



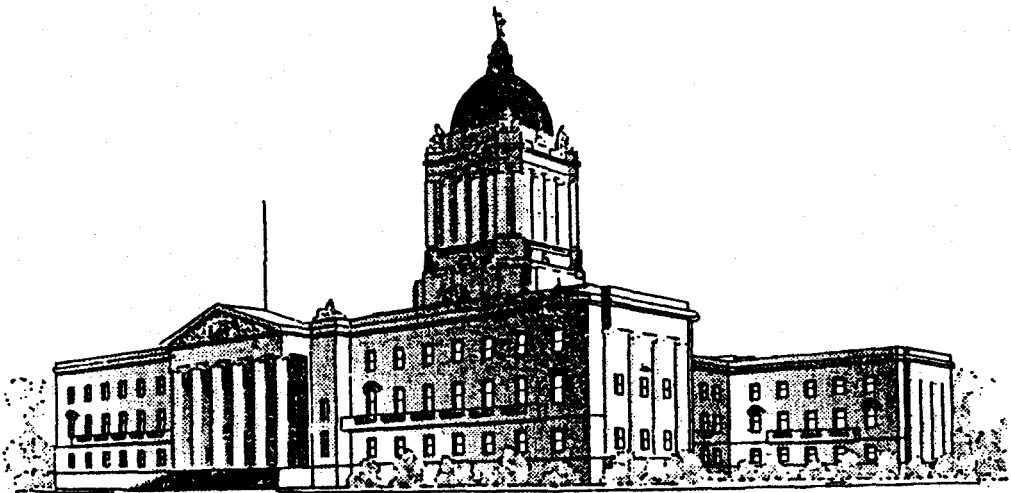
HANSARD A68461

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

**DEBATES
and
PROCEEDINGS**

(Hansard)

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



Vol. XLIV No. 13A - 1:30 p.m., Monday, December 19, 1994

ISSN 0542-5492

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 19, 1994

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Physical Education in Schools

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I beg to present the petition of Arlene Crabbe, Janina McKinnon, Doug MacTavish and others urging the Minister responsible for Education (Mr. Manness) to consider reinstating physical education as a compulsory core subject area.

Mr. Leonard Evans (Brandon East): Mr. Speaker, I beg to present the petition of Tom Price, Bill Starling, Betty Howell and others requesting the Minister of Education (Mr. Manness) to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Conrad Santos (Broadway): Mr. Speaker, I beg to present the petition of Tom Gulak, Kim Hope, Michelle Strube and others requesting the Minister of Education (Mr. Manness) to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. George Hickes (Point Douglas): I beg to present the petition of Lyle Gallant, Chris Graham, G. Guzda and others requesting the Minister of Education (Mr. Manness) to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Daryl Reid (Transcona): Mr. Speaker, I beg to present the petition of Fran Clayton, Donna McLaughlin, Darlene Meloney and others requesting the Minister of Education (Mr. Manness) to consider maintaining physical education as a part of the core curriculum from kindergarten to senior high.

Housing Authorities Voluntary Boards

Ms. Marianne Cerilli (Radisson): Mr. Speaker, I beg to present the petition of Rita Poirier, Dennis

Roussin, Halina Rybak and others requesting the Minister responsible for Housing (Mrs. McIntosh) to consider cancelling the recent unilateral rent hikes and restoring the voluntary boards for the housing authorities.

READING AND RECEIVING PETITIONS

Physical Education in Schools

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Lamoureux). It complies with the privileges and the practices of this House and it complies with the rules. Is it the will of the House to have the petition read?

Some Honourable Members: Yes.

Mr. Speaker: Yes. The Clerk will read.

Mr. Clerk (William Remnant): The petition of the undersigned residents of the province of Manitoba humbly sheweth:

THAT in July 1994, the Minister of Education introduced an action plan entitled *Renewing Education: New Directions*;

THAT this report will make physical education an optional course in Grades 9 to 12;

THAT the physical education curriculum should be regularly reviewed to ensure that it meets the needs of students;

THAT the government is failing to recognize the benefits of physical education such as improved physical fitness, more active lifestyles, health promotion, self-discipline, skill development, stress reduction, strengthened peer relationships, weight regulation, stronger bones, reduced risk of health diseases and improved self-confidence.

WHEREFORE your petitioners humbly pray that the Legislative Assembly urge the Minister responsible for Education to consider reinstating physical education as a compulsory core subject area.

Improvement of Highway 391

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Ashton). It complies with the privileges and the practices of this House and complies with the rules (by leave). Is it the will of the House to have the petition read?

An Honourable Member: Yes.

Mr. Speaker: The Clerk will read.

Mr. Clerk: The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the state of Highway 391 is becoming increasingly unsafe; and

WHEREAS due to the poor condition of the road there have been numerous accidents; and

WHEREAS the condition of the road between Thompson and Nelson House is not only making travel dangerous but costly due to frequent damage to vehicles; and

WHEREAS this road is of vital importance to residents who must use the road.

WHEREFORE your petitioners humbly pray that the Legislature of the Province of Manitoba may be pleased to request that the government of Manitoba consider reviewing the state of Highway 391 with a view towards improving the condition and safety of the road.

* (1335)

Physical Education in Schools

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Martindale). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Clif Evans). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read? Yes. The Clerk will read.

Mr. Clerk: The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Schellenberg). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba, humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education (Mr. Manness) to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

Handi-Transit

Mr. Speaker: I have reviewed the petition of the honourable member (Mr. Hickes). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: Yes.

Mr. Speaker: The Clerk will read.

Mr. Clerk: The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

The Manitoba government has decreased funding to the City of Winnipeg Transit budget by \$300,000; and

At the same time the City of Winnipeg has increased funding to Handi-Transit by \$430,000; and

The Filmon government has refused to provide the City of Winnipeg with sufficient funding to maintain Handi-Transit service; and

As a result of the province's refusal to cost-share with the city for Handi-Transit services, Handi-Transit has cut back on approximately 42,000 trips per year; and

Over 10,000 disabled Manitobans rely upon Handi-Transit as their primary means of transportation; and

Handi-Transit operators are now turning down over 200 ride requests per day; and

This lack of transportation will result in many disabled Manitobans losing their independence

and dignity and being forced to be institutionalized at far higher costs to the taxpayers of this province; and

The Filmon government has refused to even send a representative of the government to sit on the Handi-Transit Task Force committee.

WHEREFORE your petitioners humbly pray that the Legislative Assembly will urge the Minister of Urban Affairs (Mrs. McIntosh) to consider working with the City of Winnipeg and the disabled to develop a long-term plan to maintain Handi-Transit service and ensure that disabled Manitobans will continue to have access to Handi-Transit service.

Children's Dental Program

Mr. Speaker: I have reviewed the petition of the honourable member (Ms. Wowchuk). It complies with the privileges and the practices of this House and complies with the rules (by leave). Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS Manitoba has the highest rate of child poverty in the country; and

WHEREAS over 55,000 children depend upon the Children's Dental Program; and

WHEREAS several studies have pointed out the cost savings of preventative and treatment health care programs such as the Children's Dental Program; and

WHEREAS the Children's Dental Program has been in effect for 17 years and has been recognized as extremely cost-effective and critical for many families in isolated communities; and

WHEREAS the provincial government did not consult the users of the program or the providers

before announcing plans to eliminate 44 of the 49 dentists, nurses and assistants providing this service; and

WHEREAS preventative health care is an essential component of health care reform.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Health (Mr. McCrae) consider restoring the Children's Dental Program to the level it was prior to the 1993/94 budget.

Physical Education in Schools

Mr. Speaker: I have reviewed the petition of the honourable member (Ms. Friesen). It complies with the privileges and the practices of this House and complies with the rules. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Mr. Speaker: Dispense.

The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS the proposed changes to the Manitoba curriculum would have no physical education required for students after Grade 8; and

WHEREAS the social, intellectual, emotional and physical benefits of physical education have been proven through extensive research; and,

WHEREAS requiring physical education for high school sends a message that physical activity is important for life and encourages high school students to make life choices to stay active and it fits into a preventative health strategy; and,

WHEREAS many parents, students, medical professionals and educators, health and recreation specialists are urging that physical education be increased in schools.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request the Minister of Education to consider maintaining physical education as part of the core curriculum from kindergarten to senior high.

TABLING OF REPORTS

Hon. Eric Stefanson (Minister of Finance): Mr. Speaker, I have two reports to table, one pursuant to Section 7(2) of The Loan Act for the fiscal year ended March 31, 1994, and one pursuant to Section 56(3) of The Financial Administration Act as of March 31, 1994.

* (1340)

INTRODUCTION OF BILLS

Bill 219—The Elections Amendment Act

Mr. Gord Mackintosh (St. Johns): Mr. Speaker, I move, seconded by the member for Point Douglas (Mr. Hickes), that leave be given to introduce Bill 219, The Elections Amendment Act; Loi modifiant la Loi électorale, and that the same be now received and read a first time.

Motion presented.

Mr. Mackintosh: Mr. Speaker, this bill gets patronage out of the administration of elections in that it takes the power to appoint returning officers from the cabinet and gives that power to the Chief Electoral Officer to be exercised by considering merit.

There is not an area where patronage is more repugnant than election administration. The bill will ensure that returning officers are both seen to be and are actually impartial and makes a move to a timely appointment process and professionally trained administrators.

This measure is recommended by the Chief Electoral Officer and was most recently urged in regard to last year's by-election in St. Johns.

Motion agreed to.

ORAL QUESTION PERIOD

Mining Industry Workplace Safety Orders

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, we have raised questions before about the four tragic mining deaths in Manitoba, and a number of issues have arisen from answers given or taken as notice by the government.

Subsequent to our questions and the questions from the member for Radisson (Ms. Cerilli) on the deaths that took place and particularly orders that were issued by the company, the minister took as notice the notification given by his department to mining companies in Manitoba. The Hudson Bay Mining and Smelting Company is stating that they never received any stop-work orders or work orders at all on safety from the government after the death in January and prior to the death in May of 1994.

I would like to ask the Premier (Mr. Filmon), has he reviewed the answers given to this House by his Minister of Labour, and were orders issued by the government to mining companies after the first death that could have prevented future fatalities in our mines?

Hon. Darren Praznik (Minister of Labour): Mr. Speaker, I can tell the member that on a regular basis, there are orders issued with respect to that particular mine and that in the case in question, discussions took place, and there is on file a letter from the mine superintendent after a particular incident in the mine where the last death took place undertaking to do certain things to ensure that that would not happen again.

It is the view of our department that those things were not undertaken and a second death occurred.

Mr. Doer: Mr. Speaker, my question is to the Premier.

Can the Premier advise this House what information went from the Ministry of Labour and the Mines Branch dealing with the first fatality and what safety instructions were issued? Can the minister and the government table today the

notifications and the distribution of notifications to the mining industry? Were all mines notified of this problem, this fatality and orders that were put in place?

Can the minister, today, table his instructions, his distribution, because he took this question as notice a week and a half ago. We are concerned that there was no distribution beyond the local mine site dealing with this fatality.

Mr. Praznik: Yes, I can tell the honourable member that the mines regulation requires on any open facility that the employer has a responsibility to ensure that proper steps are taken to ensure the safety of people working in that particular area.

That information, the place where there was, in fact, a problem was with HBM&S. There are regular orders issued there. I can tell the honourable member that following the first death and another particular incident in which a death or injury did not occur, there was an exchange of discussions and a letter, which I can share with this House that I have seen and am not in a position to table to the member today.

That particular letter clearly indicated that the superintendent—I believe it was a superintendent of the mine—undertook to take safety precautions that make sense within the regulation that stands. Those did not occur in the second death, and that is why the matter is now before the Attorney General's department with respect to the laying of charges.

* (1345)

Mr. Doer: The company is saying that they did not receive the notification, Mr. Speaker.

There was a death on January 6, 1994, and, Mr. Speaker, the government has said in its document on May 16, 1994, the company agreed to certain safety procedures after the first fatality but had not implemented them to avoid a second fatality.

My question to the minister is, did the Department of Labour, the minister's department, distribute the safety instructions after the first death to the total mining industry, Mr. Speaker,

because this kind of action takes place in all mines, and will the minister table the follow-up after the first death to the mining industry, in general, and to Hudson Bay Mining and Smelting, in particular, so that we may know what the government's department did to prevent a second death under similar circumstances, tragically, in this province?

Mr. Praznik: Yes, I can tell the honourable member that the Department of Labour is regularly in those mines, that that particular mine had somewhere in the neighbourhood of 200 inspections in the course of that year.

I can tell the member—in fact, in my first two answers, I have told the member that the company, after discussions with the department, committed in writing, the superintendent, as to what would be undertaken by the mine in which the second death occurred. They were suitable safety guidelines or safety precautions to ensure that a tragedy would not occur, and they were not followed, which resulted in the second death.

I would be pleased to provide that letter. I do not have a copy with me at this time but I would be pleased to provide it to the member, and that is a letter from HBM&S to the Department of Labour.

Environmental Protection Legislation Beverage Containers

Mr. Gord Mackintosh (St. Johns): My question is to the Minister of Environment.

The government announced some time ago a goal to reduce waste going to Manitoba landfills by 50 percent by the year 2000. As an important way to reach that goal, the beverage industry was given minimum standards setting out the percentage of containers sold which had to be recovered to avoid facing a fine.

Mr. Speaker, last year, in year one, over \$500,000 was collected in fines. In this year, year two, the beverage industry failed to reach its targets, especially for aluminum and plastic containers. There is now almost \$1 million in outstanding fines.

My question for the minister: Would the minister announce to Manitobans that he is now waiving these polluter fines, which total almost \$1 million, \$862,931.68 to be exact.

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, we did, in fact, collect fines over the course of the year.

There is presently an implementation program as of January 1 where the beverage industry alone will be contributing upwards of \$5 million annually towards the removal of waste products across this province, not only aluminum, but also glass and plastics.

Mr. Speaker, I think the member should acknowledge that while the industry has been fined significant amounts, they have, in fact, now voluntarily—and I stress, in the context of the province of Manitoba, industries have now voluntarily come to the table to be part of our multimaterial products stewardship program.

Mr. Mackintosh: Mr. Speaker, is there a target? Is there a law or is there not a law?

My question to the minister is, what message is the government giving now to those who pollute our environment and who fail to meet even this government's own requirements?

Mr. Cummings: Well, Mr. Speaker, going back to the previous government of which the member, I am sure, holds high regard, they, in fact, had a letter of agreement from the beverage container industry that they would maintain reusable bottles within this province to a very high percentage. That was never implemented, and it was never carried through either.

Mr. Mackintosh: In light of this waiver, Mr. Speaker, would the minister now confirm that this means the government has rejected the polluter-pay principle, that it is, once again, taxpayer pay, and how can Manitobans afford this as a priority?

Mr. Cummings: Mr. Speaker, I do not want to play word games, but I do not think I have very often been accused of wavering. It seems to me

that the member might want to look at the contribution that we are about to receive towards multimaterial recycling in this province.

I think the issue of starting with the beverage container industry is probably one of the best thought-out and is, in fact, being watched very closely by other jurisdictions in terms of beginning the multimaterial collection program in this province, because it will be followed immediately by newsprint and by other recyclable plastics and by any other material that we can bring the industry to the table for.

I must emphasize, the member used the words "taxpayer pays." That is not at all true. The material will have enough money attached to the price of it that it will pay for its own removal from the waste stream, and the taxpayer will be protected, so I ask him to withdraw that statement.

* (1350)

Fire Prevention Childproof Lighters

Mr. Paul Edwards (Leader of the Second Opposition): Mr. Speaker, in the last year in this province, five children have died, eight civilians and a further five firefighters have been all injured as a result of fires caused by children having access to and misusing lighters. That is indeed a tragic record which I am sure all of us would want to do everything possible to stop.

When the Premier (Mr. Filmon) stood up last week and gave his response to the Speech from the Throne, he mocked the proposal by the Liberal caucus to bring in amendments to The Fires Prevention Act. He stated, and I quote from page 448: "Now childproof lighters in Manitoba, I do not want to say that in a perfect world we would not try to do everything possible to ensure that we created a safer environment, but this is one of his two pages of top priorities for Manitobans, childproof lighters."

Mr. Speaker, I want to ask the Premier to take seriously this issue, and I want to table a copy of a letter that I have received now from Chief Lough, the fire chief for the City of Winnipeg, who

has written and states in part in his letter: "The Winnipeg Fire Department appreciates your concern"—this is to me—"and will gladly support legislation restricting the sale or distribution of nonchildproof lighters. Recent Winnipeg fires in October and November took the lives of five children and teenagers. These fires also seriously injured three firefighters. Both of the fires were started by children playing with the fire, specifically lighters."

Mr. Speaker, will the Premier now reconsider his mocking tone of this issue and do something to ensure that 1995 is not the tragic year 1994 has been?

Hon. Gary Filmon (Premier): Mr. Speaker, no one on this side of the House or anywhere else in this Legislature wants to have tragedies occur in this province.

I realize that the member opposite has to make political gain where he finds it, but we on this side of the House will examine every opportunity to make this a safer and a better province for all of our people.

Government Strategy

Mr. Paul Edwards (Leader of the Second Opposition): The Premier could start by not playing partisan politics with these issues when they come forward. Mr. Speaker, we do not have to live in a perfect world to make improvements. The Premier suggested that we did in his mocking tone last week.

My question for the Premier is, given that all fire prevention experts in this province agree that this is indeed a very serious issue and has caused numerous deaths, not to mention injuries of other civilians as well as fire prevention workers in this province, will the province and the Minister of Labour (Mr. Praznik) take a close look at the Fire Code in this province, because I propose legislative changes, but as Chief Lough points out—[interjection] Well, the request went to Legislative Council November 21, and if the member would like, I am prepared to table that letter as well.

Mr. Speaker, my question for the Premier: Will the government, even if they are not willing to deal with legislative changes, take a look at the Manitoba Fire Code to ensure that we are doing everything possible we can, as Chief Lough suggests?

Hon. Gary Filmon (Premier): Mr. Speaker, as I said earlier, we will examine every opportunity to make sure that we are doing whatever is possible and reasonable to do in order to create a safer society.

Mr. Edwards: I have a final question for the Premier. He keeps saying, doing everything possible. I have yet to hear from him that, in fact, they are going to consider the legislative changes or the changes to the Manitoba Fire Code.

Will he take Chief Lough's advice and sit down with the City of Winnipeg Fire Department, who are asking in this letter and are suggesting that they may pursue their independent routes as best they can within the city of Winnipeg, but are looking for a co-operative effort from the province?

Is he prepared to sit down with Chief Lough and the Winnipeg Fire Department to determine what can be done, not next year, but immediately, Mr. Speaker?

* (1355)

Hon. Darren Praznik (Minister of Labour): Mr. Speaker, unlike the Leader of the Liberal Party, who may have one particular issue on fire—and I do not mean to, in any way, take away from that issue, because any safety matter is an important one.

I can tell the member that we have a regular process of dealing with the Manitoba Association of Fire Chiefs of which Chief Lough is a member, and we are continually looking at particular issues that arise in safety.

I can tell the honourable member that one of the greatest numbers of losses of children's lives from

fire, and I say this as well as Minister of Northern Affairs, has been of children who have died in houses that are wood heated and have been left unattended. That is a major concern to many of us.

I also say that although it may sound easy to stand up and say, act upon today, one has to ensure that you have the power to do what, in fact, they want to do. The member referenced the Manitoba Fire Code which, to be honest with you, has a very limited application to the issue about which he talks. So I would suggest that perhaps he should do a little bit more research on the matter, as we are currently doing.

I can tell him that I have had meetings with Chief Barry Lough on a regular basis. This has come up recently. We have asked for the opinions of the Manitoba Association of Fire Chiefs, as well, who represent more than just the city of Winnipeg, and we are always continually looking at ways at improving safety in this province. If we can do it, it will be a proposal that I will bring forward to my colleagues.

Home Care Program Bornstein Contract

Mr. Dave Chomiak (Kildonan): Mr. Speaker, it was several years ago, approximately the same time of year, that the government denied that they were getting involved with and had a consulting contract with Connie Curran.

Last week, we learned the government is entering into a \$100-million contract with the Royal Bank.

My question to the minister is, can the minister confirm that his department is involved with yet another consulting contract with Mr. Joe Bornstein, yet another consultant, to do studies and do consulting in the Home Care department?

