance, whether it is the Department of Agriculture, to get this program out. There has been an anxiousness on the staff and pressure to do it. There has been probably some lack of understanding as to what kinds of solutions. I do believe there are some solutions there, not all. It does not answer all.

The real solution lies with the international marketplace returning to the norm, which I would say would be paying producers for what they legitimately produce and put to that marketplace without interference of the major treasuries of the major countries of the world, like the European Economic Community and the United States getting involved in the marketplace and pressuring our markets to such a low level. The answers do not come easy. The answers are very difficult, and there are major pressures being applied, but we cannot quit working toward trying to get the marketplace to return what is fair and adequate to those individuals and those producers.

-(interjection)- The member again for Crescentwood asked me how we are going to handle the open border. I think we clearly have to understand what is happening with the open border or the proposed open border. As I understand it, before any product can come into this country, wheat particularly, it has to have an end user certificate. It has to go to a mill, a designated mill.

Mr. Speaker, let me put something else on the table, that at this particular point, and my producers were asked about it the other day when they were in here, and one producer said, just give me the opportunity to market my wheat into the United States, because the wheat in the United States is of higher market than ours is right here. In fact, we have been continually criticized for the amount of durum wheat production that has been going into the United States, because it is commanding a higher price than what they can get for it here. On a one-on-one price comparison, as I understand it, I believe there will still be a lot greater market in the United States at a higher price for Canadian product than it is right here.

Let me again give another example to the member for Crescentwood (Mr. Carr). I personally am involved in a small way in some grain production. Mr. Speaker, today, right today, because the grain that I produce was fall rye, the grain that is produced today, because fall rye does not fall within the Canadian Wheat Board jurisdiction, that product right today commands a far greater price in the United States than it does here in Manitoba.

I do not fear the way the member for Crescentwood does, as was projected in the headlines of the Free Press, I do not fear a major erosion of our prices in this country. I am going on a pretty practical type of approach, but it is my

understanding that today we would probably command a greater return from our farmers going to the United States than what they would ever get into here. What I am saying is, our market is not higher than the United States, and I do not see what a lot of people fear as being flooded with grain. There is a protection mechanism, as I said, with the end user certificate that would have to go along with any product coming in. So it may in certain regions of the country cause some difficulties, but as I say, as it relates to Manitoba, I believe we will still be in an export position to U.S. markets.

Bill 20, Mr. Speaker, as indicated by the Minister of Agriculture (Mr. Findlay), I believe will address the concerns that the municipal corporations brought forward. I believe it does provide for the protection of livestock and poultry as it relates to the kinds of areas we want it to cover and is supportable in that regard. I do not want to underestimate how important it is to remember the concerns of the farm industry today, and I say that very seriously, because I am sure that every member sitting in this House has farm people who are under extreme pressure, under extreme pressure because of the price which they are expected to receive for their product and the costs of what it takes to produce those products. The answers are not easy.

One of the longer-term solutions that I have seen in practice, Mr. Speaker, has been again those individuals, those farm people who have had the ability to diversify their operations to produce several products on that farm so that they have in fact a form of their own insurance. In fact, I can remember many, many years of having to milk cows and having to help produce the turkeys and the chickens, and I note the member for Swan River (Ms. Wowchuk) shaking her head in a positive way. That was the insurance that we were able to have.

I do not expect people to go back to that type of lifestyle, Mr. Speaker. I think it is something that, first of all, you would be hard pressed to do it, because you would need quota to do it, but I think we would certainly be well advised in the long term to try and continue to diversify the incomes of our farm community and improve, and I say that seriously, improve the mechanisms that are in place, whether it is crop insurance, whether it is the improvement in the recently announced programs that are supposed to be there, but I do not take lightly the numbers of people out there who in fact are extremely concerned and under pressure.

They have family members who cannot understand why they are not able to do some of the things that other people in society—and I do not believe it is fair to, Mr. Speaker, deny some of those people the opportunities that others in society have. So I can assure you, I am committed to try and make improvement where possible. I certainly do not have a monopoly on the ideas. I think collectively and listening to our farmers, we will have some ways shown to us that will in fact help, but the bottom line has to be that we were put in such a financial straitjacket by the deficits of the past 15—well, since 1981 to 1988—by the previous administration that our opportunities are very, very difficult to find.

Mr. Speaker, can you just imagine today, if we had the \$500 million in interest charges that are going to the banks in New York, that are going to the banks in Zurich and are going to all those bankers who lent us that money, if we had the \$500 million today, the kind of economic support that we could give to our farm community, Mr. Speaker.

I ask the members opposite, I ask the member for Swan River (Ms. Wowchuk), I ask the member for Dauphin (Mr. Plohman), I ask all those members when they are critical of the government for maybe not putting as many resources toward the things that they would like to see us do, be mindful of the financial straitjacket that they have put us in. I say that seriously. I am not saying it politically; I am saying it factually. They have put us in a straitjacket that makes it very difficult to put the kind of support mechanisms in place.

I will conclude my remarks by saying Bill 20, I believe, addresses the concerns that were brought forward by some of the municipal people who discussed them with the Minister of Agriculture (Mr. Findlay). I want to make it clear that I will be supporting this bill and hope that we can, through agriculture diversification, through support mechanisms, try to deal with the very difficult times that our farm community is facing. Thank you, Mr. Speaker.

* (1540)

Ms. Rosann Wowchuk (Swan River): I move, seconded by the member for Point Douglas (Mr. Hickes) that debate be adjourned.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 12—The Court of Queen's Bench Small Claims Practices Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 12, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the honourable member for Kildonan (Mr. Chomiak).

An Honourable Member: Stand.

Mr. Speaker: Is there leave that this matter remain standing?

An Honourable Member: Leave.

Mr. Speaker: Agreed.

Mr. Paul Edwards (St. James): Mr. Speaker, it is with pleasure that I stand today to address Bill 12 which comes before this House following upon Bill 8 from back in 1988 when this minister moved to first amend The Small Claims Practices Act.

That act, Bill 8, as it was in 1988, I welcomed and our party welcomed as an improvement on the existing Small Claims practice system, most notably because it expanded the jurisdiction of that court from \$3,000 to \$5,000 as an outside maximum amount of a claim that could come under the Small Claims practice.

However, at that time, I raised with the minister, and I have raised repeatedly since then, the notion that generally we should expand the court's ability to deal in a summary fashion with claims beyond \$5,000. I personally have recommended to the minister that we take it to at least \$20,000.

As I said, I raised that at that time. I have raised that repeatedly since because I believe that Manitobans are deeply desirous of having their day in court on matters in which they get into conflicts. The whole point of The Small Claims Practices Act is to give people that day in court without making the cost of litigation the decisive factor and that is the problem, Mr. Speaker.

We have a system in place, the Queen's Bench rules, for normal claims which is a fantastic system. It sets out all of the rules by which we get to the trial and have a trial and gives a lot of pretrial discovery. It is a wonderful system if your claim is a significant claim. If it is not, the other party can in a sense frustrate you by imposing costs on you which then

become the decisive factor for you in determining whether or not to settle that claim.

In other words, regardless of the merits, your opponent has the ability to frustrate your ability to get to court. That is a real shame, Mr. Speaker, because the whole point of our system is that justice not only is done but is seen to be done. A critical part of that is that the litigants feel that they have had their day to put their case in front of a neutral and qualified arbiter, that is a judge, who then renders a decision, and they live with that decision or they appeal that decision, but at least they have their opportunity to state their piece, give their evidence.

I have had some experience in Small Claims, Mr. Speaker. Most lawyers do in their articling year and in their first year or two at the bar when they go and represent litigants in Small Claims. I know first-hand the importance for litigants to feel that they have gone to court, pressed their case, and won or lost. In many cases, even if they lose, they leave the courtroom knowing that they had the opportunity, that they were listened to, and that is critical.

The problem we face today is that I would set it at \$20,000. I believe in B.C. they have initiated an economic litigation program, and I believe they have gone to \$20,000. I would suggest perhaps even higher—\$25,000 or \$30,000. Litigants should be able to go through a summary procedure, perhaps not as summary as the Small Claims procedure, but, by the same token, not as onerous as the full Queen's Bench procedure. That is an idea whose day has come, Mr. Speaker.

We have recommendations from the Canadian Bar Association that this be moved upon. The single most exciting initiative in this country, in terms of this process, is coming out of the Province of British Columbia, which instigated a flowing on their major Access to Justice Report, which was handed to their Minister of Justice some two or three years ago. They initiated an economic litigation program. They did not do it province-wide. They started with a pilot project, and it is somewhere in the lower mainland, I think, New Westminster.

