



**First Session - Thirty-Sixth Legislature**

**of the**

**Legislative Assembly of Manitoba**

**DEBATES  
and  
PROCEEDINGS  
(Hansard)**

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

**Members, Constituencies and Political Affiliation**

<u>Name</u>	<u>Constituency</u>	<u>Party</u>
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
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DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
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EVANS, Leonard S.	Brandon East	N.D.P.
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FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolesey	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
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McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
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McINTOSH, Linda, Hon.	Assiniboia	P.C.
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PITURA, Frank	Morris	P.C.
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REIMER, Jack, Hon.	Niakwa	P.C.
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SVEINSON, Ben	La Verendrye	P.C.
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TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Monday, September 25, 1995**

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

**PRAYERS**

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Federal Immigration Policies**

**Mr. George Hickes (Point Douglas):** I beg to present the petition of Belma T. Marcelino, Narciso M. Marcelino, Marilyn P. Marcelino and others requesting the Government of Canada cancel fee increases and instead institute policies that will encourage immigration to Manitoba.

**Mr. Conrad Santos (Broadway):** I beg to present the petition of Iluminada J. Ramos, Rosabella J. Tankeko, Rico J. Ramos and others requesting the Government of Canada cancel fee increases and instead institute policies that will encourage immigration to Manitoba.

**READING AND RECEIVING PETITIONS**

**Federal Immigration Policies**

**Madam Speaker:** I have reviewed the petition of the honourable member for St. James (Ms. Mihychuk), and it complies with the rules and practices of the House (by leave). Is it the will of the House to have the petition read?

**Some Honourable Members:** Dispense.

**Madam Speaker:** Dispense.

*WHEREAS Manitoba has been immeasurably enriched socially, economically and culturally by immigrants and their families, and;*

*WHEREAS it was for this reason that successive provincial and federal governments have encouraged immigration to Manitoba, and;*

*WHEREAS since 1993, the current federal Liberal government has reversed these policies by instituting a series of changes making immigration more difficult; and*

*WHEREAS the 1994 changes in quotas for family reunification class of immigrants were unfair and punitive; and*

*WHEREAS the fee increases for immigrants instituted in the 1995 federal Liberal budget are neither fair nor justifiable and border on racism, and;*

*WHEREAS the new \$975 fee being imposed on adult immigrants is more than many immigrants make in their home country in an entire year, and will make it even more difficult for people from these countries to immigrate to Canada;*

*WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba may be pleased to request that the Government of Canada cancel these fee increases and instead institute policies that will encourage immigration to Manitoba.*

**TABLING OF REPORTS**

**Hon. Rosemary Vodrey (Minister responsible for the Status of Women):** I am pleased to table the Annual Report for Manitoba Women's Directorate 1993-94.

\* (1335)

**INTRODUCTION OF BILLS**

**Bill 203—The Winnipeg Jets Funding Agreement Termination Act**

**Mr. Gary Doer (Leader of the Opposition):** I move, seconded by the member for The Pas (Mr. Lathlin), that leave be given to introduce Bill 203, The Winnipeg Jets Funding Agreement Termination Act; Loi sur la résiliation de l'accord de financement des Jets de Winnipeg, and that the same now be received and read a first time.

**Motion agreed to.****Introduction of Guests**

**Madam Speaker:** Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery, where we have with us today Mr. Luiz de Athayde, Consul-General of Brazil.

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

Seated with us in the public gallery, we have from the University of Winnipeg Collegiate twenty-five Grades 11 and 12 students under the direction of Mr. Wayne Christianson. This school is located in the constituency of the honourable member for Wolseley (Ms. Friesen).

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

**ORAL QUESTION PERIOD****Winnipeg Jets/Arena  
Repayment of Funding**

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

Over the last number of months, we have learned of a number of payments that have been made by the provincial government to MEC and the Winnipeg Jets attempt. I would like to ask the Premier, on May 17, the provincial government forwarded a cheque for \$612,000 to the Manitoba Entertainment Complex for a so-called capital works project under the Manitoba Infrastructure Program.

Did the Premier authorize that cheque, and is it a repayable cheque back to the people of Manitoba?

**Hon. Eric Stefanson (Minister of Finance):** Madam Speaker, as we have indicated in this House and publicly, to date there has been approximately \$7 million spent on the whole initiative of saving the Jets, keeping them in Manitoba and potentially building a new entertainment complex.

There were contributions made by three levels of government, the federal government, the provincial government and the City of Winnipeg, along with contributions by the private sector. A portion of our contribution was an advance from the Infrastructure Program if the project were to proceed. The item that the Leader of the Opposition is referring to is one of those advances to meet some of the ongoing costs as part of our commitment and was and is subject to receipt of appropriate documentation.

As I have indicated publicly, Madam Speaker, as soon as MEC and Spirit of Manitoba have prepared their summary financial statements showing all of their disbursements—they are also having that audited independently by, I believe, Price Waterhouse accounting firm—we intend to have the Provincial Auditor go in and review all of the disbursements in conjunction with the City of Winnipeg auditor and even potentially the federal auditor in terms of showing the full and complete accounting of all of the funds.

\* (1340)

**Mr. Doer:** Madam Speaker, the minister did not answer the question directly about whether that money is going to be repaid back to the people of Manitoba under the cheque that he sent. On July 6, a further \$520,000 cheque was sent from the Province of Manitoba to the MEC group for so-called, again, capital works claims under the Manitoba-Canada Infrastructure Program.

I would like to ask again, given the fact that we have the minister responsible for the Jets, for Lotteries, for Infrastructure answering the questions today, did the Premier (Mr. Filmon) approve these payments and cheques to be forwarded to the MEC group, and why do we not get press releases, as we do on many other Manitoba infrastructure programs? In fact, for almost every infrastructure program, we have news releases and signings and everything else so the public will know.

Did the Premier authorize this money? Will it be returned, and why did we not have the same kind of notice, in terms of press releases, as we see for other activity?

**Mr. Stefanson:** Madam Speaker, there is nothing new here. It followed the regular process in terms of applying for funding under the Infrastructure Program. We have indicated consistently that the total commitment from the province in terms of private-sector notes from the private-sector note fund and in terms of advances against the Infrastructure Program will be close to \$3 million out of the \$7 million, Madam Speaker. We have said that consistently.

We have said we will provide, as part of the overall report, all of the distribution, where all of the money went, whether it was for preconstruction activities, design, architectural, legal, whatever kinds of work were done, that that will all be accounted for and will be audited both by independent auditors and by the Provincial Auditor.

We expect that information fairly shortly. We have certainly indicated to Spirit that we believe it is in everybody's best interest to provide all of that information as soon as possible for a complete and comprehensive accounting, so everybody knows how all of the money that was advanced from all three levels of government was ultimately utilized, Madam Speaker.

**Mr. Doer:** The minister, in the first answer, or so-called answer, indicated that the money was sent subject to the fact that the project would proceed. Now he is indicating the money is lost. Up to \$3 million is lost.

I would like to ask the minister, will the money be repaid, because obviously the project did not proceed. Will that money be repaid, or are the taxpayers of Manitoba subject to those losses on top of the losses that were signed away by the Premier (Mr. Filmon) in the operating-loss agreement in 1991, a loss agreement that the Minister of Finance and the Premier said in the election would be cancelled on May 1, 1995?

**Mr. Stefanson:** Madam Speaker, advances were made by all three levels of government. We have indicated the level of advances or commitments from our provincial government toward the project on the basis that everybody was working toward the objective of hopefully proceeding to a positive conclusion.

That was not the case, Madam Speaker, and those monies will not be refunded, were never meant to be a part of being refunded. That has happened with at least one other infrastructure program, where some advances were done on the basis of a project proceeding. In fact, it was the Kenaston underpass.

**An Honourable Member:** Another real winner.

**Mr. Stefanson:** Now the member for Thompson (Mr. Ashton) obviously is not supportive of the Infrastructure Program. I know the people in Thompson, through the Burntwood trailer court, are very supportive of the Infrastructure Program.

Madam Speaker, as I have indicated, there will be a full, complete, comprehensive accounting of money that came from the federal government, provincial government, City of Winnipeg and the private sector. There is nothing new with this question from the Leader of the Opposition, and we expect that information shortly.

#### **Youth Court Sentencing**

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

It was one year ago today that 14-year-old David Frey was viciously attacked in this city by a 17-year-old gang member, who was after his skateboard. According to the police report, David was chased on foot, the gang member yelling that he would kill him with a handgun. When he caught up, the gang member put the gun to David's head and struck David on the top of his forehead and twice in the jaw with the butt of his gun until the gun broke. This left David unconscious with two teeth knocked out, a fractured jaw, a fractured left eye socket, lasting eyesight damage, cuts needing internal and external stitches, plastic surgery, as well as bruising and a disability in his hand.

My question to the minister: Would the minister explain to Manitobans, particularly to David and David's mother who is here today, why it is this government's policy that violent youth gang members like this one often do not face consequences for a year?

One year later, he has still to be sentenced and will not be until at least November, all the while on bail, Madam Speaker.

\* (1345)

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Madam Speaker, the member has brought forward a very specific case which he clearly says to this Legislature is not at the moment disposed of, so I must be very careful in any comments that I make, that they cannot in any way be linked to a case which is quite obviously, and by the member's own admission, still before the courts.

Madam Speaker, we have taken a very active role in dealing with young offenders. We have started with requests for changes to the legislation. We have moved in terms of consequences provided within our own province. We are working with the chief judge in terms of the court dates. This government has taken the leading position across this country in dealing with young offenders.

**Mr. Mackintosh:** Will this minister then explain why it is this government's policy that sentencing for all five gang members involved in the planning and carrying out of this attack on David should be allowed to take an average of 11 months for these young offenders? All had their charges reduced, and all enjoyed bail, even though three were on probation at the time and two offended again while on bail.

**Mrs. Vodrey:** Madam Speaker, again, the member has the opportunity to speak very openly about cases which are before the courts, in great detail, which he brings to this Legislature. As Attorney General of this province, I am not able to speak about cases which are before the courts. As the member knows, it is up to the judiciary to determine whether or not bail will be granted to people who are brought before it.

If the member wishes to add further, then he will.

#### **Plea Bargaining**

**Mr. Gord Mackintosh (St. Johns):** She has an obligation, Madam Speaker.

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

**Mr. Mackintosh:** Would the minister now admit that despite the horrendous backlogs and the plea bargaining, there is only one permanent prosecutor in her youth court?

Will she finally give the needed resources and direction to that court, so that we can have swift and meaningful consequences and safety for Manitobans?

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** Madam Speaker, the member knows very well that in our youth courts, it is not an 11-month wait that is there as a result of issues before the court.

The member knows very well, and, again, I want to be careful to be clear that I am not speaking about any case which has been raised today or any cases which are currently before the courts, but there are reasons, particularly on the part of the defence, which require cases to be put over or time delayed before they are brought forward.

The member knows very well that there are times and dates available within youth court much, much earlier than 11 months and much more likely in the range of three months. So the member is bringing forward a specific case where he knows that I cannot comment, and he is bringing forward—[interjection] As usual, he does not want to ever hear the answer, Madam Speaker. This has been typical behaviour from the other side—ask a question and then interfere with the process of the answer.

Madam Speaker, I would say on behalf of this government that it is very clear, our position on youth crime and violence. Our position is a leading one across this country.

Our position is also a holistic one. We recognize that we have to deal with the community, we have to deal with the legislation, we have to deal with the court process and we have to deal with consequences. That is just what we have done.

**Winnipeg Child and Family Services  
Child Apprehension Policy**

**Mr. Doug Martindale (Burrows):** Madam Speaker, when children are apprehended in Manitoba, we hope that it is done only as a last resort and only after as many resources as are available can be put into the situation to assist the parents and to act in the best interests of the child. I know that a situation has been brought to the attention of the Minister of Family Services of two children who were apprehended last Friday by Winnipeg Child and Family Services.

I would like to ask the minister if the parents in this particular situation, and I know she cannot discuss details, but in this situation, is it like other situations where the parents should have been—in this case, were they advised that apprehension was considered, and were they told this in advance so that they could ask for additional resources?

\* (1350)

**Hon. Bonnie Mitchelson (Minister of Family Services):** Madam Speaker, I thank my honourable friend for the question and also for inclusion in his preamble about my ability not to speak about individual cases.

As I think all members of this House would know if they had heard any of the media reports today, Keith Cooper, who is the executive director of Winnipeg Child and Family Services, has undertaken to do a complete and thorough investigation to ensure that, first and foremost, of course, the needs of the child and the protection of the child are met but also that there was a sensitive handling of the family situation.

**Mr. Martindale:** Madam Speaker, will the minister, in addition to requesting the CEO of Winnipeg Child and Family Services, take a personal interest in this case and assure herself that all of the options other than apprehension were investigated and shared with the parents before the apprehension took place?

**Mrs. Mitchelson:** Madam Speaker, indeed, I take a very personal interest in all of the issues dealing with my portfolio, and I would not want to see a family

circumstance or something happen within a family that should not happen.

A lot of the focus over the last few years in the Department of Family Services has been on family support, family preservation and family responsibility. I think that the dollars and the resources that have been flowing to the agencies throughout the province have shown that we have placed a focus in that area, and that is indeed what we are trying to do. We are trying to ensure that, wherever possible, the child remain with the family or extended family, because I do not believe always that alternative placement is the right answer.

**Mr. Martindale:** Madam Speaker, I want to thank the minister for taking a personal interest in this situation and ask her if she would meet with the parents involved and explain to them how the process is supposed to work and assure them that all of the proper procedures were, in fact, followed in this particular situation and work towards an agreeable solution.

**Mrs. Mitchelson:** Madam Speaker, indeed, I will be awaiting the response from Keith Cooper this afternoon. I believe he was going to investigate expeditiously and ensure that the proper procedures were followed and that there was sensitivity used in dealing with the family and with the children.

I anticipate that report and will then determine what steps need to follow.

**Emergency Physicians' Strike  
Government Action**

**Mr. Dave Chomiak (Kildonan):** Madam Speaker, last week, the Premier (Mr. Filmon) took as notice a number of questions about a letter written by the head of emergency services at Health Sciences Centre, Dr. Ludwig, who indicated at the time that there was an impending crisis in the emergency rooms at Health Sciences Centre.

My question to the Minister of Health is, given that the minister has allowed the strike to occur in the community hospitals and has appeared to have lost control of the process, what steps are they putting in place to ensure that we do not find ourselves in another

crisis situation faced in the other hospitals like St. Boniface and Health Sciences Centre as a result of government inaction and in light of the letter written by Dr. Ludwig saying that the Health Sciences Centre is in a position of crisis?

\* (1355)

**Hon. James McCrae (Minister of Health):** Madam Speaker, the honourable member for Kildonan raises issues related to emergency services in Winnipeg, and they are always relevant but certainly very relevant at a time when there is a work disruption in progress.

The work done by the people at Health Sciences Centre and St. Boniface General Hospital during the past disruption is something that ought not to go unnoticed by the people of this province and the people of this city. The nursing and medical staff at those places have been magnificent in the sense of the challenge placed before them, and it is always appropriate for us to call attention to the very, very good work they have been doing to ensure that Winnipeggers who need their services have those services at a time like this.

The honourable member uses an opportunity like this to raise issues and talk about crises and all that sort of thing, which really is not very helpful at a time when Winnipeggers are genuinely concerned about the level of services available at a time like this.

I hope that he will keep that in mind, but I tell him that the contingency plan that we have had in effect has been working in a way that people who need services are able to get them, albeit in some cases after some considerable wait which we regret.

**Mr. Chomiak:** Madam Speaker, I join with the minister congratulating all those people who are undertaking their work in those hospitals under very trying conditions and add to the minister that we should not be in this situation but for the government of Manitoba imposing cutbacks on the hospitals which attempted to negotiate contracts.

My supplementary for the minister is, can the minister indicate to the House today whether or not the

government is at the bargaining table, who is negotiating on behalf of the government and whether or not there is any flexibility on the part of MHO regarding negotiations, since it is this government that imposed the cutbacks on hospitals that have resulted in the strike?

**Mr. McCrae:** Madam Speaker, the honourable member likes to attribute everything that ever happens to something that is entirely within the control of the government. He forgets not only the record of the government that he supported in the years that they were in office, but he also forgets that there are minor little details such as hundreds of millions of dollars being taken from Health budgets across this country, including Manitoba, by the federal government in Ottawa. He very carefully forgets to mention all of that.

So I do not think it has anything to do with reductions in funding for hospitals that a group of physicians should be coming to the negotiating table asking for a 15 percent increase at a time when other health care professionals in Manitoba are accepting a minus two.

I do not think that has anything to do with reductions in budgets, Madam Speaker. It has to do with a negotiating strategy on one side or the other, and the honourable member again draws his own very narrow and partisan conclusions from those.

The government has been asked to have someone at the bargaining table. The government has complied with that request on the understanding that the Manitoba Health representative is there on the basis of a resource to the process and not as a participant in the negotiations.

**Mr. Chomiak:** My question for the minister is, does the minister not recognize that it was the head of the Health Sciences Centre who wrote the letter saying that the emergency room was in crisis, and will the minister not explain to this House how it is that the \$19-million cut to Health Sciences Centre, the \$20-million cut to St. Boniface Hospital and the \$2-million cut to Seven Oaks Hospital is not a factor in paying these doctors and is not a factor in the strike, because it has been



government cutbacks that have imposed the restraint on hospitals?

**Mr. McCrae:** Madam Speaker, is it not interesting the honourable member should refer to these alleged reductions at Health Sciences Centre when it is Health Sciences Centre upon which we all rely right now, and St. Boniface Hospital emergency rooms, to look after a system that is facing increasing pressure because of a work stoppage.

Those two hospitals, Madam Speaker, are managing to provide the services that Winnipeggers need, so I do not know precisely where the honourable member is coming from when he talks the way he does at a time when both those hospitals are taking far more patients than they usually do and are managing to cope.

#### **Emergency Physicians' Strike Government Action**

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

Two days ago, a man experienced a great deal of pain after hurting his hand, went to Grace Hospital, and the preliminary diagnosis was that it was probably fractured, and he was told that he would have approximately six hours to wait, then went to the Health Sciences Centre and virtually gave up because of what appeared to be unbelievable waiting lists and ended up travelling out to Winkler, Manitoba, in order to get his hand looked at and X-rayed.