Hon. James McCrae (Minister of Health): I can tell the honourable member that contrary to what I understand he was saying earlier today, there is no contract with Dr. Bornstein, a consultant.

At this point, Mr. Speaker, I should advise the honourable member that what we have been trying to do and what I have been trying to do ever since taking this position is to make our Home Care program and all of the programs delivered out of the Department of Health more client-focused.

I think that the honourable member should want to share that goal with me. He knows that the Home Care program has grown very, very quickly and very, very large in the last number of years. Indeed in the last seven years, funding for the program has increased by about 93 percent.

As part of our efforts to make this a more client-focused service, we have put in place the Home Care Advisory Panel, as well as the Home Care Appeal Panel, and discussions between the advisory committee and the deputy minister have been ongoing with respect to increasing the effectiveness of Home Care staff in order to provide a more client-focused service.

This came about as a result of the observations of the advisory committee and the appeal panel, the fundamental issue being making our program more client-focused.

Curran Contract

Mr. Dave Chomiak (Kildonan): Mr. Speaker, as usual, the answer is not very clear, but what I gather from the answer is they have not yet entered into the contract, but, as usual, they intend to improve the system by entering into another consulting contract. That is clearly the gist of the answer.

Mr. Speaker, it is ironic. Can the minister then explain, or at least table, the Connie Curran contract on home care, so we can have the previous home care consulting contract to discuss in this Chamber, and so we can know why there is another consultant, yet again, in home care being hired by this government?

Hon. James McCrae (Minister of Health): Mr. Speaker, the honourable member, unfortunately, has not made himself very clear today.

We know that in the past, he has been in direct opposition to a program in Home Care which was of direct benefit to clients, to patients. We know that patients very, very much like that program. It was a Home Care program associated with Seven Oaks Hospital. The clients of that program were very, very positive in their response to that program.

The honourable member, putting his union-boss friends ahead of people who need quality home care services—his loyalty goes with the union boss friends he has, not with the clients of the home care system.

Closure Dates

Mr. Dave Chomiak (Kildonan): Mr. Speaker, perhaps the minister can explain to this House why he has so much money for consultants, and that the Continuing Care Home Care Branch will be closed from December 23 to January 3, offering all of these wide range of services, according to the minister, and why a meeting is being held today to confirm whether all the hospital Home Care branches will be closed from noon the 23rd to the 26th in all of the hospitals and the 3rd, despite the fact that during the holiday season more people get discharged.

Why do they have money for consultants and they do not have money to put into an expanded Home Care program?

Hon. James McCrae (Minister of Health): Mr. Speaker, if the honourable member was so concerned about the clients of the home care system, he would have raised this question probably a week or more ago, but knowing that the holiday season is coming and that there is a reduction in demand on the system at around that time, I am surprised that he—

* (1400)

Point of Order

Mr. Chomiak: Just for clarification, I think the minister ought to be reminded I did raise this question, but I had so many questions—

Mr. Speaker: Order, please. The honourable member does not have a point of order.

* * *

Mr. McCrae: Well, if the honourable member can show me when it was that he raised this question, I would be happy to—[interjection] If he did that, then I would be happy to withdraw what I said.

Mr. Speaker, in anticipation of the festive season and of the needs that exist out there, I made inquiries of the department to ensure that home care services will be available to people who need them and that they will be available on an appropriate basis.

So those arrangements are in place, and the honourable member need not use this Chamber as a place where he can scare people in Manitoba about a program that has grown by some 93 percent in the last seven years.

Sugar Industry Export Restrictions

Ms. Rosann Wowchuk (Swan River): Mr. Speaker, when the U.S. implements its GATT schedule on January 1, our already restricted export access on sugar to the U.S. will be further threatened. Our sugar industry in Manitoba is very threatened.

Instead of free access to the U.S. market because of free trade and GATT, supported by both these parties, we are seeing more restrictions.

The federal Minister of Agriculture is not standing up for the sugar producers in this country. I want to ask the Premier (Mr. Filmon) if he has discussed this very important issue with the federal government and what he is proposing we should do to ensure that our sugar industry is protected in this province and in this country.

Hon. James Downey (Acting Minister of Agriculture): Mr. Speaker, the question is, has the government contacted the federal government, and the answer is yes.

The Minister of Agriculture (Mr. Enns) and I, last Friday, were on a conference call with the federal Minister of Agriculture, expressing how concerned we were about the lack of support for the Manitoba sugar industry. I believe, as we speak, the Ministers of Agriculture are possibly dealing with that subject in Toronto.

Ms. Wowchuk: Mr. Speaker, given that instead of using dispute settlement mechanisms, the federal Minister of Agriculture has already backed down to the U.S. by accepting caps, I want to ask whether the government has considered lobbying with other provinces and looked at what possible steps could be taken so that the industry is saved.

What other options are there for us to save the sugar beet industry in our country?

Mr. Downey: The question was, if I understood her correctly, are the provinces working together to make sure that the federal government clearly understands how important an issue it is.

Yes, particularly the western provinces, Alberta and Manitoba and British Columbia, which have a very direct interest in the exporting of sugar—particularly Manitoba that produces, processes and puts that sugar into the U.S. market—are working closely together to try to resolve this issue in a positive way, which will, in fact, save an industry which is today threatened.

Ms. Wowchuk: Will the minister admit that the main objective of the Americans was clearly that they wanted unlimited access to our markets because of the changes in NAFTA and the sliding tariffs, but we have had a block of our access, and free trade and NAFTA have failed Canadian sugar producers in this country, and we are going to lose because of an agreement that this government supports?

Mr. Downey: Mr. Speaker, without getting into a lot of detail, I believe it was probably in the best interests of the producers in the industry to use the mechanisms that were provided under the Free Trade Agreement and NAFTA to put the case before, so that, in fact, it could be adjudicated.

We won on the hog issue. We won on the soft lumber issue. There is no reason why we could not have won on the durum issue and also the sugar issue. There is a mechanism that is provided to resolve these disputes.

Department of Labour Conciliator's Report Release

Ms. Jean Friesen (Wolseley): I want to table a series of letters here dealing with the dispute of the Teamsters and Building Products.

Mr. Speaker, these cover a period between 1991 and 1994 when the Teamsters were on strike, and, in particular, they deal with an application brought before the Labour Board by a Mr. David Newman on behalf of the Independent Contractors and Employees' Association for certification as a bargaining unit.

Mr. Speaker, what appears to have happened here is that David Newman was clearly able to write to the Minister of Labour and trigger within 30 days a final report on the Teamsters' dispute from a conciliator who had been on the job for more than a year, enabling Mr. Newman to remove an obstacle for his clients before the Labour Board.

I would like to ask the minister to explain why it took a letter from Mr. Newman for his department to produce that report.

Hon. Darren Praznik (Minister of Labour): Mr. Speaker, the request was made for a copy of the report. I received a copy of the report from the conciliation officer which basically said—and I would be more than pleased to table it in the House at some future occasion; I do not have a copy with me.

The opinion of the conciliation officer, if my memory serves me correctly, was that this was a dispute that was not resolvable, that he was not able to seek resolution.

Mr. Newman, representing a group of employees, has applied for, I believe, the certification of another bargaining unit. That is an

issue to be decided by the Labour Board. They will make a decision based on the facts.

Surely, the member cannot be suggesting in any way that that report should not have been available to anyone who wanted it. It is a very simple report. It is very clear, and I fail to see how giving that information out to anyone, somehow it would be not proper or improper in any way.

Ms. Friesen: Mr. Speaker, I am sure, as the minister is aware, the issue here is the influence of Mr. David Newman within the Department of Labour.

I would like to ask the minister to explain why he wrote to Mr. Newman on November 23 to let him know that the mediator's report was complete and thus the obstacle for Mr. Newman's clients was removed before the Labour Board, and yet the Teamsters Union were not informed until November 29 that the mediator's report on their dispute was complete.

Mr. Praznik: Mr. Speaker, I am not sure if the member for Wolseley portrays the scenario events or her reference—I think she does a little bit of ad lib on the letters. Mr. Newman requested a copy of the report. I had received the report. This was a long dispute that was, in the view of our conciliation and mediation services, irreconcilable.

Much effort was put into it on the part of our staff in that department to resolve it. It was not resolvable, and any group of workers—surely the member opposite cannot be implying that a group of workers on that site do not have the right to apply to the Labour Board for certification of another bargaining unit.

If I had had a similar request from another body, we would have provided it, as well. It has always been available upon request, Mr. Speaker.

Ms. Friesen: Mr. Speaker, again, the issue is the influence of Mr. David Newman within the Labour department. That man received the report before the Teamsters Union who had been in mediation and conciliation for over three years. The minister surely must understand the nature of this question.

I would like to give the minister a final opportunity to reassure the House that there is no special connection between Mr. David Newman and his Department of Labour that would enable Mr. David Newman to have a greater influence than any other Manitoban.

* (1410)

Mr. Praznik: Mr. Speaker, I very much resent the question from the member opposite.

First of all, let me say that she implies that there is some void of information. Our conciliation and mediation people have spoken regularly to people on both sides. It would surprise me greatly if members of the Teamsters Union did not know verbally what was in that report. It would surprise me greatly if people did not know what the outcome of that report was going to be, that it was an irreconcilable situation. I think anyone involved in it would clearly know that.

The flow of paper, Mr. Speaker—certainly the request came. We complied with the request, and our staff then provided it to both sides. Maybe it took a little longer than perhaps the member would have wanted, but the Teamsters Union was clearly aware of what the content of that particular report was.

I can assure this member that while I have been minister of this department and I believe while this government has been in power, this department has made an extra special effort to be an even hand between both sides.

Mr. Speaker, I can tell the member opposite that, from time to time, I have had representatives of that same union meet with me who want to discuss matters with me, as well. So I do not particularly accept, in any way, her accusations.

Environmental Protection Legislation Beverage Containers

Ms. Norma McCormick (Osborne): Mr. Speaker, I have a question for the Minister of Environment.

I, too, have learned that the minister intends to use the power as set out in Section 6.2 of the beverage container regulation of The WRAP Act to waive the additional assessment on the manufacturers and distributors of contained beverages for failure to meet the recovery targets.

My question for the minister is, can the minister confirm that over \$860,000 was assessed against this industry and explain to the House why this amount is to be forfeited?

Hon. Glen Cummings (Minister of Environment): Mr. Speaker, I think the information that the member is referring to is that our multimaterial recycling program was to have been implemented in September, which would have meant that we were part way through the year of implementation.

As the member and the public is well aware, we have encountered a number of obstacles along the way, but the net result is that we are now getting a \$5-million contribution from the industry to be topped up from additional levies against newspapers and other products, so I think the end result is quite satisfactory.

Ms. McCormick: Mr. Speaker, in response to my question, the minister gives the impression that the beverage industry alone will be contributing \$5 million to the new Product Stewardship program.

My question to the minister is, how can he conclude that this two-cent levy is against the industry, when, in fact, it is against the consumer who is also the taxpayer?

Mr. Cummings: Mr. Speaker, I do not think anyone would be so naive as to, in any way, imply that costs do not get passed through. Of course, costs are passed through, whether it is an industry donating to a nonprofit organization or whether it is an industry that has a cost of production.

When we look at the cost of energy, the cost of labour, all of those things are passed through. This is a cost that an industry is paying towards the removal of its waste from the waste cycle in this province.

Whether the industry intends to, for competitive purposes, eat that or whether they will pass it through to the consumer will ultimately be a decision of the industry, but no one should for one minute imply that ultimately the user of a product that creates waste does not end up contributing towards the removal of that waste.

Mr. Speaker, the Used Tire Program is a perfect example where those who are the consumers of the tires which were filling up our landfills are now contributing towards the removal of that product.

Ms. McCormick: Mr. Speaker, this is an indefensible position, given that last week the Department of Family Services was crowing about saving—

Mr. Speaker: Order, please. The honourable member, with your question, please.

Ms. McCormick: How can the Minister of Environment defend this step when the amount of money that is potentially to be recovered for Manitobans exceeds the amount saved through the snitch line?

Mr. Cummings: Mr. Speaker, the member asks about the pass-through of costs. They have been passing through the costs of the fines that they paid before. I mean, she cannot have it both ways.

Betel Personal Care Home Construction

Ms. Becky Barrett (Wellington): Mr. Speaker, on June 2 of this year, both the Minister of Health and the Minister of Finance (Mr. Stefanson) attended the ground-breaking ceremony for the Betel personal care home on Erin Street. [interjection] I believe the crowing on the part of the government is slightly premature because while it was anticipated that the actual construction of the personal care home was going to be able to begin almost immediately, it is over six months later and not a shovelful of dirt has been taken from Erin Street.

I would like to ask either the Minister of Finance or the Minister of Health or any of the other members of the government who were so

quick to applaud just moments ago, why the delay?

Hon. James McCrae (Minister of Health): Mr. Speaker, I am pleased to join with my colleagues in applauding the support of this government for that sort of development.

I would be happy to look into the present status of the situation for the honourable member and report to her, but there is no question but that this project will be going ahead. I will be happy to make the honourable member aware of the present status.

I am only pleased that—I should not say I am pleased, because it is a little sad to see honourable members opposite who clearly support this sort of thing try to make some mileage out of it by raising it in a negative sort of a way.

We have a very popular and needed development going on here. The honourable Minister of Finance (Mr. Stefanson) and members of the Scandinavian community in Manitoba, I think, will be very pleased to see that development.

As I said, I will bring the member up to date on the status of the project.

Ms. Barrett: Mr. Speaker, I agree. It is a popular and needed personal care home, 100-bed personal care home. The problem is that not a shovelful of dirt has been shovelled for that construction yet, over six months. So the ministers were prepared to take all of the—

Mr. Speaker: And the question is? Order, please. Question, please.

Ms. Barrett: The question is, since the Department of Health officials have been working with the Betel Home project since its beginning, what are the reasons for the over six-month delay?

Mr. McCrae: Mr. Speaker, I already told the honourable member I would let her know the status of the project, but while I am doing my research, I would like her to do her research and search her soul as to why it is she and her

colleagues voted against this project when they had the opportunity.

Brandon General Hospital Nursing Shortage

Mr. Leonard Evans (Brandon East): Mr. Speaker, I, too, have a question for the Minister of Health.

On December 8, the Minister of Health stated during Question Period: "Our hospitals are getting better."

Yet, Mr. Speaker, I continue to get complaints respecting the shortage of nurses at the Brandon General Hospital.

Today, I have received a written complaint from a prominent Brandon businessman who was recently discharged from BGH after six days in that hospital, and he states categorically that patient care is suffering because of the shortage of nurses.

Will the minister look into this question at the Brandon General Hospital and ensure that that hospital receives sufficient revenues so that patient care will not continue to suffer?

Hon. James McCrae (Minister of Health): I certainly hope the honourable member will be kind enough to share with me the detail of the complaint. I, too, receive, like the honourable member, comments about the Brandon General Hospital.

I am happy to report that most comments I get about Brandon General Hospital are about the quality of the care that is received there, the caring attitude of the staff at the Brandon General Hospital. That is the kind of message I get.

If the honourable member has something specific about the stay of a patient at Brandon General Hospital, I should be made aware of that, not necessarily in this House, Mr. Speaker, but if the member wants to do it that way, that is fine.

I guess I should research my files when he was on this side of the House and talk about all the complaints that I received in those days.

* (1420)

Mr. Leonard Evans: Mr. Speaker, this person says that he cannot praise—

Mr. Speaker: Order, please. We are almost out of time. The honourable member for Brandon East, your question.

Mr. Leonard Evans: The nursing staff is terrific. Everyone praises the nurses—

Mr. Speaker: Order, please. This is not a time for debate. Order, please. Your mike is not on. Order, please. Hello, hello. There, now we have it. The honourable member for Brandon East, with your question.

Mr. Leonard Evans: Will the minister acknowledge that his government has cut \$4 million from the budget of the Brandon General Hospital over the past few years and is now expecting the Brandon General Hospital to cut yet another \$4 million, and therefore, it is not surprising that patients, because of the shortage of nurses—

Mr. Speaker: Order, please. The honourable member has put his question.

Mr. McCrae: Mr. Speaker, my office is open. My phone lines are open for people. My mailbox is open for people to let me know about concerns.

The one thing different about the approach that I am using is that back in 1987, when the honourable member closed 30 beds at Brandon General Hospital, the first closure, what happened to the honourable member?

The honourable member went into hiding. He hid from his constituents when he and his colleagues closed the first beds at Brandon General Hospital.

Unlike them, I will be available for constituents anywhere in this province.

Mr. Speaker: Time for Oral Questions has expired.

NONPOLITICAL STATEMENTS

Seniors' Christmas Dinner

Mr. Speaker: Does the honourable member for Sturgeon Creek have leave to make a nonpolitical statement? [agreed]

Mr. Gerry McAlpine (Sturgeon Creek): Mr. Speaker, I would like to acknowledge two local restaurant owners and their remarkable community spirit and sense of sharing. This weekend, George and Gus Tsouras, owners of Branigan's and Bridgeport restaurants, sponsored a Christmas dinner for 145 seniors who reside in the downtown area.

Restaurant staff and local business people, including some political people, including our own Minister responsible for Seniors (Mr. Ducharme) and the transportation supplied by King's Transfer, all participated in acknowledging and providing this worthwhile function for the seniors.

The event was held at the Branigan's restaurant in The Forks, Mr. Speaker, and I would like to congratulate all the people, especially the restaurateurs and King's Transfer for providing this for the seniors.

United Nations Day

Mr. Speaker: Does the honourable member for Wellington have leave to make a nonpolitical statement? [agreed]

Ms. Becky Barrett (Wellington): Mr. Speaker, yesterday was the United Nations Day for the elimination of all forms of discrimination against women. I believe it is important for us all to reflect on the many areas in our own lives and in our own province where women are still not equal, areas such as violence, in the economic areas, social areas, in the justice system and in our health care system. Everywhere we look women are still not equal.

I would hope that we would all recommit ourselves, as people with the ability to effect change, to working as hard as we can to eliminate discrimination wherever we find it. Over one-half

of the world's people deserve no less. Thank you, Mr. Speaker.

Order of Sports Excellence Award

Mr. Speaker: Does the honourable member for St. Norbert have leave to make a nonpolitical statement? [agreed]

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, later today, the Minister of Sport (Mr. Ernst) will have the pleasure of awarding the Order of Sports Excellence to this year's provincial high school volleyball champions.

The Oak Park Raiders (Kim Willoughby, Sharon Morrison, Jennifer Paddock, Julie Andresen, Shannon Walteson, Heather Newsham, Robin Behlke, Cheryl Jacques, Shannon Storozuk, Crystal Johnson) won the girls' title. The Lord Selkirk Royals (Todd Dmitruk, Troy Coppock, Chris Pearson, Dean Hacking, Dale Monkman, Ryan Howanyk, Mike Pittman, Rory Coppock, Brad Ander, Darcy Pritchard, Wes MacLean, Tom Pawluk, John Blacher—coach) took the boys' crown.

Winning the provincials in Manitoba is a difficult task. In fact, the two teams are repeating as provincial champions. These schools have an outstanding history in volleyball. I hesitate to use the word "dynasty," but if you look at the schools' records, it does come to mind.

With Jim Schreyer as coach for the past 15 years, the boys have been in the nine provincial finals and have won six championships.

Oak Park coaches Tannis Tilston-Jones and Sandy Newsham are coaching the team for the first time, having played on the 1990-91 Oak Park provincial champions.

Both the University of Manitoba and the University of Winnipeg have had many of these fine schools' graduate wearing their colours. I hope that the players off this year's teams will be playing at the college level next year.

I would like to congratulate the coaches and the players for an outstanding season and wish them the best of luck in the new year, Mr. Speaker.

ORDERS OF THE DAY

Mr. Speaker: The honourable government House leader, what are your intentions, sir?

Hon. Jim Ernst (Government House Leader): Mr. Speaker, would you call Bill 6.

SECOND READINGS

Bill 6—The Northern Flood Comprehensive Implementation Agreement (Split Lake Cree), Water Power Amendment and Consequential Amendments Act

Hon. Darren Praznik (Minister of Northern Affairs): Mr. Speaker, I would move, seconded by the honourable Minister of Health (Mr. McCrae), that Bill 6, The Northern Flood Comprehensive Implementation Agreement (Split Lake Cree), Water Power Amendment and Consequential Amendments Act; Loi concernant l'accord d'application globale de la convention sur la submersion de terres du Nord manitobain (première nation crie de Split Lake), modifiant la Loi sur l'énergie hydraulique et apportant des modifications corrélatives, be now read a second time and be referred to a committee of the House.