They have set this up, and I have spoken repeatedly to them, because I am interested in how it is going, in the progress. I hear nothing but accolades about that program, because it has allowed people the opportunity to get to court and to not go through all of the pretrial hoops, but some of them, more so than in Small Claims, and have

their case heard and get a decision. You back that up, you protect people in the summary procedure, Mr. Speaker, by building in appeal procedures, so that in certain cases appeals can be heard relatively swiftly.

You also buttress that system, Mr. Speaker, by allowing a party in a certain case, before it has been heard in the Small Claims or the economic litigation program, to go to a judge and explain why this should go through the full trial procedure. This particular bill speaks to that. Some cases, no matter how much money they are worth, should not be dealt with in a summary fashion, should not be dealt with in Small Claims or, indeed, in an economic litigation program, but those will be the exception.

The rule should be that where individuals are fighting over sums of money, set sums of money, and those sums of money are, I would say, less than a far greater amount than \$5,000, less than \$20,000 or less than \$30,000, they should have the opportunity to get to court in a relatively short period of time, with a relatively few number of hoops to jump through before they get there, and let whatever evidentiary problems emerge be dealt with at the trial, rather than in the pretrial discovery. Let the judge of the day decide what is relevant, what is not relevant. Judges can do that and take a proactive role in these situations. That is what they do in Small Claims every day.

There is no reason, in my view, why we should not expand the theory of access to justice, which is embodied in The Small Claims Act, and it is of note, Mr. Speaker, that this minister's first public speech was to the Manitoba Bar Association up at the Elkhorn ranch, and this was some weeks after his being sworn in as Minister of Justice. I attended that speech, his first public speech, and I wanted—

Hon. Harry Enns (Minister of Natural Resources): An auspicious occasion.

Mr. Edwards: An auspicious occasion, as the Minister of Natural Resources says. I felt that it was my responsibility as the newly appointed Justice critic, then for the official opposition, to attend that speech, and I did.

I will never forget the theme which was harped on. It was not a substantive speech, I might say, and the Minister of Justice (Mr. McCrae) may be forgiven for that, because he had only been on the job a couple of weeks. He really did not know what he was

doing. He was there with his former campaign manager, Randy Smith, from Brandon—

An Honourable Member: A fine man.

Mr. Edwards: A fine man—and the present Minister of Justice read entirely from his notes.

It was not a moving occasion, because he was pretty tightly scripted in those days, but he did say repeatedly, access to justice, access to justice. That is what he talked about throughout, and I thought, I agree with that. That is a good theme for a Minister of Justice.

The NDP had so mismanaged the justice system, Mr. Speaker, that there truly was no access to justice. It was too difficult to get through the morass of delays in the court system, delays in the Land Titles Office and all of the barriers which the New Democratic administration had put up in the justice system. They had totally neglected it. They had alienated all of the participants in the justice system. Everyone was relieved to see the end of the NDP administration on justice issues, believe you me.

To that extent, I started out in 1988 knowing that it could not get worse. Indeed, Mr. Speaker, I must say that on many fronts, due to in no small part many of the ideas put forward by the Liberal Party, many of the difficulties in the justice system have been dealt with. I give the minister some credit, as I say, not a lot, because it could not get worse in most cases, but what we did see was repeated disasters in the justice system under the New Democratic administration, and anybody who participated in the system can tell you that.

In any event, it has been no small disappointment to me that given that initial theme of the minister, which was access to justice, and his apparent commitment to it, there has been absolutely no action—no action—to explore the feasibility of an economic litigation program in this province, and that is indeed a shame. We are letting the province of British Columbia lead the way and do all the work in this area, and I think we have every reason to embark on this program.

In particular, our Minister of Justice (Mr. McCrae) is very unique. He is not a lawyer. At the time, he was criticized. I see the Minister of Energy and Mines (Mr. Neufeld) saying, that is a good thing. I, at the time, Mr. Speaker, indicated, and some lawyer stood up and said he should not be allowed to be

the Minister of Justice, because he is not a lawyer. Some members of the private bar say that.

* (1550)

I disagreed. I said that the Minister of Justice could certainly be a nonlawyer. It was probably preferable to have someone with legal training, but certainly not necessary. Indeed, I felt that there may be some benefits to a nonlawyer being the Minister of Justice, and when I heard the access-to-justice speech, that was solidified. I felt, here is a nonlawyer who is going to take the common person's approach to justice issues and really show that there should be access to justice by the nonlawyers in our society who come before our courts. They should be able to get before our courts.

So you can understand my disappointment, Mr. Speaker, when this minister in fact did not move to initiate some form of economic litigation program. He did some things to clear up the backlog in the criminal courts, the provincial courts. That is good, but the other half of the court system is the civil side, and on that front there has been little, if any, progress, I am afraid.

In particular, this type of a program is greatly needed and should be tried in this province, and the cost would be minimal, if any. It is a question of structuring of the courts. It is a question of rewriting the rules. I have canvassed this idea with many members of the Bench who would be called upon to adjudicate on an economic litigation program and they are all supportive.

They want to be involved in writing the rules as they should be, but they are supportive of the concept; so are the members of the private bar whom I canvassed this issue with, Mr. Speaker. They are supportive because they feel very frustrated when they have to turn to their clients and say, look, your claim is only worth \$10,000 or \$15,000, and I am sorry, but the cost of litigating this means you have to decide right now if you are going to go into a loss position just to get this to court, or are you willing to settle simply because of the enormous cost of preparing all of the materials and holding all of the discoveries which are being thrust upon us by the other party prior to getting to trial, which we have to do.

It is a problem, Mr. Speaker. I think lawyers understand and know that their clients deserve to get to court. They feel badly, as have I, in cases

where the costs that have to be borne—not just legal fees, I am talking about transcript fees for court reporters to come to a discovery; I am talking about the fees involved in preparing pretrial briefs, in doing briefs to go to interlocutory motions, all of that stuff has to be done, and all of that stuff is very, very expensive indeed and, as I say, works very, very well when the size of the case warrants it.

Mr. Speaker, with respect to this bill that comes before us, as the minister indicated in his statements, it in many respects follows up on Bill 8 and deals with some of the perceived problems. I understand there has been a committee in place made up of judges who adjudicate on these matters and others. That committee's work—I want to on behalf of our party thank them for their continued efforts to better allow litigants to come before the Small Claims Court—is not yet done, and the minister indicated that he thought they may be reporting some time in June or July of this year, and I look forward to their full report.

The minister indicates that he is coming forward now with some amendments which they do agree upon. He does not want to wait until a coming session after this one, so he wants to put these amendments before us now. I have no problem with the thrust of these amendments. I think that by and large they are good, but let me say again, they are far, far too little.

The fact is we need some dramatic change; we need some imagination; we need some enthusiasm for access to justice which is what this minister talked about. I mean, where is the forethought that is required for truly allowing people to get to court? It is not here. I mean, this is interesting and it is nice, but it is small stuff, Mr. Speaker. This is still only allowing a \$5,000 maximum. That is not realistic in today's world. It is just not realistic in terms of getting people before the courts.

We have another problem, and that is that Small Claims adjudications are still done by clerks. They do by and large a very fine job, but they have absolutely no legal training. I must say that on many of the issues, that does promote appeals because if someone makes a decision which is not in accordance with the law, someone who is not trained in the law, it just invites an appeal to a higher court.

This is what happens, and I wonder, Mr. Speaker, if the day has not come for this province as it did

some time ago in Ontario to have some form of legal training before people get to adjudicate on Small Claims hearings. I might say that I think that may well be a great cost saver because what it does is, it means less appeals. I think you can build in tighter appeal restrictions if you have a legally trained adjudicator at the first instance.

Keep in mind that when you appeal from Small Claims, which is a matter of right in all cases except where the defendant does not show up—which is proposed by this bill—when you appeal, it is what is called a trial de novo. In other words you are not appealing based on a decision of the lower court. It is a whole new trial. You start from square one.

That is the way it is, and the time of the Court of Queen's Bench, our highest court aside from the Court of Appeal, judges who are making \$140,000 a year and upwards, they are spending their time re-hearing something which has already been heard in the Small Claims division. That is an enormous cost to the system. Surely those judges would be better adjudicating on larger issues. Surely it would be better to give more credibility to the Small Claims division so that things are dealt with there in a full and final fashion.

Some legal training, I think, should be a prerequisite, at least with respect to the appointment of new magistrates. I do not say that the old ones should be summarily dismissed because I think by and large they do a good job, and they should be commended for doing the job they do without legal training, but I do say that it is time to look seriously at having legal training as a prerequisite for adjudication on these matters.