My question to the Minister of Health is, will he, today, agree and acknowledge that there is a need to put this strike to an end and bring in back-to-work legislation?

**Hon. James McCrae (Minister of Health):** Madam Speaker, I certainly can acknowledge that there is a desire on the part of this government to bring this dispute to a satisfactory resolution.

\* (1400)

**Mr. Lamoureux:** Madam Speaker, when is this government going to be putting the patient first and

prevent individuals from now having to look to rural Manitoba in order to get some hospital treatment through emergency services? Is emergency services a part of the core essential health care services from this government or is it not?

**Mr. McCrae:** Madam Speaker, it does the patient no service and, indeed, a disservice to take action which would be seen by all of the health providers, I suggest, in Manitoba as an action which would lead to further disruptions. But for the dispute we have with the Manitoba Medical Association over the emergency situation, we have enjoyed and want to continue to enjoy a positive working relationship.

Madam Speaker, the honourable member is suggesting by taking precipitous action, that we should do that, and my suggestion is that if you did not need to do that and did it anyway, as the honourable member is suggesting, you create a climate that you do not need to have at a time of change in the health sector.

**Mr. Lamoureux:** Madam Speaker, my question to the Minister of Health is, under what conditions is this Minister of Health prepared to look at the possibility of bringing in back-to-work legislation?

How long is he prepared to let this strike go?

**Mr. McCrae:** Madam Speaker, I can tell the honourable member that on a daily basis we monitor the situation in emergency services in the city of Winnipeg, that we want to ensure that the contingency plan that was put in place in response to an action which we do not support, that being doctors withdrawing their services—that contingency plan has been in place and, as I say, thanks to those people who are making it work.

If the honourable member wants to co-operate to the extent of sharing with me further information about the specific case that he brings forward, I would be happy to look into that further and to bring it to the attention of those who are running our contingency plan to ensure that those who need emergent or urgent services are provided those services within a reasonable period of time, and those who require other services are directed to appropriate places.

**Winnipeg Jets/Arena  
MEC Proposal—Investigation**

**Mr. Tim Sale (Crescentwood):** Madam Speaker, the lawyer for MEC, Mr. Kormylo, stated in his submission of April 11 which we tabled last week, and I quote: The financing proposal described herein reflects the terms and conditions of matters that have been agreed upon and with respect to matters not yet finalized, reflects the anticipated terms of agreement which are expected to be finalized in the very near future.

He goes on to say, we would be pleased to provide you with further details on any of the matters set out in Schedule A and copies of the agreements and other documents referred to therein at your request.

My question is for the minister responsible for the Manitoba Securities Commission.

Madam Speaker, in light of the great gulf between the very specific statements which I just quoted and the words of the Premier (Mr. Filmon) last week, will the minister responsible for the Securities Commission cause an investigation to be made under Section 22 of that act to determine whether the submission, to quote Section 136, makes a statement in any material, evidence or information that either states or omits to state a fact which makes the statement misleading? Will the minister cause an investigation to be made?

**Hon. Jim Ernst (Minister of Consumer and Corporate Affairs):** Madam Speaker, the Manitoba Securities Commission is a quasi-judicial independent board. It operates under its own legislation. They receive hundreds of applications annually to be dealt with, and I do not see any of them. They are an independent board and deal with the matter under their own legislation.

**Mr. Sale:** Madam Speaker, will the minister responsible for the Manitoba Securities Commission meet with the commission and direct the commission specifically to detail and make public the dates of and attendance at the, quote, numerous meetings held between MEC and the government in the period December to April 11, 1995?

**Mr. Ernst:** Madam Speaker, if I were to meet with the Manitoba Securities Commission and direct them to do anything, members opposite would be the first to jump up and down and claim political interference.

They are a quasi-judicial independent board. The members of the board are there to operate under the legislation and within the parameters that they have to operate, Madam Speaker, not with political interference but on their own to do their job.

**Mr. Sale:** Madam Speaker, the minister is responsible for this commission. Will he direct the commission to ascertain and make public the, quote, in-principle commitments of support made by the province and referred to twice in the document, and in particular the commitment to provide \$43 million in grants which are referred to in Article 21 of this document?

**Mr. Ernst:** Madam Speaker, I do not think the member for Crescentwood heard my response to his earlier question.

This is an independent board. The government does not direct independent boards, quasi-judicial boards, to do anything, Madam Speaker. They will choose to do or not do what they will under the terms of their legislation and under the operating guidelines that they operate.

**Manitoba Student Aid  
Computer System**

**Ms. Jean Friesen (Wolseley):** Madam Speaker, on August 10, I wrote to the Minister of Education expressing my concerns about the failure of the new computer system at Manitoba student aid. The minister replied that it was the university's fault and that student aid had been, and I quote, obliged to move its student aid computer service from the University of Manitoba system.

My question to the minister today is, would she now correct that statement, acknowledge that it was her government which through the Universities Grants Commission withdrew two years ago the support for that student aid computer system at the university, and will she take responsibility for introducing an

inadequate system at a time most likely to cause disruption for students?

**Hon. Linda McIntosh (Minister of Education and Training):** Madam Speaker, the member, having asked the first part of her question, obviously must know the second part that she chose not to ask, for obvious reasons when the answer is given, and that is that the new computer system, even though there was the delay for which no one particular person can be blamed—there was a computer breakdown.

The computer breakdown was repaired. The students ended up, at the time that they would have normally been meeting deadlines, ahead of the time line they would have been at had the computer system not been there.

That is due, in part, to a number of things, not the least of which is the dedication of the staff who worked overtime, who worked weekends, to ensure that once the system was up and running, that the material was fed into it quickly.

So there was no ultimate delay. In fact, at the appropriate moment, they were ahead of where they would have been the previous year.

**Ms. Friesen:** Madam Speaker, could the minister give us today a deadline, a commitment once and for all, when those over a thousand Manitoba students who still have no notification of their assessment, when will they know whether they can pay for their books and register for their classes?

**Mrs. McIntosh:** Madam Speaker, I would indicate to the member that the time line has been caught up and surpassed, so that as the decisions are made in due course, they will come down similar to the time lines they had in previous years and hopefully a little bit ahead.

**Ms. Friesen:** Madam Speaker, can the minister confirm that the cost of this new computer system is close to a million dollars, and will she tell us whether the contract enables her, enables the government, to recover losses incurred by universities, by students and

by the Department of Education as a result of a failure in the system?

**Mrs. McIntosh:** Madam Speaker, I will take as notice the exact amount of money that the system cost.

I will also, however, at the same time reiterate to the member that despite the delay that occurred in mid-summer, the schedule was picked up and surpassed, in terms of speed, over other years.

\* (1410)

### **Disaster Assistance Crop Damage—Flooding**

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, the flooding last spring below the Shellmouth Dam which was the result of mismanagement by this government has resulted in a loss of income for many farmers. In fact, close to \$28 million has been lost by farmers.

I want to ask the minister of disaster assistance why there is a delay in settling disaster assistance claims and what other compensation we can expect for these farmers, since it was a result of government mismanagement that they have lost their crops.

**Hon. Brian Pallister (Minister of Government Services):** As far as the flooding situation and the disaster compensation issue is concerned, the claims are currently being investigated.

In terms of the overall number of claims, we had over 700 private claims, and all of these have been inspected to date. About 400 have been fully evaluated, so there are about 300 remaining to be evaluated, which should be done in about the next two or three weeks.

**Ms. Wowchuk:** I want to ask the minister of disaster assistance, since the crop losses are not covered by disaster assistance funding, what steps is this government prepared to take to cover the losses of farmers, close to \$28 million, which was the result of mismanagement by this government when it came to regulating the water flows out of the Shellmouth Dam?

**Mr. Pallister:** I think all of us, certainly on this side of the House, understand the difficulties faced by those who have been flooded and understand, as many of these people are farmers, the problems that are faced by farmers every year and the risks they assume when they put a crop in.

Oh, that it were so simple as the member outlines, you know, that it was the government's fault that there was a record amount of rainfall, snowfall and water in that basin. Oh, that it was the government's fault, so that the government could stop it from ever happening again, but such is certainly not the case.

The member talks about additional compensation for farmers who were not able to put their crop in. This is something that has never been covered by disaster assistance in any province in this country. There are certain types of insurance available for situations where land is uncroppable through the Crop Insurance organization. The Minister of Agriculture (Mr. Enns) could elaborate on that in more detail.

### **Shellmouth Dam Irrigation Projects**

**Ms. Rosann Wowchuk (Swan River):** Madam Speaker, I would like to table an article from the Russell Banner in which there is a statement that the farmers in the Russell area feel that they are being sacrificed in order to build a water supply for irrigation projects further downstream.

I want to ask this government if it is a fact that the water was held back at the Shellmouth Dam in order to create more water for irrigation projects downstream.

**Hon. Albert Driedger (Minister of Natural Resources):** Madam Speaker, totally irresponsible statements. I am surprised that the member would put those on the record in this building here.

The operations of the Shellmouth Dam have been done by professionals for many years. Nothing has changed in that regard, and there is a system in place as to how it is being regulated. I would ask the member that she apprise herself of some facts before she makes these kinds of statements here.

### **McCain Foods Expansion Impact on Water Resources**

**Mr. Stan Struthers (Dauphin):** The announcement of an expansion of production at McCain in Portage last week will result in increases in pressure on the availability and usage of that area's water supply.

We must consider the sustainability of this project in terms of our water resources to ensure long-term, value-added jobs and the diversification of Manitoba agriculture.

With this in mind, can the Minister of Natural Resources assure this House that the amount of water drawn from the Carberry aquifer will not exceed the amount of water replenishing this aquifer?

**Hon. Albert Driedger (Minister of Natural Resources):** Madam Speaker, it was approximately two years ago when a group from the Pembina area made an application to draw water from the Assiniboine River. At that time, environmental hearings were held, and a process was brought forward in terms of letting the public speak out. During the course of those hearings, there was a delay put on the project.

At that time in my department, we established what we called the Assiniboine River Advisory Committee made up of all the shareholders or stakeholders along the Assiniboine River. They have been working on this project now for over a year, and they will be advising my department, myself and this government as to how much water can be drawn out of the Assiniboine River Valley for irrigation or for other reasons.

Madam Speaker, they have had a hearing process. Everybody is entitled to go and participate in that, and I would suggest that some members of the opposition would have availed themselves of that opportunity and participated and found out what is going on.

**Mr. Struthers:** Can the minister then table in this House a study or a report of any independent body that can show there will be no ill effects on the current users of the Carberry aquifer or the current users of the Assiniboine River water? Table it.

**Mr. Driedger:** Before any permits are going to be issued, there is going to be consideration given as to the requirements of everybody along the river, and we have people, the Assiniboine River Advisory Committee, who are formulating the statements basically that are coming forward and that will be followed up on.

**Mr. Struthers:** Can the minister assure the House that all additional water for this project will be drawn from water retention projects and that no additional water will be drawn from the aquifer or the Assiniboine River?

**Mr. Driedger:** Madam Speaker, I would hope that the members of this Legislature here would view this as a very positive development for Manitoba because we, through this project that was announced, will be the second-largest potato-producing province in Canada. The economic impact for Manitobans and the jobs it will create for the people around Portage are dramatic.

I want to assure all members here that we promote this, and we will work together with the people in conjunction, making sure that there is adequate water because this, as far as I am concerned, is only the tip of the iceberg.

We will be having more of this kind of development, and in conjunction with that announcement, there are also going to be undertaken water retention programs.

This is going to be a very exciting time for all Manitobans as we evolve this whole program.

### **Highway Construction/Upgrading Wabowden**

**Madam Speaker:** The honourable member for Flin Flon, with one very short question.

**Mr. Gerard Jennissen (Flin Flon):** My question is for the Minister responsible for Highways.

How long did it take the government to recognize the problem with the failed paving project north of Wabowden, and why did the government not immediately notify the public?

**Hon. Glen Findlay (Minister of Highways and Transportation):** Madam Speaker, as I told the member the other day, the night of the incident, staff were out there with gravel and sand trying to cover it up to prevent the incident from getting worse than it already was. There is a process of assessing where the blame is, so that it does not happen again in the province of Manitoba.

**Madam Speaker:** Order, please. Time for Oral Questions has expired.

### **Speaker's Ruling**

**Madam Speaker:** I have a ruling for the House.

On June 29, I took under advisement a point of order raised by the honourable government House leader respecting words uttered during Question Period by the honourable member for St. Johns (Mr. Mackintosh). In his point of order, the government House leader stated that the honourable member for St. Johns had made allegations and accusations and raised inferences which were unfounded. In his point of order, however, the government House leader did not identify which of the words spoken by the honourable member for St. Johns had prompted him to rise on a point of order. I have reviewed Hansard carefully, as I said I would.

The honourable member for St. Johns and the Minister of Northern Affairs (Mr. Praznik) were apparently both present at a media scrum on June 28. The exchanges between the honourable member and the honourable minister on June 29 apparently were based on each individual's perception or recollection of what was said during the media scrum on the 28th.

Beauchesne's Citation 494 points out that "It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted." and also makes the point that "On rare occasions this may result in the House having to accept two contradictory accounts of the same incident."

In this case, we have two differing perceptions of the same event, those of the honourable member for St.

Johns and of the honourable Minister of Northern Affairs.

I am therefore ruling that honourable government House leader did not have a point of order.

### Committee Changes

**Mr. George Hickes (Point Douglas):** I move, seconded by the member for Broadway (Mr. Santos), that the composition of the Standing Committee on Public Utilities and Natural Resources be amended as follows: Thompson (Mr. Ashton) for Wellington (Ms. Barrett); Selkirk (Mr. Dewar) for Transcona (Mr. Reid); Swan River (Ms. Wowchuk) for Brandon East (Mr. Leonard Evans), for Tuesday, September 26, 1995, for 10 a.m. [agreed]

### NONPOLITICAL STATEMENTS

#### Rosh Hashana

**Mr. Dave Chomiak (Kildonan):** Might I have leave to make a nonpolitical statement?

**Madam Speaker:** Does the honourable member for Kildonan have leave to make a nonpolitical statement? [agreed]

**Mr. Chomiak:** Madam Speaker, I believe that all members of the Chamber would join me in wishing a very happy and prosperous new year celebrating Rosh Hashana for all Manitobans of Jewish background and faith. This is one of the holiest times of the year, and I would, on behalf of all members of the Chamber, like to wish best wishes for a new year of happiness and peace, of health and prosperity for all.

I also would like to add, Madam Speaker, I think it is very fitting that during the time of Rosh Hashana some further steps towards peace in the Middle East are being taken, as we speak, in negotiations that are undertaken in Israel today, and since the theme of Rosh Hashana is peace, we wish that whole process will be continued and will be furthered.

\* (1420)

### University of Manitoba Agriculture Students' Annual Bed Run

**Ms. Rosann Wowchuk (Swan River):** May I have leave to make a nonpolitical statement?

**Madam Speaker:** Does the honourable member for Swan River have leave to make a nonpolitical statement? [agreed]

**Ms. Wowchuk:** Madam Speaker, I would just like to take a moment to congratulate the Agriculture students from the University of Manitoba who did their annual bed run from Brandon to Winnipeg this weekend, on their efforts to make people aware of the activities in rural Manitoba. In particular, I would like to congratulate them on contributing the funds that they raised to the rural stress line.

Many times people who leave rural Manitoba, particularly young people, are told that they forget about their rural roots and are very quick to migrate to the city. In this case these young people have continued to remember their people in rural Manitoba, and they recognize the need for services.

I want to congratulate them on their efforts for contributing funds to the rural stress line.

#### Snow Lake Mine Opening

**Mr. Gerard Jennissen (Flin Flon):** Madam Speaker, I seek leave to make a nonpolitical statement.

**Madam Speaker:** Does the honourable member for Flin Flon have leave to make a nonpolitical statement? [agreed]

**Mr. Jennissen:** I rise today to congratulate the people of Snow Lake for their perseverance in sticking together after the mine closure a couple of years back and working together for the good of the community.

Tomorrow is the official opening of the new Photo Lake Mine at Snow Lake, a major step forward for the community. Something that all members will support, I am sure.

I am very honoured to be the representative of such a dynamic community, and I am looking forward to the opening and the mine operating for many years to come. For those who have never visited Snow Lake I highly recommend that you do so. There are a variety of recreational opportunities at Snow Lake from superb fishing to golfing, along with some of the friendliest people in Manitoba.

I am also pleased to note that the Premier (Mr. Filmon) will be joining us at this opening, along with the honourable member for Lac du Bonnet (Mr. Praznik). I welcome them to the North and look forward to showing them some of the highlights of this vibrant community. Thank you, Madam Speaker.

### ORDERS OF THE DAY

**Hon. Jim Ernst (Government House Leader):** Madam Speaker, would you call Bill 2, Bill 27, and then the balance of the bills as listed in the Order Paper.

### DEBATE ON SECOND READINGS

#### **Bill 2—The Balanced Budget, Debt Repayment and Taxpayer Protection and Consequential Amendments Act**

**Madam Speaker:** To resume debate on second reading of Bill 2, on the proposed motion of the honourable Minister of Finance (Mr. Stefanson), The Balanced Budget, Debt Repayment and Taxpayer Protection and Consequential Amendments Act (Loi sur l'équilibre budgétaire, le remboursement de la dette et la protection des contribuables et apportant des modifications corrélatives), standing in the name of the honourable member for Wellington (Ms. Barrett).

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

**Mr. Conrad Santos (Broadway):** Madam Speaker, I would like to speak on the lure of balanced budgets, of debt repayment and taxpayers' protection.

**An Honourable Member:** Do you support it in your heart? Do you support it like the rest of Manitoba?

**Mr. Santos:** It will appear in due time, Madam Speaker.

These are very alluring ideas, very enticing ideas. The principle of balanced budgets, the principle of debt repayment and the principle of taxpayers' protection—they are like three enticing bottles of perfume, which give Manitobans pleasures to behold and to smell but if they swallow it, it will be deadly for them.

I shall try to show why this is so, by doing a calm and logical analysis of the distinctive features of each of these three principles of balanced budget, debt repayment and taxpayers protection as they are legally structured, as they are craftily and cleverly transformed into the vices of political expediency in the brutal context of the current and prospective financial, economic and social setting in Manitoba.