Motion presented.

Mr. Praznik: Mr. Speaker, I am very pleased today to introduce for second reading this particular piece of legislation, because it comes at what, as a relatively newer member of this Legislature, I can say is a long drawn-out period of time to settle some very old issues that quite frankly, in my opinion, should have been settled well over a decade ago by others who occupied these benches.

Mr. Speaker, the particular bill that we are bringing forward today is one that gives effect to an agreement that has been reached under the Northern Flood Agreement with this particular band, the Split Lake Cree. I intend to discuss the details of it a little later in my remarks.

I wanted to use today as an opportunity, for members of the House, to put in context this particular legislation and the negotiations around

Northern Flood, the process, because certainly we are quite proud of the fact that during our tenure in government since 1988 we have been able to see some very, very significant progress in the settlement of these Northern Flood Agreements.

In fact, I can tell members of this House that where we started in 1988 was with a long process. It cost everyone, particularly the aboriginal people of those communities that were involved with Northern Flood, a great deal of time and money.

In the space of the last almost seven years of this administration we have been able to bring through the process virtually all of the communities—and I hope that we will have a significant announcement to make shortly with respect to the last community and its involvement in this process—to the point where we are able to have concluded comprehensive agreements that are now working about the detail of settlement, so that those who have waited for almost a generation to see these matters come to conclusion are now seeing us move into, I would expect, the final phase of settling these long-standing issues.

By way of background to this agreement, which is a settlement agreement under the Northern Flood Agreement, we must go back to the early 1970s when the then-NDP government of Premier Schreyer proceeded with the Churchill River diversion and the Lake Winnipeg regulation projects regarding the development of hydroelectric generation on the Nelson River system.

Those projects resulted in altering the natural water regimes on the Churchill, Rat, Burntwood and Nelson River systems and associated lakes. The communities of South Indian Lake, Nelson House, Split Lake, York Landing, Cross Lake and Norway House are all located on the rivers and lakes affected by these projects.

There were many, many, very, very terrible impacts on those particular communities. Flooding and access to trapping areas were denied. Hunting displaced wildlife populations changed part of the natural harvest for hunters out of those communities. Fishing, both commercial and

domestic, was certainly reduced, if not, in many cases, eliminated. Debris and the flooding of lake shores made it difficult to carry on a fishery.

Community infrastructures like docks, buildings and roads were flooded and damaged in those particular communities. Many Indian reserve lands, federal government lands held in trust for those bands, were inundated by water and were either damaged or made totally unusable.

Traditional transport routes in summer and winter, whether they be water routes or they be the ice roads, were altered or damaged. Recreational use of land and water areas were also affected and flooding areas of aboriginal cultural significance also took place.

* (1430)

I am sure for anyone who has travelled to those communities, and I know some of the members opposite who represent those communities in this House, know all too well that damage. In fact, I remember some of the comments about areas that were flooded, where trees were not cut, for example, and left to snag fishing nets or interfere with boat traffic on those particular lakes.

I have flooded areas in my own constituency from the first power dams built in our province. I know the areas. One can see the damage done by not doing a simple thing like cutting out the timber before flooding a particular area.

That all took place under those projects by the Schreyer government and with very, very little regard to the people in those communities. Shall we say it was done with little regard for those people by the governments of the day, the Schreyer government being one of them and, quite frankly, was very indicative of a time in which we did not count into the costs of these massive construction projects, of the environmental damage.

We did not take into account the damage we did to people who used those particular systems. It is one of those things, I believe, that quite frankly is a blight, a black spot on the history of our particular province.

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

From the period 1974 to 1977, the Schreyer government—the government of the day—undertook to negotiate some form of a compensation agreement relating to persons who were adversely affected by the Churchill River and Lake Winnipeg regulation projects. I understand that a draft, a Northern Flood Agreement was prepared at that time, but was not agreed to, was not signed, was not executed.

In fact, one of my early political memories, remembering the 1973 and 1977 provincial elections, particularly the 1977 provincial election, was a cartoon. I think the government of the day used the slogan: Re-elect the people's government. I remember the cartoon of Premier Schreyer in a helicopter flying over a lake, and some people in a canoe were on the roof of a house looking up and saying, where is our flood agreement, and the cartoon showing the Premier with a sign saying, re-elect the people's government. It was very indicative of the view at the time by many in our province, maybe not just that government of the day, but many in our province that compensation did not have to be provided to the people who were so adversely affected by the construction of those diversion systems that resulted in increased power generation for Manitoba power.

Madam Deputy Speaker, obviously, the signing of a Northern Flood Agreement was an issue in the 1977 election. The failure of the Schreyer government to do that became an issue. My party, campaigning under the leadership of then soon to be Premier Sterling Lyon, committed to sign such an agreement if they were in fact elected. In that general election of October of 1977, the Conservative Party was returned to office and did in fact complete the agreement and sign it. [interjection] It was signed, I point out to the member for Thompson (Mr. Ashton), by the Lyon government. I did indicate it had been negotiated to a point, to a degree, but not executed by the Schreyer government.

I remember very clearly, as I said to the member for Thompson, that that became an issue, the fact

that it had not been executed. I remember the cartoon in the Winnipeg Free Press of that particular day, Madam Deputy Speaker, and I am sure many in that administration that did go down to defeat regretted the fact sincerely that it had not been executed during their term of office, and I say "regret" sincerely. It was probably a sense that should have been executed. [interjection]

Madam Deputy Speaker, the fact of the matter is, it was signed in 1977. Then we began a period of trying to implement it. The member for Thompson (Mr. Ashton) talks about some of the problems in the way this particular agreement was to be implemented. That is an area where we find some agreement, because good intentions aside of everyone involved in that process, the fact of the matter is, from '77-78 when the document was executed until the latter part of the '80s, virtually what was created in Manitoba was a Northern Flood Agreement industry. I am sure there are many in the legal and consulting professions who have made significant amounts of money on dealing with that particular agreement, of trying to resolve those issues, again an agreement that was to be on a person-by-person basis.

I can say that in those early years a number of steps were taken towards the implementation of the Northern Flood Agreement, for example the selection of a Northern Flood Agreement arbitrator, the establishment of an office and administration arrangement to enable the arbitrator to begin carrying out his responsibilities. Assigned staff and budgets were provided for to enable Manitoba to participate in the Northern Flood Agreement compensation process. There were activities associated with the selection of compensation lands, Manitoba having to provide four acres of land for every one that was flooded. As well, the province participated in various negotiations and partial settlement of claims made on behalf of trappers and fishermen from the five First Nation communities.

Madam Deputy Speaker, those were in the early years. As members of this House know, in November of 1981 a new administration, of which the member for Thompson (Mr. Ashton) was part, was elected in that particular general election and

re-elected in 1986. I noticed the member for Thompson had their problems with the agreement.

During that period there was ample opportunity I think to have moved to resolve those particular problems, and a great regret I think for all of us as Manitobans. I do not blame members opposite entirely, but I do know through that period of six years—well, more than six years, 10 year period—the movement towards resolution was a slow one and a frustrating one, from what I am told by many who were involved in that process, for a host of reasons, not all to be blamed on any government, some perhaps to be blamed on government, but again the push to resolve it through a whole period not being there—and I say this very candidly, many of my profession and those in the consulting profession I believe making large amounts of money, a lot of money—[interjection]

The member for Thompson said a lot of Jaguars bought out of dollars destined for settlement and for working out the detail of an agreement by those I am sure not living in the communities involved, those living in southern Manitoba, who are selling their services to the process of settling this Flood Agreement.

Madam Deputy Speaker, ultimately we have to ask ourselves, is that in anyone's interest at the end of the day? Certainly, not at all. We do know during that period prior to 1988, from the signing of agreements, 1988, very few claims were settled, very little money reached the hands of those who had made claims for compensation and, in the minds of many, had become simply a cottage industry for consultants. [interjection]

Well, the member says, look at the amount of settlement. I can tell the member from the information that I have been provided by those who have been working on it, in their view, there was very little progress made in that almost decade from the initial signing in terms of the flow of particular dollars.

Madam Deputy Speaker, in April of 1988, when this administration came into power, under the direction of the Honourable Jim Downey, who was then the minister, our cabinet, I think, made the

decision very clearly that these were issues that we wanted to move to settlement, that we wanted to see an impetus into this process to bring about agreements and move towards a final conclusion of this particular set of issues, and not only just in this area.

* (1440)

I digress just for a moment, but I know in the area of treaty land entitlement, which the federal government is the lead jurisdiction having the responsibility, there has been—

An Honourable Member: And the ones that blocked the settlement in the mid-'80s.

Mr. Praznik: Well, I just say that the movement to settle those issues began—

An Honourable Member: Was Jake Epp the minister then?

Mr. Praznik: No, he was not in the mid-'80s.

An Honourable Member: Who was?

Mr. Praznik: I cannot remember. It was not Jake Epp.

An Honourable Member: The federal government blocked. They had an agreement.

Mr. Praznik: The member raises a point about blocking treaty land settlements. My point simply is that during that period, the prime responsibility has been the federal government. It is the provinces' responsibility to provide unencumbered Crown land pursuant to the 1930 transfer agreement, the Natural Resources transfer agreement. The willingness was certainly there on the part of, I think, provincial administrations, but the process had slowed down. It has since been moving forward, and we have seen some of our first settlements take place, Island Lake communities being one and, certainly, the Long Plain First Nation in southern Manitoba being the second. I was very honoured to be signatories to both of those documents on behalf of the people of our province.

Madam Deputy Speaker, during the 1990-91 period, the government of Manitoba sought to bring about a new process which would lead to the settlement of obligations under the Northern Flood Agreement. Manitoba provided leadership and, along with the other parties through the Northern Flood Agreement, undertook negotiations to set out a proposed basis of settlement for all five First Nations involved. In 1991, the proposed basis for settlement was put together, Madam Deputy Speaker, and the Split Lake First Nation was the only First Nation to accept the proposal at that time and negotiations continued and concluded with the signing in June 1992 of a comprehensive implementation agreement.

Perhaps this underlined some of those early problems with the initial agreement that was negotiated in the mid-1970s and signed in '77-78 that it was an individual agreement and it did not allow at that time for the settlement of claims en bloc for a community. So this administration with my predecessor the Honourable Jim Downey was able with our negotiators to begin the option of a comprehensive settlement agreement.

As I have indicated, we were able to conclude the first comprehensive agreement with the Split Lake First Nation. Also, Madam Deputy Speaker, in establishing the Northern Manitoba Development Commission one of the most important findings of that commission was the desire or the statement, the comment, that the settlement of these issues, the Northern Flood issues and treaty land entitlements, were fundamental building blocks to allow aboriginal people in northern Manitoba to get on with issues of economic development and building their communities and their lives. It is interesting to note that point. Again, this ties into the effort to do the comprehensive settlements which made final resolution of these issues possible.

The government of Manitoba has also aggressively pursued a course of securing comprehensive implementation agreements with Nelson House, York Factory, Cross Lake and the Norway House First Nation. Memos of Understanding to negotiate comprehensive implementation agreements have been signed with

all four First Nations. Agreements in principle respecting comprehensive implementation agreements have been signed with Nelson House, York Factory and Cross Lake. An agreement in principle with Norway House is anticipated to be signed very early in the new year.

As members opposite may be aware, there is an issue in the Norway House First Nation now with some dispute between the majority of councillors, if not all councillors, and their current elected chief. That chief, I understand, has been acting in a different course, shall we say, from the majority of a quorum of councillors respecting the fundamental importance of a body of council. We have been negotiating with the council as a duly constituted entity, and we hope we will be able to announce very shortly an agreement in principle on a comprehensive agreement with them.

The member for Thompson (Mr. Ashton) may be particularly interested to note that I understand the chief, acting with a group of other individuals, sought an injunction to this particular process and to my knowledge was not successful in securing that. So I believe we are on the right course currently and hope to have included the last of those five First Nations in this process or will have them included very shortly.

Although, Madam Deputy Speaker, 17 years have passed since the signing of the Northern Flood Agreement, this government of Manitoba, during that time I believe we can take credit, particularly my predecessor, Mr. Downey, for taking various initiatives which have resulted in concluding its obligations under the Northern Flood Agreement. The significance of moving this along I cannot really stress or emphasize enough.

In my brief period as the Minister of Northern Affairs, when one has to deal with many diverse groups, many First Nations, many communities in the North talking about their hopes and aspirations to build on economic opportunities that they do possess, one really realizes very quickly that it is so fundamental to people to have control ultimately of their own land and territory, of being able to pursue opportunities there.

Government is not the answer to all. Government cannot provide for the needs of everyone. Residents of the North, like residents of most parts of Canada, want the opportunity to pursue their dreams and their hopes and their lives and the opportunities that are there for them, to pursue them and make the best of what is available to them and earn a living to support their families.

When issues of land and settlement, whether they be treaty land or under the Northern Flood Agreement, are there they become a dominating set of issues, a dominating force in a community in which so much energy is focused, because obviously a lot is at stake in the life of a community. So it commands the attention of the citizens and leadership of that community.

When I look at these particular communities who are involved in this process, Madam Deputy Speaker, one comes to the conclusion very quickly that in the 17 or so years that this has dragged on and dragged on one really has to ask what amount of energy, what amount of effort has this process drawn out of those communities that could have been put to other issues and other opportunities and other projects that those communities would have liked to have pursued. It becomes very important for us as a province to see these particular issues settled.

Madam Deputy Speaker, with the specifics to this particular bill, this piece of legislation ratifies by an act of the Legislature of the Province of Manitoba the Northern Flood Comprehensive Implementation Agreement signed with the Split Lake First Nation. I understand that a copy of that agreement had been tabled some time ago by my predecessor in this House.

A copy of it is available to any member who wishes to examine that particular document. If they wish, one is also available from me in my offices or from my department, and we would be pleased to provide it.

* (1450)

As members opposite may note, it is a very lengthy and substantial document. It explains why it has taken some years to put together, but it is in

fact done and carries forward to resolution a process for resolution of many of those outstanding issues.

The effect of this legislation is to prevent any claims for compensation against Manitoba being brought forward by Split Lake persons under the Northern Flood Agreement, recognizing the importance of the new strategy of dealing with the claims of citizens of this community on a comprehensive basis.

Claims against Manitoba can only be brought forward under the terms and conditions of the comprehensive implementation agreement. Manitoba, under the terms and conditions of the Split Lake comprehensive implementation agreement, is released from present and future obligations. Obligations of Manitoba to Split Lake will then be concluded by this agreement and the process it creates.

Obviously, I am sure members opposite can appreciate the need to have such legislation, because the initial Northern Flood Agreement provided for claims by persons. So, in accepting the comprehensive approach, this community has decided to see the end of obligations to individual persons, individual citizens of that community as provided for in the original Northern Flood Agreement.

I can tell members of this House as well that a similar piece of legislation to this is currently before the Parliament of Canada.

Mr. Steve Ashton (Thompson): Has it passed yet?

Mr. Praznik: The member for Thompson asks, has it passed yet? I understand that the newest senator for Manitoba, a former member of this House, was the sponsor of this bill in the Senate of Canada, and it was expected—

Mr. Ashton: Who might that be?

Mr. Praznik: The member asks, who might that be? It was the former member for River Heights whose seat is now vacant.

An Honourable Member: You mean the former Leader of the Liberal Party who was against patronage?

Mr. Praznik: Madam Deputy Speaker, just by way of identification of the sponsor of this bill to the Senate, yes, I can confirm to the member for Thompson (Mr. Ashton), who speaks from his seat, that the sponsor in the Senate is the former Leader of the Liberal Party in Manitoba who, if memory serves me correctly, was a very strong opponent to patronage appointments and patronage appointments to the Senate, but in the interests of the public, I assume, decided to abandon her principles and accept the appointment of a seat to the Senate.

The member for Riel (Mr. Ducharme) asks if she took a long time to make up her mind. Perhaps she had to wrestle with the thought; perhaps she had to struggle with it; perhaps she consulted her provincial caucus. I would have hoped she would have. I would have hoped she would have consulted the member for Inkster (Mr. Lamoureux), who is the ethics critic, about saying one thing and doing another. But we have seen much of that in this House from members of the Liberal Party.

An Honourable Member: I am glad to see she is keeping busy.

Mr. Praznik: As the member for Thompson (Mr. Ashton) points out, we are glad to see she is keeping busy. It is just we sincerely regret that she had to put her principles to such a test, but we wish her well.

So the newest senator from Manitoba is the sponsor of this particular piece of legislation in the Senate, Madam Deputy Speaker, and it should, we would hope, pass in the near future, this being the companion legislation in Manitoba that authorizes this particular agreement and extinguishes obligations under the old.

I know some of the members of the New Democratic Party have raised with me some technical questions, and we would be more than pleased, should there be any technical questions

about specifics, to provide for a briefing of our negotiators and staff to answer those particular questions.

I would point out that this agreement clearly calls for the extinguishment of obligations of Manitoba to persons under the Northern Flood Agreement being replaced by this process. The agreement bears the signatures of the chief and councillors and trustees of this particular community, and one would expect has the support and ratification of this particular community. I wanted to put that on the record for the benefit of members.

This act, Madam Deputy Speaker, also makes some amendments to The Water Power Act, which legalizes the granting of land easements to Manitoba Hydro made without the approval of the Legislature in past days, by past administrations. Of course, in the future, legislative approval will not be required for such conveyances. Again, that is part of the understandings reached under this comprehensive settlement agreement.

As well, there is a consequential amendment, subsection 111(1) of The Real Property Act regarding the inundation or storage of water—

An Honourable Member: This is Second Readings. You cannot make reference to specific clauses.

Mr. Praznik: I apologize if I have broken the rules of the House, Madam Deputy Speaker. Maybe I should start again.

The effect of these consequential amendments to The Real Property Act is to permit for the inundation or storage of water on lands, example, the reservoirs created by dams. These were oversights in past days that obviously led to some difficulty and are being corrected by this particular piece of legislation.

As I began my remarks about the importance of settling these outstanding obligations that the people of Manitoba have to many of its own citizens, Madam Deputy Speaker, in this portfolio, Northern and Native Affairs, that I have

served for a year and a half, and in my work as MLA for Lac du Bonnet, I have come to appreciate so fully the importance of settling these long-standing obligations, not just because they are in fact a bad mark on the history and people of this province, not just because there are matters, compensation, that we would offer to anyone in southern Manitoba if we expropriated their land for the construction of a highway or flooded their land for the construction of a public reservoir, not only because it is important to settle these to ensure that proper compensation is paid for damages done to people's property, but also, and equally important, to recognize that citizens of this province have a right to be compensated whether their properties are damaged, whether lives are severely hampered by works that are done for public benefit.

I do not think anyone denies that governments of this province have a right, an obligation, to ensure that public works are built for the betterment of the province as a whole, but with that right is also the equal responsibility to ensure that proper and fair compensation is paid to those who suffer certain damages to that property in the course of the construction of those public works.

That is a very important principle, Madam Deputy Speaker, which, quite surprisingly, was ignored by this province. [interjection] I would love to get into this. A very, very important fundamental principle that was ignored in this province for many, many years.

* (1500)

As I have said before, I have also seen the importance of some of the symbolic recognitions that we have made as a Legislature, and I think of the recognition that this Legislature gave to Riel as the founder of the province of Manitoba and the work that my colleague the Minister of Government Services (Mr. Ducharme) is doing now to ensure a proper recognition of Riel on these legislative grounds. Incidentally, the fact that there was not a proper recognition dates back also to that period in government in the 1970s, Madam Deputy Speaker.

The member for Thompson (Mr. Ashton) has made some comments from his seat, and we know

that the Northern Flood Agreement is one which, when settled, will allow those communities to get on with concentrating their energies on economic development, and I know that is a very important part of Northern Flood and, I know, a matter of great interest to the member for Thompson.

I know, just as an aside note, the member for Thompson would be most interested to know that I recently received, on this matter of economic development for aboriginal people in the North, a letter from my federal Liberal colleague, the federal Liberal Minister of Indian Affairs and Northern Development, the Honourable Ron Irwin, who wrote to me. The member for Thompson will be most interested in the content of this letter because, again, it pertains to economic development and the opportunities that Northern Flood settlement may present.