Mr. Speaker, the minister indicates that he would like some claims to be outside of the jurisdiction of the Small Claims Court, and he specifically in this act proposes a limit on general damages of \$1,000. The overall limit is \$5,000, but he says where general damages are involved they should not be allowed to go over \$1,000. I might raise that, and I look forward to the committee hearings on this matter.

* (1600)

I think it is important that members understand what general damages are, and that is, damages which cannot be proven with something like a receipt. Those are damages which are at the discretion of the adjudicator, and they are generally for pain and suffering and loss of enjoyment of life. You cannot place a dollar amount on it; it is up to

the discretion of the particular judge. I see what the minister is getting at by holding that to \$1,000. He is holding it to the very, very small personal injury cases which involve general damages of \$1,000. Believe me, where someone is not responsible for an accident, general damages of \$1,000 or less is indeed a small accident. It does not take much to get over \$1,000 in terms of a personal injury for pain and suffering and loss of enjoyment of life.

I wonder, Mr. Speaker, if we should not allow that to be raised, too, and I would suggest somewhere under \$5,000 but over \$1,000. Something which would add to the credibility of those decisions would be legally-trained adjudicators.

Mr. Enns: \$3,000 would be

Mr. Edwards: Well, the Minister of Natural Resources (Mr. Enns) says \$3,000, and I would certainly be willing to look at that. I think that what you do when you set it at \$1,000 is, you virtually exclude any personal injury claim in Small Claims, because the fact is, as I say, it does not take much in terms of a bruise or a scratch or an injury to get over \$1,000 for pain and suffering in today's world, even though Manitoba courts are notoriously—

An Honourable Member: Conservative.

Mr. Edwards: I do not want to use the word "cheap," but they are notoriously conservative, as the Minister of Natural Resources suggests, in giving out general damages. You just do not get \$1,000 very easily in Manitoba from our courts. You have to go to California to get that.

Mr. Speaker, in any event, I leave that with the minister as something I will be raising at committee with respect to the proposal in this act that something should be excluded if it involves or is likely to require determination of questions relating to, and then it lists a number of things: ownership of property, real property, testamentary dispositions, wills, questions, those kind of things. The wording "likely to require" to me does not give much predictability.

I am not sure that we should include something like that and bring litigants to Small Claims Court and then have them turned away at that point. They may have missed limitation dates in the meantime. I think we need to give people some assuredness of what can come before the Small Claims Court and what cannot.

We cannot go around saying, if it is likely to involve this type of a question then you cannot come before the Small Claims Court. We have to tell them upfront what comes before the court and what does not so they can make the decision, because if the delay involved in coming to Small Claims, as I say, may cause them prejudice, may mean witnesses move, may mean they miss a limitation stay, and then they find out that they cannot come before the Small Claims, I do not think we can leave that kind of uncertainty in the act, so I raise that for the minister's attention as well.

I also am interested, Mr. Speaker, in the limitation of costs, which is purported to be changed by these amendments. The rule today is that in Small Claims, your fees if you win, are successful, you can claim fees 10 percent of what you actually win. If you win \$1,000, you can claim fees up to \$100 and disbursements up to 20 percent, so your disbursements may involve a further 20 percent of what you actually win.

Now the minister, and there is some merit to this, seeks to take that out of a percentage of what you win. In other words, take it out of the Russian roulette type of scenario, where you do not actually know how much of your fees and disbursements you are going to get back until you get the judgment. They seek to get around that by just setting absolute limits and saying, no matter what you win, your costs, your fees cannot be more than \$100. Then they go on to say, and this is the one I have some grave concern about, that the disbursements can be whatever is reasonably incurred for the purposes of the claim.

Mr. Speaker, I think that is wrong, for this reason: That does not purport to set any limit on what the disbursements could be. There are cases, a case that I was very recently involved in just a couple of weeks ago, where people for very small amounts of money get into grudge matches. It becomes a matter of principle, and they want to spend whatever it takes just to win the day and prove something to their neighbour or their foe in business or something, and they go way overboard. We have to discourage that.

One of the ways of discouraging that is to tell those people, if you go to Small Claims and it is only worth a few hundred bucks or a few thousand bucks, do not go spending thousands of dollars on experts' reports and plans and videos and all this,

the accoutrements of a full-blown trial, because you will not get compensated. That is one of the ways that we have controlled that. We have said, you can only get 20 percent of what you ultimately win in disbursements, so if your claim is only worth \$1,000, do not spend more than \$200 because even if you win outright, you are not going to get compensated.

That has been good because it also means that when you get to court, you do not have umpteen experts there. The claim is only worth a few thousand bucks and without all the experts, the trial goes quickly. You get it over in half a day or a day at the most. If you have a bunch of experts there, Mr. Speaker, you could be there a week. The size of the claim just does not warrant it. By getting rid of the absolute limit on what you can prove as disbursements, I think the minister may be making a mistake.

I would far rather see an absolute limit put in place and say that disbursements that are reasonably incurred can be claimed for, up to a maximum. I think the maximum is correctly set at a percentage of what the person actually receives. If the judgment is \$2,000 or \$3,000, your disbursements should be set at a percentage of that and maximized.

That will discourage the kind of excess that often accompanies these small claims because a lot of small claims, Mr. Speaker, are just simply grudge matches. People feel that they have been aggrieved. They want to prove a point. They do not like the other person for more reasons than what the claim is about. They want to get there and prove their case, and they should have a right to. They should get to court and they should get to adjudicate on it, but they should not expect to be compensated for all of the disbursements that they may incur in getting there. This type of amendment I think encourages that.

With respect to the system itself and how I feel that we could better serve Manitobans in getting to court expeditiously and having their cases heard, I leave my comments on the record. It is not the first time I have mentioned it to this minister. It will not be the last, Mr. Speaker.

I have raised this on many occasions. I look forward to the minister having the courage of his convictions as he did in the first few weeks that he was a minister when he talked glowingly about access to justice. It was with some bemusement,

Mr. Speaker, that I read in his comments on this bill again that these amendments are inspired by the commitment of this government to making the courts more accessible to all Manitobans and fostering quick and inexpensive settlement of legal issues.

Mr. Speaker, let us have the minister put his money where his mouth is. Let us see him prioritize access to justice for litigants in this province and come up with some form of economic litigation for far more than \$5,000. If he really wants to help litigants in Manitoba, he will do that. Let us not fail to learn from the experiment in B.C. Let us not fail to take advantage of what they are doing and what they are learning.

As I say, we have every reason in this province—every reason—to be leaders in this field. There is already somebody leading. Surely we can learn from their experience and do that in Manitoba.

Mr. Speaker, I look forward to this bill coming to committee. As I say with the comments that I have made, it is certainly something that improves the existing state. I want to thank the committee again for proposing these amendments, but it is far too little—far too little to deal with the pressing issue of access to justice which still plagues Manitobans and has since this minister's tenure and long before. Thank you very much.

Hon. Darren Praznik (Minister of Labour): Mr. Speaker, I welcome this opportunity to speak to The Small Claims Practices Amendment Act. I look to my colleagues who I understand will be providing me with a specific copy.

This is a wonderful opportunity for members of this House to be able to rise and put on the record some of their thoughts and comments on the operations of our Small Claims Court, the kind of service that it provides to Manitobans and the principle, of course, of reducing the very onerous procedural structure of a regular court system and opening to Manitobans the whole principle, the whole structure of a more human, shall we say, simplified, easily accessible system for the delivery of justice.

Mr. Speaker, I remember as a law student studying the structure of our courts at our law school in Manitoba, at that time when the court system was under the direction of the then Minister of Justice and Attorney General, Mr. Roland Penner, looking at the structure of our Small Claims Court and

making the observation that the limits for debt that were eligible for consideration by that court were far too small and that it was in need of revision.

* (1610)

I remember at that time hoping that the then Minister of Justice and Attorney General would take that on as a task in his role as Attorney General and respond to updating the Small Claims Court, and that did not happen. Perhaps he was considering such amendments, but he was moved by the then Premier, became Minister of Education and was replaced by Mr. Vic Schroeder. I looked to Mr. Schroeder as well to provide those types of amendments, and I understand that they never happened.

Government changed, and my colleague the Honourable James McCrae had opportunity as Minister of Justice to bring about I think some very important and positive changes to the Small Claims Court system in Manitoba.

Mr. Speaker, if I may just for a moment digress, I believe very sincerely that our Minister of Justice, the Honourable Mr. McCrae, has been one of the best Ministers of Justice that this province has ever experienced, and I say quite candidly, as a member of the legal profession, that the great attribute that Mr. McCrae has brought to this portfolio is his ability, his understanding of the average Manitoban's view of the justice system, as opposed to often the very specific view that members of the legal profession bring to that portfolio.