First let us look at the principle of balanced budget. Before we can do so intelligently, we have to have a working definition of what a budget is. Before we can say it is balanced, we have to know what it is. A budget is a financial plan for a period of time in the foreseeable future, consisting of proposed expenditures and of estimated revenues to sustain those expenditures.

Put simply, a budget is a plan of income and expenditures. If the income is greater than the expenditure, there is a surplus. It is called a surplus budget. If the income is less than expenditure, there is deficit. It is called a deficit budget. If income is equal to expenditure, there is the so-called balanced budget. So a balanced budget is simply a situation where the prospective income of the government and the plan of expenditure are balanced, are equal to one another.

Now how does this Bill 2, this proposed legislation, how does this legislation define the statutory balanced budget requirement? The proposed legislation mandates, it orders that, subject to certain qualified exceptions, the government of Manitoba is prohibited to incur a deficit for the fiscal year commencing on April 1, 1995, and ending on March 31, 1996, and for each fiscal year thereafter. The government of Manitoba is required by this legislation to have equality

or balance between its revenue and expenditure every year. That alone is an unrealistic requirement, because no one can forecast exactly how much revenue would be coming. There is always some kind of discrepancy between forecasting of quality, even in the estimation of revenue, even in the estimation of expenditure. So this statutory requirement puts the government of Manitoba in a Procrustean straitjacket, depriving it of all flexibility and all discretion in trying to respond to the demands of the circumstances of time and place.

What is this concept of revenue with which we must balance whatever is the proposed expenditure? In the field of study known as public fiscal administration, the concept of revenue simply means collections, inflow, that is, all amounts of money received by a government from external sources other than from issue of debts, other than the liquidation of investments or as agency and private trust transaction. The idea excludes noncash receipts in kind. In accounting terminology, the idea of revenue represents an increase in assets or a decrease in liabilities.

\* (1430)

Now is the integrity of this definition of revenue, the integrity of this accounting concept of revenue, is this preserved or is this definition of revenue dishonestly destroyed by the practices of this Progressive Conservative government which is the party in government? This Tory government either by negligent ignorance or by deliberate design included in the category of revenue, whether past, present or future, the proceeds of any sale of Crown corporation assets, which, being a liquidation of investment is not and ought not to be included in the concept of revenue.

So we could see that something which is not revenue is directly called revenue or indirectly by first putting it in the Fiscal Stabilization Fund which is a cushion reserve account, and by that manipulation would also convert something which is not revenue into something they call revenue. That destroys the integrity of the concept and that destroys, therefore, the integrity of the idea of balanced budget.

What is the result of such crafty, clever but dishonest manipulation of legitimate accounting concepts such as

the idea of the concept of revenue? The result is that what in equality and in principle is a deficit budget can be presented and is made to appear as a balanced budget.

Now why do I say this? Do I have any proof that this has been done before and will be done again? Has there been any positive proof of such dishonest manipulation of the financial definition of accounting and budgetary figures and concepts? Do I have any specific proof of such manipulative accounting cover-up which creates a false and misleading presentation of what factually was a false representation of the figures and the facts?

I have to quote from an actual textual quotation of CBC 24 Hours comments of a media personality whose name is Diana Swain. Quote, how do you budget your cheque books? Well, the Provincial Auditor does not like the way the provincial government keeps its books. She says—this is the Provincial Auditor—that in 1992-93, the province reported a deficit of \$470 million, but Carol Bellringer says it is properly accounted for. The number was over \$800 million. According to Len Evans, approximately \$890 million, the highest deficit ever rung up by a Manitoba government.

Now, if this Progressive Conservative government can cover up what is clearly the highest budgetary deficit ever incurred by this province by any party in power in the history of Manitoba, can we logically project—of course we can—that it would do it again in some dishonest and dishonourable act like placing some accounting smoke screen and resorting to some financial trickery to misrepresent and mislead the people in believing that a budget is a balanced budget when in fact it is a deficit budget?

Does even the good principle of public finance, like the principle of the balanced budget as they are developed and expounded by the classical and neo-classical economies in the hands of the unscrupulous, can they be sacrificed to political expediency, retaining its name and its form what is popularly perceived as a good principle of balanced budget but essentially changing its meaning and its content to something undesirable to something which is detestable? Are we to marvel at this kind of misinformation? No, not at all.



If in some organized religion there are some false apostles and deceitful workers transforming themselves into apostles of Christ, similarly, in some organized party government—I am not saying who—there might also be some unscrupulous and dishonest people who do not tell the truth but transform themselves as proponents of the principle of balanced budget but who in fact are seasoned practitioners of deficit budgeting.

No wonder, for even if Satan can transform himself to an angel of light and his ministers can also transform themselves into ministers of righteousness but whose ends will be according to the works, therefore we should not marvel if any head of any political party anywhere in Canada can transform themselves into a premier of fiscal prudence and his ministers into ministers of balanced budget, even putting on the line their salaries as minister but whose pretensions would be revealed and in due time their big lie would be uncovered. There is nothing covered that shall not be revealed and nothing hidden that shall not be known.

The classical and neoclassical economists such as Adam Smith, David Ricardo, John Stuart Mill and others favoured balanced budget because any kind of unbalanced budget tends to expand governmental activity, inviting irresponsible spending on the part of government and because unbalanced budgets can also easily lead to inflation, either because the government adds to the level of demands or because the pattern of continuous annual deficits accumulated as debts can add to the money supply. It could lead to some inflationary tendencies and pressures.

That is what they call the balanced budget, balanced budget in name and in form, but devoid of substance and, in fact, a deficit budget because they had considered as revenue things that should not get into revenue and therefore logically are not part of revenue, and therefore something which is not balanced is made to appear as balanced.

Now let us examine the second conception that is intermixed in this rather omnibus legislation, Bill 2. The second principle is debt repayment. There is a system of debt repayment that is set up in the proposed legislation. It is, of course, good policy to pay your debts on an individual level. If you pay your debts, you

maintain your integrity. If you do not pay your debt, you lose your credibility. On a group basis this probably is also widely believed among the people, but let us place the debt repayment system in its proper context.

This Tory government in 1989 created a contingency fund which is called a Fiscal Stabilization Fund. The total value of that Fiscal Stabilization Fund in its original creation was not specified originally. It was open ended. This proposed legislation, Bill 2, now would amend this open-endedness of the Fiscal Stabilization Fund. This legislation requires the Minister of Finance (Mr. Stefanson) to set the total value of the Fiscal Stabilization Fund which it must maintain in reserve to a level of amount equal to 5 percent of the expenditures of the operating funds, which means that there will be a revenue transfer to the Fiscal Stabilization Fund of approximately \$250 million, an unrealistic assumption that there will be surpluses in the operating account. It is so unrealistic to assume that there will be surpluses in the operating accounts.

What is this scheme? After the Fiscal Stabilization Fund minimal reserve of about 5 percent of the expenditure of the operating funds, that is, at the \$250-million level, then the surpluses would then go to and be credited with the so-called Debt Retirement Fund, which this proposed legislation would set up as a system intended to eliminate the net general purpose debt of the province, which to date is approximately \$7 billion, but this is not of course the entire indebtedness because it excludes the debts now being carried by Manitoba Hydro.

\* (1440)

The deposits that are to be made to the Debt Retirement Fund coming from the general revenue will become mandatory by April 1, 1997, which is the beginning of the fiscal year 1997-1998. Thus, the Minister of Finance, beginning with fiscal year 1997-1998, shall deposit to the Debt Retirement Fund an amount equal to the sum of an amount equal to the greater of \$75 million, and 1 percent of the amount of the general purpose debt of the preceding fiscal year, plus 7 percent of all amounts transferred from the Debt

Retirement Fund to the operating fund in the preceding fiscal years.

To the uninitiated, these are very complex operations. Hardly could anyone understand what is going on here. Note that at least once every five years the total accumulated value of the Debt Retirement Fund is to be completely transferred to the operating fund.

Now since the proposed legislation mandates that for the fiscal year commencing April 1, 1995, and ending with March 31, 1996, and for each fiscal year thereafter, the government of Manitoba, subject to certain exceptions, is forbidden to incur any kind of deficit, if the current Fiscal Stabilization Fund were to be fully established to keep in reserve \$250 million, that amount that is just saved would be enough just to cover one year's shortfall of just about 5 percent of the current budget. Therefore, after that, government services either had to be cut, or else revenue had to be found and to be increased.

Now what are the flaws, the defects of this scheme No. 2 of the Debt Retirement Fund? First, in order to finance both the Fiscal Stabilization Fund and to make the Debt Retirement targeted amount, previous surpluses had to be assumed, but such surpluses do not now exist, nor can foreseeably be seen to exist. Second, the impending cuts to the Manitoba transfers for health and education in the forthcoming federal budget, which would be substantial expenditure cuts in the Manitoba budget expenditures, would be inevitable. Therefore, it will not be able to meet the targeted amount envisioned by the Debt Retirement Fund even during the fiscal year 1997-1998.

It is known at this time that the federal budget will have systematic cuts in its federal transfer payments to this province. How can this province expect then that it will have surplus to satisfy both the Fiscal Stabilization Fund requirement and the Debt Retirement Fund targeted amount? Therefore, all we can anticipate from the so-called debt repayment fund are the following: There will be more property tax credit cuts because they have to somehow manipulate to produce some revenue which is not real revenue because they are not receipts or collections. There will be more offloading to municipalities of expenditures

that are normally provincial expenditures, and there will be more user fees for essential government services. They have to somehow produce the amount in order to balance the budget which is mandated to be balanced year after year.

Let us examine the third principle. This is called the taxpayer protection principle. The taxpayers are purportedly protected by requiring taxpayer approval by means of province-wide referendums of any and all proposed increases in health and education tax levy, in retail sales taxes, in provincial taxes on utilities such as electricity, gas and coal under Part I of The Revenue Act.

However, even under the present taxpayers' protection scheme, no referendum is required in order to increase provincial taxes resulting from changes in federal taxation laws, which is necessary to maintain provincial revenue or from the restructuring of taxation between the federal government and the provincial government of Manitoba or from a tax increase to restructure the tax burden which does not result in an overall increase in revenue.

For example, without any referendum, this party in government could and probably would reduce business taxes, then offset it by an equivalent amount of increase in personal taxes, in which case there would be no need for a referendum, because it is an example of one of the exceptions. Also, it could and it would probably, when needed, increase the sales tax base. It could be broadened and all the property tax credits could be reduced in order to increase revenues. And this can all be done without any kind of referendum.

So where is the taxpayers' protection? The taxpayers' protection is an illusion, because there are ways that are nonreferendumable ways of increasing taxes that are not covered by the so-called tax protection mechanism.

Referendum is the practice of repairing a question to the direct vote of a people as an exercise of direct democracy. Perhaps in the olden days when the city-states were small and the population were few, it was practicable to ask directly the people to make direct decisions affecting themselves, their lives and their property.

There is somehow a populous and popular appeal of referendum. This is undeniable. In fact, that is perhaps one of the explanations of the sudden emergence of the Reform Party in this country, their idea of presenting crucial questions in the form of referendums to the people.

Now, the question is, why are referendums unwise to use in order to decide controversial issues that call for the deliberative process of discussion and debate, that call for reasoned exchanges of arguments in legislative and other bodies like this Legislature?

First, referendums militate against the representative form of government. If referendum becomes a routine way of deciding and settling whatever issue may arise, there will be no need for Parliament; there will be no need for this Legislative Assembly; there will be no need for electing the so-called representatives of the people; there is no need for representative government. We will be abolishing all institutions of Parliament, Legislative Assembly, City Council, school board, because everything can be decided directly by the people. What is the point of paying all these representatives when the people themselves can decide the issue?

In that way we can save lots of money. Maybe we can get out of the deficit if we abolish Parliament, if we abolish this Legislature, if we abolish City Council, if we abolish all kinds of representative bodies or institutions in this country. But that is absurd to say that there will be orderly discussion of issues in a most logical and reasoned way if we do such a thing like that.

Secondly, referendums are unwise to use because usually the referendum questions are so complicatedly presented, sometimes a double negative statement of the issue, of the question, that it exceeds even the reading comprehension of even college students. The questions can be manipulated such that the one who proposed the referendum can achieve the desired response. Of course, we have examples such as the way the present Parti Quebecois had formulated the separation question, in fact, the manner as to leave the impression that separation would be unpalatable and that if separated they will be still enjoying all the rights

and privileges of Canadian citizenship, which is not the case.

\* (1450)

Thirdly, referendums are very expensive to undertake. It will entail the involvement of the voters at large. Even if it is undertaken during a province-wide election in conjunction with the general election, when it is done and the issue is settled and there are certain unwanted or unexpected results that come from the decision, nobody could be held responsible for those results.

For example, we have experienced across the border, in the United States, in California, you have heard about the famous California Proposition 13. This Proposition 13 is a device in the form of a referendum which limits or limited the maximum tax rate of 1 percent on the market value of real property at the local level. Because that was very popular, one of the unwanted consequences, the unexpected consequence of such limitation of revenue in the state of California was the closing of the Los Angeles County Medical Centre which was the largest hospital for the poor in the country, and no one could be held accountable or responsible for such unexpected and unwanted results. There are no representatives you can hold accountable because this is the exercise of direct democracy of the people.

So we could see that they are alluring and attractive in principle. They are accepted historically by the economists, the classicists, and even modern economists, a balanced budget is good; it appealed to everyone's taste. The normal individual will think about his own finances. If his income flow is short of his expenditure, that is his idea of a balanced budget. It is good; it is part of our family values. What you earn, that alone you spend. If you spend more than what you earn, you are in a deficit situation. Thrift is good. Waste not, want not. All these kinds of values in here, in the individual psyche, and in the value of the family.

That is the reason why the very notion, the very wording of balanced budget is attractive to the people in general. But then, as we have pointed out, they can

preserve the form of the principle and yet so redefine its component elements in such a manner that is no longer the principle we are talking about as when this government tried to add the proceeds of the sale of assets like McKenzie Seeds corporation and included it as income when it is a liquidation of assets.

That is not revenue. That is not income. That destroys the integrity of revenue, and revenue as a component of balanced budget is no longer true. Therefore, the conception of balanced budget, while attractive in name, is like the perfume, nice to smell, nice to look at, but do not ever, ever swallow it. It is poison; it is deadly.

In conclusion, we can say, Madam Speaker, that these three delusions distorted by that principle, the balanced budget principle, the debt repayment plan that assumes nonexistent budget surpluses even in the impending federal cuts in our health and education apportionment to the Province of Manitoba, this populously popular but destructive of representative government idea of referendum, they are all enticing the voters. They are like bottles of perfume, nice to smell, nice to look at, but deadly and fatal for Manitobans to swallow.

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

All these schemes are indicative of unrecognized crises that will be known only when it is too late to correct, when, in order to balance this budget, this government, in the future fiscal years, will have to start cutting left and right all the essential government services in this province. Then the people will realize that they have been deceived by the attractiveness and enticing allure of the so-called principle of balanced budget but, in substance, devoid of its original content.

Mr. Deputy Speaker, there will be ways by which nonreferendumable types of raising taxes will be resorted to. There will be reduced tax credits. There will be horrendous program cuts in essential government services, and, until these things happen, the people will only say and realize: attractive the balanced budget it may be, but it is fatal for us to swallow. Thank you.

**Mr. Gregory Dewar (Selkirk):** Mr. Deputy Speaker, I am very pleased to rise to put a few comments on the record regarding Bill 2. I feel, and I know members on this side, all members of this Chamber feel, that this is one of the more important pieces of legislation that the government has brought in this session.

It states very clearly and highlights very clearly the hypocrisy of this government, a government that over the past seven years could have during that period brought in a surplus budget. They obviously were the government in power at that time, and for the last seven years they have not brought in a balanced budget or a surplus budget. In fact, this government over the past number of years has run excessive deficits and, in fact, increased the debt load of this province by over one-third. Since taking office, it has taken the total debt of the province from \$10 billion up over—as the present case—to \$14 billion. I think it is not a record of sound fiscal management, Mr. Deputy Speaker. Instead, it is a record of mismanagement.

One would only have to look at the Mulroney government or the government in Saskatchewan, the Devine government there, to know that with Conservatives in power they have a terrible record when it comes to issues of fiscal responsibilities. We on this side of the House believe that we must review this balanced budget legislation in the context of how all of us run our own family finances. In a family, we pay for our day-to-day expenses and we invest for long-term assets whether it is a house or a car, a farm or a business. We believe that if we as Manitobans were to apply the restrictions put forward in this legislation, only the very richest of Manitoba families would be able to function, would be able to purchase that home or that farm or invest in a business here in this province.

Manitobans work to balance their budgets, and we believe that governments should as well, Mr. Deputy Speaker. However, we do not believe that this legislation is in keeping with running our governments like we do with our families. Again, as I said, only the richest, only the most affluent of Manitobans would be able to buy homes if the restrictions in this budget were applied to our daily finances, because only the richest would be able to not borrow money for a home, for

example, only the richest of Manitoba families would be able to have shelter without the use of a mortgage.

\* (1500)

In fact, if families were to operate, if families ran like this bill proposes, we would see families having to sell their house or their car or their assets to purchase the basic necessities of life such as food when their expenditures exceeded their income. In fact, the proposals in this legislation that was brought forward by the Minister of Finance (Mr. Stefanson) would not allow Manitobans to balance their finances in a reasonable manner. So we feel that this legislation labelled cynically in terms of its title, we feel it does not pass the test of honesty and integrity of long-term investments here in this province.

We know the government brought forward this legislation just prior to the past election. They used this legislation as one of their key election planks in their platform, Mr. Deputy Speaker. We know that, in general, I would think that Manitobans would find the concept of a balanced budget a good one, as we do in our own homes, but we see many, many faults in the legislation. The member for Broadway (Mr. Santos) pointed out many of them, as did several of my colleagues in the past, and I hope today to once again reinforce some of the positions taken by this party.

Let us talk a bit about some of the aspects of the bill and particularly one of the things that troubles me, and that is the way the government will be dealing with Crown corporations. In families, we do not sell our long-term assets to pay for everyday expenses. We do not sell our car to purchase food. We do not sell our clothing to pay our hydro bill, as it were. The member for Broadway raises in his speech earlier that the government sold McKenzie Seeds, which is a money-making Crown corporation. They manipulated the sale of that corporation, and they put the proceeds against the 1995-1996 expenditures of the government, which has been pointed out by different agencies that that is an irregular accounting practice.