But a Liberal federal minister wrote to this government requesting a meeting with myself and Grand Chief Phil Fontaine to pursue what in essence—I look to the member for Thompson (Mr. Ashton) because I know he will be most interested in the content of this request for a meeting between myself and the Grand Chief for—remember a letter coming from a federal Liberal minister wanting to discuss the expansion of gambling in the province of Manitoba. I must admit I was most surprised to see the federal Liberal minister wanting this government to lift its moratorium on gambling to allow for more gambling. The member for Thompson asks as to whether or not the Liberal Party—

Point of Order

Mr. Ashton: Since the minister was quoting from that letter, I am wondering if he could table it for edification of other members in the House.

Madam Deputy Speaker: The honourable member for Thompson does not have a point of order.

Indeed, Rule 29.1, a member who quotes from a letter can indeed be requested to table the letter, but that is up to the individual discretion.

* * *

Mr. Praznik: Madam Deputy Speaker, I am just going through my notes to ensure I had a second copy so I can continue to reference. I have no problem tabling this particular letter because the Liberal government which is famous for pilot projects would like to get into a pilot project gambling model that would require us to lift the moratorium on gambling that we now have in place.

I found it most intriguing that a federal Liberal Party could ask us to do one thing while a provincial Liberal Party was advocating another. It does give me some concern whether or not this bill will pass the Senate in its current form because there may be some disputes within the Liberal Party. It does give me some particular concern, but it was most revealing about this particular matter. I had offered to meet them, do the courteous thing, of course, and meet them, and the federal minister had to depart for Ottawa very quickly so the meeting in fact did not take place. It is a most interesting letter because I think it underlines how one can try to talk out of both sides of one's mouth at the same time with such force, you know, and—[interjection]

Well, the member asks, how could we read this out of this letter? It is because, and I say, Madam Deputy Speaker, to the House leader of the Liberal Party (Mr. Lamoureux) who also campaigned on casinos, why would a federal minister want to have a meeting—and by the way the . . . is very clear. What he wants to build are casinos. There has been some discussion, there are a number that want to do it. Some of them may be in these Northern Flood communities, and yet, Madam Deputy Speaker, to do that would require us to lift our moratorium on gambling, because we have put on a moratorium.

The only expansion that takes place is if a First Nation community signs a gaming agreement with us that allows for VLTs and a licensing of a variety of things. That we still allow for. We have not foreclosed that on any First Nation community. But what they are asking for, of course, is more than what is available under those agreements which, by logical extension—I mean,

you cannot do that unless you in fact lift the moratorium.

I know the member for Thompson (Mr. Ashton), who is interested in some consistency on the part of the Liberal Party in this matter, in reading the letter would agree. I am sure the member would agree that it is a request for the lifting of the moratorium. That is the logical conclusion of what is being requested, and it is just somewhat ironical, of course, that the Liberal Party in Manitoba would be campaigning so hard against gambling, saying we do not want it in the province, when in fact they are promising 25 percent of the VLT revenue to municipalities, and their federal colleagues are asking us to remove the moratorium. I hope that they do not present such a divided argument on this bill. They are always with their friends.

I would hope that this type of inconsistency on these issues, since the federal Liberal Party is committed to this legislation, is not going to be part of their view and expression of that view in this Legislature on this bill.

I know members from northern constituencies would like to see these matters resolved, and we hope the Liberal Party does not use that kind of split personality on issues to hold up the support on this piece of legislation.

Madam Deputy Speaker, when we think there may be some concern over split personality, and I note again, from the same party, an editorial in a local Manitoba newspaper regarding Provencher M.P., Mr. Iftody. It points out that he might have shot himself in the foot with a soon-to-be-registered rifle, and it points out again that the Liberal Mr. Iftody's flip-flop on this issue is very similar to the Liberal Party's flip-flop on the GST, which they said that they promised to scrap if they got elected, and the editorial points out that GST was paid on this newspaper.

So, again, I worry as minister that the Liberal Party will be able to get itself together on this to support this important legislation, which I believe the people of the North and of those five communities involved will want to see, Madam

Deputy Speaker, brought to fruition and passed.

Madam Deputy Speaker, my time may be becoming somewhat short—

An Honourable Member: No, unlimited time.

* (1510)

Mr. Praznik: Unlimited time, an invitation, Madam Deputy Speaker for someone who only spent 15 minutes on the Throne Speech Debate to allow other members to speak, but I must stay on the topic. I may stay on this topic; I must.

I ask, Madam Deputy Speaker, for my colleagues opposite, are they betting on time? Can I help? When I shall sit, can I help fix this bet?

On issues like Northern Flood, I can remember some long speeches made in this Chamber by the former member for Churchill constituency, Mr. Jay Cowan. I can remember long speeches on that particular issue and many revealing comments about the process, the agreement and about Mr. Cowan, and they were very interesting.

Madam Deputy Speaker, the important points I think to be noted in this legislation, as members consider its passage, is that this legislation is needed in order to extinguish rights and responsibilities under the Northern Flood Agreement, because the comprehensive agreement replaces that agreement and it requires an act to do that, and without this happening, it in fact will hold up the completion of the comprehensive settlement agreement which has been arrived at after a far-too-long process of negotiation over two decades.

The comprehensive agreement—what I am very proud of is the fact it was this administration under my predecessor, the now Minister of Industry and Trade (Mr. Downey), who gave the authority, working with our negotiators, to change gears from the old proposals under Northern Flood to a comprehensive approach which has become acceptable to four of those five First Nations who have now signed on in this process and hopefully to the last of the five who will do so very shortly.

By moving to the comprehensive approach, it extinguishes Manitoba's responsibilities and obligations once the settlement process has been reached and the compensation has been paid. It allows for a settlement to be reached that will deal with the issues, provide for fair compensation to those communities, distribute it in a fair manner to meet a real need and allow five Manitoba communities to get on with their lives of building their communities, pursuing opportunities and spending their efforts, not on concentrating on consultants and lawyers' fees on negotiating this agreement over two decades, but allow them to concentrate their efforts on building their communities and building their economic opportunities, pursuing those, and getting on with life and with supporting their families. That becomes a very, very important principle.

I am very proud, Madam Deputy Speaker, to be part of this administration that has brought this process to a conclusion, because it really and truly is a matter which the province of Manitoba should have settled many, many years ago and was not able to for a host of reasons. I know from time to time we hear members opposite, particularly in the New Democratic Party, make comments about these issues, where are they at? But in fairness to all, the greatest movements towards settlement of these issues have come during the tenure of Conservative governments, which is somewhat ironical, and they have come sincerely with hard effort to resolve these issues. I am very proud of that fact. That fact may not be recognized by everyone. It may not be recognized by many in the media.

It may not be recognized by many in those communities, but the fact of the matter is that members opposite, their party in government, over many years, has had opportunity to settle these issues. They have been in these benches. They have had control of the levers of power. They have had the tools that could have led to the changes that were needed in the process that ultimately led to a process of resolution and will eventually lead to a resolution, but they were not exercised. They may have been talked about. But they have been exercised here, and we have made more progress in the last few years than any

government before us. Madam Deputy Speaker, I do not say that to pat ourselves on the back.

I say that because it really begs the question, why did it not happen in the past? Why were those who continually get up in this House and are wont to say that they support those people and those communities and their aspirations when they were in the desks of power to be able to resolve those issues, why were they not resolved?

I know there are always problems. I know there are always issues. I know it is not easy, but the movement to the resolve did not happen in a successful way. I know in this process in talking with our negotiators that many of those same obstacles that other governments have faced over the last two decades were also there, but there has been innovation and good will and, most importantly, a very sincere and strong effort. An effort, Madam Deputy Speaker, not just talking about it but an effort to resolve these issues that ultimately have brought us to this point. That effort, the persistence and the genuine desire to see these issues resolved are bringing them now to a conclusion.

For almost two decades that did not happen in our province. This point may escape many, may escape many in our media, may escape many who listen day after day to those who get up and say, we are legitimately concerned about those people. The question anyone who really has an interest in this area has to be asked is why were they not settled? Those facts ultimately speak very loudly about all of us.

So I am proud that matters that began before even I was in school are now being resolved in a way that is long overdue and fair, fundamentally fair to the people who suffered, those communities that suffered the damage. The individuals have had 20 or 30 years, 20-some years, of living with those effects.

Maybe this agreement is not going to be compensation necessarily to them, but it will be to their community. I for one just find it, again, so very ironical that so many can stand up and be critical day after day and have all the answers and yet never the action and never the result.

So is this a proud day for us as a government? I think it is. Is this a proud day for us as Manitobans? I believe it is because it means we are finally into a process of resolving issues that should have been resolved by our governments many, many years ago. Is it the completion of unfinished business for the province? It is.

If I may say to those communities who are affected by this legislation and if I may say to those and other First Nations, the Metis community of Manitoba, who looked to this provincial government and say, where are you at with respect to us as citizens in this province? I can tell you this speaks volumes, this process of settlement, about the sincerity we have in working with people to help them take control and charge of their own lives, to reach fairness and to do what ultimately the vast majority of, I believe, Manitobans want to do, the opportunity to live in their community, to earn a living, to support their families and to have a decent opportunity and future for their children. That is what it is about. Day after day my colleagues here, we sit and we take the questions and we listen to the statements of members opposite who come at government as if government has the solution to every problem and can solve every difficulty.

Madam Deputy Speaker, today we spoke about the issue of fires and the Leader of the Liberal Party (Mr. Edwards) raised an issue about childproof lighters, and certainly there is an issue there, and we have to deal with that and we are canvassing the players in the field and seeing what our authority is to deal with it. But we have every year many children in this province who die in fires in northern communities where their homes are heated by wood stoves and they were left unattended, and government cannot solve the problem. Government cannot solve that, because people have to take some responsibility for their own lives.

* (1520)

Madam Deputy Speaker, we hear members opposite get up on a host of issues in which the prime responsibility for the actions involved, the individual has some role in that, in the choices that

they make. Anyone who comes here, it might be quick media attention to get up and say, I stand against this or I stand for this, and we are going to solve this problem. But this party has not been in government all the years of this province's history. Members opposite have been on these benches too, and those problems are still with us. Perhaps the reason they are there is because governments cannot fundamentally solve them. People sometimes need some help, yes. Sometimes they need some direction, yes. But ultimately they have to accept some responsibility for their own lives and the choices that they make and the courses that they act upon.

Madam Deputy Speaker, in many ways what makes me very proud about this particular piece of legislation is that it allows people who we as a province have frustrated for many years to now concentrate on their own lives and their own future. I will tell you, I would bet on the citizens of these communities improving their lives because they control them and they make decisions. However humble the circumstance, I would bet on them far more than I would on any government of this province or any government of Canada coming in and saying, I can solve your problems for you.

Perhaps that says loads about why these issues may never have been resolved in the past, but today we bring forward one small piece in that resolution. As I have said before, I am proud of the fact that we have been able to bring these to resolution, and I know that I will be very proud of the people of these communities in what they will be able to achieve as individuals and as communities as they work towards their future. Perhaps a lesson for all of us in this House, as we think to grab a few minutes of television headlines standing up for one group or another, is that the public out there, Madam Deputy Speaker, is asking where people are taking responsibility for their own lives and actions.

In many ways this bill allows five communities—allows one community particularly—but the process allows five communities to get on with their lives and take responsibility for their lives, and I am proud to see that happen.

Thank you for this opportunity to address the House.

Mr. Ashton: Madam Deputy Speaker, I was wondering if, by leave, I could ask a question for clarification, as has been the custom on second reading.

Madam Deputy Speaker: Is there leave to permit the honourable member for Thompson to ask a question of the Minister of Northern and Native Affairs (Mr. Praznik) relative to Bill 6? [agreed]

Mr. Ashton: Madam Deputy Speaker, I want to indicate that I most certainly would appreciate the opportunity to have a detailed briefing on this bill and hope to arrange that perhaps as early as tomorrow. I want to ask one question for clarification, and that is that one of the issues that has been raised in discussions and negotiations related to the Northern Flood Agreement is the status of the NFA and also subsequent settlements. In particular I would like to ask the minister whether it is the position of the government as is included in this bill that the Northern Flood Agreement and subsequent settlements are considered to be modern-day treaties as, for example, was outlined in the AJI report? Is that the import of this particular bill?

Mr. Praznik: Madam Deputy Speaker, the member raises an issue that has been raised by First Nations on many occasions with respect to agreements that are signed, and the word "treaty"—I need a moment, I think, just to put it in context—the word "treaty" has come to mean a lot of things to different people, and the definition used often by First Nations can be from time to time somewhat different as those who are not members of First Nations would necessarily view it. There is a lot of emphasis put on the use of that term as if in some way it creates another level of obligation.

This is an agreement between this community by this band, is represented by its band and ratified by its citizens, the Province of Manitoba, Manitoba Hydro, the players involved. It is an agreement that sets out a host of responsibilities and rights

and processes for settlement. It requires the extinguishment of right under the Northern Flood Agreement to be subsumed in this agreement for process of settlement, the compensation for persons versus comprehensive agreement argument. We as a government view this as an agreement.

I am sure that there are some who will view it as a treaty. They will view it in that way, and quite frankly, I do not think it is appropriate for me as a minister. It may be appropriate for the member for Thompson (Mr. Ashton), who represents some of these communities, to use that phraseology or terminology or be comfortable with that, the implied definition, but for we as a government, we view it as an agreement.

Should others wish to view it otherwise, they are certainly free to do so. I know we have this difficulty on a number of particular issues because of the relationships and the views that have grown up around the word "treaty," particularly with respect to the treaties signed between the federal Crown and First Nations in the last century.

From our point of view, it is an agreement to settle an outstanding compensation agreement and it is one to which the province of Manitoba is bound.

Mr. Ashton: I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

Hon. Gerald Ducharme (Acting Government House Leader): Madam Deputy Speaker, would you call Bill 8 please.

Bill 8—The Off-Road Vehicles Amendment Act

Hon. Glen Findlay (Minister of Highways and Transportation): I move, seconded by the Minister of Justice (Mrs. Vodrey), that Bill 8, The Off-Road Vehicles Amendment Act; Loi modifiant la Loi sur les véhicules à caractère non routier, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Findlay: It is my pleasure to be able to give second reading to Bill 8 today, to some—I guess we will call them housekeeping amendments through The Off-Road Vehicles Act on four different areas. Two of the proposals have been brought forward at the request of Manitoba Public Insurance Corporation.

You will recall that during the last session of the Legislature The Off-Road Vehicles Act was amended to introduce a mandatory annual coterminous registration, an insurance cycle for off-road vehicles. Those amendments last year were designed to be sure that off-road vehicles that would be operated in Manitoba would have insurance as well as registration to protect not only the operators but the other individuals that might be involved in a particular accident.

After further program review, the corporation identified the need for two additional amendments to The Off-Road Vehicles Act. The first amendment relates to the introduction of a staggered registration renewal for off-road vehicles. Off-road vehicles are currently registered for a fixed period, October 1 of one year to September 30 of the next year. Under a staggered renewal system a vehicle owner will be assigned a renewal date based on the customer's birth date, plus an offset of four months. This parallels the corporation's plan for the staggering of motor vehicle registrations. It is currently in place and will become law or come into action on March 1, 1995, under the corporation's Autopac 2000 initiative.

* (1530)

(Mr. Speaker in the Chair)

The corporation will determine the period under regulations. An individual operator may choose to have his on-road vehicles and off-road vehicles come due on the same day, or he may choose to have them come due on different dates in the year. Once he chooses a cycle it will be an annual renewal on those particular days. By staggering renewals for off-road vehicles Manitoba Public

Insurance will be able to provide greater convenience to the customer by consolidating all registration renewal requirements on the day of choice of the person.

The second initiative being proposed by the department is also being introduced on behalf of Manitoba Public Insurance and relates to the authority for the Registrar of Motor Vehicles to cancel the registration of an off-road vehicle due to an indebtedness by the owner to the Manitoba Public Insurance or the Registrar of Motor Vehicles.

The Registrar currently has the authority with respect to indebtedness from motor vehicle registration and the driver's licence, and due to the compulsory nature of off-road vehicles registration and insurance it is necessary to have such a mechanism in place. Without this authority there are no consequences for a person who pays off-road vehicle registrations and insurance fees by an NSF cheque or is indebted for other reasons related to the registration of an off-road vehicle.

Thirdly, the accident-reporting threshold—Mr. Speaker, there are two remaining amendments, both of a housekeeping nature for the department.

The first is the increase of the property damaged threshold for off-road vehicle accidents required to be reported to the police. Currently, you must report an off-road vehicle accident if the cost of repair is \$500 or more or if there is an injury or a death associated with that accident. What we are proposing is that the threshold for accident reporting be raised from \$500 to \$1,000 of total property damaged. This will ensure consistency of reporting of all motor vehicle accidents in Manitoba, because the current threshold for on-road vehicles is \$1,000, and by this amendment we will have off-road vehicles also at \$1,000. It will also bring Manitoba into harmony with many other Canadian jurisdictions.

We have called 12 jurisdictions in Canada. Currently seven jurisdictions have a thousand dollars as a threshold. Five other jurisdictions, including Quebec, Nova Scotia, Ontario and B.C. have the threshold less than a thousand, and we are

going to be part of the major group of seven by having a reporting threshold at a thousand dollars.

Strange as it may seem, the average accident reported for on-road vehicles is around \$1,800. I can give you the statistics for the last three years where off-road vehicles are actually higher than the average reported accident with an on-road vehicle. In 1991-92 there were 108 off-road vehicle claims with an average first-party property damage claim of \$2,100. In '92-93 there were 227 claims with an average dollar value of \$2,300. In '93-94, 220 off-road vehicle claims paid out an average of \$2,700. I remind you, Mr. Speaker, I have already indicated that the average on-road vehicle claim is only \$1,800.

The fourth item we would like to have in this particular bill is that the proposal introduced in this bill is necessary to ensure the legal integrity of the certificates the registerer provides as evidence in court on driving-related charges, the charges related to a legal technicality raised in the Manitoba Court of Appeal decision regarding the court certificate provisions of The Highway Traffic Act.

The relevant provisions of The Highway Traffic Act were amended in the last session of this Legislature. Similar provisions in The Off-Road Vehicles Act were not the focus of the court appeal decision at that time but could in the future be subject to the same criticism. We would prefer to amend them at this time so there is some further consistency between on-road vehicle accidents and off-road vehicle accidents with regard to registerers' court certificates.

Mr. Speaker, with that overview I am pleased to introduce these four amendments which have been put forward in the interests of serving customer needs as well as harmonizing some of the administrative rules to complement legislative changes to The Highway Traffic Act that we did last session and look forward to discussing this bill in detail with the committee at a future stage.

I will provide spreadsheets for the opposition critics that cover the essential elements of this particular bill in the four areas that I have

mentioned. I am sure that as the Manitoba Public Insurance Corporation institutes the staggered renewals for on-road vehicles come March of 1995 it will be an opportunity for citizens to elect their off-road vehicle registration time and increase the convenience and efficiency for our citizens of Manitoba in registration of these vehicles.

One may wonder why we have raised the threshold from \$500 to a thousand dollars— [interjection] I was just saying, one looks at the cost. What is the average cost of a car today, maybe \$20,000? The average cost of a snowmobile is \$10,000 to \$12,000, significant. What I mentioned earlier was that the actual reporting accidents for off-road vehicles is higher for incidence than on-road vehicles.

An Honourable Member: How much higher?

Mr. Findlay: About a couple of hundred. Let us face it, I said 200 accidents in off-road vehicles at this time. Actually, with cars, I do not know what the number is, but it is obviously several thousand. So you have a lot more incidents with cars.

With off-road vehicles, we are all concerned with safety. Clearly, we are strong advocates of use of helmets. In fact, my seatmate here a while ago just told me of an accident his son had on an ATV. We all know the speed with which they travel, and the safety factor is something that must be continually stressed. I think, in the process of these amendments and other things we did last year with off-road vehicles, we constantly try to stress safety. They are used in places and locations that are not maybe where those kinds of vehicles should be used, used at speeds that are unsafe.

It is always very distressing to hear of the, particularly, snowmobile accidents that happen in the winter. Certainly we all know that unfortunately alcohol is involved in many of them, and they are operated at speeds and in locations where accidents just do happen. I think it is imperative that all members of this House try in every way possible to be sure that people who operate these vehicles do it in as sensible way as possible.