Members of the legal profession, of course, are intimately involved in that portfolio on a daily basis in its operation. Let us not forget, at the time he became the Minister of Justice, that particular department was having great difficulties, and public confidence in that department was somewhat reduced because of a number of events that had taken place.

(Mr. Laurendeau, Acting Speaker, in the Chair)

Our colleague the Member for Brandon West (Mr. McCrae) was an Attorney General who brought back to that department the perspective of average Manitobans and the expectations they have of justice in our province, and I think he has done much in his tenure to restore public confidence in that department, and this particular amendment act fits in quite strongly with his desire to ensure that the justice system is not just a system of government or

a system within government that is open or appears to be open to only the few, but is indeed open to all.

That is always a difficult task, Mr. Acting Speaker, always a difficult task for any Attorney General to do that, because the law is indeed a very complicated thing. Of course, I think even more so, Manitobans often believe because a matter is in the realm of the legal, a matter is in the realm of the lawyers—of which I am one, of which my colleague, the member for Fort Garry (Mrs. Vodrey) has been studying the law—just because it is in the realm of lawyers and the law, so many believe indeed that they cannot touch that area, that they cannot step into it for fear of some strong legal argument, for fear of mistakes. It is a great mysterious area, one in which common sense never prevails.

Mr. Acting Speaker, common sense should never be a stranger to the law or the legal system—never should it be a stranger to the law or the legal system. Our Small Claims Court is on the leading edge, I believe very sincerely, on the leading edge of delivering justice in a manner of common sense to Manitobans.

I am very pleased to be a part of an administration that is bringing forward the types of reforms to The Small Claims Practices Act that allows it to be even more accessible and more usable by the people of our province, because ultimately it provides a speedy, quick, accessible vehicle to settle a host of disputes that are often the most irritating to those involved in them. It gives them a means to have justice, to have their day in court, to have a decision rendered, to seek compensation where it is deserved without having to retain a lawyer, without having to retain counsel, without having to go through the long and often expensive system of the Court of Queen's Bench on issues where that kind of cost, Mr. Acting Speaker, would be prohibitive to those parties. Consequently justice would not be done.

Mr. Acting Speaker, this is a very important piece of legislation which will affect thousands of Manitobans, not only in this year but in years to come. It makes that system far more accessible, and it is one that I think we can all be proud of.

Mr. Acting Speaker, I think as we speak to this bill, there is a point I want to make that I observed in this House today. My friend, the member for Elmwood (Mr. Maloway), brought in for first reading a piece of so-called consumer legislation. Just last week in

this House I remember the member for St. Johns (Ms. Wasylycia-Leis) rising up and criticizing the Minister of Health (Mr. Orchard) because he had one letter come in with concerns in that legislation. I remember the member for St. Johns rising in this House and saying to consult, to meet with the groups before you brought the bill into the House, to seek that consensus.

My colleague, the member for Niakwa (Mr. Reimer), he nods in agreement because he too remembers those statements, as do my other colleagues. They nodded in agreement that yes, go out and seek that consensus as the Minister of Justice (Mr. McCrae) has done in this area, and yet the member for Elmwood, in bringing forward that piece of legislation and announcing it today to get his name before the press, was met with severe, not just minor, but severe criticism from the Consumers' Association. That would imply to me that the same rules, the same standards, that his party, if they indeed do talk, Mr. Acting Speaker, the same standards that his party calls upon the government to meet in bringing forward legislation should not be there for him and his party.

Mr. Acting Speaker, an important lesson for all of us as legislators—consistency, consistency; and yet we hear the Consumers' Association with severe criticism of that member that would imply to us that no consultation took place, no discussion with the representatives of consumers in Manitoba. I just point that out because the member for Elmwood (Mr. Maloway), who approaches me now with a copy of this legislation, is obviously a little sensitive, but I think the lesson here is being sure of what one is doing. I offer those words and that advice to my friend the member for Elmwood, which I am sure he will heed, and a matter to which he is somewhat sensitive.

Mr. Acting Speaker, to return to the subject at hand, I think we as legislators in all realms of justice must ensure that justice is accessible to Manitobans, and that is why this piece of legislation is so very important to our province.

As a member of the Legislature, I am sure this experience has been shared by many, where we have had constituents come to us, where they have been aggrieved, where dollars are owing to them, where they are unsure of how they can seek justice and how they can settle differences in civil matters. They have come to us often to seek our advice and

our comments as to what means they can use. I am sure all of us as MLAs have referred them to the Small Claims Court.

I would like to just put on the record today, for those of us who have had experience with that particular court, the fine work that staff at the court do in accommodating those people who come in to seek assistance and help. The feedback that I always get from my constituents who make use of that particular court is that they have received help, assistance in a very friendly and straightforward manner. They have always received good advice on how to proceed, most helpful advice. I think on behalf of all of us, I would like to commend the staff at the Small Claims Court for their service to Manitobans.

* (1620)

Mr. Acting Speaker, in conclusion, I would like to just take this opportunity to -(interjection)- well, some members across the way criticize me for speaking on this bill. I look to my colleagues on this side of the House. How many days do we hear from the House leader of the official opposition party, who stands in this Chamber and talks about the fundamental rights of members of this House? It is my right as a member of this House to speak on this legislation. It is my right to speak, as it is the right of all members.

I remember last week, when the member for Emerson (Mr. Penner) rose to ask a question on the Manitoba Sugar dispute, and members across the way catcall, but it is the right of that member to rise and be able to question members of the Executive Council.

An Honourable Member: It is a fundamental right.

Mr. Praznik: It is a fundamental right. I am so glad the member for Flin Flon (Mr. Storie) has agreed. It is a fundamental right. So often the arguments that are used from across the way are so inconsistent when it comes to the rights of parliamentarians.

Mr. Acting Speaker, again it is indeed my pleasure to have risen in support and spoken in support of this fine piece of legislation that makes the Small Claims Court somewhat more accessible and useful to Manitobans. Thank you.

(Mr. Speaker in the Chair)

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for Kildonan (Mr. Chomiak).

House Business

Hon. Clayton Manness (Government House Leader): Mr. Speaker, seeing that we are finished the business of the bills, firstly, I would like to make an announcement on house business respecting tonight. I imagine it is the—hopefully, it is the desire of the members to not sit tonight, as indeed we have now covered the bill business before us, and you may want to ask the House whether or not—

Mr. Speaker: Is it the will of the House to not sit this evening? Order, please.

Mr. Jerry Storie (Flin Flon): On House Business, the preference on this side would be to recess till five o'clock—

Mr. Speaker: Order, please. Let us first dispose of this evening's sitting. Order, please. Is there leave of the House to not sit this evening?

Some Honourable Members: Leave.

Mr. Speaker: Leave? That is agreed? That is agreed. Okay.

Mr. Manness: Mr. Speaker, call it five o'clock, please.

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

Some Honourable Members: No.

Mr. Speaker: No? There is no leave to call it five o'clock.

Mr. Kevin Lamoureux (Second Opposition House Leader): Mr. Speaker, we do not want to waive private members' hour. We would be willing to call it five o'clock, just as long as we are not—

Mr. Speaker: Order, please. There is no leave to call it five o'clock at this time. The honourable government House leader, what are your intentions, sir?

Mr. Manness: Mr. Speaker, we will give the member an opportunity to make his presentation or bring forward his resolution at five o'clock. I would, therefore, ask that you recess the House until five or as soon as you are given notice as to when to reconvene.

Mr. Speaker: This House, therefore, is now recessed until 5 p.m. this day.

* * *

The House took recess at 4:25 p.m.

After Recess

The House resumed at 5 p.m.

PRIVATE MEMBERS' BUSINESS

Mr. Speaker: The hour being 5 p.m., time for Private Members' Business on proposed resolutions.

PROPOSED RESOLUTIONS

Res. 5—Funding for Parent-Child Centres

Mr. Speaker: The honourable member for Burrows (Mr. Martindale), Resolution 5, Funding for Parent-Child Centres.

Mr. Doug Martindale (Burrows): I move, seconded by the member for Radisson (Ms. Cerilli),

WHEREAS Parent-Child Centres provide a safe, caring place for children and parents; and

WHEREAS these centres have been shown to reduce stress in families; and

WHEREAS these centres also prevent future problems and the use of expensive social programs; and

WHEREAS the former NDP government was instrumental in establishing centres through the Core Area Initiative; and

WHEREAS these centres proved to be a successful pilot project; and

WHEREAS the Conservative government of Manitoba withdrew its share of funding through the expired Core Area Initiative for five Parent-Child Centres which operated on a modest budget of \$300,000 per year.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the Minister of Family Services to give serious consideration to funding Parent-Child Centres.