A special Lotteries slush fund was established, as we know, and was drained just prior to the election, so the government and the Minister of Finance (Mr.

Stefanson) can stand up here when he presented his budget and stated that after running seven years of deficits, some of them—one of them, I am afraid to say, was the highest deficit in the history of the province, \$760 million or \$860 million. The government used the sale of McKenzie Seeds. They used, I believe, close to \$200 million which they had built up in a slush fund because of their rapid expansion of gambling here in the province that they are able to accumulate that fund. They applied that to the deficit so that when they are able to stand up here they are able to present to Manitobans which would look like and would appear at face value to be a budget that is balanced, and in fact they are projecting a modest surplus.

One of the reasons that they were able to do so was because of the only economic initiative of the members opposite, and that of course is the fact that we now have 5,300 VLTs pumping away night and day in this province. We have casinos, three of them here in the city. We have virtually unchecked expansion of gambling from the members opposite. Even that, even the history when it comes to that is rather deceitful, I would suggest.

When they originally introduced VLTs, the VLTs were introduced only to rural Manitoba. All the money from the proceeds of VLTs would be put back into rural Manitoba to support economic initiatives in rural Manitoba. They quickly broke that promise to Manitobans, and then they introduced VLTs into the rest of the province. Now we have them virtually everywhere in this province, and the government uses that as its only economic initiative over the past number of years.

In fact, the government now suggests that VLTs and gambling solves crime here in the province as was demonstrated last week when the minister responsible for gaming finally tabled the annual report of the Lotteries Corporation. We look forward to dealing with that issue more when the committee finally comes forward to a legislative committee.

Dealing with the issue of the sale of Crown corporations, we expect to see more of the same—we certainly do not hope to see more of the same—and that was the desperate sell-off of our province's resources,

whether it is our telephone company or hydro company or our public insurance company, so that the government opposite can balance their budget. We see this with our telephone company. One of the most recent announcements within the telephone company, MTS, is that they have decided to break the company up into four smaller ones. We feel that this is simply the beginning of the government opposite privatizing MTS, perhaps using that money to deal with any economic revenue shortfalls they may have as the years go by.

So we cannot support any legislation that promotes the sale of our Crown corporations for the short-term gain of the members opposite. It may help the Minister of Finance (Mr. Stefanson) balance his books or bring forward a budget that demonstrates a surplus, but over the long term I do not think it is in the best interest, and we do not think it is in the best interest, of Manitobans to be selling Crown corporations, agencies which time and time have proven their worth to Manitobans, especially to rural and northern Manitobans.

As I mentioned, the same practice of selling long-term assets is not only unacceptable to us; it is also unacceptable to the rating agencies, as the government found out during the election, when, to the Dominion Bond Rating Service, Manitoba's boast of a balanced budget was really a deficit of \$96 million. That happened just during the election campaign. Rather than a surplus, the agency comes forward and says, oh, I am sorry, it is actually a deficit of \$96 million.

Last month the Canada West Foundation points out, and I would just like to quote from that article: A disturbing, confusing part of the Manitoba budget is that the province is reporting a surplus this year, but the Dominion Bond Rating Service reports that the tax-supported debt of the province will actually grow this year by \$141 million, over \$166 for each single Manitoban. No explanation is given for this budget, yet the goals of fiscal clarity clearly demand one.

So the prediction of a surplus by the members opposite was nothing more than creative accounting to help the government to slide past the election. This legislation, I would suggest, promises more of the same deceit.

Mr. Deputy Speaker, it was just announced last week where the Provincial Auditor confirmed that the Minister of Finance was half a billion off in his deficit projections of three years ago. In the minister's budget, he forecast a deficit of 330, nor was it the 550 that the government admitted. It was closer to 819. The difference is composed of the \$150 million in pension liabilities and \$103 million in improper accounting of the members opposite.

So we know that the government has a poor record when it comes to dealing with the deficit. They have demonstrated that time and time again with their budgets. They pretend to be great fiscal managers.

\* (1510)

We know right now there is a mood across the country to move towards, whether it is this legislation, a shift in public opinion to the right. The federal Liberal government has promoted that shift. We know the members opposite have jumped on the bandwagon. It is the flavour of the month. But we feel that this does not do a great deal of good for Manitoba in the long term.

It may help them win their election. It probably did not hurt their most recent victory here in the province, but we feel that this legislation, if accepted by this Legislature, would hurt Manitobans in the long term. That is why we are asking the government to withdraw the legislation, to table it, to do what is in the best interests of Manitobans in the long term, not just simply to help the Minister of Finance (Mr. Stefanson) create this so-called surplus.

Now, a point that was raised by my Leader (Mr. Doer) and a point that was raised by other speakers here is, who actually decides whether or not the budget was a surplus or balance? Is it the government opposite when they make their projections or is it the Auditor, who does the audit of the accounts and brings forward that figure sometimes quite a bit later on?

Now, who is the Minister of Finance going to rely on, or the government opposite, when it comes to the slashing of their salaries by 20 or 40 percent? If their minister's projections opposite demonstrate a surplus or

a balanced budget, yet the Auditor comes back with her report and demonstrates that in fact it was a deficit, will members opposite, ministers opposite be taking their cut in pay? Will they be taking a cut in pay of 20 percent as promised in this legislation? That is an unanswered question and, I know, a question that Manitobans are deeply concerned about.

The Filmon government's record on deficits, I think, as I said, it is nothing but over the past number of years, it is a record of deceit. In fact, in 1988-89, they inherited from the NDP a budgetary surplus of \$58 million. Both the Provincial Auditor and the Dominion Bond Rating Service confirmed the surplus, and that level has not been matched yet. In 1992-93, the province reported the highest deficit in its history at \$742 million, according to the Provincial Auditor. Now, that may even be higher according to some of the reports that I have seen recently.

In seven years of government, they have not bettered the achievement put forward by the NDP in the '88-89 fiscal year.

As I said, the government takes a short-term view on the future of this province. Long gone, unfortunately, is the vision of Duff Roblin or Ed Schreyer when you see that a timely investment now could save many more dollars in the future.

No better example of that, of course, is the floodway, or Duff's ditch, as it is called. It was Roblin who said: Who can say what the monetary costs are of a building, of building a road, a school or a hospital?

We know, and I am sure many members opposite, especially those members who have constituencies where the Red River meanders through, would recognize the incredible value of the floodway to our province, especially to the City of Winnipeg. It has virtually saved the taxpayers of the province millions of dollars, a long-term asset that could not be constructed under the limiting legislation brought forward by this government in this Bill 2.

It was the Schreyer government who were prepared to invest in schools and personal care homes. So now these assets not only benefit us, but they will benefit

our children and they will benefit our grandchildren. As I recall, in 1974, when I graduated from high school, I graduated from a brand-new high school just constructed in Selkirk. It was constructed by the Schreyer government. I know there was a similar one constructed in Dauphin as well. Those are still assets that are utilized by my constituents. I know my nephew is there now, and my nephews and my other nieces will be attending that school soon. It is an asset that will be enjoyed by Manitobans for years to come. The members opposite do not seem to recognize the long-term value of such assets to Manitobans and the long-term assets of different capital projects to our children and to our grandchildren.

The last number of years he has also borrowed money to create The Forks, for example, a Forks project here which has been recognized across this country as a true asset to our province and to this city. It has created jobs. It is a major tourism destination. It is a chance for Manitobans to reclaim our heritage, and it will be there for years to come. Unfortunately, if this legislation was in place at the time, we would not have that. It would owned, I assume, by the railways, and we would not be able to enjoy the great natural assets that we have in that particular area.

Not only that, in the future, what if we wished to invest in, say, the Churchill spaceport. We cannot do that. We recognize the spaceport as very, very important to the future of Churchill and in fact the future of the North, but, because of the inflexibility of this legislation, Manitobans would not be able to invest in the future of that particular project, I would suggest, because of the government opposite's lack of vision both on that and the railway to Churchill and other issues related to the North. It is not only that, the member for Flin Flon (Mr. Jennissen) once again raised today the dismal state of the roads in northern Manitoba.

Will the government be able to invest in those northern projects whether it is the roads or in the spaceport? Unfortunately, I am afraid not. We are seeing the decay of infrastructure throughout this province. Of course, I can cite the No. 9 Highway between Winnipeg and Selkirk as another example of an infrastructure that is in need of repair. I raised that

here with the Minister of Highways in the past, and I will just put it once again on the record, that those projects are in serious need of rebuilding. The problem is, will we be able to do those. Will we be able to invest in long-term assets because of the restricting nature of this particular legislation. It has been suggested and I do agree that it would be very difficult, in fact, impossible to do so.

In fact, here is an example that I think the members opposite may find interesting. They all claim to be the great supporters of small business or business in general and I assume—I think that many of them opposite probably are. Those who operate their own farms are small business people, and we have some members here on this side of the House.

I know that I come from a farming background and lived on a farm all my life, but I also recognize that without the ability to borrow money, a lot of farmers or small businesses would not be able to grow and expand. They borrow money for capital improvements and expansions, capital improvements which, of course, create employment.

I think that all Manitobans recognize the value of small business, that all recognize the value of our agricultural industry to this province. Many farmers, and I know that this has happened in my own case—I know that my father, for example, had to borrow money in order to purchase his farm, but he was able to, over the years, repay that back now and it is an asset to our family.

Of course, even according to the government's task force on capital markets, and I just want to quote this: The majority of small businesses usually require some debt financing. The report goes on to say that debt financing is used to purchase capital assets, buildings, equipment and so on. All these assets that the province has, we will not be able to expand upon them because of the restricting nature, as I said, of this particular legislation. In fact, even businesses here in the province, they do not operate under the rules that this government proposes in Bill 2.

\* (1520)

It has been suggested that the value of the assets in the province relative to our debt—this was done by Professor Clarence Barber in 1993, and at that time he said that our assets at that time were over \$9 billion and against those assets was \$6 billion in debt. So clearly at that time—and I would suggest that since then that ratio has been constant, and I would suggest that the value of our assets far exceeds the value of our debts. Look at a number of our hospitals we have here in the province, our school system, the literally billions of dollars, I suggest, in infrastructure, whether it is our roads, whether it is our sewer system or our parks system, these are literally billions of dollars worth of assets, assets that all Manitobans now enjoy.

As I said, unless a family has been able to inherit a large amount of money, it must balance its income against its expenses. Now Manitobans balance their interest, food, clothing and other bills with their income. At the same time, we take out a mortgage if we wish to purchase a home. If Manitobans had to operate like this legislation proposes, or this government proposes, they would not be able to buy a home or any other asset. In fact, the inflexibility of this legislation, this Bill 2 means that our services will not be able to stand any minor fluctuations in the economy. This was the case I believe a number of years ago in the community of—let me just see, I have it here some place.

Anyway, as I said, there are minor fluctuations in the economy, whether it is a drop in mineral prices or a reduction in equalization from the federal government, we know that these are coming along. We know that it could be as high as \$200 million. Programs will be cut by this government opposite. Of course, they are taking great glee in that, I believe. They are kind of looking forward to that when they can do that. We know that they have done that so often in the past. They do so with such enthusiasm, it is clear that they enjoy doing that.

We know that the federal Liberal government is—well, they are causing severe reductions in the level of funding that they should provide to this Legislature and to this province to help fund a number of programs. It is expected, and it could be as high as \$200 million.



Now this bill and the proposal brought forward by this government does not deal with those types of issues.

What if all the VLTs were to break down one day here in the province? What are they going to do then with that lack of \$200 million that they gain each year from all those machines out here in this province?

The problem is that the cuts that this government would be unfortunately forced to bring in is nothing but a vicious circle; more people on unemployment, then unfortunately that would mean higher welfare costs, lower taxes. And the cycle continues, Mr. Deputy Speaker.

As I said, we must look at the broader issue here. We have our debts and our assets when assessing the overall financial situation of our province. Our debt-servicing costs are amongst the lowest in the country. I believe it is around 11 cents on the dollar. In exchange for that we have all the schools and the roads and the hospitals, power plants and provincial parks in this country. We are, relative to other provinces, in very good shape.

It is the federal government, which I believe their debt servicing costs are 34 cents on the dollar, that is in serious, serious trouble at the moment. Of course, that is the history of both the Liberals and the Conservatives in government. That is the history of those two levels of government, the history of those two political parties. That is the history of those two political parties in government, that we are now paying 34 percent of all the revenues brought in. All the revenues that are brought in from all the different revenue sources, 34 percent of that goes simply to service the interest on the debt.

Here in the province of Manitoba it is considerably lower. Again it is around the 12-cent mark. I am saying that, in a growing economy, I think we must be able to sustain our debt servicing costs, and we should be able to do that at the present level. We are not as bad off as some of the other provinces across this country. Some are paying as high as 17 percent, 18 percent of their revenue simply to service and pay down—well, simply to service, to pay the interest costs on their debt.

When it comes to the taxpayer protection part of this legislation, the hypocrisy of the government opposite is quite clear when you consider their record. In 1992 the government opposite raised taxes by \$400 per family. I did vote on that budget, yes, and we did vote against that increase in taxes, but I do not recall anyone else across the province, other than the MLAs in this Chamber, who voted on that increase in those taxes. None of my constituents voted on those. That was a \$400 grab by the members opposite that would not be covered by this legislation. In fact, right now not one of those taxes would be subject to a so-called referendum.

In the Premier's own briefing notes, he said that these increases were the equivalent of a 5.6 percent increase in sales tax. We also know the tax credits were reduced by \$75 per homeowner. The sales taxes were broadened. Fuel taxes were increased. None of those things would be covered by this referendum. When the government introduced the widespread gambling across this province, there was no referendum for that, no referendum for the 5,000 VLTs or the \$200 million that this government brings in each year from its gaming revenues. Nobody voted on that. We never even voted on that here in this Chamber.

Mr. Deputy Speaker, we are showing the hypocrisy of the members opposite when it comes to this legislation and their own record when it comes to taxation here in this province. It is clear that this government is intent on doing the same. They may not, but they can increase user fees, they can decrease tax credits, and they can offload more costs onto the municipalities. They have a record of doing that, whether it is the City of Winnipeg or the R.M. of West St. Paul or the Town of Selkirk or any other town or community R.M. across this province as well as, as the member for St. James (Ms. Mihychuk) mentioned, the different school divisions. So what they will do is they will simply offload onto the R.M.s. The R.M.s will then, if they wish to maintain the same level of service, have to increase their taxes.

So we will see an increase in taxes unfortunately. We have witnessed this over the past number of years from the members opposite, and this legislation will simply allow more of the same. So we know that this

legislation is not necessary. I believe it was even the member for Lakeside (Mr. Enns) who said that the government does not need legislation to reduce the debt. They do not need that legislation if the government has the political will to do so. They are simply bringing this in as a gimmick to try to give the impression that after seven years of deficits—some of them hitting record levels—all of a sudden they are concerned about the issue of debt and deficits here in the province.

\* (1530)

They have absolutely one of the worst records across this country when it comes to this particular issue. They know that they brought it forward prior to the election to help them with their election chances. We know that this was one of their major—I could say—planks in their campaign. Despite what this government has promised, despite what the election has promised—and we are seeing those election promises are very hollow now—one of the major ones was that the government opposite promised \$10 million for the Jets, no more, \$10 million for a professional hockey team. Time after time and forum after forum, the Premier would stand up and say, oh, \$10 million, no more. Yet it has been proven by this side of the House that, in fact, the government had committed significantly higher amounts to the operation of that hockey team, as high as \$40-odd million.

He also promised, the Premier, in very slick campaign ads where he promised that he would maintain health care here in this province. He said, count on me, I will save health care. They flooded the airwaves a week or so before the election with those ads, very good ads, I might say, saying that the Premier will defend health care.

We know how hollow that promise was, as has been proven time and time by members on this side of the House, as we were able to demonstrate that to Manitobans. [interjection] As the member for Broadway (Mr. Santos) says, the government's promises are simply promises that they intend to break.

We are concerned that despite what the government has said on this legislation, this is simply a Trojan horse

for them to come in, to make more cuts to our vital public services here in the province, services that Manitobans need, services that Manitobans expect, and services that unfortunately may not be there when Manitobans will need them the most.

It is clear that unless there is a revenue loss of \$250 million, there will be no exceptions to the balanced budget requirement. The result, according to all economic models, is that we lose jobs and we lose services. We know that this is not the way that Manitobans run their families and we feel that this is not the way that we should be running our governments as well.

So they have proven to us that their promises are hollow ones and we expect to see more of that as the session progresses. We have witnessed that, whether it is with their commitment to save and preserve our health care system, whether the promise was on the Jets of \$10 million, it is clear that they have upped that considerably during the campaign, proven once again by our side. The government has in the past made projections about deficits way off the mark, some as high as half a billion dollars at times, \$762-million, \$862-million deficits over the past number of years.

Every single year they ran a deficit; now they have projected a surplus. So what happens next year if this projection by the Minister of Finance (Mr. Stefanson) is in fact proven by the Auditor to be a deficit? Will the members opposite then stand up and take 20 percent of their pay cheque and return it, I suppose, to the government? What will they base that on? Will they base it on the projections of the Minister of Finance or will they base it on the Auditor's Report? That is a question that has been unanswered by members opposite.

**Hon. James Downey (Deputy Premier):** It will be done fairly.

**Mr. Dewar:** The Deputy Premier says that the thing will be done fairly. Well, there have been a number of things that we have been able to raise which I think point out the unfairness of the government over the years, so this, we feel, will be of great concern to us as the years go by.

Once again, Mr. Deputy Speaker, we believe that we must look at this issue of balanced budget legislation and how we run our family finances. We finance our families, we pay for our way, and we invest for long-term assets. We feel that, because of the restricting nature of this particular legislation, we will not be able to invest for the long-term assets and the long-term interests of Manitobans.

In conclusion, I would just like to add that it will be a great pleasure of mine, Mr. Deputy Speaker, to vote against this Legislation. Thank you.

**Mr. Kevin Lamoureux (Inkster):** Mr. Deputy Speaker, it is with great pleasure that I stand here today to put some words on the record on a bill that has a great deal of substance to it. There is absolutely no doubt about that.

Let me start off by saying the concept of balanced budget legislation is something which the Liberal Party supports, and we welcome seeing this bill brought into the Chamber. Mind you, it is interesting in one sense that balanced budget legislation is not a new idea. In fact, I believe the first administration to bring it in was out east from the Atlantic coast, from the province of New Brunswick. In fact, we have had a government that has now been in office for over seven years—[interjection] You said Liberal, not I, but you are right. It was a Liberal administration.