I guess one could argue that with the kind of snow we have this year, it is not the greatest snowmobile season. Maybe where the member for Thompson (Mr. Ashton) comes from it is a little better. I was out in the country this past weekend, east of the city. There are lots of trails around, but they have pretty well taken care of the snow in the ditch. They have driven it right through to the bottom of the ditch to the grass. I think a lot of these people, particularly the people who are in the business of selling these, would like to see a little colder weather and a little more snow to stimulate people to buy the units and to operate the units.

The Minister of Natural Resources (Mr. Driedger) has worked hard with the Snowman citizens group to be sure that we have good trails in this province, and the activities on snowmobiles, particularly in the Whiteshell area and south and into the United States, are very significant recreational activities. As I watch on Highway 15, particularly on Saturdays and Sundays, there are a lot of vehicles going east with snowmobiles on the trailers on the back, obviously going out for a little bit of fun to enjoy the recreational activities of their ATV.

Mr. Speaker, I would hope that the House would see fit to move this particular bill along. I know that both the Manitoba Public Insurance and the DDVL believe that these four amendments will move a long ways to helping customers who do business with those two corporations do the business they have to do.

* (1540)

Mr. Speaker, in the process of the last number of days in this House, we have a lot of acrimony every once in a while between members on both sides, and this being the 19th of December as we move on to the Christmas period, I would certainly on behalf of myself and my family like to wish everybody in this House a good Christmas period, a joyous new year, and the events of 1995 will be maybe interesting for all involved.

The member for Brandon East (Mr. Leonard Evans) is smiling. We will see if he can come back. He has a challenge out there that will be

interesting, and I am sure we all will find challenges in the process of trying to get into a position of representing our constituents again.

Mr. Speaker, when we deal with items of legislation of this nature that accentuate public safety and public convenience in the duties that our corporations must carry out, it is very important that we all support them in a very responsible manner. So without any further discussion, I have indicated already I will send to my critics the spread sheets for this bill with four amendments. Thank you very much.

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, with respect to Bill 8, we share a number of the concerns that MPIC has brought to the ministry's attention. I guess, in principle, we support the gist of what is being suggested.

To that end, we are quite prepared to see this bill in fact go to the committee stage as early as today so that we can have some form of public hearings and see if there might be individuals interested in expressing the concerns that they have.

In general, we made note of the minister's comments in second reading, and we will wait for it to go into committee stage. Thank you.

Mr. Steve Ashton (Thompson): I move, seconded by the member for Brandon East (Mr. Leonard Evans), that debate be adjourned.

Motion agreed to.

Hon. Gerald Ducharme (Acting Government House Leader): Bills 9 and 10.

Bill 9--The Wills Amendment Act

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Government Services (Mr. Ducharme), that Bill 9, The Wills Amendment Act; Loi modifiant la Loi sur les testaments, now be read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Vodrey: Mr. Speaker, I am pleased to move second reading of The Wills Amendment Act. Although the bill makes only a small change to the English version of Section 23, its effect of making sure that the wishes of the makers of wills are not defeated by technicalities is very important.

As honourable members know, The Wills Act sets out the requirements for a valid will. A holograph will, one that is entirely in the maker's own handwriting and signed by the maker, is valid in Manitoba. However, formal wills with typewritten text are more commonly made.

The Wills Act sets out a number of very specific, formal requirements for the execution of these wills. For example, the signature of the maker of the will must be witnessed by two persons who must also sign the will in the presence of each other and in the presence of the maker.

At common law, the failure to comply with even one of the formal requirements of The Wills Act had the effect of invalidating the entire will. This was so even where it was perfectly clear that the document in question accurately represented the intentions of the person who made it.

In 1980, the Manitoba Law Reform Commission recommended that this be changed. It recommended that courts be given the power to waive those sorts of technical errors and to give effect to wills where errors had been made in complying with the formal execution requirements of The Wills Act so long as the court was convinced that the document represented the true testamentary intentions of wills' makers.

The commission argued that the technical rules of quorum should not be allowed to defeat the substance and the clear wishes of wills' makers.

In 1983, the Legislature adopted the recommendations of the Manitoba Law Reform Commission with the enactment of Section 23 of The Wills Act. Manitoba thus became the first jurisdiction in North America to give courts the

power to waive technical errors. Since that time, Saskatchewan has adopted a similar measure, and the Uniform Law Conference of Canada has recommended a similar provision to all of Canada's provinces and territories.

Unfortunately, the Manitoba Court of Appeal recently interpreted Section 23 of The Wills Act in a way which narrows the discretion of the courts to overcome the technical errors.

The court held that it could recognize a will containing errors in the execution formalities only if the maker of the will had substantially complied with those requirements. In other words, the testator must get most of the execution requirements right and make a mistake only in a few of them. Only in these circumstances, the court said, could it use the power to waive Section 23.

The Manitoba Law Reform Commission reviewed this decision of the Court of Appeal and noted that Section 23 of The Wills Act was intended to have a broader effect.

It should not matter whether the maker of a will has failed to meet only one of the execution requirements of The Wills Act or whether that person has failed to meet all of those requirements. What is important is whether, considering all of the circumstances, the document represents the true testamentary intention of the maker of the will.

Therefore, the purpose of this amendment is to restore to Section 23 of The Wills Act a broad and generous scope and to allow the courts to truly do justice.

Mr. Gord Mackintosh (St. Johns): I move, seconded by the member for Brandon East (Mr. Leonard Evans), that debate be adjourned.

Motion agreed to.

Bill 10--The Trustee Amendment Act

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Mr. Speaker, I move, seconded by the Minister of Government Services (Mr. Ducharme), that Bill 10, The Trustee

Amendment Act; Loi modifiant la Loi sur les fiduciaires, now be read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Vodrey: I am pleased to move the second reading of The Trustee Amendment Act. This bill adopts a recommendation of the Manitoba Law Reform Commission that in the absence of direction from the trust instrument, a trustee who holds money or property on behalf of beneficiaries should be allowed to consider nonfinancial criteria when formulating investment policy or when making an investment decision, provided that the trustee always meets the usual standard of prudence that is expected of trustees.

A trust can arise in a number of different circumstances. For example, it may arise where an executor holds and invests money for a number of years on behalf of infant beneficiaries of a will. A trustee pension plan is an example of a trust with many more beneficiaries. No matter the size of the trust, every trustee has an obligation to obtain the best financial return possible for his or her beneficiaries.

* (1550)

Unless the document creating the trust permits it, it may be argued that considering nonfinancial criteria could be a breach of the trustee's duty for which the trustee could be sued. However, as honourable members know, it has become increasingly common in recent years for some investors to consider nonfinancial or ethical criteria while making their investment decisions. Such criteria are often of a social, religious, environmental, political or other philosophical nature. These investors may not want their money to be used to advance purposes with which they disagree philosophically or, alternatively, they may see investment as a tool to implement a special purpose which they wish to promote.

Ethical investment can pose problems in a trust situation. Can a trustee consider such nonfinancial factors? The answer is clear if the document setting up the trust covers the issue. However, the

answer is not at all clear if the document is silent. Neither the general law of trust prevailing in Manitoba nor our Trustee Act answers the question.

Continued uncertainty in this area is undesirable because of the increasingly significant sums of money invested in trusted funds and the equally increasing and legitimate concerns of both trustees and beneficiaries concerning the investment use of these funds. The proliferation of ethical investment funds in Canada highlights the growing general concern with issues of this nature.

This amendment to The Trustee Act, recommended by the Manitoba Law Reform Commission, will balance recognition of the use of nonfinancial criteria with restraints to prevent unreasonable financial detriment. Where a trust instrument is silent concerning the use of nonfinancial criteria, its trustee should not be under a legal disability to consider nonfinancial criteria. Of course, the predominant goal should remain the securing of a reasonable return. A trustee who uses nonfinancial criteria should continue to be obliged to meet the usual standards of prudence.

Mr. Speaker, this moderate approach is designed to remove the present uncertainty and clarify the acceptability of considering ethical and other nonfinancial considerations while preserving the primary obligation to maximize the financial benefit to the beneficiaries of the trust.

Mr. Gord Mackintosh (St. Johns): I move, seconded by the member for Radisson (Ms. Cerilli), that debate be adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Mr. Speaker, would you call Bills 3 and 4.

Bill 3—The Education Administration Amendment Act

Hon. Clayton Manness (Minister of Education and Training): Mr. Speaker, I move, seconded by the Minister of Energy and Mines (Mr. Orchard), that Bill 3, The Education

Administration Amendment Act; Loi modifiant la Loi sur l'administration scolaire, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Manness: Mr. Speaker, it is my pleasure to place before this House for second reading The Education Administration Amendment Act. As minister I am very proud of Manitoba's education system. It is innovative, progressive and constantly evolving to meet the needs of the community. Our education system is in fact the cornerstone of our entire social structure. But even as I am proud of the system, I am also aware of its evolving nature and issues confronting it. Times change and the system must reflect this reality.

Mr. Speaker, the changes I am introducing in this bill address this fact. The proposals before this Chamber concerning changes to education legislation will increase the duties and powers of principals and teachers and give parents a stronger say in educational matters through advisory councils.

Mr. Speaker, I have been waiting and waiting day after day for members of the opposition party to lay before the record of this House their approach to education reform.

I am hoping that the members will seize the moment with respect to second reading debate on this bill to be much more definitive with respect to their approach, not only specific to the bill, Bill 3 that is before us at this point in time, but with respect to many of the issues that are part of the blueprint for change, the document that I have referenced on many occasions; members opposite have also. It is called *Renewing Education: New Directions, A Blueprint for Action*. We brought forward as a government this blueprint in July 1994.

Members opposite of the political parties who would want to govern in this province have sat on that report now for five months and have not offered any commentaries. What is the reason for that? Why would it be that a government very

rarely seen in Canada today would come forward with a document that lays out its view as to education and how it should develop for the rest of this decade into the next century? Yet, members opposite, in using the document extensively, I think, when they are out addressing their constituencies and trying to read innuendo in many respects between the lines, trying to go out and make statements based on not fact but indeed on something that they have heard, try to make it appear that although it may be acceptable some places, they would reject it.

Mr. Speaker, I have no alternative, as I stand here and talk about Bill 3, obviously a major plank, one of many in the Renewing Education document, I have to assume that members opposite are in total opposition to the renewed approach that this government wishes to bring to the public school system within our province. I am troubled. Those individuals within the education enterprise who are also trying to determine a philosophical difference as between the provincial parties are also troubled, particularly the Liberal Party.

One looks at the information of some of their candidates, many by the way who have, in one way or another, practised within the enterprise—when one looks at exactly what they say, these candidates for the Liberal Party are calling for excellence in education. Mr. Speaker, how do they believe that society, 500,000 or 700,000 potential voters in our province, are going to be duped into believing that general statement is going to become the essence of the education plank within the Liberal Party and that they will be able to move through the period leading up to an election, through the election period and be able to sell that as their vision of education into the future. If the members opposite think that is going to be the case, I am here to serve notice to them, that will not be allowed.

The veterans in this party, the new candidates in this party, all of the people who support are not going to let the Liberals stand behind the shadows and on one hand promise that they are for excellency in education without providing any sort of details. [interjection] The education critic for the Liberal Party says it is going to be well detailed.

Well, what would prevent the Liberal Party from reacting at this point to the government's document?

Mr. Kevin Lamoureux (Inkster): I have been.

* (1600)

Mr. Manness: Well, the member for Inkster says I have been, using his words. I heard him say only this. I heard him in this House state for the record that there are no relevant bills dealing with the issue. The issue at the time—does one remember what the issue was. I forget, what was that relevant issue of the day? What were the relevant fields dealing with that issue? I did apologize to the member for Inkster when he sort of qualified in some other preceding paragraph that he was not referring to Bills 3 and 4. I still take very seriously the fact that the Liberal Party does not take seriously the education bills before this House. I sense that this is not in keeping, in any way in keeping with what their views are and indeed how the classroom should be strengthened.

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

Mr. Acting Speaker, I listened very carefully to musings by members opposite—and not to leave the NDP out of this discussion at all because I will certainly move to them. I say that the Liberals, particularly, I find troublesome in their respect. It was just last session I think the member for Inkster asked me a question leaving me with the feeling that he was against teachers being dealt physical blows. He was against the teachers being hit. He was against the teachers having some students run at them with physical objects that would do violence.

Mr. Lamoureux: You are not?

Mr. Manness: The member for Inkster asks me, and I am not? That so far is the essence of the Liberal platform on education. They are against violence being directed towards teachers. Hallelujah, Mr. Acting Speaker, who is not? I defy one member of this Chamber to rise and say that they are in favour of violence being directed towards teachers.

So, Mr. Acting Speaker, the member for Inkster (Mr. Lamoureux) says, but you take it out of context, it was in terms of a code of behaviour. In other words, what the member in the Liberal Party is saying is that if you pass a law dictating what the—and they have never been definitive on this. I do not know what they are going to do, what they are going to lay in the hands of the duly elected representative, the power to develop their own code, or whether they are going to suggest that this Legislature impose a code of conduct on its 200,000 students within the public school setting.

Of course, we do not know this because the Liberal Party will not show us, they will not tell us—[interjection] Well, province-wide, does that mean that there is one code, because that is when I will question the Liberals as to who is going to develop that code? Is it going to be the Liberal Party?

An Honourable Member: The Department of Education.

Mr. Manness: Ah, it is going to be the government.

So, Mr. Acting Speaker, the Department of Education is going to determine then what the code of conduct is going to be in the Hanover School Division. They are going to tell the MLA for Steinbach (Mr. Driedger) and all of his constituents, indeed the MLA for La Verendrye (Mr. Sveinsson), who represents also part of the Hanover School Division, they are going to tell their citizens what it is that the code should be in their schools.

Mr. Acting Speaker, is that going to be the same code of conduct now that exists in the Seven Oaks School Division in the city of Winnipeg? Is this going to be the same code of conduct that is going to be embraced and expected to be received by the Transcona-Springfield School Division?

An Honourable Member: A basic code of conduct.

Mr. Manness: Mr. Acting Speaker, the member is starting to qualify now. He is starting to slide and say, the basic code of conduct. So that means

then you are going to be able to have what, an improved code of conduct or something, a bonus code of conduct in your particular school division? Are you going to be able to have an add-in, or is there going to be one rule in the basic provincial code of conduct brought down by the Liberals, and it will be: Thou shall not hit the teacher?

Who supports striking the teacher? Certainly not the law of the land, it is against the Criminal Code. I want to hear more about this provincial code of conduct brought forward by the Liberal Party.

What we are saying in the essence of this Bill 3 is that empowering, first of all, the parents by way of committees, we are going to say, those local school communities, they will develop their code of conduct, their code of discipline, and the government, if it is our government, will support them.

Furthermore, Mr. Acting Speaker, the essence of Bill 3 points out in our view some of the weakness with respect to the legislation that exists now. In our view, current legislation addresses only the duties of teachers. The inclusion of principals, and I am talking about duties now, will allow ministers to make a clear distinction between the duties of classroom teachers and of principals. The very essence of *Renewing Education: New Directions* recognizes something that we have recognized in our province, in our heritage, in our history for many, many years, that somebody is to take responsibility for being the instructional leader of the school.

Mr. Acting Speaker, it was always assumed and expected that would be principals, and it has been, but something has happened. I look at, particularly, the member for Rossmere (Mr. Schellenberg) who has been an educator by profession. What has happened towards our drive towards much larger schools, society's drive, of course, has brought into place incredible, in my view, bureaucratic responsibilities for principals, the instructional leaders of the school, people who, I think, are bogged down in an awful lot of paper work, people who are called upon to in essence become the societal leaders and yet who, I sense,

in some cases, have just too little time, no fault of their own, too little time to be able to direct towards programming, other than timetabling, to the day-to-day programming realities of the school.

Mr. Acting Speaker, that is why this document tries to put into place a clear distinction as between principals and teachers, recognizing that somebody in the confines of the school has to know what is happening within the classroom on a daily basis and has to be able to answer to the parent groups who, I know, are going to come forward and are going to be more demanding of the programming needs, not only of their individual children but collectively of all students within the school. That is one intent of this bill, to clearly lay out and distinguish as between duties of classroom teachers and of principals.

Mr. Acting Speaker, another main point of the bill, in keeping with the education reforms previously announced, intends to allow the creation of school advisory councils as a method of bringing a new level of local responsibility into the management of our schools.

These advisory bodies will be comprised of parent, community and business representation. These councils will be responsible for working and consulting with principals in the day-to-day management of the schools. Of course, these councils will enhance the interaction between the community and the education system, ensuring a stronger more effective partnership for the students of today and tomorrow.

I just could not help but hear the Leader of the official opposition, the NDP party, say nothing new here, these have been in place for 30 years. I guess there is nothing reactionary. I should not overreact to his statement, because I know in some fashion or another parent-teacher associations have existed for a period of time. There is no question in my mind that they have been successful or they have failed as a result of a number of conditions, a set of circumstances.

Mr. Acting Speaker, I am convinced, not only after the forum of parents held, but indeed in talking to countless numbers of people, that there

was a real strong belief in many of the school settings in which parent-teacher councils existed that there was something badly missing. I am saying what was badly missing was the recognition, recognition by the government of the day that these organizations were to be, first of all, more than just parent-teacher. They had to reach out to the community in a broader context. More importantly than that, they had to be recognized by government in some fashion, officially recognized, because what obviously has happened over many, many years is that individuals, for the most part, who do not have the same level of education as people who are administrating and teaching their own children, began to feel that their contributions, for whatever reasons, were not being listened to. Their contributions were not being significantly addressed and their contributions carried very little value.

*(1610)

Mr. Acting Speaker, as I have said on many, many occasions, the solutions to many of our educational problems today will not be found in the Ministry of Education, will not be found in the Department of Education, will not be found in the faculties of education, will not be found in the Manitoba Teachers' Society, will not be found at the Association of School Trustees and certainly will not be found if there was a massive additional amount of money that could be found to be injected into the system.

Philosophically, members probably disagree. The reality is simply this. Many of the solutions are going to have to be found right again in the local school community. That is the essence of Bill 3 in one of its dimensions, because without empowering, it goes as close as it can to, without empowering, providing real support to those councils that wish to come forward. Is it forcing a council to come forward in every school community?

The answer is no. As 10 people come forward, though, will it give the full force of the department to help those parents begin to initiate that type of council within a school community? The answer most definitely is yes.

It will call upon the principal to be the lead catalyst to help form those that are in locations where they are not formed now. But more importantly, Mr. Acting Speaker, the member—and some people like to say that roughly 90 percent of our schools now have these councils in some fashion. The reality is, I am expecting an awful lot more out of the councils in the future than has existed in the past. I want them to become involved in the programming decisions of that school, not in just simply and possibly raising funds for equipment that is needed.

A worthy cause, yes, but the primal reason for a council, in my view, no. In my view, the primal reason that these councils have to come into place is to once again reintroduce more and more parents to what is happening in the classroom with respect to the programming, because I honestly believe that if this love of learning does not come back into the household, all the laws in the land and all the money in support of the laws of the land are not going to go far enough to coming to grips with this illiteracy rate that we hear about, regardless of whether or not we agree as to what the actual magnitude of that number is.

Members opposite, particularly members of the Liberal Party, can go around talking about how it is that they are going to introduce excellency into education without definition, without ever, ever saying what it is they are going to do.

Yet I want to know how it is they are going to do it, whether they are going to do it from on high with the model—because the member for Inkster (Mr. Lamoureux) says, pass a law; it does not hurt; we will make it better.

Mr. Acting Speaker, that is generally the statement, I believe, of the Liberals particularly: pass a law. I want to know, because I know and indeed members of this House know, who is lining up to be part of their team.

I talk to the trustees, and the trustees say, we have got to have change. We worked very closely. Our government worked very closely with the trustees, and we said, well, what do you want to change it to? They said, do you believe in these

principles that we have enunciated in the *Renewing Educations: New Directions* document? They have said, well, in many respects, we do; in broad principles, we do. But then I say, well, then where should we take it from here? You know, I get this blank stare. I get this blank stare and very quickly I get reminded of how we have reduced resources.