Motion presented.

Mr. Martindale: Mr. Speaker, it is a pleasure to rise to speak on this important resolution today. I would like to spend a few minutes on the history of the Parent-Child Centres, some of the benefits of the Parent-Child Centres, and the rationale for why the government should reinstate funding for them. I look forward to hearing other members speak on this resolution.

In the fall and winter of 1985, five Parent-Child Centres opened their doors to inner-city families. I think this was one of the best programs in the inner city for parents and children which was begun under the Core Area Initiative. Each centre offered a large play space, a toy and book library, a parent resource library and community information. Those that are still in existence still offer these amenities.

Some of the centres also developed clothing and food depots as the need arose, and there are and were no fees as part of the program. I think it is significant that they developed free food distribution and free clothes, because what they were doing was responding to very real needs in the community by the parents and children who were using the Parent-Child Centres.

In fact, this was typical of the Parent-Child Centres in that they responded to the needs of the parents who were coming on a daily basis and planned their programming around the suggestions and requests of the parents.

The centres were funded by the Core Area Initiative, Child and Family Services, Winnipeg Foundation, the Manitoba Community Services Council, Canada Works, Manitoba CareerStart, and Winnipeg School Division No. 1.

I think this shows that their funding base was fairly wide. They went to all possible avenues to provide funding for the Parent-Child Centres, but they, like other organizations, knew and were told by the Core Area Initiative that these were really start-up funds and that eventually they would have to find some source of permanent or core funding. They settled on the Department of Family Services as the most likely place to find core funding or permanent funding and put in applications for an annual budget from the Minister of Family Services (Mr. Gilleshammer).

In the past two years the centres grew beyond their original expectations. Last year there were 24,000 visits by parents and children at the five centres: Elgin, Ellice, Pinkham, River-Elm, Strathcona. As well, the centres have developed an amalgamated board of directors made up of parents who use them. Twenty-four thousand visits by parents and children are a lot of visits, a lot of use by people in those neighbourhoods, which, I think, justifies the very modest cost of \$300,000. The \$300,000 for five centres was a bargain at any price.

In fact, one of the main rationales for continuing funding of Parent Child Centres is that this money is really preventative in nature, that by getting parents and children together in a safe environment out of the home, they were accomplishing a number of goals which in the long run could only save the government money. They were providing an outlet for families who may have been under stress. They were providing good role models for parents and parenting skills. In fact, I have talked to people who were involved with the Parent-Child Centres, and they have said that one of the very valuable things was that parents were able to learn new parenting skills, that children were being socialized in very positive ways which helped them to fit in better into the elementary school system once they were enrolled there.

All of these things, the skills that the parents pick up, the alternative to being isolated and being alone and being at home, and the socialization of their children, they feel, and I agree, are preventative in nature and are helpful to preventing future cost to the Minister of Family Services especially.

I have also been informed—and I know that an important adult education role was taking place as well—that parents felt comfortable, they did not feel threatened. When they went to the Parent-Child Centres, no one opened a file on them or kept track of them or their children. So they were able to raise questions and to raise issues and to raise personal concerns that they had in a nonthreatening and supportive environment. For example, some of the parents, I am told, were dealing with alcoholism, and they were able to share their problems with other women who were in the same predicament and other women who were able to cope with life in other ways and find support by sharing their problems with the other women and the staff at the Parent-Child Centres.

Other kinds of education took place as well. For example, last year, especially last fall, a lot of parents had questions about the GST, the goods and services tax. They wanted to know how it affected them, how they could apply for the rebate, and they were able to get answers to those questions. They asked questions about employment, how to get a job; questions about education, how to further their education. As a result, some of them were able to feel good about themselves so that they could start looking for employment, so they could start

plugging into employment training programs and life skills programs.

In fact, some of the parents at these inner-city centres were able to get off welfare because they either upgraded their education or got employment training or got a job. In fact, I was told that some of them moved out of these neighbourhoods because, like other people, when people better themselves, they want to move to what some people would consider a better neighbourhood, and they did.

Another benefit of the Parent-Child Centres is that these families and children were made to feel as if they were normal families. Instead of staying at home and being isolated, especially single-parent families, they were able to go to the centres to feel that they were part of the schools and the school system, that they were volunteering. They were able to go on outings with their children, outings to the zoo, outings to the Children's Museum, Museum of Man and Nature and other places in the community that they might not otherwise have gotten to. They were able to do normal things and to feel good about themselves.

Another important function of the Parent-Child Centres, and one that I think is significant, is that they were able to find assistance with some of their housing problems. Having worked with poor people in the inner city on their housing problems for 10 years, I can say that I am grateful that the Parent-Child Centres provided this service to them on an informal basis, because frequently people have difficulty finding appropriate housing. They have difficulty knowing what the city by-laws are, what the provincial housing laws and regulations are. Any time that they can get answers to those questions in their own neighbourhood, it is of benefit to them as individuals and families.

* (1710)

These are the kinds of people who do not have a good education. For many of them English would not be their first language, and accessing the bureaucracy is not something that would be or is easy for them to do. By being able to go to their local school to a Parent-Child Centre they could ask their questions and have them answered. Some of these questions revolved around housing and laws and finding suitable housing accommodation.

In fact, in at least one of the schools, if not more, because these schools had CEDA staff, Community Education and Development Association staff, they

were able to take advantage of housing registries. I know for sure that Strathcona School has a housing registry, and the benefit of this is that landlords list vacancies on the bulletin board in the school and parents can take—yes, we supported this. The member for Pembina (Mr. Orchard) looks surprised at this, but in this program we helped landlords to find tenants who were living in their neighbourhood already and helped tenants not to just find accommodation, but to find accommodation in the same community in which they live.

This is extremely important, because we know that if children move two or three times in one year, their chances of failing are almost 100 percent. This is a tremendous social cost to the education system, to society, and to taxpayers. What happens is they move from one neighbourhood to another, and they move from one school to another, and what Winnipeg School Division No. 1 has done is they have hired migrancy teachers to follow the students and take their files and take their school work from one school to another, so that they do not have to be retested, and so they did not get behind. There is a cost to this. It costs the school division money to hire migrancy teachers.

By having housing registries in inner city schools where there are Parent-Child Centres, they were able to stay in the same community, stay in the same neighbourhood, and have their children go to the same school, which saves the school division and saves the taxpayers' money. This is another ancillary benefit of Parent-Child Centres.

Originally, there were outreach workers who were part of the staff of Parent-Child Centres. Unfortunately, when their funding was cut, when their money was not available, one of the first things that happened was they lost the outreach workers. The outreach workers were important because they were in the community and in the Parent-Child Centres, and they could visit people in their homes. They could link them up with their neighbours and link them up with the Parent-Child Centre.

I heard touching, informal stories about how helpful this was. For example, a neighbour going to a Parent-Child Centre and meeting someone from almost next door with whom she became friends, who could then be a babysitter, so that she could get out of the house at times other than when the children were at the Parent-Child Centre.

The Parent-Child Centres provided support to families with preschool children and, in the long run, I believe it was and is and can be cost-effective because it is a preventative kind of programming.

We know that the Child and Family Services Agencies are overloaded. We know that there is never enough money for them to do what they want to do. In fact, I think that there is a trend to only fund the kinds of child protection parts of their mandate that need to be done, and there is less and less money for prevention and outreach and community development as the years go by due to financial pressures. The Parent-Child Centres I think, in the long run, were saving money that otherwise in the future would be spent on Child and Family Services Agencies.

In conclusion, Mr. Speaker, I would like to sum up my thoughts about Parent-Child Centres and why all parties should support this resolution. The Parent-Child Centres had excellent staff and volunteers. They thoroughly involved the parents in the programming that took place, and it allowed parents a break to leave their children for a short period of time to do things that were necessary like getting out to do the laundry.

Parent-Child Centres reduced stress in families. A study that was done showed that there were fewer family problems experienced by families who made use of the Parent-Child Centres. The Parent-Child Centres were preventative programming, preventing future problems. They were preparing and socializing children before they entered schooling.

So, in conclusion, Mr. Speaker, why should the Minister of Family Services (Mr. Gilleshammer) reinstate the modest amount of funding, \$300,000, for five Parent-Child Centres used by 24,000 parents and children in one year? Because they are needed in the inner city, especially by single parents—single parents, we know, have the greatest difficulty coping with parenting skills—because they are proven to be preventative and reduce stress, because they have a modest budget.