This is a government that has been in office now for over seven years. They have finally seen some light, I guess, in terms of recognizing that they have not been all that great at managing the deficit in the province of Manitoba over the years, and now they are bringing in legislation to try to assist them in the management of annual deficits.

It was interesting listening to the remarks from the Minister of Agriculture (Mr. Enns). I was developing the feeling that this minister, in principle, likely would not support Bill 2. The reason why I believe he is going to be voting for it is not only because he is a part of the Filmon team and because of that has to support it, and he is in fact a minister of cabinet, but in listening to him very carefully, I was starting to become of the opinion, the reason that he has justified it in his mind is

not because of this particular government but, Heaven forbid, if the New Democrats ever form government sometime in the future, that they will in fact have the opportunity to prevent that irresponsible socialist-type government from spending tax dollars, raising tax dollars and so forth.

I found that is kind of an interesting justification in order to support the legislation, but one only needs to look at this government's track record on the deficit, and I call into question in terms of just how this balanced budget legislation—because there are, in all likelihood, a number of flaws, but there is one that I really want to point out, just how this balanced budget legislation is actually going to be reported on. I brought it up the other day in Question Period, and I based it on personal experience, where I have seen this government and the way in which this government in the past has managed its budgets.

Mr. Deputy Speaker, you may recall, and I believe at the time—in fact, you might have been a local city councillor for the area when this government brought in its first budget. I remember it well. In fact, I remember making many comments both on throne, no doubt, on budget, and I do not believe there is a budget that I have not commented on in which I have not made reference. I could be wrong. There is always the possibility.

But I remember that budget, and this is what really comes out about that budget. That was, this is a government that actually had a surplus, could have had a surplus budget back in 1988-89. They had a surplus of somewhere around \$50 million. [interjection] \$68 million the New Democrats are pointing out, and they are right. Well, I do not know about the actual amount, but they are right. There was in fact a surplus, okay.

\* (1540)

Now, what did this government in its wisdom do? [interjection] Clayton's old sock? Well, no, I refer to it as the Manness illusion, if you like. The Minister of Finance at the time decided no, no, no, no, no. It is too premature for us to have a surplus budget. In fact what we need to do is we should create this fund, this slush fund as we in the official opposition then had termed it.

In fact they brought in legislation known as the Fiscal Stabilization Fund. I, with great pride, voted against that piece of legislation.

They did have the support of the New Democratic Party at the time, but I am sure, had the New Democrats known at the time what they were actually planning with the Fiscal Stabilization Fund, maybe they would not have supported that particular fund.

But what happened was, they had a surplus budget. Instead of having a surplus budget, they borrowed in excess of \$150 million in order to create a \$200-million slush fund. At the time, I argued that the real reason behind that fund was to be able to borrow money in the future in order to pay down future debts. I remember the circumstances quite well in terms of what allowed them the opportunity to generate that surplus.

This could have been an administration that would have done like no other provincial administration or national administration in recent time and brought forward a surplus budget. They had that opportunity. I often wonder if the former Minister of Finance has not reflected on that at all, Mr. Deputy Speaker, in the past.

We have seen that. We have seen in budgets that have followed where this government has tapped into that particular fund, where government has actually played up the size of that fund, where the Provincial Auditor, on several occasions, has said, look, you are reporting your deficit inaccurately. In fact, just the other day in committee the Provincial Auditor reinforced that you had a substantially higher deficit in '92-93 fiscal year than you reported that you had.

That is the reason why last week when I posed a question to this government that Manitobans do not necessarily have faith in this government's numbers and what they have portrayed the deficit really is, for that reason, we articulated as to why it was necessary that the Provincial Auditor should have the final say.

I would argue today that in fact the 20 percent of ministerial salaries that would be reduced if in fact the government does not come forward with the balanced budget legislation, if they were sincere in terms of

having any form of penalty whatsoever, then why not allow the Provincial Auditor to have the final say? When we say the final say, it was the Premier (Mr. Filmon), I believe it was the Premier or possibly the Minister of Finance (Mr. Stefanson) says, well, the Provincial Auditor does in one sense have the final say, because she can comment, or he, if in the future it is he, can comment in terms of the legitimacy of what the government has said is a balanced budget.

Well, Mr. Deputy Speaker, if the government has confidence in its bill and has confidence that it will do what it preaches, then they should not have any problem with the Provincial Auditor having the authority to be able to invoke the penalty. I would strongly encourage, in fact, that the government look seriously at including or incorporating the Provincial Auditor's office into this particular piece of legislation.

Another aspect that I found was somewhat interesting was—and again the Minister of Agriculture (Mr. Enns) is the one that kind of intrigued me into this area—the one of, how binding is this legislation? Ultimately, legislation can be introduced. This particular piece of legislation could be withdrawn at some point in time in the future, but this act actually does what it can to ensure that if in fact this bill is repealed that there is going to be a process in which whoever might be in opposition will have the opportunity to be able to prevent, to a certain degree but not entirely, the legislation from going through.

So in fact, the legislation is not as binding as one or as the government might try to portray to the public. They have definitely made it more difficult in order to withdraw the legislation.

(Mr. Mike Radcliffe, Acting Speaker, in the Chair)

Mr. Acting Speaker, when I think of the deficit and the overall management of the economy, there is something that in the past I have commented on that comes to mind. This is something in which the government is saying, look, we want balanced budgets, we want them on an annual basis and, if that is not the case, there are going to be penalties and other ramifications to referendums and so forth that will take place.

I in essence believe very firmly in Keynesian theory, if you like, which in a nutshell says, look, if the economy is doing exceptionally well, governments have a responsibility to cut back on expenditures. That in fact provides the opportunity to be able to provide governments the ability to save money.

In bad times, the way in which government can assist individuals or that social fabric, if you like, governments have a responsibility to help fuel the economy.

Well, Mr. Acting Speaker, this does not take that into account really to any degree whatsoever, and that is unfortunate. I guess I would be a bit more supportive if in fact there were some clauses that were built in to take this into account. They could ultimately argue the 5 percent revenue decrease and so forth, so they have not been completely ignorant of it. But the overall approach that this particular balanced budget legislation addresses, the business cycle, just really is not there.

I find that that is most unfortunate because to a certain degree, as the New Democrats have pointed out, you are tying the arms of future governments, or making it awfully difficult for them to be able to address the economy, if you like, into the future. This is something that I think that governments should at least give more consideration to, because, as I said at the very onset, the concept is something, a balanced budget legislation, which we support, but we do believe very much so that the government has to reflect on the legislation that it has brought in and be sympathetic to listen to the public during public hearings and allow for some form of amendments to be accepted and preferably even for the government to bring in.

When we talk about, again, the economy in providing social services and incentives and so forth as a government and the government's role, there is no doubt, Mr. Acting Speaker, that the public is tired of tax increases. I think that they have expressed that time and time again, but government's choices are somewhat limited. You can either increase taxes or increase borrowing or you cut back. We have to be very sensitive to those three options. When we talk about taxes, the government likes to say, look, we have not increased personal income taxes over the years; we

have not increased corporate taxes over the years, or the provincial sales tax.

\* (1550)

But government revenues have increased and they have increased substantially since this government has been in office. There have been different forms of taxation that has been collected. The most successful, of course, from the government's point of view has in fact been that of the gambling tax. It is sad in terms of the neglect that has been given to those social costs of that gambling tax and the amount of resources and time and effort that this government has put in in terms of trying to address some of those social costs.

Other taxes that one can easily make reference to of course was the property tax where at one time we were receiving a higher property tax from the provincial Treasury. Well, that property tax credit has been reduced by this government. So it is not fair to say that this is a government that has not given taxes to Manitobans.

In terms of borrowing and that was the second option—[interjection] The print is way too small from where I am standing right now to read that. Mr. Acting Speaker, when it comes to borrowing money, again—and these are all approximate numbers; I do not want to say that they are a hundred percent accurate, but they should not be too far off. In '88-89 approximately \$141 million; '89-90 \$142 million; '90-91 \$291 million; '91-92, \$334 million; '92-93, and this is one of those really controversial years where it is \$560 million, give or take, and it is likely take an extra \$200 million; '93-94, \$430 million; and '94-95, over \$200 million. We are not too sure in terms of what is actually going to be happening in this fiscal year.

So once again the record is fairly clear in the sense that, as I have indicated earlier, this government has not really been that successful when it comes to balancing the budget, or not relying on borrowing. But that is the second issue.

The third one is the issue where I would like to spend some time, Mr. Acting Speaker, and that is the whole area of cutbacks. The way in which governments

conduct cutbacks really demonstrates whether or not the government has heart, if you like, or is insincere in terms of wanting to provide better services [interjection]. The member for Wellington (Ms. Barrett) says, I should check with my federal counterparts. Need I remind her to look at some of the cutbacks that were put in place in Ontario with the NDP administration, so no one should be necessarily pointing fingers.

I would rather try to provide some constructive criticism in this area for the simple reason that I do believe that government should be very sensitive when it is looking at having to cut back on funding for the many different departments. Time and time again we hear from this government that the three priority departments are Health, Education and Family Services. I would like to concentrate some time on Health because this is an issue that I feel very firmly and very strongly on, and would like this particular government to review and to be very careful with the ways in which they are changing the manner in which health care is being administered and the whole question of funding levels.

(Mr. Deputy Speaker in the Chair)

I sat through numerous hours on health care, and I often talk to constituents. One of the primary issues we talk about time and time again is that of health care. One of the examples that we talk about is that if you take a look in virtually any hospital and particularly, let us say, in the city of Winnipeg, no doubt you would find seniors who are in that particular hospital who do not necessarily need to be in a hospital, Mr. Deputy Speaker. In fact, if you had services that were there to be provided in personal care homes, they could, quite frankly, be in a personal care home.

Ultimately, and this is something in which the former Leader of the Liberal Party, Mrs. Carstairs, received some flak on, especially from the Deputy Premier and others, it was the whole idea that within our personal care homes, if you enhanced services to seniors in their homes or looked for alternative living arrangements, in fact you could have some seniors that are currently in personal care homes living in a better surrounding or a better atmosphere.

Mr. Deputy Speaker, these are all things I would ultimately argue in which we can provide better quality health care services at no extra cost, because it costs less to have a senior in a personal care home than a hospital. It costs less to have a person in a home care service scenario in their own home than it does in a personal care home. Yet we have not seen this government take actions that signal to the public as a whole that that is in fact what they are prepared to do. We have seen areas in which they are prepared to cut, and it is somewhat mind boggling and one has to question in terms of why it is that they might be cutting in some areas.

There are some areas in which—and to talk about the emergency services in which Manitobans feel very strongly on and are frustrated in terms of government's inaction to resolve the issue, the government can demonstrate, as I indicated, how compassionate it is by showing Manitobans just what it is that is on their real agenda, and the so-called hidden agenda. I think to a certain degree, depending on ministers and maybe quite possibly their own personalities and in many cases the civil servants that are around them that support them, the message has to be sent out from the Premier's Office that in fact, look, if we have to cut back in a particular department, that what we want to be able to do is to first and foremost look at ways in which we can deliver comparable or a relatively comparable level of service while at the same time being able to save dollars.

Mr. Deputy Speaker, I believe, particularly in the Department of Health, that there are many different examples of just how government can do that. I made reference to numerous examples when we were in the health care Estimates. One that comes to mind right offhand was labs. Right now there is discussion on private versus public labs, what is in Manitoba's best interest.

I have had presentations, and I am sure the Minister of Health (Mr. McCrae) has had presentations on this whole issue, and we are somewhat disappointed in the sense that why it is that we are not seeing action being taken on such a very important issue in which we can see money being saved and, again, services being enhanced.

The Minister of Health talks quite positively about the whole concept of the health care card. Mr. Deputy Speaker, I recall, again, in early elections, I believe actually my first one was in '88 where Mrs. Carstairs had brought in the suggestion of—

**Mr. Deputy Speaker:** Order, please.

As previously agreed, the hour being 4 p.m., it is time for private members' hour.

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

This matter will also remain standing in the name of the honourable member for Wellington (Ms. Barrett).

\* (1600)

## **PRIVATE MEMBERS' BUSINESS**

### **PROPOSED RESOLUTIONS**

#### **Res. 11—Aboriginal Justice Inquiry**

**Mr. Eric Robinson (Rupert's Land):** I move, seconded by the honourable member for Flin Flon (Mr. Jennissen), that

WHEREAS the Aboriginal Justice Inquiry found that the justice system has failed Manitoba's aboriginal people on a massive scale; and

WHEREAS the AJI report released on August 29, 1991, is the most comprehensive study of the justice system ever done in this country; and

WHEREAS the AJI report made 306 recommendations and only a tiny fraction of them have been acted upon by the provincial government; and

WHEREAS the provincial government has not released its studies and analysis of the recommendations; and

WHEREAS the provincial government has also not released an action plan for implementing the recommendations of the Aboriginal Justice Inquiry.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba request the provincial government to release all studies and analysis of each of the recommendations of the AJI report; and

BE IT FURTHER RESOLVED that this Assembly request that the provincial government immediately consider commencing work with aboriginal organizations to implement the recommendations of the Aboriginal Justice Inquiry; and

BE IT FURTHER RESOLVED that this Assembly request that the Minister of Justice consider releasing publicly an action plan for the government on implementing the recommendations of the AJI.

**Motion presented.**

**Mr. Robinson:** Mr. Deputy Speaker, I am honoured to move this resolution. I am asking for all members to support this very, very basic resolution concerning the lives of aboriginal people in this province and the recommendations that the Aboriginal Justice Inquiry made when it commenced its work in 1989 till a tabling of the report in 1991.

The Report of the Aboriginal Justice Inquiry contains methods under which system, such as aboriginal or nonaboriginal governments and departments, communities, families and individuals can achieve harmony in their associations with each other. Each system must learn to coexist both within and for the benefit of one another. What affects one system has implications on the rest. Thus, in order for a co-operative relationship to exist, no single system can work in isolation from the others, and there must be room for change and adaptation.

Now, specific attention directed toward law and justice—it proposes that balance would be achieved through change, thus fulfilling its mandate, which was to inquire into and make findings about the state of condition with respect to aboriginal people in the justice system in the province of Manitoba.

The Aboriginal Justice Inquiry presented 306 recommendations to the government of Manitoba. As

the resolution says, only a fraction to date of the recommendations have been followed up on. In following up on his recommendations, the government responded to only certain issues through separate means, contrary to what the First Nations and the other aboriginal leadership in this province felt was proper.

By addressing each problem area identified within the report on a piecemeal basis, the government abandoned the purpose of the inquiry, which on the whole required both a plan and a commitment for change.

The AJI also identified ongoing problems with the aboriginal population where historical actions on the part of government had severe consequences on First Nations, perpetuating social problems from one generation to the next.

Each of the sections of the report implies that government's approach, justice issues, through comprehensive and co-operative programming across departments can promote concepts of noninterference; caring, community-based solutions; self-determination and healing in their overall vision for a fairer system for aboriginal people by respecting and ultimately practising these traditional principles.

The adjustment for both aboriginal and nonaboriginal systems can be less compromising, which traditionally was the relationship between government and First Nations.

The report goes into great detail about the historical relations between aboriginal and nonaboriginal people, specifically how each situation destroyed its traditions and culture of these people, such as the treaties and the reservation system, colonial influences, residential schools and the Indian Act.

These governing factors must never be taken out of context when dealing with any matter affecting aboriginal people. They are the roots behind each of these problems. Therefore, in order to achieve any change for the benefit of aboriginal people, we must first have a complete understanding of each problem; second, devise a plan to address the problem; and third, implement a plan with as many resources as possible.

While evaluation and assessment is important for the success and outcome of each activity, governments must understand, what works in one community does not necessarily mean it will work in another. This is what makes aboriginal systems unique, that each nation or population is autonomous with their own traditions, beliefs and practices. Thus each community must have the opportunity to achieve change according to their identified needs.

Since the release of the AJI report, we have asked many questions around the government's intentions to implement the recommendations, particularly the major ones. Specifically questions around the analysis and the plans of governments were raised to determine intentions of governments. I think that aboriginal people have been truly patient in this respect.

Four years have passed now since the releasing of the report, and government can only come up with a handful of responses to specific recommendations. We would like to know, both on this side of the House and also as an aboriginal person, when does this government plan on implementing the rest of the recommendations? When will this government release an official response or analysis of the report? And has this government initiated consultation with the federal government, and what is the extent of consultation between this government and the federal government, and what has resulted from these consultations?

In Estimates the minister alluded to a variety of undertakings of government in response to the AJI recommendations. For example, the minister stated that the portion of the \$1 million AJI fund was allocated to the St. Theresa Point youth court model which was only a pilot project and whose funds have been exhausted and is no longer an operation. What types of programs have been receiving funds from the AJI fund, which is in the neighbourhood of \$1 million, and how much of the fund remains to be spent? And when will the government update the public on the programs that have been receiving funding to date, and under what sort of criteria does the program have to fit to receive a portion of this funding?

The AJI reported statistics on the make-up of the aboriginal population as a percentage on the whole



prison population. In 1965, 22 percent of the total Stony Mountain population was aboriginal. In 1984, it was 33 percent. In 1989, 40 percent, and today in 1995 the population is 48 percent, and those are figures that are obtained only by those who declare their aboriginal ancestry.

\* (1610)

We believe that if more of the recommendations from the AJI had been acted upon in a prompt and comprehensive manner, especially those relating to the creation of an aboriginal justice system, jail location and capacity responding to aboriginal needs, aboriginal people in the child welfare system in Manitoba, and aboriginal youth and the justice system, to name only a few, this statistic would not have increased. In fact, in our opinion, it would have decreased. By allowing four years to pass without intense programming for aboriginal people, these factors contributing to overrepresentation have become perpetual.

Is it the position of this government to allow for the entire institutionalization of aboriginal people, and what percentage of the whole will the aboriginal population in Stony Mountain have to reach for this government to take action?

We have commended the minister on many of the endeavours that this government has acted upon. Last summer in Estimates the minister went into great detail about some of the initiatives, and we commended her for those initiatives and those activities.

However, we would like to get down to the specifics and find out exactly what studies have been done, and as the resolution itself talks about, we would like to get down to the specifics of these matters, Mr. Deputy Speaker.