Then I say, but do you know what has happened—I am talking to the trustees association now—and I say, do you know what is happening in the rest of Canada? They say, yes, because they know what is happening in other jurisdictions in other provinces. The reality, is it just Manitoba or is it a funding problem everywhere or is it realization of five Liberal governments provincially in Canada, three NDP governments in Canada and two Conservative provinces, basically walking in tandem, in sync with each other with respect to education reform?

Yet, I ask members of the school trustees, many who are very close to the Liberal Party these days—of the executive, Mr. Acting Speaker, not trustees, of the executive. I asked them, what would you do differently? You know, the answer I get is the same answer I hear from the Leader of the Liberal Party everywhere he goes. We would consult more and after that we would consult even more.

So, Mr. Acting Speaker, that is how the Liberal Party is going to bring excellency into the field of education in the province of Manitoba. They are going to consult. They are going to talk to people.

Well, the Liberal Party has some other dilemmas. They are going to have to come to grips also with funding to independent schools. So far they have two positions on this issue. I do not know whether the ghost of Mrs. Carstairs past, whether or not the policy statement that I heard her give coming into the 1990 election is still the official position of the Liberal Party on funding to independent schools or not.

You see, Mr. Acting Speaker, I have my doubts. I want to know. I would love to know where some of their candidates stand on this issue.

Let us name some of the candidates that have declared and have been nominated for the Liberal Party. I would love to know where Mr. Van Osch stands on support of funding to independent schools. That will be a question that will be asked. It will be asked very, very clear. Ms. Neville, I believe, is a candidate for the Liberal Party. I know Ms. Neville would love to answer that question, where the Liberal Party stands in support to independent schools. Well, it is not for me to put words in anybody's mouth, Mr. Acting Speaker. [interjection] Yes, so we will want to know the answer to that question.

We do not know whether Ms. Watson yet has been nominated for the Liberal Party, but we hear strong rumours to the effect that Ms. Watson, former head—[interjection] I am corrected by the deputy House leader of the Liberal Party that Ms. Watson has been nominated to carry the Liberal banner in the riding in Charleswood. We will want to know; I know some of her would-be constituents would want to know where she stands with respect to funding to independent schools.

One thing about the NDP and ourselves, I think we both know where each other stands on some of these issues. I think a lot of Manitobans do. I will love to see whether or not the ghost of Mrs. Carstairs is thrown on the scrap heap and whether there is an immaculate conversion with respect to the funding issue to independent schools because right now we do not know.

* (1620)

Mr. Acting Speaker, I use that as one example of how it is the Liberals, with all these individuals who are coming from the education enterprise to run for them, how it is they are going to make policy other than saying two things to this point in time: saying, yes, they will bring in a code of conduct that is against the striking of students in the classroom; and, secondly, they will consult. So far these are the two and only planks in the education policy of the Liberal Party. [interjection] Well, there was another one that was enunciated by their former Leader. Mrs. Carstairs talked about how supportive she was of the Norrie commission or the theory behind the Norrie

commission that led to studying the school boundaries within our province.

I would hope and expect that the Liberal Party is still supportive of that activity, and I am sure they will do the honourable thing, once this report is released by Mr. Norrie, that they will recognize that it is the work of individuals who have been brought forward by the government, in keeping with the desire by all members of this House to see boundaries reviewed for the first time in some 20-some years—[interjection] Now, you see, I call upon the deputy leader to show some honour on this issue.

Mr. Acting Speaker, I am calling upon honour from all of the members opposite in how it is they are going to deal with the report once it is in final form and delivered by Mr. Norrie. So it will be interesting to watch members opposite, but I am just pointing out, I sense that education is going to be an important issue during the next election. Of course, we will be watching very carefully, particularly the Liberal Party and how it is they have changed their mind, because we sense they will be doing it on several issues.

I talked before about advisory councils. Mr. Acting Speaker, after we made the announcement for the guidelines that we issued about a month ago, I have had more calls to my office in support from parents who were afraid—they sensed, for whatever reason—parents who were afraid to take upon themselves their right and indeed their responsibility as parents to move into a more formal setting associated with the local school and make their views known.

We have not had parent-teacher councils in the fashion that is being envisaged in this legislation, Bill 3. We have not had them in place for the period of time that the Leader of the NDP party (Mr. Doer) would suggest in any fashion.

That is why the government, in spite of the fact that some—and I have not heard this from the NDP, but I have heard it from the Teachers' Society. When we brought down the New Directions document, they said it was a quick fix; we were moving too fast. Yes, we were charged

for moving too quickly. Yet, the NDP have been chastising our government for the last two years for moving too slowly. So there is going to have to be a meeting of the minds here, particularly coming from the NDP, as to whether we are moving too quickly or moving too slowly.

An Honourable Member: Too slowly.

Mr. Manness: Too slowly. Well, Mr. Acting Speaker, I am hoping then that they will talk to some of the people who are involved in guiding decisions over at the Manitoba Teachers' Society and to the extent that they have close relations, and I am not saying they do, but to the extent that they do have influence that they would call upon the Teachers' Society to either change their wording or take into account the fact that it is time to move.

We are moving. It may not be totally in keeping with the desires of members opposite, but it certainly will be moving along the road.

Let me talk about the third dimension of Bill 3. We believe that it is important to recognize the need for teachers to be able to maintain authority and control of the teaching environment. To do this, this bill will give teachers the ability to suspend a pupil from the classroom or from the school. Never before have teachers in this province had that authority.

I cannot help but look at my good friend the MLA for Rossmere (Mr. Schellenberg). I was not in a position to answer questions the other day, but I read Hansard. I think the essence of the question put forward by the member for Rossmere was: Well, we do not want that right as teachers; we want the—[interjection] Yes, the first question was on the advisory council. The essence of the next question was: Should the principals, the superintendents and the school board not look after this problem of suspending, or the advisory council? Give the power to the parents. I could not believe my ears. I could not believe that a person with the authority and the responsibility of the most important unit within the public school system, that being the classroom, the instructional leader in that room did not want the responsibility to be able to remove from that setting a child that

was knowingly—and I underline that word "knowingly"—disruptive, and a teacher would duck that responsibility. That told me right then and there how big a problem we have here.

* (1630)

Not we, all of us have a problem—not we, the government, we, the people. How do we do it? Do we do it as the Liberals would and consult until the turn of the age? Do we do it that way, or do we get on and try and propose another method? Some would say it goes too far, but you cannot find the middle ground on this one, and empower the teachers to make a meaningful, responsible decision in keeping with the seriousness of the disruption that happens in the classroom. Call upon those teachers that want that power—and I can tell you many of them do. Many of them are prepared to use it in a judicious fashion. Many are prepared to use it in an honest, sincere fashion because they know, if they do not have control of their classroom, they cannot teach.

Yes, Mr. Acting Speaker, some have that God-given ability where, in spite of everything, they can keep control in the classroom. There is respect for the leadership that they provide. I am telling you, in today's society, they are few and far between, certainly in the setting of the public schools.

Some would shake their heads, and some would say, no, there is a better way. Some would say, we can pass a law, and it will all be fine. Mr. Acting Speaker, in all of the study I have done in this area, in all of the other examples I have looked at—and I am not one who is wanting to rush off into charter schools. I am not one who is wanting to set up a system outside of the public school system, but the reality is when you look at the alternatives, the distinguishing feature between the public school system and those other systems is order in the classroom—simply that, nothing more.

So, Mr. Acting Speaker, I refuse and this government refuses to hire truancy officers. It refuses to hire judicial officers who are going to now be part of the school setting. It refuses to add to the staff to make sure that some behave who otherwise would not. It empowers teachers to take

the authority into their own hands and accordingly make decisions.

I will close on this bill. I believe I have—how much time do I have left on Bill 3?

The Acting Speaker (Mr. Laurendeau): The honourable minister's time is unlimited.

Mr. Manness: Mr. Acting Speaker, teachers, as I have said before, are responsible for the control of the learning environment as well as the safety of the students. Increasingly, disruptive elements in the classroom or school environment make it difficult for the teacher to maintain necessary control.

These disruptions may not only interfere with other students' education but also their own personal safety. So authorizing teachers to suspend disruptive or unruly pupils from the educational environment empowers and enables the teachers to meet their commitment to the students and the community.

The government just did not bring this forward without a lot of thought and process. Of course, we have the Education critic of the NDP party saying that she wants—I gather she is asking for research. She is looking for evidence. I was taught in statistics and I did empirical research. We all love to have that comfort, the comfort of numbers. It was some great person who said about surveys—and this is not a survey, but it is numbers—some cannot do anything without surveys. Some consider it the voice of God, because they will not do anything without them.

I have looked at some researchers who would say, I am not going to buy any of your arguments unless they have empirical research behind them. On this issue it is common sense which dictates that if the teacher is not going to accept the responsibility for the control of their classroom, today when students are coming from all walks of life with a different approach to how it is they should look to a role model or whether they will provide or direct respect to anybody, the reality is today we have to go very quickly to a model whereby teachers authorize and empower to make

the decisions accordingly not for that one student necessarily but for the good of all. That is what this bill tries to do.

The Education Administration Amendment Act I have submitted to this House is an essential part of the process of evolution taking place within Manitoba's education system. It reflects current needs and realities facing our community and our educational professionals. These amendments will allow the community a stronger voice in the management of our schools and give our educators the authority to maintain a positive and safe environment for Manitoba students.

Mr. Acting Speaker, in closing on this particular act at this time I again call upon members opposite to tell us where they stand and not—I have been challenged all the way along and not so much by the Teachers' Society but particularly by the trustees who say, well, if these disruptive students are removed from the classroom, where will they go? Let us try and put a quantification to that statement, where will they go. What are we talking about? Are we talking 20 percent of the students? Are we talking 40,000 students? Well, are we talking 10 percent of the students? Are we talking 20,000 students? Are we talking about 5 percent? Are we talking 10,000 students? Are we talking 1 percent of the students, which is roughly 200 students.

I think we are talking several hundred students, but I do not think anybody who is elected to government and makes decisions will ever have such a perfect break where you are trying to help—the 97, 98 percent of the students who want to be in a learning environment where there is order are in my view today in many respects held hostage by those 1 or 2 percent who would disrupt. I do not have a lot of time for those individuals who stand up for the 1 or 2 percent.

I am standing up here today for the 98 percent of the students who know the value of schooling, who understand that the public school system is their great hope for the future, and who in a five, five and a half hour day expect that they will have imparted to them knowledge which they can build upon into the future. That is the essence of the

public school system, and if that is not reintroduced into the public school system I can tell you the other models that members opposite, the competitive models that the members opposite some say they will not support financially, others say they will not support ideologically, the reality is they will continue to grow in favour.

Mr. Acting Speaker, I do not come here to lecture today, but I tell you, I get very offended by members who just say, oh, what are you going to do for those students who are asked to leave the classroom? What happens today? As a student, if you are suspended from the school system, as a parent you are responsible. Nothing has changed and nothing will change. If your child will not behave accordingly and is asked to go home, it is up to you as the parent to deal with that. Whereas members opposite say, no, that is the state's responsibility. Let us pass a law. The member for Inkster (Mr. Lamoureux) would say, well, let us pass a law and give it lots money.

The reality is, today, if we want to once again make education a more important issue in more of our households, I am saying that we are going to have to call upon parents, in particular, to take greater responsibility. That is the essence of Bill 3, recalling parents to take on greater responsibility with respect to the programming needs of the school. We are also asking parents to make sure that their students, their children, are in a better position, are in a position to learn more in the classroom by taking into account the importance of that setting and also putting themselves, Mr. Acting Speaker, into a position for those very small percentages to behave accordingly. If those students do not, parents will have to recognize it is their responsibility to do something about it.

That concludes my remarks on Bill 3. I certainly recommend it to the House. I honestly believe Manitobans will embrace these bills. I am hoping that the majority of teachers will embrace this bill with their new powers, in spite of the fact the MLA for Rossmere (Mr. Schellenberg) seems to say, no, it should be somebody else's responsibility. The reality is, I know the vast majority of the teachers silently, if no other way,

will support Bill 3. I hope that members opposite will feel free to debate the issue quickly and will also support this legislation. Thank you very much.

* (1640)

Mr. Gary Doer (Leader of the Opposition):
Mr. Acting Speaker, I want to start our remarks prior to the private members' hour which is scheduled shortly.

This is a small bill, but a big issue for all of us. Of course, in Bill 3 it has a few sections to deal with issues we have been raising in this House arguably for the last three years, certainly, on school violence considerably for the last couple of years. The issue of dealing with education, in our opinion, is long overdue from the government. The government likes to create the impression that it is moving quickly. We believe that they have waited for six years and are now putting out papers and various pieces of legislation at the twilight of their mandate, in the last stages of their mandate, because the public senses a dormant policy on education over the last six years and now increased activity to deal with some of the issues that are very, very important to people outside of this building.

Some of the material that is being produced by the government and contained within this bill is almost like a conversion on the road to Damascus from this government, because we have raised the issue about violence in schools and other issues before in this House, and ministers were saying, oh, we have an interdepartmental committee to deal with this. Well, the minister is now the Minister of Education.

We have three Ministers of Education under the Conservative seven-year period, regime. The previous Minister of Education, when we raised the issue of protocols which she has had in her hand since 1991 from trustees, from principals, from teachers, from superintendents begging for help from this provincial government. What did they get? They got an interdepartmental committee. It is almost 1995, and we still cannot get a protocol from this Conservative government

that has been recommended by people on the front lines for four years.

We still do not have a protocol—and I am sure we will get one sometime in January and February just before the election. I am sure we will get a protocol just before the election. We have asked and asked and asked that the government do the minimal amount to back up the people on the front lines, and we got an interdepartmental committee from this action-orientated government.

The government talked a lot about its vision paper, and I think we have to talk about our vision paper. First of all, let me deal with the points raised by the member for Rossmere (Mr. Schellenberg) on Bill 3. There are some inherent contradictions even within the two pages of this bill, because on the one hand we are giving parents a formalized role as advisory council members, and on the other hand we are entrenching authority for teachers in the classroom. Where is the marriage between the two? That is the point that was raised by the member for Rossmere. What is the role of parents in terms of setting expectations, and what is the role of parents in terms of who will determine the discipline necessary in classrooms?

Why on the one hand is the government saying, we want to establish the parental advisory councils, and why on the other hand on this major issue are the parental advisory councils not been given some consideration? It is an interesting contradiction and it was raised in Question Period on Friday. So we have a one-dimensional policy on advice and another dimensional policy on discipline.

I agree with the Minister of Education (Mr. Manness), everybody is concerned. We are all parents, we are all members of the community, we all have members who are either in the public school system or going to the public school system or the great majority of us do. I am looking forward to taking my daughter to kindergarten next fall, and I have already met the parents advisory council in my community.

It is a wonderful parents advisory council that is very actively involved. They even involve parents

before they have become parents of students in the school. They get people involved preschool in terms of the children to get people involved and the community involved in that school. It is a school in the Winnipeg School Division No. 1, and I find that role very, very encouraging.

But, Mr. Acting Speaker, even in this bill we have to come to grips with some challenges that the minister did not deal with. He dealt with the one-dimensional issue on advisory councils and said what side are you on on this, and then dealt with the other issue of teachers in the classroom and the right to discipline and the authority to discipline. Now this is going to be a very, very important issue. Everybody wants to make sure that teachers have authority and respect in the classroom. To that there can be no debate.

The debate is how are we going to do that? Are we going to look at this bill? Are we going to look at the provisions in this bill? How can we improve this bill? Do people agree with this bill? How do parents get involved in this? How do we look at the whole issue of the whole education vision for the provincial government? Where is that leading us in terms of the whole issue of respect for the schoolteacher?

Let us look at the role even of the government's own ministers attacking the profession or attacking the professional organization. Is that enhancing the authority of the teachers? Does that enhance the respect that people have in our community toward the teaching profession?

I suggest that we have a government that after six years of doing nothing, drifting and drifting is coming in with things to act like it is doing something before the election, and we better be sure that what we are doing makes sense for our kids and our parents and our communities long past this election, for all of us. Those are some of the issues that we want to address in Bill 3 that is before us today.

Now we have had some conversations with people who are on the front lines on this issue. So has the minister. People in the front line are principals, they are teachers, they are trustees and

they are parents, and they are students. I mean, students are also on the front lines. They want safe environments. They want environments that have respect for our teachers.

The issues before us are very important in terms of that respect. I would suggest today that the government if it wants to build in respect could start with its own benches in terms of respecting the teaching profession. I think the government today should end the war or the confrontation that is going on between its government and members of the teaching profession in general.

It is unprecedented for the government of the day and the Teachers' Society of the day to be taking out ads against each other. What message is this giving students? What message is this giving students here in Manitoba? [interjection]

You know, the rhetoric is not going to help us get respect. Kids watch what we are doing. Kids observe what is going on. I would recommend the member for La Verendrye (Mr. Sveinsson) go into the art gallery down below here today and see and what kids are drawing in terms of how they see Manitoba. The Grade 6 students are drawing pictures of the Legislative Building, and they are drawing pictures of the beauty of Manitoba, and then they are putting VLT machines in their pictures. Do you think they are not looking and listening and watching. I was shocked when I saw that.

Students are watching what we are doing. They are watching the fight go on between the government and their own teachers. It is not a healthy situation. Step one—[interjection] You know, the minister can engage in the rhetoric, but I say to you, if you are practising confrontation rather than consensus, if you have a policy that develops fights, and if all our energy in education is taken on fighting the government and fighting the Minister of Education and the Minister of Education is fighting the teaching profession, then I say to you, that you are doing a disservice to the students and parents of this province because fighting is not going to solve anything. It may get us 10-second clips but it is not going to help the students that are going in our school system.

* (1650)

I think it is a disgrace, what is going on between the government and the—now, Mr. Acting Speaker, we have a great deal, the public has a great deal of cynicism towards this government when you look back at the promises this government has made over the last seven years: Oh, we will review the school boundaries, was made in 1988. It was made again in 1990. It was promised in the Speech from the Throne in '91. It was promised in the Speech from the Throne in the second '91 Speech from the Throne. It was promised in 1992, and it is almost 1995 and they cannot even deliver a school boundary review in the province of Manitoba.

So we have on that part of your report card, we are going to give you an F, failure, because we have no way of knowing whether the provincial government will be able to deliver the school boundary review in time for us to have enough assessment of that to see whether it makes sense or not before legislation—[interjection]

Well, the minister has already been briefed on it. Is the minister suggesting that this legislature give all commissions a blank cheque? [interjection]

No, I am not, nor will we give that, but we will—obviously we supported the government when they created the commission but we criticize them for the delay.

Now, Mr. Acting Speaker, we will await the government's report, but how is this report going to be implemented in legislation prior to the municipal and school trustee elections in the fall of 1995? They have left it awfully late. Maybe we have to be a little bit suspicious about what they are doing.

The second promise this government made in 1988 is, we will fund the school divisions at the rate of inflation, second promise they made. The Minister of Education is saying today, no, we cannot solve the problem by throwing money at it. Well, the last two years this government has actually cut money indiscriminately to the school divisions. What impact has that—[interjection]

Well, you want to look at the Stonewall School Division, and I do not know whether the member from the caucus who represents that constituency has ever raised it, but you have situations where the highest new enrollment in the province is getting in essence a 4.5 percent reduction. What sense does that make, Mr. Acting Speaker, and what does that do to contribute to the alienation the parents have, because they are spending all their time on cutbacks from the government, and what does that do for violence in school?

What does the increased classroom sizes—what has been the impact on—[interjection] Well, the member, you know, raises the issue. How many teaching aides have been cut from school rooms? What has that meant for classroom discipline? What has that meant for special needs kids? What has that meant for teachers that have to deal with special needs kids and they cannot deal with the disciplinary problems in the classroom?

We have been told on the front lines that the cutbacks that the provincial government has made have radically affected the ability of a teacher to have discipline and structure in a classroom, which we all agree is necessary. The government cannot tell us. On the one hand they want to help teachers, they say, and on the other hand they are reducing all the support that they have in the classroom to keep structure and respect in that classroom with the kids in those school rooms.

Mr. Acting Speaker, you know, the government—the minister says he has been talking to a lot of teachers lately. Well, I can tell you a lot of teachers are very angry with the ads that this government has taken out and very angry at the cutbacks that have taken place and affected the classroom and affected the discipline and structure of discipline in the classroom.

So here we have a government that wants to increase the size of classrooms, increase the size of pressure on the school teachers in our school rooms, and then it is going to come along with a page and a half act just before the election to say, oh yes, we are really on your side too to deal with respect in the classroom.