I believe that either we pay now or we will pay later and, therefore, I hope that the Minister of Family Services and his government will support this resolution to reinstate funding for Parent-Child Centres. Thank you.

Mr. Reg Alcock (Osborne): Mr. Speaker, I am delighted to be able to stand today to talk on this

particular issue. This is an issue that has come up before in this House and one that, I think, bears some explanation.

The member for Burrows (Mr. Martindale) made a number of very important points here. He talked about the preventative nature of these centres. That is something that I think that politicians have become very skeptical of, certainly cabinet ministers and people in management have become very skeptical of, because it is very difficult to demonstrate that preventative aspect of this. That is what I want to talk about today.

I want to look at some of the statements that this minister has made repeatedly in this House about the need to reduce deficits, about the need to save money, about the need to serve the needs of children, and at the same time that he is talking about doing that, he is making the very decisions that will put more pressure on the system, that will see more kids coming into high cost care, that will see more kids going into group forms of care rather than staying in their own homes.

Now, let me just walk through it a little bit, and I will try to use words of one syllable for the members opposite. When you look at the reasons that children come into care, when you look at the things that create the conditions that bring children to the attention of the government, the major risk factor, the most outstanding item that places kids at risk is poverty, is low income, it is the inability to meet one's daily needs. It is the kind of pressure that a single parent alone trying to raise a family faces every day trying to put food on the table. It is poor diets. It is the inability to access some of the supportive services that will take a little bit of pressure off. It is the inability to have a little bit of time away, just to relax and take care of your own needs for a moment.

Those things come together to create an enormous stress on families and that stress is what often results in the explosions that we see, that result in the neighbours contacting the police, or teachers calling in the agency and result in kids coming into care.

Now once the child comes into care, what happens? If it is a teenager, that child ends up as a first point of entry into an emergency receiving home or into Seven Oaks at a cost between \$115 and \$126 a day, an enormous cost—many thousands of dollars a year to operate those beds. The member for Burrows (Mr. Martindale) talked

about a very modest expenditure of some \$300,000. Well, \$300,000 still makes me blush, but it is a relatively small amount of money compared to the costs in operating the kind of tertiary services we otherwise have to operate.

* (1720)

I want to talk about this question of prevention because the cynics will always say, well, wait a second, we fund child welfare right now, and we fund the Parent-Child Centres, and the number of kids in care is going up and the cost is going up and are we not just widening the net? Are we not just creating a system that brings more kids into care?

I think that is the dilemma the minister faces right now. He looks at the record, he says, well, we have put a lot of money in, we have started a lot of new services, a lot of new attempts, and why is this continuing to cost us money? I am going to suggest there are two reasons for that.

The first thing I want to do is to talk a little bit about a concrete example of prevention, one that is not just the good wishes of a member of the House about how you might support families, but one that takes that analysis of family support and actually creates a situation where there was a chance to capture some statistics and look at the cost benefit, actually do a cost benefit analysis of prevention and social services, something that does not happen that often in this business.

In the early days of the new agencies, this would be about 1986, no maybe '87, it would be the 1987-88 budget year, that is what it was.

The Northeast Child and Family Services agency, under the direction of Alan Finkel who was the first director of that agency, did a very careful analysis of the risk factors that their kids were facing. They looked at who was coming into care and they discovered, as I have just stated, that a very significant number of children were being taken into care and placed in foster care or placed in group care from single parent families and from very low income families.

They hypothesized that if they could just offer some support to those families, if they could just give those mothers a little respite, if they could just deal with some of the pressure that an acting out teenager was creating, if they could address some of the specific support needs of the children, then

maybe they would not have to bring the kids into care.

Now the government of the day had given them a support budget of what they called a family support budget. They went to the government and they said, we think we can demonstrate that we can save money. What we are going to do is we are going to take our entire family support budget of \$70,000 for the year, and we are going to start to spend that to support families as the first option rather than bring kids into care. We believe that we are going to spend that budget very quickly, but we believe that we will save so much money from foster care and from group care that we will more than make up the money that we are going to spend on support, and they did that. In three months, they spent their entire year's budget of \$70,000 on family support. They saved \$220,000 in foster care, \$220,000. Three times what they spent, they actually saved. It is not a wish, it is not a nice thought, it is a fact.

If the minister were to go back and to track the intake into that agency, he will find that for three months the intake curve went down. They actually took fewer kids into care or the total number of kids in care went down, not up. -(interjection)- That was an unfortunate "right" from the Leader of the Opposition (Mr. Doer), because at the end of June they approached the then government and they said, look, we saved three times what we spent. Now what we want to do is take a bit of that money that we saved and put it in to funding the next quarter, so we can continue to do that.

Despite the fact that they had all the evidence, the government of the day refused to let them do it. -(interjection)- They refused to do it. It was the former government. I frankly do not believe it was the Leader of the Opposition. I think he understands this because he comes out of this field. He knows what I am talking about, but there are other members in his cabinet who are perhaps less enlightened and certainly in the administration who were much less enlightened.

The problem is we have never been able to create a funding system that said to these agencies, here is a way to reward intervention. Here is a way to reward prevention. We always fund them in the most regressive way possible. In the belief that we are forcing accountability, we strip out of it any

independent decision making and what happens is our costs go up, not down.

What the government is attempting to do today was attempted all through the '70s and was attempted through the early '80s. The costs go up, not down, because what you force the agencies into doing is to only deal with the hard core, hard prevention cases and those ones end up in high cost care. The way to save money in this system is to keep kids out. The way to keep kids out is to support those people who are under pressure and getting into situations that lead to their kids coming into the system the very first day.

That is what Parent-Child Centres are all about. Parent-Child Centres provide an option where a single parent in particular who may not have some support, who is feeling an enormous amount of pressure, can go, in part, to learn some of the things that were talked about, but more often just to take a breather, just to have a little relaxation, just to let the kids go and play with somebody else so she can sit back and talk this over with peers for awhile, just take some of the pressure off the family so they can return to parenting and can do the things that they want to do. The problem in stripping out those kinds of services is that year over year what you end up doing is dealing with kids only when they are in crisis, and when you do that it is too late.

If the only time you are intervening is after the abuse has taken place, after the kids have been hurt, after the family has been torn apart, and your intervention is just going to court, which is what you are forcing these agencies to do with this change in mandate, you are going to damage a lot of kids in the future. I believe that—that is not political rhetoric—I believe that the changes that you are making right now are going to result in a larger number of damaged children. We will not see it, though. We will not see it until they are 13 or 14 years old, so we are not going to see a lot of that and the government can wash its hands of it and say, we are not responsible, but the fact is that you are.

Now there is a model that has been proposed to do this, to provide some of this support, and that is to put the onus back on the agencies, not by saying you cannot do anything, but by giving them some options to take the money that they have and to move it into prevention, to let them operate those prevention programs and recover the savings from

the tertiary kinds of care. They control the intake. They control the risk. As long as the government tries to control it, you will never get the result that you want.

I think there is a second problem that I have heard the minister talk about, and I have heard several ministers in the government talk about, and that is that if you get an agreement, a federal agreement—it used to be LIP and LEAP and those, and now it is Core Area—that leads to the creation of a little service, and then the money runs out, all of the sudden people run back to the government and say, well, now you have to fund this even though you did not fund it before. That is true also and that is a serious problem, because the provincial government does not have the kind of deep pockets that allow it to pick up all of those programs.

I do think that the provincial government and this minister have a responsibility to evaluate the options that are put before them, to look at those ones that can produce a positive benefit to the community and to, where possible, find a way to support that kind of service. If you do not support the front end of the system, you are going to pay at the back, and you are going to pay a much bigger price. I have yet to see in this continent an analysis of this system that disputes that in any jurisdiction.

The member has moved that the government find support for Parent-Child Centres, that they give serious consideration to funding Parent-Child Centres. I think that in principle I am going to support this resolution, because I believe that we should be supporting that kind of service, and I think there are several ways of doing it. I think strengthening the linkages between these centres and the Child and Family Services Agencies is one. I think a great deal of this service should be provided with the support of those agencies, because if you just leave those agencies to the protection mandate, you ruin their ability to have a positive interaction with their community. They simply move back to the position they were in six, seven years ago of becoming a police force. That defeats any ability that they have to interact positively with the clients that they serve.

There is a need for analysis here. It is possible to find the money to fund these services. It is possible to find that money. You do not need to necessarily change your budgetary plans all over the place. You can find that money within the system that you

fund right now, but you have got to enlist the creativity of the agencies if you are going to find that solution, and you do not do that by breaking faith with them. You do not do that by going to war with them. You do not do that by changing your agreements. You do not do that by springing strange contracts on them at the eleventh hour, because this is a business that is run by people who place a lot of stock in their own, what?—honesty, truthfulness, caringness.