I would like to talk about some interesting statements from the AJI. First of all the AJI, page 653, says that we must "Ensure that child welfare and youth justice services are integrated and coordinated." On page 535, "It is false economy to reduce services to children and families in need, because the effects of such reductions will inevitably show up in other systems."

"We see the opportunity for Aboriginal child and family service agencies to be a building block towards the development of more comprehensive social and justice services for Aboriginal communities." That is talked about on page 538. "Young offenders be removed from their community only as a last resort and only when the youth poses a danger to some individual or to the community."—page 565. "What is needed is to have the justice system and the child welfare system develop a coordinated and cooperative approach to the problems of young people. They should be working in unison . . . . Youth with problems should receive assistance from both services."—page 571. Alternative Measures in Manitoba: The power to develop guidelines for alternative measures programs be removed from the Department of the Attorney General—page 580.

The youth justice system must be different. It must truly seek to provide minimal interference and allies the youth by developing alternatives to criminal charges and to a formal court processing. We believe the answer to dealing with the problems of young offenders is to provide services that take into account the culture, background and needs of an aboriginal young person. The services must be supportive rather than punitive—page 589. So we believe that boot camps are not the answer.

We would like to refer back to an action plan that was drawn up by the Assembly of Manitoba Chiefs, the Manitoba Metis Federation, the Indigenous Women's Collective and the Aboriginal Council of Manitoba. They came up with an option to develop an aboriginal justice secretariat that would act as a collective resource for the aboriginal organizations to use in preparing for the working groups. The secretariat would be comprised of four or five technical staff, secretarial assistance and computer facilities.

Also with this proposed mechanism, it was felt that this mechanism would best be able to act upon the major recommendations of the AJI working with the provincial government, the federal government and also the city government, whatever government level some of these issues may affect. So, Mr. Deputy Speaker, the resolution is straightforward. We are not doing anything controversial here.

Simply what we would like to do is request that the provincial government release all studies and analysis to each of the recommendations of the AJI report. If it has not, to begin that work.

Also that this Assembly request that the provincial government immediately consider commencing work with aboriginal organizations to implement the recommendations of the AJI. It is important to remain in contact with the leadership of the aboriginal community, both at the First Nations level and at the Metis level.

Finally, we request that the Minister of Justice consider releasing publicly an action plan so that all Manitobans know exactly where the course of the AJI will take us in the time to come. I ask for the members in this House to consider supporting this resolution, and I thank you for the opportunity to speak on this, Mr. Deputy Speaker.

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** I am very pleased to speak to the issue of the Aboriginal Justice Inquiry and what has resulted from that plan, which was commissioned by this government. I will tell you, Mr. Deputy Speaker, that I do intend to move some amendments to this resolution which was put forward.

I would like to take a little bit of time first of all to speak about all of the work which has been done on the Aboriginal Justice Inquiry. It was first of all this government that commissioned the inquiry. One of the major recommendations which flowed from that was a totally separate native justice system. However, that simply is not possible to do within the existing constitutional framework, so this government, in looking at that matter, saying that it is not possible to do that, has undertaken to do a great deal of work in all areas of the justice system.

We are looking at a great deal of work which is being done at the policing end, which is being done through our courts process and which is also being done at our Corrections end. It has been a very holistic approach. I would not want to leave any suggestion on the record that we are not working with aboriginal communities. That in fact is quite wrong. As I go through the

initiatives that this government has put forward, I would be very happy to demonstrate the work that we are doing with communities across this province.

(Madam Speaker in the Chair)

In fact, the work of the Aboriginal Justice Inquiry and the results where it applies to the province simply would not be possible to accomplish this without the support of the aboriginal community itself.

Madam Speaker, I am going to begin in the Corrections area and speak for a few moments about some of the work which has been done in the Corrections area, which I believe is making some very positive changes and as a result of the Aboriginal Justice Inquiry.

We have entered into a number of community participation agreements with aboriginal band councils. What that means is that instead of simply looking at our Community Corrections as it exists within the government of Manitoba and the Department of Justice, we enter into agreements with the aboriginal community to conduct their probation services. These community participation agreements with bands obviously require the partnership with the community, so let the record show that there is a concerted effort to work with the communities in all areas and this is one example.

Madam Speaker, we have also looked at deploying Community Corrections positions to a number of aboriginal communities to make sure that there is an involvement. We have also again, on the staffing side, taken a look at our aboriginal recruitment. As I spoke about when we covered this in Estimates, I told the member for Rupertsland (Mr. Robinson) that this branch has an objective to increase the level of affirmative action staff in the branch and in particular aboriginal staff. The strategies to accomplish this include making an allowance to interview native applicants in their own communities or in friendship centres, including an aboriginal staff member on interview panels, screening of bulletins by aboriginal staff to ensure that the content of those bulletins is clearly understandable, and publication of job bulletins to the aboriginal media.

Madam Speaker, we also have an Aboriginal Advisory Committee as part of our overall strategy for enhancing aboriginal program development and support for the aboriginal staff. At the moment I am speaking about the staffing side in the Department of Justice. We have developed Aboriginal Advisory Committees, and these committees can be used by individual operating units. They are active both at youth correctional centres and at our youth correctional centres in Manitoba.

We also have aboriginal staff consultations where we could have opportunities to discuss with the staff what are the issues and the priorities of our aboriginal staff. What flowed from those consultations was the continued liaison of the aboriginal staff within the recruitment process, our commitment to do that. The goal is to ensure that aboriginal staff be included in the total recruitment process from the bulletining of the position right through to the final board decision, that supervisory and management training for those aboriginal staff who want to be part of the EPM process also be facilitated, and that aboriginal staff attendance at training courses identified for aboriginal people throughout our organization and staff development be facilitated.

\* (1620)

Madam Speaker, the staffing side is only one part. It is an important part, and I do not believe the member for Rupertsland (Mr. Robinson) discussed the staffing issue in which we have made a large number of developments. I would just like to very quickly add on the staffing area, as well, native elders. Elders are in place at all of our adult and our youth institutions. We have a local elders council. A council of Manitoba elders involved in Corrections was established, and it meets every two months.

We have native liaison workers, Madam Speaker, to improve the co-ordination and the development of aboriginal-based programs and elder services. Native liaison workers have been established at Milner Ridge, at The Pas and at Headingley.

We also recognize that for aboriginal people within our institutions—and the member referred to Stony

Mountain continually in his speech, but I am sure he is aware that Stony Mountain is operated by the federal government.

Stony Mountain is for those offenders who are committed to greater than two years less a day. Our provincial institutions see offenders who have been committed by the court to two years less a day. Within our institutions, Madam Speaker, we have initiated a great deal of aboriginal offender programming, and this is both at our youth institutions and also at our adult institutions.

At our youth institutions, we have had the erection of a teepee at the Manitoba Youth Centre to foster native awareness and to provide a sacred place for aboriginal teaching. The Agassiz Youth Centre holds sweats which have allowed many residents to participate. Both institutions include native awareness as part of the basic training received by the JC1 staff. Several residents from the Manitoba Youth Centre have participated in sweats on reserves, and both institutions have developed native awareness programs. The Manitoba Youth Centre has designed theirs as a credit course, and the programs focus on the understanding of traditional ceremonies and traditions. There is reading and resource material purchased for residents to learn about aboriginal culture. The Agassiz Youth Centre has held powwows in '93 and '94 and are planning one, and I believe one occurred in June of '95.

Madam Speaker, we have, as I said, aboriginal cultural education at the Manitoba Youth Centre because we have understood that it is important for participants to understand the importance and place of prayer in native culture, to heighten the awareness and to promote discussion of current aboriginal issues and to help the participants understand and experience smudging, to help participants understand the Indian art and how it has impacted on aboriginal issues today.

There are a number of objectives which we continue to meet through our programming for young offenders. As I spoke about earlier, we have the native spirituality program which is operating at the Agassiz Youth Centre and reintegration of aboriginal young offenders from northern Manitoba that occurs at the Agassiz Youth Centre.

We also have an aboriginal spouse abusers program. The spouse abuse program material is very specifically designed for aboriginal male offenders who are abusers and is available throughout the province, but it is most appropriate for remote and the isolated areas of northern Manitoba.

We also have family group conferences which draw significant persons from the offenders community together to provide guidance and support to the formulation and the implementation of plans for offenders. So on the Corrections side, Madam Speaker, I believe that we have been working very hard with communities to identify what it is that offenders need and also which staff people need to make a difference in the area of Justice.

We also have honorary probation officers in aboriginal communities. These are volunteer citizens, designated by the Minister of Justice to assist probation officers in the delivery of Community Correction services.

The member also raised questions about the Aboriginal Justice Initiatives fund, and I was very careful during the process of Estimates to give him quite a list of some of the programs which have been funded through the AJI fund. Some of those programs were shorter term; others are longer term. I know that if he has a look at that, he will have the opportunity to remind himself of the use of the money set aside through the AJI fund.

Very quickly, additional funding for the Ma Mawi Wi Chi Itata Centre for the operation of the intensive supervision and judicial interim release program, funding for culturally appropriate programming for aboriginal offenders across Manitoba convicted of spousal abuse, and I gave some detail on that.

Madam Speaker, I know my time is becoming short, so I want to very quickly speak about some of the other initiatives which we have instituted following the AJI: employment skills program in our adult institutions at Headingley, and also the policing, the aboriginal policing agreements. That is one that most certainly requires the co-operation and the participation of the community. Under the framework of the agreement, it

requires that it is a tripartite agreement between the federal government, the province and the aboriginal community who will determine themselves what type of policing they would like to have for their community.

In the area of courts, we have also moved to a northern paralegal project where three paralegals who are fluent in Cree and English are based out of Thompson and The Pas. These paralegals fly into communities in advance of the court party to help improve the quality of services being provided by duty counsel. We have an Aboriginal Court Worker Program. We have an aboriginal magistrate recruiting process.

The department has nine aboriginal magistrates who have jurisdiction over matters such as swearing documents, assessing fines, releasing and remanding into custody persons who are accused of having committed offences. This is an example across the whole spectrum of the justice system, policing, courts, Corrections, that we have included and made, I believe, very significant steps in the area of the Aboriginal Justice Inquiry.

The member said that he did in fact say that he supported a lot of what we have done. I will quote from the Hansard for the member for Rupertsland (Mr. Robinson): I believe it has been my practice as a member to commend ministers of various departments on initiatives, particularly as they relate to aboriginal people, and I quote, Madam Speaker, and I will do that again tonight. Many times we are not aware of these initiatives.

Madam Speaker, now we have made the member across the way aware, I would like to propose an amendment to this resolution. I move, seconded by the member for Riel (Mr. Newman),

THAT Resolution No. 11 be amended by deleting all words following the first WHEREAS and replacing them with the following:

WHEREAS the provincial government issued its response to the Report of the Aboriginal Justice Inquiry on January 28, 1992, with proposed initiatives in the

areas of policing, courts, corrections and other justice services, as well as Family Services, Natural Resources and Northern and Native Affairs; and,

WHEREAS the provincial government has confirmed its support for the First Nations Policing Policy and this has led to the signing of several agreements with aboriginal communities pursuant to the First Nations Policing Policy; and,

WHEREAS there are 14 aboriginal community magistrates appointed by the provincial government of Manitoba who provide culturally appropriate justice services to a number of aboriginal communities across this province; and,

WHEREAS Legal Aid Manitoba will be opening an Aboriginal Law Centre to provide culturally sensitive services to aboriginal clients, and this will improve the access of the justice system to peoples of aboriginal descent;

THEREFORE be it resolved that the provincial government be applauded for its ongoing commitment to improve the access of the justice system to aboriginal communities and for implementing numerous culturally appropriate initiatives in the Department of Justice and across government.

Thank you, Madam Speaker.

\* (1630)

### Point of Order

**Mr. Steve Ashton (Opposition House Leader):** Madam Speaker, I wish to rise once again on a point of order in regard to yet another amendment being brought in by the government. I would like to raise the issue once again of the admissibility of the amendment.

It is very similar in form to many of the amendments we have been seeing thus far in the session. I would like to cite I think a key quotation in Beauchesne which refers to the basic intent of amendments, which is to either modify a question in such a way as to increase its acceptability or present to the House a different proposition as an alternative to the original question.

That is a citation that is originally found in Erskine May, page 395, 20th edition, 1983. While the amendment does satisfy some general aspects as making reference to the Aboriginal Justice Inquiry, it certainly, I do not think, does much to achieve the clear intent of amendments, which is to come up with a different conclusion in the matter.

Now, if the government wishes to make an amendment that came to a different conclusion than that of the original motion brought on by the member for Rupertsland (Mr. Robinson), that certainly is in order and in fact I would point to the government House leader and deputy House leader the various citations which refer to both admissible amendments, 570 through 572, and inadmissible amendments which continue, Beauchesne's Citation 579.

The key point, Madam Speaker, is I do not believe this amendment does satisfy the requirements of 567. Essentially what it does is it does not achieve a different conclusion on the original subject matter. What it does really is bring in I think a matter that would be best dealt with by a separate motion. If the government wishes to congratulate itself on something that it feels it has done, it has the opportunity to do that through a government resolution, and we can debate that matter on its merits.

But I would ask that you take the matter under advisement, as I know you have under other circumstances involving amendments which were drafted in a very similar form. I do believe, Madam Speaker, that it does raise the very serious question as to the very purpose of private members' hour, which is for private members to be able to bring forth matters of significant concern to them, such as the Aboriginal Justice Inquiry, this particular motion we are dealing with.

It is not and never has been a forum for governments to bring in self-serving amendments to resolutions or self-serving resolutions themselves. This is private members' hour and I believe that this matter, if it were to be dealt with at all, should be dealt with as a separate motion, a government motion, and we ought not waste the time of private members' hour on what I believe is a very questionable amendment.

### Point of Order

**Hon. Darren Praznik (Deputy Government House Leader):** Madam Speaker, the point raised by the opposition House leader, the opposition House leader has quoted some of the relevant sections of Beauchesne and he talked about the ability to come to a different conclusion.

The honourable member for Rupertsland (Mr. Robinson) in the WHEREAS section of his particular resolution outlines the general nature of the topic, which is the release of information, action on the Aboriginal Justice Inquiry, and draws a conclusion that urges this House to get on with the business.

I think, when one examines the remarks made by the honourable Attorney General (Mrs. Vodrey) on this matter and outlines some of the facts with respect to the actions that have been taken by her department, by the government to respond to this matter and the facts as to what has been done and what goes on, it leads to a different conclusion for the same general subject that the member for Rupertsland (Mr. Robinson) has raised.

We would submit, Madam Speaker, to you that this amendment is certainly within the order of the rules. It certainly proposes a different alternative or a different result, but still deals with the same issue, which is the Aboriginal Justice Inquiry and the actions that had been taken, and it recognizes the facts of the matter as the Attorney General has put out.

Given other similar amendments that have been put forward and accepted by the Chair in this House, we would argue that it is within the rules and the way in which those rules have been dealt with by the Legislative Assembly of Manitoba.

**Madam Speaker:** On the point of order, I listened with interest to both the honourable member for Thompson and the honourable acting government House leader.

I think there is considerable room for larger debate with the intent and purpose of private members' hour, and I certainly would love to participate in that debate.

Also, I think all members in this House should be cognizant of the fact that miracles take a little longer, and sometimes, with these very convoluted amendments coming forward and being presented to the table officers as upon completion of reading, it is almost a formidable task, an almost impossible task for both table officers and Speaker to make very, very honest rulings relative to the content of this without consuming private members' time, which each honourable member indeed is entitled to during the time allotted.

As Speaker, I have great difficulty spending 10 or 15 minutes here on my feet trying to ascertain whether indeed the amendment is or is not in order. What I will be doing now—I was going to do it in a private meeting with House leaders, but I will be serving notice that until both sides of the House have a meeting and come to a resolve with relation to how they want to deal with private members' resolution, I will indeed be taking all amendments under advisement.

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**Madam Speaker:** To continue debate on the original resolution.

**Mr. Gerard Jennissen (Flin Flon):** Madam Speaker, I can fully appreciate your sentiment of a plague on both your Houses, but this is the House from the left speaking now.

I want, first of all, to join with my colleague from Rupertsland and say to the minister that, yes, there have been some good things done, and we appreciate that. Specifically, we commend her for the provincial government's involvement with affirmative action advisory committees and the involvement of elders and so on. I do not know if those are new things. I am sure they were also done in the past, but we do not want to simply be talking negatives only.

Madam Speaker, in 1989, the Aboriginal Justice Inquiry commission, I believe, was in The Pas, and the chief of The Pas at that time, Chief Oscar Lathlin, in, I think, a rather prophetic statement said the following, and I would like to read it to you: This is the biggest

fear that we have of this inquiry that nothing will be done once the inquiry is over.

This was Chief Oscar Lathlin. Well, he was not far wrong. The Aboriginal Justice Inquiry report has been all but shelved. There have been some good things, but we are talking piecemeal. We are not talking a grand strategy here. We are not talking about the paradigm shift that would be necessary for the nonaboriginal community to really understand what is happening with the aboriginal community. This is most disappointing because, of the over 300 recommendations made by the Aboriginal Justice Inquiry, only a handful have been implemented.

The political will to take AJI seriously, to take the recommendation seriously, I believe, is missing, and it is missing possibly for a variety of reasons. I do not think it is bad will. I just believe that Canadians, Manitobans, do have a sense of fair play, but they are very much culture bound. They are very much in the European tradition, and it is extremely difficult to get out of that tradition and to understand and to feel, to really be part of where the aboriginal community lives.

We know that something is terribly wrong. I need not tell the honourable members that. Twelve percent of Manitoba's population is of aboriginal descent, and well over 50 percent in our jails are people of aboriginal descent. We know there is something wrong. We know the violence, and we know the abuses. We know this happens everywhere where there are people under stress, where there is a people under stress, and that is what we have to address, that stress. Something is wrong, but how do we improve it? How do we change it?

Madam Speaker, I do not need statistics to tell me, of course, that something is wrong. We talk about solitudes all the time in Canada. Quebec is a solitude. Anglo-Canada is a solitude. I believe that is nothing as compared to the solitude between aboriginal and nonaboriginal people. I think there are two tremendous solitudes there, and we have not even begun to bridge them.

I understand the aggravation and the anger and sometimes the violence that explodes from aboriginal

communities because they feel that they have been neglected and shelved to the periphery of this country and to the periphery of the political agenda.