Mr. Acting Speaker, why is the protocol between the Department of Justice, the Department of Education, the Department of Health not in this act? One of the recommendations was made four years ago. Where is it? Why does it take the government five years to go from an interdepartmental committee to a protocol that teachers need to deal with the justice system?

An Honourable Member: He knows the problem.

Mr. Doer: Well, we know the problem.

An Honourable Member: Well, he knows all the other problems.

Mr. Doer: Well, you are a little sensitive. The minister is a little defensive here. He has, after all, an interdepartmental committee. We should all sleep better tonight knowing that the bureaucrats are all getting together to co-ordinate things. We should sleep a lot better knowing that this has been the real response from the Conservative Party opposite to a protocol that has been requested for four years, so teachers could have some backup from the justice system and the Health department to the Education department.

(Mr. Speaker in the Chair)

That is not too much to ask for, I would think. Here we have a recommendation that actually has consensus. We have consensus from the teachers. We have the consensus from the principals. We have consensus from the school trustees. We have consensus from the superintendents. What do we get from the Tories? A big zero, because I guess the Conservatives do not think they have consensus on it, or maybe they cannot move it out of their interdepartmental committees.

The other issue the minister raises, he says in his speech and his flowery comments—and you are usually a straight-ahead person—oh, we cannot solve it in here; we cannot solve it in the Department of Education; we cannot solve it in all kinds of other places; we have to solve it at the school, and I absolutely agree that parents must be

involved with the school. I absolutely totally agree.

But what is this Minister of Education doing then going around hiring five consultants to be the sort of ministerial group to implement—the word "implement"—the government's reform package? Where do these consultants fit with the parents advisory councils that have not been established for seven years.

An Honourable Member: Boy, you sure do not understand.

Mr. Doer: I do not understand. Maybe we do understand.

There is the first Minister of Education over there that could not implement the protocol—minister No. 1 that sat on his hands and did nothing. Minister No. 2 is over there telling us there is no problem with crime. She is having a summit and kids are stealing cars—unfortunately, only the 1 percent or 2 percent. Unfortunately, it is a lot more than before.

Mr. Speaker, so where does this government's rhetoric sit with their action? I do not think they really trust people at the grassroots, because when in doubt they hire consultants to implement their plan—the Conservative blueprint plan—without the parents advisory councils being involved.

These parents advisory councils, you do not want them to get too powerful. You do not want them to have any say on the issue of the discipline of students. We have already decided that, we the supreme beings in the Department of Education have decided that. We do not want them to get involved with these consultants. We better not take any chances about the parents wanting to implement their plan on the curriculum, so we will hire five consultants, quarter of a million dollars. What is a quarter of a million dollars?

We will close the gyms down, Mr. Speaker, but boy there is no problem getting consultants under the Department of Education to implement the minister's plan. We will close down Canadian history, but there will be no problem having five

consultants to implement the government's plan of education.

Mr. Speaker, the second promise was that we would fund school divisions at their level of inflation. Promise No. 3 was, of course, that they would amend The Public Schools Act in 1988 to deal with these problems. Remember them in 1988? You remember the promises. Some of you who ran in 1988 may remember that you promised this seven years ago, and so again we have this conversion on the road to Damascus—St. Paul on the road to Damascus. The minister invoked God a number of times. Perhaps I can use some examples of—[interjection]

We tried to suggest last week that you give a man a fish and he eats for a day, you teach a person to fish, they eat for the rest of their lives, as a response to cutting ACCESS and New Careers and student social allowances, but I guess the religious theory and religious beliefs have very, very interchangeable interpretation in terms of implementation, but nonetheless, where were these amendments to The Public Schools Act in 1988, in 1989, in 1990, in 1991, 1992, 1993, 1994? We did not see them. The Premier (Mr. Filmon) promised us some of these proposals a number of years ago. So now, again, in the twilight of their mandate, they are bringing in something, Mr. Speaker—

* (1700)

Mr. Speaker: Order, please. The hour being 5 p.m., time for private members' hour.

When this matter is again before the House, this matter will remain standing in the name of the honourable Leader of the official opposition.

NONPOLITICAL STATEMENT

Mr. Marcel Laurendeau (St. Norbert): Mr. Speaker, if I may, during my nonpolitical statement, I had inadvertently missed names of the coaches and the players. If at this time I could get unanimous consent of the House, I would like to have Hansard install them in my statement after, and I will supply the list to Hansard.

Mr. Speaker: Does the honourable member for St. Norbert have leave to revert to nonpolitical statement to add in some names—sir, that you inadvertently missed? Is there leave? [agreed]

Put them on the record, sir.

Mr. Laurendeau: With unanimous consent, Mr. Speaker, I would like to have Hansard install the names of the coaches and the players, and I will supply them with the list.

Mr. Speaker: Is that agreeable? Okay, that is agreed. Be deemed as read.

PRIVATE MEMBERS' BUSINESS

PROPOSED RESOLUTIONS

Res. 2—Provincial AIDS Strategy

Mr. Dave Chomiak (Kildonan): Mr. Speaker, I move, seconded by the member for Wellington (Ms. Barrett)

WHEREAS Manitoba is one of only two provinces without an AIDS Strategy; and

WHEREAS Health and Welfare Canada estimated that one in 1,000 people are HIV positive, and further estimates are that by the year 2000, one in four people living in the North will be infected; and

WHEREAS in 1990, two women in Manitoba were diagnosed HIV positive, but by June 1994 that number had increased to 30, which is a percentage increase of well over 1000 percent over four years; and

WHEREAS despite the rising number of AIDS cases in Manitoba, the number of Manitoba Health staff assigned to deal with AIDS has been reduced from the equivalent of five full-time positions in 1985 to a situation now where two physicians work on the issue part time; and

WHEREAS senior health officials have said that Manitoba's health system has been reduced to the point where "the Ministry of Health lacks the ability to deal with epidemics"; and

WHEREAS there are still widespread misconceptions about AIDS; and

WHEREAS these misconceptions about AIDS are damaging to affected groups and individuals, and hamper education and prevention initiatives by community groups that are currently under way; and

WHEREAS the financial costs associated with treatment for a person infected with HIV/AIDS from diagnosis to death have been estimated at \$150,000, but some research estimates that the cost could be as high as \$1 million for each person who dies as a result of contracting AIDS, when the economic and social costs are factored in; and

WHEREAS there are a number of issues which the Minister's Advisory Committee on AIDS has asked the minister to deal with, including street outreach to vulnerable populations; the impact of AIDS in aboriginal communities where numbers of infected individuals have been forecasted to reach epidemic proportions; and AIDS within the prison population; and

WHEREAS these issues cannot be adequately addressed without enhanced funding and staff resources; and

WHEREAS there is a strong public interest in developing and implementing an AIDS strategy for Manitoba immediately which deals with education and prevention, care and treatment and research.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to consider developing an active partnership with the community to discuss and implement a three-pronged AIDS strategy immediately dealing with education and prevention, care and treatment, and research; and

BE IT FURTHER RESOLVED that this Assembly urge the provincial government to consider providing adequate funding and staff resources to fight this terrible disease in Manitoba.

Motion presented.

Mr. Chomiak: Mr. Speaker, this is a fairly comprehensive resolution and it is necessary to be such because it is a very complicated and complex issue that we are discussing in this Chamber here today, and I do not believe that any individual in this Chamber is against in principle what we are discussing in this resolution because of the dramatic effect that this epidemic and this disease has had on the population of Manitoba and will continue to have in the future.

Mr. Speaker, as I understand it, Manitoba is only one of two provinces in this country that years after the scourge of this disease does not have a comprehensive policy. This is not surprising, given the government's lack of comprehensive policies in most areas of health care and the lack of co-ordination in most areas of health care and that this government does not have a good managerial record, a good administrative record, a good policy record in dealing with most health-related issues. It is not surprising that they continue not to have an AIDS policy when the rest of the country has moved far ahead in this development.

As I understand it, Mr. Speaker, there was a five-year plan for this province, and it is supposed to be a renewable five-year plan. I note that the round table AIDS group that the minister has recently probably made some progress finally, and we welcome that. We welcome any progress, not only in this area, but in all health related matters, but we understand that they have started to make some progress and we welcome that and we look forward strongly towards some positive announcements and developments in this regard.

But nonetheless, it still remains that we have had to bring resolutions, we have had to raise questions, and it is not just us in the Legislature, but groups outside of this Legislature have had to implore the government over and over and over again and consistently to develop a strategy, to do something.

Mr. Speaker, the question is: What should we be doing and what are our goals? It is not that complicated, basically, and I will just reiterate it because I think it is something that all of us can agree on.

First, we want to prevent the spread of the HIV virus through education, public awareness and any other information and other means. We want to provide appropriate care and support to persons living with HIV/AIDS. We want to eliminate the adverse social, health and personal impacts of this disease. We want to change public attitudes about HIV/AIDS and about those who are living with HIV/AIDS. We want to work towards developing an effective vaccine and a cure for HIV/AIDS, and we want to co-operate in addressing these and other challenges associated.

Now, Mr. Speaker, it is clear that this is not a Manitoba initiative alone. Certainly when you are talking about the research component and when you are talking about the disease vaccination or any other kind of medical technology involved or medical research, it is clear that it is not Manitoba alone, but we can be part of a large picture, and we are certainly part of a large picture in terms of the scourge as it affects Manitobans. I do not want to do this extensively throughout my comments, but I want to cite two chilling statistics that I think point to why we must move and why we can no longer afford to be without a strategy in this province.

Firstly, as was indicated in the resolution, Health and Welfare Canada estimates that by the year 2000 one in four people living in the North could be infected with this disease. Now, that is based on extrapolations of statistics, as I understand it, that deal with sexually transmitted diseases. But this is a horrific number, Mr. Speaker. This is absolutely horrific.

* (1710)

Secondly, the other statistic that I want to cite is something which to me is equally horrific, that recently a study by the World Health Organization indicated that this disease is the leading cause of death amongst women of childbearing age in nine U.S. cities. This is also horrific, and this, if you think back to the early days of the epidemic, these were the kind of chilling statistics that were coming out and which many were saying, it cannot happen here and it will not affect us here. But it can happen here, and it is happening here, and I

think we must bear in mind these statistics and these facts as we look towards a solution to this scourge.

What will be our focus, Mr. Speaker, in this province? We think we cannot ignore it, and I think it is recognized by all members of this Chamber that we can no longer ignore it. We on this side of the House have tried to be positive and tried to be creative by basically focusing on a resolution dealing with the three major areas that we can affect in Manitoba and by urging on the provincial government the will to try to address these three major areas as outlined in the resolution: firstly, education and prevention; secondly, care and treatment; and thirdly, research in this area.

Mr. Speaker, if wellness is a model and prevention is a model for the health care system in general then surely wellness and prevention ought to be the model on the front line in the attack against HIV and AIDS, Mr. Speaker. Surely this is where we must be intensifying our efforts.

Now I know that much has been done, but it is clear that there are aspects of education and aspects of prevention in which there are huge gaps, and it simply is not working. Now the minister has an advisory committee and I fully expect he is well acquainted with some of these issues, and we have all had opportunities to attend conferences and we have all had opportunities to attend functions where this issue was brought home to bear. But I am just going to reiterate briefly the fact that by June '94, this year, 15 people aged 19 and under had been tested positive for the virus. Now if we just look at that closely for a second, this is despite education programs in the schools, although those are sporadic and they do not totally cover everything. But for those who then say that there is enough and we are doing too much, or we are doing enough in this area, it is clear it is not happening. That is only the ones that have been positively diagnosed. Heavens knows, unfortunately, there are many who are infected who do not know about it.

So clearly at the school and the education system base level we must be doing a better job. I am not

an expert. I have attended conferences where they have talked about it. The minister has access to that kind of information. We need a broader perspective; we need a probably more youth-orientated perspective; we need a more comprehensive approach to education.

Equally, in aboriginal communities despite the warnings of epidemics and in the north despite the warnings of epidemics, clearly the message is not getting through, and that again is part of what must be done at the community and local level in terms of education, prevention, something. We must branch out in some new areas, Mr. Speaker. We must branch out to try to deal with the preventative aspect of this and the education aspect of it far better.

Mr. Speaker, we urge flexibility in this area and we urge innovation in this area and we call upon the government to be cognizant of all of the aspects of AIDS education and all of the aspects of the communities that are affected and to deal with it in a comprehensive, flexible and innovative fashion to deal with all of the communities that are affected by this scourge, and if prevention and wellness mean anything, surely it means the prevention of disease. As the resolution points out, in financial costs, you cannot even compare the cost of prevention versus the cost of dealing with an infected person.

Heaven knows, we cannot even deal with the social and the personal aspects of what prevention and education can mean to disease. Further, there is the whole question of how many of our young people and how many of our most energetic people have fallen prey to this scourge, and so for all of those reasons, we ought to have a more comprehensive strategy dealing with AIDS.

Mr. Speaker, the second component of our resolution deals with care and treatment. There have been significant changes in this area in the past few years, not the least of which has been the fact that individuals infected with the virus are living longer and living more fuller lives after infection, but the serious gap between the diagnosis of the disease and the ultimate hospitalization of the disease, the gap in the

continuum, continues and does not appear to be recognized within the health care system. We all know of the number of local organizations that provide service, that have been unable to receive funding and are doing it only on a voluntary basis. We have had debates in this Chamber about several of them that fill the gaps in that continuum and ought to be there.

Further, Mr. Speaker, this again is illustrative of perhaps a larger problem in health, and that is the lack of recognition of the continuum from that of hospitalization to that of diagnosis of any disease, but it is particularly acute in this area. If one talks to individuals who suffer or those who around them have suffered, it becomes fairly clear.

The other issue, I think, is the whole area of care and treatment, is dealing with palliative care. It is a larger issue again and simply the AIDS victim. It is an area of growing concern and importance in our health care system, and I recognize their studies. There are groups studying this, as well, in the department, but the fact is that I have heard enough stories to urge upon the minister and the government that they place more energy and more efforts in dealing with the palliative aspect of it.

It is quite simple. What we ask for AIDS patients we ask for all others in the health care field, as well, when it comes to chronic diseases that are terminal.

Finally, Mr. Speaker, in the area of research, I fully recognize that we in Manitoba are only a small part, important but small part, of a larger research community. It certainly is apparent that we are becoming a smaller part. Certainly, from the comments of officials at the recent inquiry, it appears that we are in some serious difficulty in dealing with epidemics of any kind.

Members opposite often accuse us of spreading rumours and for raising unfounded fears, but when one looks at the testimony of individuals before that inquiry one has to be concerned about the ability of this province to deal with epidemics and to adequately deal with research. If you look at the comments of Sharon McDonald of the Greveller [phonetic] inquiry, and I quote: Our ability to

respond to emergency situations has been significantly reduced.

She testified: unless there is some epidemiological system, the Minister of Health loses his ability to respond. I recognize that we are moving somewhat in that area, but we have cut back dramatically, Mr. Speaker. It is not me but the head of Cadham Provincial Laboratories who said: public health infrastructure needs to be supported if disease prevention is to be effective. And it was not me who said this, but it was the head of former Manitoba sexually-transmitted disease programs who said that budget cuts had left public health officials virtually unable to take initiative to prevent an epidemic. So it is clear to me and to others that we have not done enough in this area.

I see that my time is rapidly drawing to a close, and I urge all members of this House in terms of the goals, I think we can all agree on the goals and generally probably the methodology. There might be a difference in some political slant, but I sincerely believe that this is the kind of resolution that can very well meet with unanimous approval of all members of this Chamber.

Thank you, Mr. Speaker.

* (1720)

Hon. James McCrae (Minister of Health): Mr. Speaker, having listened to all of the comments of the honourable member for Kildonan and taking all of his comments in totality I am left with the feeling that the honourable member is quite sincere in the comments he makes today about this issue. I dare say when we have heard from all of the participants in this debate we will have the same impression about all of them. It is the kind of issue that cuts across all of the party lines.

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

There is probably no one in this House who does not have or did not have a relative or friend who was taken by cancer, and you know if what the honourable member says and what is laid out in his resolution is true, it will not be that many

more years before the same thing will be said of HIV, and while I and perhaps my honourable friends know people who have been affected by this disease, not everybody does, and the time will come if present trends continue, when we will all know someone in that situation.

So the honourable member's resolution is important, and it would be important and timely at any time that we have the kind of threat that the information as laid out in the resolution is in existence. It is shocking to me to read some of these statistics, and I have not personally checked them out, but I have no reason to question the statistics laid out in the resolution, Mr. Acting Speaker, when it refers to such estimates as the one that says that one in a thousand people are HIV plus and that by the year 2000 one in four living in the North will be infected. That is a very sobering thought and extremely unsettling.

So, therefore, we are called to action. We are called to action not only by the honourable member's resolution, but the sentiments contained in the resolution are very much the same ones felt by people working for the Department of Health and with the Department of Health.

It is always a question, for some members, of funding. I respect that. I accept that. It is not new. The question that is debated more and more these days, Mr. Acting Speaker, is not how much, but how well, a very important consideration. If there is any issue that divides the parties in the House in this or any other debate I suggest it is that one.

In recent years the demand is always for more spending and more and more spending. Instead of demanding, as oppositions should, I suggest that spending be carried out in a meaningful and effective manner, in such a way that outcomes are measured and evaluations are undertaken to ensure that spending is appropriately carried out and that results are achieved by virtue of that spending.

Mr. Acting Speaker, Manitoba is undertaking several projects that fall into the areas that have been identified as priorities. Some of these include seroprevalence study, HIV transfusion, recipient

notification, revising legislation to make HIV reportable in a non-nominal fashion by a physician—it is currently reportable by laboratory only—integration of two street outreach programs, Street Station and Power, which will provide services to street people based on the needs of the individual. This involves a commitment of several government departments: Education and Training, Family Services, Justice, and Social Services.

The second phase of our strategy planning process will culminate in a provincial AIDS strategy, which is what is being asked for in the resolution. We have operated with a strategy and will do so again, as requested by the resolution.

Manitoba is currently in the process of developing a provincial AIDS strategy. On November 16 and 17 of this year, 40 participants with expertise in the prevention, care and treatment of HIV/AIDS and seven observers from provincial, federal and municipal governments came together to review the current needs and services available to persons infected or affected with HIV. A discussion paper will be produced and circulated to all stakeholders throughout the province. This consultative process will culminate in the development of a provincial AIDS strategy.

In 1992, Manitoba Health funded a three-year project to demonstrate the benefits of an integrated approach to providing outreach services to sex-trade workers. The success components of this project will be integrated with the existing outreach program targeting street youth to provide services to individuals based on their individual needs. Child and Family Services and city welfare have already committed to provide services. Negotiations with Justice and Education and Training are ongoing. This project will involve various levels of government and departments working together to reduce duplication and redirect resources to meet the needs of a high-risk population.

The needle exchange program and condom distribution program will be expanded, and the social programs will include access to abuse counselling, legal aid and education and counselling programs.

A seroprevalent study was begun in August of this year. The study is anonymous and unlinked and will provide valuable information regarding the prevalence of HIV in prenatal women and STD patients.

Manitoba Health, with the co-operation and assistance of other jurisdictions such as the Red Cross, Manitoba hospital organizations and Medical Services Branch, has launched the first phase of a major campaign to notify transfusion recipients of the possibility of having received blood between 1978 and 1985 which may have contained HIV. The first phase consists of a direct mail-out to primary care physicians and nurses alerting them of the need to discuss the issue with their patients and encourage counselling and testing. Prearranged media interviews with the Chief Medical Officer of Health will also alert the public. The second phase of the campaign planned for the early new year will consist of a direct mail-out to all householders in the province.

Mr. Acting Speaker, I am going to be proposing an amendment which I think turns this into something a little more positive, perhaps something we can all support. Before I do that, I would like to thank the honourable member for Kildonan (Mr. Chomiak) for raising this important matter today and doing so in this Legislature. I also would like to thank all of those people who have been involved in advising government and care agencies about HIV/AIDS, advising us about how best we should proceed with the achievement of the goals set out for us and set out, as well, in the resolution proposed by the honourable member for Kildonan (Mr. Chomiak).