These are people who, for a large part, are volunteers who put their time into seeing that these organizations are funded, and they get mightily offended when they get treated shabbily by a government. They got mightily offended a few years ago, and they were prepared to give this government a chance. What this government has done in these last two weeks is to set back that progress a fair piece.

* (1730)

This minister had a lot of respect, and there was a great willingness to work with him, and that has been very seriously damaged. I would hope that there is a chance to turn that around, because I think this system needs a minister who it can have some faith in. I think this system needs a minister who they can work with. -(interjection)- Well, I think this minister got off on the right foot. I think he tried to do something. He has stumbled badly, and he has to recover that ground or he is going to lose a valuable opportunity.

Anyway, Mr. Speaker, on that, I will conclude my remarks, and I would urge the government to find a way to see that at-risk families get some support.

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, I have listened very intently to the comments made by my friend for Burrows, who introduced this resolution, and the Finance critic for the Liberal Party .

I think that we are going to find some common ground here this afternoon, because I think that some of the information contained in this resolution is acceptable and, with a small amendment, it would be even more acceptable. I think we will have some support on this.

Just maybe delving into a bit of history that would help members understand some of the things we do in the Department of Family Services, and maybe they have a better understanding of how \$300,000

is not just a little bit of money that we can relegate to some of these initiatives that the members bring forward to gain support for. The department has been and continues to be a top priority of this government, and in the last budget our increase for this department was some 8 percent, which certainly shows the high regard we have for efforts made by groups that access money from this department.

Our budget in 1990-91 was \$535 million, and Family Services, along with Education and Health, has been made a priority of this government. Now, within the department, priority funding areas include services to families and protection of children at risk. These are some of the issues that the other two critics have brought up. The provision of social assistance to persons and families in need is another priority, services to mentally and physically disabled individuals and crisis services to victims of wife abuse.

So often critics bring up one specific area and indicate that if we could just spend another half million dollars here, a half million dollars there to enhance services, they lose sight of the fact that we are already increasing spending in this department considerably over the past few budgets.

An Honourable Member: Yes, all on welfare. Nobody is working any more.

Mr. Gilleshammer: Well, the Leader of the Opposition (Mr. Doer) knows while his government gave lip service to such things as the wife abuse shelters there was no money put into the system, and that consolidation of those shelters and expansion of those shelters took money that only became available in the last few years.

I know the member is supportive of these initiatives, but I think he has to be reminded that his government simply paid lip service to those and did not back up that rhetoric with any money on which to build.

At this point, with no revenue growth, the government has a very limited ability to extend new funding to services other than those already provided. While this government recognizes the valuable role that Parent-Child Centres play in the core area community, we have been forced to prioritize our spending in some other areas of the department.

I just want to comment on some of the things my friend from Burrows mentioned. Start-up funding for the Parent-Child Centres came under the Core Area Initiative, and the understanding was very clear that funding was only temporary and the centres would have to secure permanent, long-term funding from other sources.

I am sure efforts were made to find that funding, to secure that funding so Parent-Child Centres could remain open, but clearly the understanding was not that they could come back to government and find that funding and say you are another source of funding. They were to find that funding independently.

The member, in wording his resolution, is a little less than honest I think in the terminology that he uses here when he talks about withdrawing its share of funding from an expired program. Truly the program was due to expire. The information was there ahead of time for all to see and for all to understand that this was a time-limited program, that it would expire after a certain time limit.

To say that funding was withdrawn is a bit of a contradiction. The funding was not withdrawn. The program had a time limit, and after that time limit it would expire. So I would choose that perhaps the member did not put sufficient thought into that to see the contradiction in the wording that he placed in there.

I know that he put on the record a couple of weeks ago, at the same time as he was saying the member for Brandon East (Mr. Leonard Evans) would not listen to him when he was not an MLA, that since he came to be a member of the Legislature he has had to change some of his principles. Well, I would hope that we could deal in an honest and forthright manner and not try and put that particular type of wording into a resolution like this.

Again, it is important to note that the provincial government has never funded the Parent-Child Centres. For instance, two of them are school-based and enjoyed the support of funding from the Winnipeg School Division No. 1. The division obviously has made a decision. I know the funding decisions that they have to make. They have made a decision that they will no longer prioritize these centres for funding.

There were also other community-based resources that Parent-Child Centres accessed, including two of the Family Services agencies which

are almost 100 percent funded by government. They also included The Winnipeg Foundation, the Manitoba Community Services Council, Canada Works, and the Manitoba CareerStart. So, in fact, the funding for these Parent-Child Centres was largely government, and the whole idea of the establishment of this under the Core Area Initiative is that they would seek additional resources elsewhere.

The member frequently exhorts government to take new initiatives that only cost \$300,000 or \$500,000 but at the same time recognizes that we are in a dilemma to find resources and to resource the programs that we already have. At no time does he indicate any areas of the department where we could do some cost savings to be able to access money to support these programs.

At any rate, I would like to make an amendment to the resolution. I would like to delete the portion of the resolution after the second WHEREAS so that the first two WHEREASes would remain as they are, and delete the information following that and replace it with:

* (1740)

WHEREAS the Government of Manitoba through its Child and Family Services Directorate provides funding in excess of \$110 million for the long term benefit of family development.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba recognize the efforts of Parent-Child Centres in augmenting the services provided by the government of Manitoba through the Department of Family Services.

AND BE IT FURTHER RESOLVED that this assembly supports volunteer community based efforts as a vital component in assisting Government to strengthen the family.

Moved by myself and seconded by the honourable Minister of Rural Development (Mr. Downey).

I think that this certainly recognizes the efforts of the Parent-Child Centres—

Mr. Speaker: Order, please.

Point of Order

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, the member is proceeding to talk on his amendment he has just moved. I am wondering, in

light of the fact that it is radically different than the resolution that was proposed by the member for Burrows (Mr. Martindale), in that we talked about a specific program, a preventative program; in light of the decisions last week that were made on a number of resolutions that were ruled out of order, like double-dipping pensions, et cetera. This is certainly even more out of order with the original resolution than some of the matters that the Chair ruled out of order last week.

I would ask you to rule the amendment and its damage control out of order and let the House vote on the real substantive issue, whether they believe in Parent-Child Centres or not—

Mr. Speaker: Order, please. On the point of order raised, the honourable minister was still speaking on the proposed resolution. The amendment is still not before the House at this time. Mind you, it is general practice that when we are moving an amendment, we generally move them at the end of the honourable member's speech. -(interjection)- That was still not before the House at that time.

What is before the House right at this time is the resolution of the honourable member for Burrows (Mr. Martindale), which I believe the honourable minister is still speaking to. That is not before the House yet.

Mr. Gilleshammer: Mr. Speaker, I think it is important that we have the opportunity to look back in history at some of the organizations in our society that have provided the assistance for families and that have been there for families in the past.

I speak of the school system, the church, and the friends and neighbours that families have. I can tell you that I can -(interjection)- well, my honourable friend feels that we are offloading if we call on the school, the church and friends and neighbours to provide the services that historically have been provided for families. What members are trying to do is disenfranchise organizations such as the schools and the churches and the wider community and say that government can do those things better, that no longer do institutions that have historically provided the family support need to do that.

I can tell you that an incident in my home constituency comes to mind where a young family had their home burned down recently, and the outpouring of community support that came forward at that time to assist them was just

tremendous. I do not think that any government needed to be there to provide that support for them.

Mr. Speaker, in conclusion I would like to move that amendment, seconded by the Minister of Rural Development (Mr. Downey).

Mr. Speaker: The honourable Leader of the Opposition, on a new point of order.

Mr. Doer: On the same point of order, I have made my comments to the Chair and the Speaker on the resolution, that it is fundamentally different than the intent of the original resolution and, of course, given the precedence established by the Chair last week where items such as pension dipping, et cetera, were ruled out of order by the Chair, I hope the same principle is being used with the government's damage control amendment to our resolution.

Mr. Speaker: The honourable member did not have a point of order.

* * *

Mr. Speaker: Order, please. Beauchesne's 567: "The object of an amendment may be either to modify a question in such a way as to increase its acceptability or to present to the House a different proposition as an alternative to the original question."

It has been moved by the honourable Minister of Family Services (Mr. Gilleshammer), seconded by the honourable Minister of Rural Development (Mr. Downey), in my opinion, the amendment is in order.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order, please.