\* (1640)

I think, Madam Speaker, I am not amiss here when we talk about justice and the Justice Inquiry to take a look at some of the elements that make up the classing cultural imperatives, the world views of these two communities, the nonaboriginal, mainly European, and the aboriginal.

Let us talk just about a few of them, because the inquiry itself also deals with them. For example, aboriginal people tend to believe that humanity is the last link, perhaps the worst link, the final link, the most destructive link on mother earth, whereas we from European descent tend to believe that we must dominate nature, that we must subdue creation, that we are the pinnacle of creation. That is why we have these hierarchical models, whether it is a pope at the top or a president or a premier. Usually they are white middle-class males or whatever, wearing ties. That is a pyramid, Madam Speaker, and that pyramid symbol does not fit aboriginal people. They have the circle, and the circle is flexible and it opens and it closes. It is much more comprehensive; it is much more inclusive. It is much more, I think, connected with nature.

We tend to be, in the nonaboriginal tradition, much more individual, much more nuclear family, whereas in the aboriginal community, the extended family is important, the large contacts are important. When you deal with justice, we are not simply dealing with getting even, if you like, or even rehabilitation, but with an equilibrium in the community itself, trying to recreate, trying to re-establish that equilibrium. That is important to notice. I think we have to be aware of the noncompetitiveness, the sharing of the aboriginal community which is so sadly lacking in our own culture even though many of us claim to be Christians.

The emotional restraint of native people is something you have to appreciate and you have to understand. The nonspeaking, the purpose of silence. We do not have that in our culture. We are very loud. We are very brash. We are very media oriented. We are

looking for that five-second sound bite. The aboriginal culture puts tremendous pressure on the elders, pressure in the sense that their wisdom is sought. We tend to shove our elders into old age homes. The aboriginal culture—and you have to get used this, and I have great difficulty with it—is very flexible with time. Time does not mean the same as it means for the nonaboriginal people. Those are all things we have to take into account when we deal with justice.

We have to realize also that aboriginal cultures tend to be connected to the earth. Their spirituality is earthbound. It is not that transcendent stuff, you know, heaven and God or whatever over there. It is a lot more immediate. It is a lot more visceral. It is a lot more real. It is a lot more honest. Some of the most honest, some of the most real people you will ever meet, you will have to go and visit Tadoule Lake or Lac Brochet or some of those aboriginal communities.

Madam Speaker, I know that we are to talk about the inquiry itself. The commissioners, Justices Murray Sinclair and Alvin Hamilton did a remarkable and thorough job investigating the justice system and making recommendations. Two of my colleagues, the member for The Pas (Mr. Lathlin) and Rupertsland (Mr. Robinson), both played important roles in this investigation. I congratulate them for their efforts. The inquiry travelled over 30 communities, many of them remote, and listened to over 1,000 people during the course of their investigation.

The release of the report four years ago led to a great deal of optimism and hope. Regrettably, four years later that hope has turned to disillusionment largely. The record of this provincial government in dealing with First Nations of this province has been for the most part neglect, but in all honesty there are some good points and I have pointed them out to the minister. Overall it has been piecemeal; it has not been a grand strategy at all. It is no understatement to point out that this has been a deliberate policy by the current government, we believe.

A recent commentary in the Winnipeg Free Press called aboriginal people pawns in a power game with the provincial government. For residents of South Indian Lake and Granville Lake there is absolutely no

doubt on this issue. Both communities have been pushed back and forth between the federal and provincial governments over which government is responsible for basic rights such as social assistance.

The Aboriginal Justice Inquiry commission was set up by the former NDP government because we recognized that the system was not working for the First Nations of this province. We did not believe that the high incarceration rate of aboriginal people in provincial prisons was acceptable. Justice was clearly not working for the First Nations of this province.

It was the NDP view that the perpetrators of the horrible murder of Helen Betty Osborne deserved an investigation, as did the circumstances surrounding the murder of J.J. Harper.

As the AJI report states on its first page, and I quote: "The justice system has failed Manitoba's Aboriginal people on a massive scale. It has been insensitive and inaccessible, and has arrested and imprisoned Aboriginal people in grossly disproportionate numbers. Aboriginal people who are arrested are more likely than non-Aboriginal people to be denied bail, spend more time in pre-trial detention and spend less time with their lawyers, and, if convicted, are more likely to be incarcerated.

It is not merely that the justice people has failed Aboriginal people; justice also has been denied to them. For more than a century the rights of Aboriginal people have been ignored and eroded. The result of this denial has been injustice of the most profound kind. Poverty and powerlessness have been the Canadian legacy to a people who once governed their own affairs in full self-sufficiency."

These are powerful words, Madam Speaker. They were also fair comments on a system that was not working. The report has been considered the landmark Canadian investigation of how justice systems work in this country and is required reading in many courses in Justice departments in this country.

Regrettably, four years after its release, there is no evidence that anyone in the cabinet of this provincial government has ever really read this report thoroughly.



The current Minister of Justice (Mrs. Vodrey) has never said a word about the report in the time that I have been in this Legislature—I will exclude today—nor have any of her colleagues.

Despite repeated requests by my colleagues and First Nations organizations, the province has never stated which of the 306 recommendations it accepts, which it opposes or the analysis of the recommendations themselves.

After four years, the provincial government has failed to even meet with aboriginal organizations to work on implementing some of the recommendations. The cabinet has put forward a budget line called AJI Initiatives but refuses to outline what the details of these initiatives are and how these secret initiatives are chosen.

To most independent observers, this government simply has shelved the report and is hoping that people have forgotten about it. This lack of action has worsened an already tragic situation. The lack of interest of the province in the report has created further cynicism and despair among many First Nations people.

Bad as the incarceration figures were before the AJI, they have actually worsened now. It is time that the province started working in partnership with the First Nations of this province. There is much that can be done by the province which will not only save tax dollars but will mark real progress in this province.

The First Nations of this province are not looking for handouts, let us make that clear. They are not looking for handouts. They are looking for changes to a system that clearly is not working. It is my hope that this resolution can come to a vote, that the passage of this resolution will encourage the cabinet to rethink their position on the AJI recommendations.

I would like to conclude by saying that, yes, I agree with the minister, we should have a tripartite approach, and we should have some grand strategies. We should have some strategies for action. These would have to deal with self-government. It would have to deal with the justice system. Now if it cannot be completely their

own justice system, it has to be fairly independent. We need a claims tribunal to adjudicate, fairly and honestly, resources such as wild rice, dealing with hunting, fishing, co-management, even such things as membership codes for aboriginal people because some Metis are now status and C-31 problems have arisen lately.

Let us make no mistake about it, the aboriginal people are under stress. They are a people in poverty. There are some serious problems there. They are a people who have been incredibly patient considering what is happening, but that patience is just about ending.

Madam Speaker, I think we have to work in conjunction with these people, the province, the aboriginal people themselves and the federal government. We have to look for some swift solutions or there could be some serious problems in the near future. Thank you.

**Madam Speaker:** The honourable Minister of Labour.

**Hon. Darren Praznik (Minister of Northern Affairs):** Madam Speaker, it has been some time since I have served in that portfolio.

**Madam Speaker:** I apologize, the honourable Minister of Northern and Native Affairs.

**Mr. Praznik:** Thank you very much. I would not want to be confused, Madam Speaker, with my good friend and colleague, the member for Rossmere (Mr. Toews), who now serves in that capacity as Minister of Labour, and doing a very fine job, if I may offer him that compliment at this particular time.

Madam Speaker, I want to thank the member for Rupertsland (Mr. Robinson) today most sincerely for bringing this topic to discussion in the House and having this kind of debate on this very important subject. I know that he comes to this debate with great sincerity, and he comes to bring to the floor of this House, and represents a vast constituency in this province, the concerns that are certainly there with respect to justice issues and the aboriginal community. Knowing the member for Rupertsland I know that he

does bring this issue very sincerely to the floor of this House.

One great regret, I think, with the whole private members' process, and this is one that I share, I believe, with the member for Thompson (Mr. Ashton), the member for Burrows (Mr. Martindale), the member for Inkster (Mr. Lamoureux), myself, the member for Emerson constituency (Mr. Penner) who spent a great deal of time over the last couple of years representing our caucuses in debate and discussion about rule changes.

\* (1650)

This process does lead, very regrettably, to the scenario where we have resolutions come forward, many of them come forward to meet a certain political demand of the moment or attempt to in the way they are even drafted, often put information that a government does not feel truly represents the facts of a particular situation. The response is amendments that come forward that attempt to, as my colleague the member for Thompson said, pat the government on the back, et cetera.

Most regrettably to the people of this province, that process has over the years, going back through many administrations, lead to this kind of process of resolution and amendment in our Legislature. I, for one, as a legislator feel that it is not an adequate means to discuss issues, that is not an adequate vehicle to bring to the floor of this House discussions that have to be had from time to time on issues that are of importance to the people of our province.

So, as a member of this House, I hope that at some time in the future agreement can, obviously, be struck to reform this whole private members' process in a way that I think takes out the kind of forum we now have where process and procedure dictates how we deal with issues, and often in not a very complimentary way to those issues.

So, I want to preface my remarks, because knowing the member for Rupertsland (Mr. Robinson) I have a great deal of respect for that member. He does come sincerely to this debate with this issue.

Madam Speaker, the member for Flin Flon (Mr. Jennissen), a new member to this House, spoke about secret initiatives, shelved report, lack of action, et cetera. Those, of course, are words that, I believe, talk about an issue to which there are two sides to that coin. I say that sincerely to him, because I do not think that there have been secret initiatives.

I do not think that there have been shelved reports or lack of action. I think, quite frankly, the problem with the aboriginal justice process and the problem with the report is it is such a massive document that makes 300-and-some references, I understand, or 300-and-some recommendations, some of them very general, such as on land claims that have to be settled, others that are very specific.

Many of those recommendations are in a jurisdiction that this Legislature does not have. Many of those recommendations rest in federal jurisdiction over which we, as legislators, have no control or no input, or very little input but certainly no control. And so, in such a massive document as the Aboriginal Justice Inquiry, initiatives that are made by the government, attempts to change—particularly the more innocuous things, but nonetheless very important things in process and procedure and the way departments operate, et cetera, get done—they do not attract the kind of fanfare, they do not attract the great media attention that allows the public to fully be aware that those matters have been done.

I do not blame anyone for that. That is the reality of public life. There are many things, many parts of that document that have been implemented and done in a very quiet, everyday way where they should be done that affect the way aboriginal people are dealt with in our justice system. They have been done in the Attorney-General's outline, many of them both today and in previous speeches. There are many areas that are far more complex that we do not associate with the AJI.

If my recollection serves me well, Madam Speaker, one particular area, of course, is in the settlement of land claims, a great frustration. We have heard that come forward. That is an area for which I have responsibility, and I can tell the member that that is not,

as the member knows, an easy or a simple process. The fact that we have made great progress in the last couple of years on Northern Flood, although I have not yet been able to come to this House to report that we have firmly concluded another arrangement, although we are very close.

As we speak today, the Nelson House community is continuing, I understand, with their voting on an agreement that we have concluded. York Landing is very close to calling a referendum, if they have not done it already. Norway House had a couple of issues that we have met on recently, and that I understand one in particular may have been resolved by my colleague, the Minister of Natural Resources (Mr. Driedger), thereby allowing that agreement to go forward. Cross Lake is one that is somewhat more distant. We are not currently at the bargaining table, but in discussions I had with Chief Sidney Garrioch last week when I met him at a particular meeting and some of the other issues that have come up, I think Cross Lake is very close to having some significant movement at the table.

So in that area, and an area I point out to the member for Flin Flon (Mr. Jennissen), where the problem of the flooding of those northern communities and the Churchill Diversion happened before this minister was even in grade school. They happened, some of them, before I was even born.

So I have to ask as a minister today to put things in context is, why? Here I am in my early thirties dealing with settling issues that took place really when my father was a very young man. Where was everyone else?

I am not trying to become overly partisan in this, but there have been a lot of MLAs sitting in this Chamber in that 25 or 30 years that have elapsed since the problem and the settlement. There have been a lot of people who have sat in that Premier's chair. There have been New Democrats, two in particular: one Mr. Schreyer and one Mr. Pawley, who have sat in that chair. People who represented most of northern Manitoba, MLAs representing constituencies like Flin Flon, Thompson, The Pas, Rupertsland and the old Churchill constituency sat here and at the cabinet table, and yet those matters were not settled.

In fact, when one goes back over the years and you look at Northern Flood, just for example, probably one of the most significant and disastrous decisions was made by Howard Pawley as a newly arrived Premier, when he did not hold the process firm to the dates that were required by the original Northern Flood Agreement because he made it a never-ending process. If he had held firm to the dates that had been in the original agreement, you know, with maybe a small extension, the pressure would have been on all parties to come to conclusion. It never happened. The result was, a decision made by Mr. Pawley's cabinet opened up the whole agreement, as has been told to me, that it went on forever. Quite frankly, the only people who benefited were the consultants and the legal advisors and the whole industry. That was the decision that was made.

#### Point of Order

**Mr. Gord Mackintosh (St. Johns):** On a point of order, Madam Speaker. With all of the issues and the concerns that are raised by the AJI report and the lack of implementation, I ask that the minister keep to that very important issue rather than dealing with the Northern Flood Agreement.

**Mr. Praznik:** On the same point, Madam Speaker. The settlement of land claims is one of the issues in the aboriginal justice community. In fact, it is perfectly logical for the Minister of Northern Affairs to be addressing the issues that are particular in his competence. The member for St. Johns makes a mockery of the rules of this House.

**Madam Speaker:** Order, please. I was listening very closely to the minister's comments, and I was actually shocked and very surprised that he was being, in my opinion, relevant. The honourable member for St. Johns does not have a point of order. It is clearly a dispute over the facts.

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**Mr. Praznik:** Madam Speaker, the only thing I can draw, the only point I can draw from the comments of the member for St. Johns is that I have certainly hit a sore spot for the New Democratic Party, because the

New Democratic Party, who governed this province for many years during this period, quite frankly did nothing or very limited effort to settle those difficult and outstanding grievances of our aboriginal community.

The member for St. Johns, I have obviously touched the sorest point with him, and I say that with no disrespect to the member for Rupertsland (Mr. Robinson), because the member for Rupertsland comes sincerely to this issue. In my dealings with him, he has always wanted to move to conclusions and not relive the past of whoever has been in government but his colleague the member for St. Johns has a different issue. The member for St. Johns raises treaty land entitlement. More has happened in the last few years in this province to move forward the settlement of treaty land entitlement than ever before in over a hundred years—a hundred years.

Madam Speaker, let us not forget that the obligations under treaty land entitlement are not with the province of Manitoba, they are with the Government of Canada; they are with Her Majesty the Queen in right of Canada, and our obligation is to make available only such unoccupied Crown land as satisfies the federal obligation pursuant to the 1930 transfer agreement but, given our small role, we have been working—

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable Minister of Northern and Native Affairs will have four minutes remaining.

As previously agreed, the hour being 5 p.m., time for consideration of Proposed Resolution 12.

\* (1700)

### **Res. 12—Community Safety**

**Mr. David Newman (Riel):** Madam Speaker, I move, seconded by the honourable member for St. Vital (Mrs. Render), that

WHEREAS Manitobans of all ages have the right to safety and security in their homes, their communities and in their schools; and

WHEREAS the provincial government has pledged to protect Manitobans through a variety of measures such as tough antistalking measures, boot camps for young offenders and increased funding for provincial policing; and

WHEREAS partnerships have been formed between the provincial government and police, crime prevention organizations, the justice system, victim's services, municipalities and community organizations in order to help increase safety in Manitoba neighbourhoods; and

WHEREAS the safety and security of the individual, their families and their communities is essential to our quality of life.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba endorse and support the provincial government and the Minister of Justice in their efforts towards the advancement of safety in our communities.

### **Motion presented.**

**Mr. Newman:** Madam Speaker, it gives me great pleasure to rise today to speak to this resolution. We are, no doubt, all aware of the devastating effect crime can have on families and communities. The increasing concern on the part of the citizens of Manitoba and the amount of time dedicated to justice issues in the Assembly even today attest to the importance of community safety.

Our society is founded upon several key principles. Our Constitution tells us that everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice. To me, liberty and security are inextricably linked. A lack of personal security denies us the liberty to choose the way we live our lives.

Our government has continually demonstrated a strong commitment to protect the citizens of Manitoba and preserve their freedom. The proof of this commitment is found in our comprehensive initiatives and programs aimed at protecting the citizens of Manitoba.

When it comes to law and order, community involvement is the essential key to lasting and effective solutions.

Our government is battling crime on two fronts. On one hand, the myriad prevention and intervention measures are reducing the frequency and severity of crimes within our communities. On the other hand, stricter enforcement measures and stronger penalties emphasize the strength of our commitment to making our communities safer for all Manitobans.

Our history in Manitoba has proven that the great accomplishments of our society spring from the heart and will of the community. Governments can legislate, but real results must come from within the community.

Manitoba communities have expressed to our government that public safety and security are of paramount importance, and our government has listened. We have been working with concerned citizens and community leaders throughout Manitoba to make our neighbourhoods safer for all.

Grassroots initiatives such as the youth justice committees demonstrate how the community is taking an active role in the safety of our citizens. These committees have tailored their roles to suit the specific needs of the communities they serve. Of the 67 committees, 12 are in Winnipeg, 13 are on reserves and 42 others are established throughout rural Manitoba. While they have many roles—court liaison, mediation, victim-offender reconciliation and healing circle—they have in common their community development and crime prevention approach to justice issues.

What I find so impressive about these committees is that they are virtually entirely community driven and that they function almost solely from the efforts of community volunteers. Their fundamental focus is crime prevention through the development of community resources. They present an excellent example of the tremendous accomplishments achieved through partnerships between our government and the community.

While the Department of Justice provides support in the form of training, administrative support and

consultation, the committees themselves identify their needs, develop strategies to deal with problems specific to their area and decide their own course of action, and, Madam Speaker, I have witnessed first-hand that this process works.

I had the privilege of participating as an observer at a St. Boniface-St. Vital community justice meeting this summer. Three young offenders with the consent of their victims opted for the youth justice committee process rather than the courts. With their parents in attendance, these young offenders acknowledged their crimes and accepted the consequence of their actions.