So, Mr. Acting Speaker, I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine),

THAT Resolution 2 be amended by deleting all the words and replacing them with the following:

WHEREAS the Round Table on AIDS was convened by Manitoba Health on November 16 and 17, bringing together 40 participants with knowledge and experience in the areas of prevention, care and treatment of HIV/AIDS; and

WHEREAS the purpose of the round table was to identify the needs of HIV-infected persons, review the current services and identify gaps in services; and

WHEREAS, as a result of the round table, a discussion paper will be produced and circulated to a broad cross-section of stakeholders for review and comment; and

WHEREAS the consultative process will culminate in a provincial AIDS strategy.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba recognize and support the government as it continues its efforts to develop a provincial strategy on AIDS.

With that, I would ask honourable members for their support as we move forward in a positive way to deal with something that is a very, very serious matter indeed. Thank you very much, Mr. Acting Speaker.

The Acting Speaker (Mr. Laurendeau): Order, please. I would like to advise the House that I will be taking the amendment under advisement. At this time, the motion is still under debate.

* (1730)

Ms. Avis Gray (Crescentwood): Mr. Acting Speaker, it is certainly a pleasure for me to speak on this particular resolution in which there has certainly been provided a lot of statistics.

I think that there would be very few of us in this House who would disagree with the THEREFORE BE IT RESOLVED in regard to a three-pronged approach to an AIDS strategy here in this province of Manitoba. I was certainly pleased to see the way the resolution was laid out in terms of looking at that three-pronged strategy of education and prevention, care and treatment and research.

I listened with interest to the member for Kildonan (Mr. Chomiak), his comments, and to the Minister of Health (Mr. McCrae) speak about what the government has done in regard to an AIDS strategy here in Manitoba. I would like to

add a few comments in regard to AIDS strategy and specifically refer to the three-pronged approach and perhaps talk about where I see that we are at in this province in regard to the AIDS strategy.

First of all, Mr. Acting Speaker, I think it is very important to note that in the area of education and prevention, and I recall reading actually this afternoon the recent *Prairie Medical Journal* I believe it was, and I was reading an article by Dr. Margaret Fast and the article was on AIDS, the first decade in Manitoba. It is quite apropos that I happened to be reading that this afternoon. She talked about some of the things that had happened over the last 10 years here in Manitoba.

She talked about the importance of looking at education and prevention and care and treatment and really taking those two areas and having a collaborative approach that you cannot simply do education and prevention alone and you cannot certainly deal with care and treatment on its own, that there must be a collaborative approach and it must be at least two-pronged. She indicated as well that in her experience in the last number of years in working for the Department of Health she felt that the collaborative approach had worked.

I would certainly like to say that as I look at the throne speech and some of the things that have been mentioned in Health, and I am going by memory here, I am not sure there was a mention of AIDS strategy, but I am hopeful that from the minister's comments this afternoon as he referred to the recent November conference that talked about an AIDS strategy that we will see something coming forth very, very soon. I think it is going to be very important that education and prevention in the area of AIDS be paramount.

When we look at the amount of government dollars that are spent in the area of wellness, health promotion, healthy public policy, it does not matter which government of the day is in power or in which particular province, I think we will see across the board in Canada and even federal governments that in fact too few dollars are spent in the area of wellness and health promotion. I noted from reading the report of the government's

that in '88-89 there was some 0.34 percent spent on the whole area of prevention. That is not even close to 1 percent; that is not even close to 3 percent; it is not close to the 5 percent that the Manitoba Association of Registered Nurses has suggested in their recent paper.

When we look at the area of wellness and when we are looking at the area of prevention, and in this case we are talking about an AIDS strategy, I think it is very important that we recognize if we are really going to work on education and prevention, there have to be the funds attached to it. That does not mean to say that there is going to be new dollars allocated, but what it means is there is going to have to be a reprioritization of those dollars within the Department of Health.

I would hope that the school system is certainly the beginning place where we can have education and prevention as far as HIV virus. I know that in most of the school divisions, there have been some prevention programs and education programs talking about HIV. There are a few school divisions who believe that in fact that should not be taught, and I would hope that we would move towards a system in Manitoba where all children have the opportunity to actually have education in the area of HIV and AIDS. I think that is very, very important, that we start that at the school level.

As well, I know that the government in Manitoba has been working with organizations and groups in the gay and lesbian community to actually educate members of their groups in regard to HIV prevention. I think that is important as well, and that is certainly a very important part of an education prevention program.

I had some very interesting meetings with the Village Clinic organization a couple of months ago, and I know that they are seeing some changes within their organization as they perhaps move away from an organization which deals specifically with HIV individuals and their families. I would understand that the government has suggested to them that they should be moving towards being a geographically-based community clinic and that they should be providing outreach services in a

whole variety of areas to a wider population than whom they currently serve.

Although the Village Clinic does not have a problem with expanding their services, what they are afraid of and what they are concerned about is that in fact if they move towards that broader community-based primary care providing services, are they in fact going to lose the resources that they have now dedicated and the dollars they have now dedicated to providing assistance to HIV individuals and their families. That is certainly a concern of the Village Clinic.

I would say as the Minister of Health (Mr. McCrae) has an opportunity to hear these remarks that I think it is very important that we allow an organization such as the Village Clinic to retain its ability to provide services for HIV individuals and families and that it is going to be very important that they be supported as an organization by government to continue to do that type of work. Not only do they provide some education and prevention, but they also assist in care and treatment as well and in fact in the past have had physicians who are dedicated to servicing people who have HIV and that has been important as well that that service be made available.

Other organizations that are in the community—and I think while we are talking about a provincial AIDS strategy, it is going to be important that the government recognize the various kinds of nongovernmental organizations that are there to provide a service whether it is in the area of education and prevention or the care and the treatment.

That reminds me of one of the organizations again who has done a tremendous amount of work in the city of Winnipeg for HIV patients and their families, and that is the Kali Shiva organization. Again, this is an organization that with a very small amount of dollars—I believe their budget is basically for one part-time paid staff person to coordinate a group of volunteers—this organization has a volunteer service, has individuals who are there to assist HIV individuals and their families, and that assistance is in the area of support and encouragement for individuals. It is in the form of

providing assistance in some of the daily basic living requirements, whether it is buying groceries, whether it is cooking meals, whether it is doing housekeeping—these kinds of activities which in fact some of these individuals who are living with AIDS in the community have difficulty in doing. Their energy is depleted, so there are volunteers who actually go into the homes and who actually provide that kind of care and service.

I think this is an example of an organization that with a very small amount of dollars, \$30,000 or \$40,000, can provide services to 20, 40, 50 people a year and provide a very high quality of service. When the government is looking at a three-pronged AIDS strategy, to look at some of these organizations and determine what services they are providing and what services should be expanded, I think this is going to be very important.

* (1740)

As the member for Kildonan (Mr. Chomiak) has said, I am a little concerned that we have not seen as yet an AIDS strategy in print. We have had the Premier (Mr. Filmon) who actually headed an AIDS strategy round table in November. This is seven years after the fact that this particular government has come into power. We would hope again that we are going to see something that is in black and white, an AIDS strategy that is not only in a written form but in fact has some steps for implementation so that there will be something that will be implemented in this province.

I think that it is going to be very important that any type of three-pronged AIDS strategy as well also deal with not just the Department of Health but some of the other departments as well within the government, such as Education and such as Justice and Family Services. Again, I noted that when Dr. Fast spoke about the first decade in Manitoba in regards to AIDS and HIV, she mentioned that there had been a working relationship amongst Justice and Education and the Department of Family Services and how important that was that there be that working relationship.

Again she indicated that in many other provinces there is not that relationship, so just to

move ahead and actually provide some services in the area of AIDS and AIDS education has been very, very difficult.

I would encourage the Minister of Health (Mr. McCrae), prompted by this resolution which has been put forth by the member for Kildonan (Mr. Chomiak), that we actually get a time line for when we are going to see a provincial AIDS strategy and that organizations and groups who are involved with this particular disease have an opportunity to be part of the strategy as it is developed and have an opportunity also to make changes and to make suggestions as to the refinement of such a strategy.

This is a final comment in terms of the third prong of the strategy which the member for Kildonan (Mr. Chomiak) mentioned. He talked about the need for research. He is correct in saying that research dollars are always limited. It is always difficult to know where we are going to put our money in terms of any kind of research, particularly into the multiple diseases that afflict members of our society. There is no question that if we are dealing with education and prevention, and care and treatment, research has to be that third component.

Again, I would encourage the Minister of Health (Mr. McCrae) to encourage his department and to encourage the dollars that are available to support any type of research that is done in the area of AIDS and in fact, where there are research dollars that are available through federal grants, that he encourage the federal government as well. Certainly I, as an individual, would encourage them, as well, to look at dollars for research. I think it is something that all three parties can do in this House on a nonpartisan basis.

I would like to close my remarks, again, by saying that we certainly support this particular resolution. It is a very well-thought-out resolution, a very comprehensive resolution. I think the fact that it is asking for a three-pronged provincial strategy—and whether there is agreement between the government and opposition as to where in the process that strategy is, I think we can all agree, however, that the idea of having and wanting a

provincial strategy is the key emphasis of this particular resolution. It is very much supportable, and there is no reason why all members of this House should not join in supporting this resolution today. Thank you, Mr. Acting Speaker.

The Acting Speaker (Mr. Laurendeau): What is the will of the House? [interjection]

We cannot have a question. I have it under advisement at this time. Until such time as I have brought a ruling, we cannot vote on the motion.

Mr. Gerry McAlpine (Sturgeon Creek): Mr. Acting Speaker, I am pleased to stand and speak on the resolution put forward by the member for Kildonan (Mr. Chomiak).

I do commend him for his interest and his approach to humankind and what he is attempting to achieve by presenting this resolution. I do have some concerns for some of the things that are outlined in the resolution.

One thing that is not spelled out specifically, which I will get to is—but I think that he has taken some things into consideration with regard to the education and prevention. I certainly agree with that aspect of it—and the care and the treatment.

Certainly those people who are stricken with any disease or imbalance, as I more understand it, rather than disease—I look on these as an imbalance of a body system.

It is something that we in the western world have to take into consideration when we are talking about one's health. I think that one of the things that we must look at is not just the symptom or that aspect of it, but I think we must look at the whole picture. In the whole picture, it comes back to the type of people who contract AIDS, on the people, other than through transfusions, or are subjected to—and I am not saying that everybody is willing or unwilling in terms of how they contract AIDS—but I think that we have to be conscious of what we are going to do.

Certainly, we can look at the picture from the education and the prevention, and in order to

prevent a situation of AIDS or something like this, I think that we have to be able to educate these people so that they maybe will not be subjected to getting that disease. I think that if we educate these people and show them the way that they should be living and doing certain things, I think that it is not necessarily that they are going to listen to us.

We can paint the situation even with our own children. We tell our children and ask our children to do certain things, and they will not do that. When we look at those people who are contracting AIDS, in many cases are people who are using drugs, putting themselves into precarious positions and weakening their bodies to the point that they are more susceptible to getting that.

(Mr. Speaker in the Chair)

One thing that the member for Kildonan (Mr. Chomiak)—and I know he has an understanding of this—and I am surprised that he has not included this, is the matter of nutrition. You know, we can do all these things, but if we do not nourish our bodies to the point that they are strong enough to be able to deal with this, instead of weakening our bodies, then this is what happens in many cases where people are in a weakened state and are exposed to a situation like this and eventually will end up in the case having AIDS.

Now, if we are looking at, as outlined in the resolution, one in four by the year 2000 in the North will have AIDS, and that is a scary thought, but what are we going to do about that in terms of educating people or dealing with the idea of prevention?

Most certainly, we can tell these people—and, you know, the member for Crescentwood (Ms. Gray) suggested education in the schools, and that has been going on. That has been going on for a long time. But the people do not seem to be listening. The young people, I would not say that all of them are that way, but a lot of them still live a precarious life, and those are the ones often who will end up with the AIDS virus.

Prevention and consultation are the components that I think certainly are an important aspect of

how we have to deal with this, but I think that we also have to understand, instead of treating the disease, how the body is capable of doing a lot of these things itself.

* (1750)

The body does not know, as an example, that you have AIDS, or it does not make any difference that you have AIDS. The body knows that there is an imbalance there and there is a weakness there, and it cannot deal with it, but if the body was nourished properly and got the proper nutrition, maybe it could be dealt with. Nowhere in this resolution or nowhere have I heard where nutrition has been a major component in this whole aspect of dealing with disease.

When we talk about nutrition, I was alarmed a few years ago when I was on the drug, alcohol and substance abuse task force, travelling the province, when a member of the medical profession made a presentation to us, and he indicated that the medical profession or the universities were trying to increase the level of instruction to their medical students to 15 hours.

So if we are going to achieve a goal in dealing with this, how are we going to be able to deal with this when the medical profession does not have an appreciation or an understanding for nutrition, and how are we going to be able to deal with this when they are looking at it from the matter of the medical profession? They are the people who are guiding us through this whole process, because they are the people who supposedly understand sickness. They are the highest authority when it comes to that. But how do we deal with that when they do not understand nutrition, and the only thing that they do understand is medicine and drugs?

Let us look at the aspect of, when you take drugs in crisis situations, yes, that is understandable. They have to be used, but when you do take a drug, it is taking the place of what the body is capable of doing in the first place, and as you take that, if the body is capable of doing that and providing that, then are we not weakening our bodies? Are we not weakening our systems,

because by doing that, as an example, if a person, a totally healthy person was to have insulin injected into their bodies, they would become a diabetic, because the body will take the least line of resistance, or the least effort in terms of dealing with that situation. If it only has to do so much, that is all it is going to do. Consequently, if people rely on the drugs, then they are going to end up getting sicker. You know, I think that society generally—I think as far as society is concerned, Mr. Speaker, most people, instead of taking responsibilities for their own health, when they get sick, what do they do? They go to the doctor. You know, they do not think of going anywhere else. They do not think of taking responsibility for their own health.

I mean there is the matter of prevention. There is the matter of dealing with these situations and taking—you know, you take an antibiotic. So you go to the doctor and he gives you an antibiotic. What you have done is you have turned the responsibility of your own health over to a medical doctor. Now, is that right? Maybe in crisis situations it is, but is it in fact a crisis situation? I think that we have to take that responsibility in terms of dealing with whatever disease we have, whatever imbalance we have, but we can only do that through nutrition because, if you look at it from the aspect of substituting drugs for what nutrition is capable of doing, then you are no different than a person who is taking hormonal injections or taking drugs as a form of substitution. In terms of dealing with your health, it is no different. AIDS is no different. [interjection]

The member for Inkster (Mr. Lamoureux) says, what about AIDS? Do you think your body understands whether you have AIDS or whether you have diabetes or whether you have cancer? Does your body know that? Your body knows that there is an imbalance. That is all your body knows. There is an imbalance in your body, and if you substitute for what your body is capable of doing, then you are weakening your system, you are weakening your body. You obviously have missed the point in terms of if a person—and I will go through this very slowly again. I will use the illustration that if a totally healthy person, like

the member for Inkster, as an example, is injected with insulin into the body for a long period of time, the member for Inkster will become a diabetic.

An Honourable Member: What about the AIDS virus? What if he had injections from the AIDS virus?

Mr. McAlpine: The same thing. If your body is able to cope with that—we do not know whether—they are still working on the research on this. What do they do when they do research? When they do the scientific research, they break everything down to the smallest element. When they break everything down to the smallest element, if you use nutrition as a form of research, when you break it down it destroys the natural component of that nutrition. So there is no scientific proof.

That is the only thing that we can actually judge in this form in society today, because the medical model, they are the highest authority. If they are the highest authority, then where are we going to go? A medical doctor cannot prescribe nutrition as a form of therapy. I think there is something wrong with that, because we are only getting part of the equation. I think that we need the entire equation in order to put this all together.

So when I talk about the member for Kildonan (Mr. Chomiak) talking about prevention and education, and I see research as another form here, but what research are we talking about? Are we talking about scientific research or are we talking about research with all aspects of dealing with this?

Mr. Speaker, I think that the resolution must also include the nutritional component of this whole picture. If you are going to deal with this and if we really truly want to address this situation, then we have to be able to explain to people that they have to take this whole thing into consideration. There are things to deal with the responsibility.

Maybe they are going to have to give up what they consider the good life in terms of what they

are dealing with, in terms of taking drugs and weakening their bodies and taking antibiotics that weaken our body system to the point that we become sicker and sicker.

I have often said that the Minister of Health (Mr. McCrae), I do not consider him the Minister of Health. He is more the minister of sickness than Minister of Health, because we are not creating health. We are not creating health in society today. I really have some serious difficulty with that.

So what are we going to do? Are we going to create another epidemic with AIDS? We have an epidemic with cancer, and what are we going to do? We throw more money into it, the billions and billions of dollars that have been thrown into this. I have read and I consider where I have read a fairly reliable source in respect to cancer.

I do not think AIDS is any different really. [interjection] The member for Burrows (Mr. Martindale) says AIDS and cancer, what is the difference? Well, the body does not know any difference either because the body knows it is an imbalance. Do you think the body knows when you have cancer— yes, I have cancer? I do not think so.

No, we are not talking about vitamins. Vitamins— [interjection] Because you do not understand nutrition. I am talking about whole food nutrition. I am not talking about isolated chemicals that you are talking about.

Point of Order

Mr. Gary Doer (Leader of the Opposition): On a point of order, I know the member is speaking on the congratulatory amendment made by the Minister of Health, but I wonder if it is relevant to talk about nutrition in terms of the AIDS resolution and known causes of AIDS.

Mr. Speaker: Order, please. On the point of order raised, I believe the honourable member for Sturgeon Creek was keeping his remarks relevant to the said resolution. It is the resolution, sir, by the way, that we are debating, not the amendment, the resolution.

* * *

Mr. McAlpine: Mr. Speaker, if I could have my light on here.

Mr. Speaker: Your mike is on.

Mr. McAlpine: It is on now, yes. Thank you, Mr. Speaker.

I am surprised at the member for Concordia (Mr. Doer). He obviously does not understand what I am talking about—

Mr. Speaker: Order, please. The honourable member's time has expired exactly at six o'clock.

The hour being 6 p.m., I am leaving the Chair with the understanding that the House will reconvene at 8 p.m.

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, December 19, 1994

CONTENTS

ROUTINE PROCEEDINGS			
Presenting Petitions		Environmental Protection Legislation	
Physical Education in Schools		MackIntosh; Cummings	596
Lamoureux	591	Fire Prevention	
L. Evans	591	Edwards; Filmon; Praznik	597
Santos	591	Home Care Program	
Hickes	591	Chomiak; McCrae	599
Reid	591	Sugar Industry	
Housing Authorities Voluntary Boards		Wowchuk; Downey	600
Cerilli	591	Department of Labour	
		Friesen; Praznik	601
Reading and Receiving Petitions		Environmental Protection Legislation	
Physical Education in Schools		McCormick; Cummings	603
Lamoureux	591	Betel Personal Care Home	
Improvement of Highway 391		Barrett; McCrae	604
Ashton	592	Brandon General Hospital	
Physical Education in Schools		L. Evans; McCrae	604
Martindale	592	Nonpolitical Statements	
C. Evans	592	Seniors' Christmas Dinner	
Schellenberg	592	McAlpine	605
Friesen	594	United Nations Day	
Handi-Transit		Barrett	606
Hickes	593	Order of Sports Excellence Award	
Children's Dental Program		Laurendeau	606
Wowchuk	594		
Tabling of Reports			
Report under Loan Act, Return under			
Financial Administration Act			
Stefanson	595		
Introduction of Bills			
Bill 219, Elections Amendment Act			
Mackintosh	595		
Oral Questions			
Mining Industry			
Doer; Praznik	595		

ORDERS OF THE DAY	
Second Readings	
Bill 6, Northern Flood Comprehensive	
Implementation Agreement (Split Lake	
Cree), Water Power Amendment and	
Consequential Amendments Act	
Praznik	606
Bill 8, Off-Road Vehicles Amendment Act	
Findlay	618
Lamoureux	621

Bill 9, The Wills Amendment Act	
Vodrey	621
Bill 10, Trustee Amendment Act	
Vodrey	622
Bill 3, Education Administration	
Amendment Act	
Manness	623
Doer	631

Private Members' Business

Nonpolitical Statement

Order of Sports Excellence Award	
Laurendeau	635

Proposed Resolutions

Res. 2, Provincial AIDS Strategy	
Chomiak	636
McCrae	639
Gray	641
McAlpine	644