Mr. Martindale: Mr. Speaker, I am rising to speak against the amendment of the Minister of Family Services for the following reasons: first of all, in response to the rule that was read by Mr. Speaker, the amendment certainly does not increase its acceptability, and there was a reason, Mr. Speaker, why—

Point of Order

Mr. Speaker: Order, please. The honourable Minister of Health, on a point of order.

Hon. Donald Orchard (Minister of Health): Mr. Speaker, I think that the member for Burrows reflected very, very well against the rules on your recent ruling, and I would ask, through you, that the member for Burrows withdraw his comments.

Mr. Doer: I know the member for Burrows has the greatest respect for the Speaker and his rulings. He is dealing with the substance of the resolution, but I would ask the Speaker to read Hansard. I do not think he would find any problem with the words of the member for Burrows.

Mr. Speaker: Order, please. On the point of order raised, I will peruse Hansard and if it is of necessity to the House, I will return with a ruling.

* * *

* (1750)

Mr. Martindale: Mr. Speaker, I am pleased to speak to the Minister of Family Services' amendment. His amendment says that volunteers should pick up the job that was done by staff, and I find this totally unacceptable, and I said that this was a case of offloading. The minister has distorted what I believe to be offloading. He has alleged that I am opposed to volunteers and churches and community groups volunteering, and I am certainly not. In fact, I have been employed by an institution and by a church which has been involved in volunteering and training volunteers, recruiting volunteers, supporting volunteers for decades and continues to do that, not only at the north end community ministry where I worked, but at many, many other places. There are volunteers who are working now in at least one of the Parent-Child Centres. However, what we see is that instead of volunteers and people in the community picking up new things and emerging needs in the community, what they are getting burdened with is all the government programs that are being unloaded back onto the volunteers in the community.

So, for example, instead of people being able to live decently and being able to feed themselves and pay the rent from their social assistance, instead they are going to 175 food banks in the city of Winnipeg and so volunteers are picking up the slack that formerly was done by staff.

Formerly, people had enough money in their social assistance cheques to go out and buy the food and pay the rent and do the things that they needed to do, and now people are being forced against their will to depend on the charity of the community and depend on volunteers in order to eat.

It is a disgraceful system, and it is a disgrace when the government offloads their responsibility back

onto volunteers when we had a good system in place that was barely meeting people's needs. In fact, it was intended to meet people's minimal needs and now it has deteriorated. It has worsened so that we have a huge system of food banks across Canada which began in 1981 and '82 in the recession—began in B.C. and Alberta where the biggest government cutbacks were—and now in Manitoba, we see an increasing dependence on volunteers, increasing dependence on food banks. I just use that as an example of government offloading their responsibility from government to the voluntary sector.

I would say that the same is true of the Parent-Child Centres, that what the government is saying is no, we are not interested in Parent-Child Centres because we are not willing to fund them and so we are going to let volunteers do it. I say to the government, it just does not work.

Parent-Child Centres are not going to be successful with volunteers, because there are just too many problems in setting up a volunteer system to replace the staff that very adequately staffed five Parent-Child Centres, and so this amendment is unacceptable to me.

Now there are parts of it, I would admit, that are acceptable. I do believe that volunteers are a vital component in assisting the government to strengthen the family. I agree with that as far as it goes. I just do not agree with it totally.

I do not think it adequately addresses the need out there in the community to put paid staff in place because there are many advantages to paid staff. Paid staff are accountable. Paid staff must be at work or they must follow some sort of policy regarding sick days, whereas volunteers do not have to be there. Volunteers are not accountable in the same way that paid staff are; volunteers do not have to be there every day.

It is very seldom that you are going to find a volunteer who can put in the kind of hours that paid staff can. I know of a very good example of this, of how this should work and should not work.

I was involved with a group called the Food Network, a subcommittee of the inter-agency group, and we designed a volunteer support program that would take people out of the community—people who were on social assistance—and would give them support so they could volunteer. It would give them bus passes or bus tickets; it would provide for

child care; it would give them a small clothing allowance.

We developed this proposal; we found office space for the staff. In fact, the staff would have been accommodated in offices at the north end ministry where I worked. We set up a supervisory committee to supervise the paid staff who would co-ordinate volunteers.

We took it to the former department of community services or whatever it was called, and we sold it to the staff and we sold it to the minister. They said, yes, this is a good proposal; we like it; we are going to support it.

Then they took it to the federal government and there was some joint federal-provincial committee that was meeting to fund proposals like this under a federal-provincial program of the Canada Assistance Plan. What happened when it got to the federal representatives? They said, well, we like your proposal; it is a good idea; we believe in volunteers in the community. But, you know, there is a problem. These volunteers are only going to be volunteering for 20 hours a week, and we want them to volunteer for 40 hours a week.

What an unrealistic idea! What a harebrained objection to a good proposal! Can you imagine expecting any volunteer, but more particularly volunteers on social assistance, volunteering 40 hours a week? What a ridiculous suggestion! A lot of the people would have been people with children at home. How are they ever going to afford child care or putting their children in a child care centre or even paying a babysitter? There just was not that kind of money in our proposal.

No volunteer is going to volunteer and not get paid on the same hourly expectations as a full-time employee -(interjection)- well, if the member for Pembina (Mr. Orchard) had been listening, he would have heard what I said. If the member for Pembina would listen, he would have heard me say that the volunteers were not getting paid, but they were expected to work 40 hours a week, which I said was a harebrained idea, especially the kind of volunteers that we were trying to encourage to get back into the community and back into doing something for other people and getting out of their home.

Mr. Speaker, I am disappointed the government finds that they cannot support my resolution. They can find money for tax breaks for corporations, and

they can find money for funding private elite schools—\$1.5 million—but they cannot find a minimal amount of money to fund programs like the Parent-Child Centres.

So, even though the minister says, you know, these are tough times, and we do not have enough money and we have the deficit, all of which we acknowledge as being more or less true, they still make choices. What we are saying is they did not make the right choices. They are not doing what is in the best interests of the poorest of poor in society. Instead, they are subsidizing the rich to send their children to elite private schools, and they are subsidizing corporations supposedly to create jobs and job training, but I am not sure that there is any evidence for that.

I would have expected better from this minister and from this government. I remember listening to the speeches of the—especially the new members of this House in their initial speeches last September after the Throne Speech Debate, and many backbenchers in the Conservative Party saying: You know, we get accused of being people who do not care; and we want to tell you that we as Conservatives, yes, we do care. I listened to members say that, and it was more than one member. Maybe it was scripted; maybe somebody had, you know, given them a little hand in writing their speeches. It seemed to be a thread that went through a number of them saying, we as Conservatives, you know, we care. We get accused by the NDP of not caring but, oh, Mr. Speaker, we are good-hearted people and we care.

Here is a chance to show that you care about the most vulnerable members of our society—basically, the poorest of the poor, the people who have the least chance of succeeding in life. Although I do not really believe that succeeding in life is a matter of chance, I think it is a matter of whether people have opportunities or not and whether they are given opportunities or not.

One such opportunity would be Parent-Child Centres, so that their children can be socialized, so that they can actually have a head start once they reach elementary school. In fact, in the United States, a couple of decades ago, there was a program for preschool children called, I think, Operation Headstart. That is basically what Parent-Child Centres do is to provide a head start for children, not only to socialize them, but probably

to help them with language development and with all kinds of skills through playing with toys, probably learning to read by having books read to them, for example. Those are the kinds of people that I would like to see, because those are the families, those are the parents, those are the children that need the greatest amount of help in our society, and I think there is a price to pay if we do not help them. The price to pay is down the road.

As the member for Osborne (Mr. Alcock), I think, well pointed out, it is much more expensive to pay, I think he said something like \$100 to \$126 a day to put someone in care than it is to fund Parent-Child Centres. So part of the issue here is whether we believe in preventative programs or not, or whether we think that there is money available for preventative programs that, in the long run, will save money.

Now I know that governments, no matter of what stripe they are, do not like what is called hump funding. They do not like paying for something that

is in place now and something new or something that is preventative, because it means that you have a period whereby you fund both at the same time and that the cost savings may be way down the road, a long time in the future, and you cannot always prove in advance what the savings will be. Although, I think, the member for Osborne had a good example when he talked about one of the Child and Family Services Agencies providing money for preventative programs, and that this actually did help to save money. I am not sure whether they were able to balance their budget, but I do remember hearing about this preventative program and the good things that it was doing.

Mr. Speaker: Order, please. The hour being 6 p.m., when this matter is again before the House, the honourable member for Burrows (Mr. Martindale) will have two minutes remaining.

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

Legislative Assembly of Manitoba

Monday, April 15, 1991

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