These young Manitobans realized the severity of their crimes, but, more importantly, came to appreciate the effects of their criminal behaviour on other people in their community. They apologized in their own words to the people who are directly affected by their criminal actions. This represented an important first step in the healing process for both the victims and the offenders. They also promised never to repeat such criminal acts again and agreed to perform a prescribed number of hours of community service work within their very communities. In return, if they lived their lives within the accepted rules of society for two years, their criminal records would be cleared.

I am advised that the recidivism rate is low for young offenders who opt for this process. They learn their lesson and give back to the community at the same time. I am confident that these three young Manitobans who have accepted responsibility and the consequences for their crimes because of this process will be better and more productive citizens.

I was impressed by the quality and commitment of the volunteers on this youth justice committee. They represented various segments of society but were all motivated by their genuine desire to help their community be a better and safer place to live.

This is the community in action. This is effective law and order. This is a made-in-Manitoba solution that is working. The anecdote I have shared is just one example of the positive results which are achieved through Justice initiatives every day throughout Manitoba. I am sure that within your communities, all

of us in this Assembly, there are many other similar examples.

Discover for yourselves what great accomplishments these initiatives are making in your communities and share them with us in the debate on this resolution. Just as communities work together to find solutions, so must we during the private members' time allotted in this Assembly. The variety of initiatives suggested or implemented by justice committees is notable. Communities finance scholarship programs for high school students, anti-shoplifter programs, community workshop and information evenings, establishing Safe Grad, Block Parent and Neighbourhood Watch programs, to name a few. They are all having a positive effect on the quality of life in this province for each and every one of us. Where justice committees are active and visible in the community, the result is increased public awareness, particularly with young offenders, that criminal behaviour is not acceptable. Their existence translates into improved community vitality and a greater sense of personal security.

In short, this process of empowering the community to make our neighbourhoods and homes safer is working. We have all heard through the media and from the mouths of those more cynical than ourselves that people in society are apathetic to crime. Perhaps this is true for some individuals in jurisdictions throughout North America, but I maintain that the citizens of Manitoba are by no means apathetic. On the contrary, community concern and involvement remain important values in Manitoba. When the Manitoba public feels strongly about an issue, such as they do about the safety of their neighbourhoods, they do get involved, and that involvement is what makes the difference.

The example of the youth justice committees underlines the fact we need more such initiatives. When we think about developing Manitoba's resources we should always keep in mind our most valuable resource, our citizens. We all have worthwhile contributions to make for the betterment of our society.

If life, as I have heard it referred, is a classroom, then society is the teacher and our youth are the students. Our values are often determined during the early years

of our lives. This makes it extremely important for us as a society and as a government to help our young people determine the direction their lives should take. This government has encouraged the development of programs to help youth find the right path and help them regain it once lost. The No Need to Argue initiative is one example of how our government is assisting our youth, the future of Manitoba. Who better recognizes the challenges facing our youth than our youth themselves? Students ranging from elementary years to senior high school participated in a pilot project and addressed the issue of violence in their communities and schools.

Nordale School brought together students, police, parents and community members to begin developing positive alternatives to violence, drugs and crime. Other schools such as Gordon Bell, General Wolfe and Vincent Massey have developed conflict management and peer-assistant programs based on the premise of youth helping youth. This is another excellent example of the community identifying challenges and working together to find solutions.

What I find most compelling about the program is that, after having been developed by Manitoba Justice and its key partners, it took on a life of its own. This youth-oriented initiative was supported by the communities, by corporate sponsors, by the school divisions and by the Winnipeg Police Service. The students identified their projects and implemented them. Violence, drugs and racism in our schools are some of the problems faced by our youth, and this program focused on youth ideas and results.

\* (1710)

The honourable Minister of Justice (Mrs. Vodrey) and this government have realized that punishment is not the only way to improve community safety. Lasting solutions can be developed within the community. In this day and age it is more important than ever for all of us to play a role in making our communities a safer place for our children and grandchildren to grow up. It has often been said that an ounce of prevention is worth a pound of cure. I agree, this government agrees, and so do the people of Manitoba.

I have mentioned that we have introduced measures which will help youth find the right path after having lost it. One of these measures is the establishment of two youth night courts. This will encourage more parents to attend court with their children and cause less disruption to the school attendance of the youth and work schedule of the parent. The role and responsibilities of families and parents in the prevention of children becoming involved in violence and crime was a critical theme that evolved from the Summit on Youth Violence and Crime.

While the recommendations made by summit participants varied widely, it was generally agreed that parents, educators, community leaders and government must promote positive values and endeavour to set an example to youth by operating and living by those values. This includes ourselves as MLAs and our conduct inside this Assembly and elsewhere, I submit.

In September of 1994 this government introduced a made-in-Manitoba boot camp program. While we recognize the importance of prevention measures, we also realize that we are unable to prevent all offences. However, the boot camp program may be viewed as a prevention measure as well. While in the boot camps young offenders are exposed to intervention programming, academic programs, anger management counselling, substance abuse programs, aboriginal cultural awareness and victim awareness.

This new approach to youth corrections allows us to get tough on crime while addressing some of the reasons that offences are committed. Boot camp program presents a holistic approach to corrections in addition to intervention programming. It concentrates on community service work, academics and work preparation and a stringent release preparation and supervision program. Instead of giving up on young offenders, we are helping them regain the right path.

We now have a tougher system with clear rules and known consequences, while at the same time we are working with the young person to change the attitudes and beliefs which lead to criminal behaviour. By providing young offenders with supports and services upon release, their reintegration into the community is far easier for them. This is not a lock-'em-up-and-

throw-away approach. It is that we are firmly committed to making Manitoba safe for all, and that includes addressing problems faced by young offenders.

The Minister of Justice (Mrs. Vodrey) has worked on many other initiatives to keep our community safe. For instance, she continues to press the federal government to toughen the Criminal Code provisions which govern antistalking legislation. This government has made many proposals that are intended to toughen up that area. Our top priority is the protection of the victim and the security of the community.

Early in 1995, the Minister of Justice unveiled the procedure whereby information is released to the public where high-risk sexual offenders pose a danger to Manitobans. This is now implemented. We have increased our funding commitment to the RCMP in order to put more officers on the streets where they are needed. The urban safety program will support measures which enhance the safety of neighbourhoods while preventing crime and violence, particularly among youth. Again, partnerships with community groups is a fundamental element of this program. This government feels strongly about the issue of community safety. These strong feelings are echoed by the people of Manitoba. The Manitoba government is committed to further protect our citizens, and we will continue to do all we can to make Manitoba a better place to live, to work and to raise a family.

The unanimous endorsement of this resolution will demonstrate to all Manitobans that personal, ideological or political differences are secondary to the safety and security of Manitobans. A sharing of success stories and reasons for failures in the safety and security initiatives in our respective constituencies during the debate on this resolution will contribute to developing improvements. It is also a time to table new ideas which are practical and achievable.

As a private member during this private members' time, I have every intention of exercising my independence of mind and heart in the public interest whenever it is the responsible thing to do, and I believe it will be beneficial to all concerned for me to do so. In order to make this private members' hour more

beneficial to all concerned, I want to encourage others to do likewise.

As a first step in this direction, I would like to indicate my appreciation for the resolution on fetal alcohol syndrome proposed by the honourable member for The Maples (Mr. Kowalski) as amended by the honourable member for Crescentwood (Mr. Sale). With only a few constructive amendments invited by the honourable member for The Maples already, I would be able to support that resolution with enthusiasm. Thank you.

**Mr. Gord Mackintosh (St. Johns):** Madam Speaker, I think the strange coincidence that this resolution appeared right after the resolution of the member for Rupertsland on the Aboriginal Justice Inquiry and its lack of implementation and just before my resolution which comes up tomorrow on the lack of proclamation of the Crime Prevention Foundation Act is very interesting, and I think it points to the two realities, the two different views of what is happening in Manitoba by this side versus what is happening on the other side of this Legislature.

I want to first of all deal with the member's comments on youth justice committees. I certainly endorse many of his observations about the value of youth justice committees as they are operating in Manitoba. I think, as one person on the Summit on Youth Crime and Violence said, it is one of our best-kept secrets. Manitoba, I understand, is leading the way in Canada in the development of youth justice committees, which is a tremendous way not only to ensure the accountability of a young offender to the community but to involve the community in what is essentially a community problem.

I trust that the member has read the discussion document that was distributed by this side in February of 1994. Actually, we were proud to have distributed 2,500 of these documents, mostly on request. The document entitled a Safer Manitoba, Empowering Community Action on Youth Crime, and in there we said a crime does not just affect the victim, it affects the whole community. The roots of crime are found in the community, so solutions to crime must come from that community.

As members of our various communities, we need greater ownership of the justice system. Once government allows a community to become empowered, long-term and immediate solutions to crime can be implemented with the support of the community. What works in one community may not work in another.

We then proposed a simple proposition. Allow community enforcement groups to deal effectively with less serious offences. Leave the serious, violent offenders to more focused courts. That means a better use of resources to ensure meaningful consequences to all offenders. Let us enable these community groups to have a say in local policing priorities and to pursue local crime prevention measures.

With that we went out and discussed this document with hundreds and hundreds of Manitobans, and particularly youth, particularly parents who were concerned about growing youth violence. This was heartily endorsed.

We then moved on with the course of the development of our platform and what we have been saying in this Legislature, that the youth justice committees have to be expanded, not only in their number but in their mandate. There is no reason why we have to deal only with young offenders in this kind of forum. Adults as well could be dealt with at the community level by facing up and making up to the victims so they know, this is not just another video game. It is not another body count. There is someone who is hurt. There is someone who may have lifelong consequences to bear as a result of a crime.

We have to increase the number of youth justice committees so that neighbourhoods, not just broad communities, over a large geographic area have access to these committees. The mandate of these committees should be expanded so that they can get involved in recommending crime prevention initiatives.

I would also like to see the charges being referred not just from the Crown attorneys department, which often takes months to refer. I believe that references should also be made from the police directly. It is interesting that in many youth justice committees outside of



Winnipeg that is taking place now, but in Winnipeg the charges must be referred through the Crown's office. So we have identified what the good points are of youth justice committees and where the youth justice committees are wanting and where we can enhance their role.

I look forward to hearing more from the minister talking about youth justice committees, but I ask her to reflect and ensure that she is not thinking that community justice committees just spring up on their own.

It is easy to say that crime is a community problem and solutions must be found in the community because that can excuse people in government from seeing the role of this province in spurring positive change.

\* (1720)

I cannot think of any other agent in our community that can be as instrumental, as effective in empowering community action than the provincial government. It has a role to plant seeds. It has a role through funding. It has a role just with youth justice committees of sending out someone from the Department of Justice to parent organizations, for example, parent councils, to ask them to consider a youth justice committee in their neighbourhood. There is no agent such as the provincial government that can work with the community, that can work with the police and the schools for a comprehensive crime strategy.

Now, getting to the essence of this resolution, I know the member said that he was bringing an independent spirit or an independent mind to private members' hour. I ask him, because I know the atmosphere that he lives and breathes in now over there, to truly be independent and really ask, what is a boot camp? Because in no way, shape or form is there a boot camp in Manitoba. I was very disappointed in the new member getting sucked into that spin. It was one of the most hideous PR stunts that has ever taken place in this province.

There are no boot camps in Manitoba, and all of the rehabilitative programs that the minister listed were in place before the minister made her announcement of minor tinkering to youth corrections in September of

1994. It boggles the imagination that any member of the government would bring into this Chamber a resolution stating as it does in the face of the disastrous record of the minister's nine-point plan on youth crimes.

That nine-point plan introduced over a year and a half ago, nine points, Madam Speaker, including the establishment of a provincial council on youth crime, was to be a committee of experts so that we could develop long-term solutions and look at crime prevention seriously, a plan that has promised a youth advisory council. I shudder to think now, a year and a half later, that if we had the youth advisory council in place I think we would have had some real good solutions from those who know best, the youth themselves, as to what can be done to reduce the crime in Manitoba.

I can go on down this list of broken promises. In fact, of the nine points that were promised over a year and a half ago, we can find no more than three that are fulfilled or now in place. That is a hideous record, and with that kind of a record, how could any resolution like this be seriously brought into this Chamber? This is not a judgment of the government on NDP terms or on my terms. No, this is a judgment of the government on its own standards, its own nine-point plan, an utter failure.

We have Casper's councils. We have three councils that the minister says exist, the minister's public relations exercise. We have got the crime prevention council; we have got the provincial council on youth crime; we have got the youth advisory council. We do not have any of those. Three of them—Casper's councils. It is like Fatso, Stinky and Stretchy, Madam Speaker. But the nerve of a government—to say something exists, let alone promise something, and fail to implement it after a year and a half.

What has happened in the meantime? For the second year in a row, Madam Speaker, for the second year in a row, Manitoba is the only province in Canada to have an increasing crime rate.

Actually, to be very specific, in 1993, we had the company of New Brunswick. This year, Manitoba is

the only province in all of Canada to have an increasing crime rate. In most categories of crime, we have either the highest rate or the highest increase of rate. I know, Madam Speaker, how carefully we must review crime statistics, because there is no single measurement of crime, but there are indicators of crime, and I think Canadians all agree that there is no better indicator of crime than the incidence reported to police, which the report of Statistics Canada shows that Manitoba is at the bottom of the barrel. We are not doing well.

Now, is it the government's fault? Well, Madam Speaker, I respond this way. The solutions are complex. There is no easy solution. As I said earlier, there is no more effective tool than this government to try and spur community, school and police responses, but this government has failed even with its own plan, just for itself, let alone how this government's economic and social policies have in no small way bred the crime that we are having to deal with today, why this government's policies—and I do not have to go into all of them, but I look at the friendship centre, the friendship centre in central Winnipeg, in the core area, that provided a safe place for kids to go. It provided mentors. It provided youth programming, and what did this government do in its crime prevention strategy? It cut every nickel of support to that friendship centre—every nickel.

I understand that eight youth workers were let go as a result of that decision. They call that area and that neighbourhood the war zone, Madam Speaker. That is what is happening in this city. It is not going well. I wish this government would get out and see what is happening and see what is happening in this city, in particular. There are communities of despair in this province, particularly in this city, and this government has to look to itself and to its own policies, Madam Speaker. In conclusion, I do not think we have to look further than the information that came to this House this morning.

We had the mother of a young victim who came down here after sending three letters to the Minister of Justice (Mrs. Vodrey) with her concerns and not getting a single reply, except for a form letter from her assistant. She had to come down here to raise attention to how the backlogs in the youth court are letting

violent young gang members get away without consequences for over one year.

One year after the offence took place, Madam Speaker, the young offender who was responsible for that incident has yet to face justice.

### Point of Order

**Hon. Rosemary Vodrey (Minister of Justice and Attorney General):** On a point of order, Madam Speaker, the member is bringing forward a case which he well knows is before the court. He invokes the privilege of this House to bring forward details which would not be acceptable if he stepped outside of the Chamber.

Madam Speaker, he knows well that as Attorney General I am unable to respond to any case before the court, and I think he should be very considering of his words and how the court will view them. This case is not yet disposed of.

**Mr. Dave Chomiak (Kildonan):** On the same point of order, I think the Minister of Justice is mistaken. The details brought to this House by the member for St. Johns (Mr. Mackintosh) relate to the process, relate to the process undertaken by the Department of Justice, are not related to the specific issue dealing with the case in question, and it is perfectly in order of an elected member to bring to the attention of members of this House the process by which the Justice department is failing to invoke justice on the citizens of Manitoba.

It is a question of process; it is not a question of substance. Further, Madam Speaker, with regard to the question of substance, it is within the right of the member for St. Johns to bring particular matters to this Chamber dealing with issues raised by constituents.

The Minister of Justice (Mrs. Vodrey) is hiding behind her cloak of Minister of Justice in refusing to answer questions.

\* (1730)

**Madam Speaker:** Order, please. I would remind the honourable member for Kildonan that his comments

should not be personal. His comments when addressing a point of order should be explicit to the original point of order that was raised.

On the point of order, I indeed will take the point of order under advisement. I do want to consider our rules regarding sub judice in the context in which these comments were spoken. I do want to review the Hansard printout and tape in detail, and I will report back to the House.

**Mr. Chomiak:** Madam Speaker, I did not intend my remarks to be personal. If they were, I certainly withdraw and apologize.

**Madam Speaker:** I thank the honourable member for Kildonan.

\* \* \*

**Madam Speaker:** The honourable member for St. Johns has two minutes remaining. The honourable member for St. Johns, to continue debate.

**Mr. Mackintosh:** Madam Speaker, further to my obligation to raise matters of public interest in this Chamber at all times, and in light of my obligations even within whatever roles the minister may be wanting to cite and she did not cite a single one—and I might remind the member that sub-judice convention does not prevent a member from doing anything in this Chamber, that the minister would like to get out of her responsibility and accountability for having a youth court system with one permanent Crown attorney, overseeing backlogs—and I look at this particular case—backlogs of an average of 11 months for the five offenders involved in this particular incident, backlogs of an average of 11 months.

It is interesting, Madam Speaker, because when I raised the issue, as I have on regular times, but when I raised this issue in Estimates in May or June, the minister said, oh, is the member thinking that delays of two and a half to three and a half months is somehow a delay.

Madam Speaker, the time has come when this minister has to face the music because there are going

to be parents coming down here; there are going to be victims coming down here. Manitobans are fed up, and there must be some responsibility on the shoulders of this government for what is happening to crime in Manitoba. This is not the same province it was just a few years ago, and I say that because I do not think the fear for our safety has ever been as bad as it is now.

In conclusion, I commend the member for focusing on this important issue, and I commend him for his views on youth justice committees, but I regret that he has failed to take an independent view, particularly of what this government has promised in its nine-point plan, what the government's record is in trying to deal with young offenders.

**Madam Speaker:** Order, please. The honourable member's time has expired.

**Mr. Kevin Lamoureux (Inkster):** I, too, would like to put a few words on the record with respect to this particular resolution. It is an interesting resolution. I think the member for Riel (Mr. Newman), much like the member for The Maples (Mr. Kowalski) the other day, we at times attempt to see a resolution debated and in fact ultimately voted upon.

Madam Speaker, in most cases what we see is, we will see resolutions amended in some fashion, but as a general rule, and I have had opportunity, as many individuals inside the Chamber, to have seen numerous resolutions actually passed with unanimous support of the Chamber. Generally speaking, if it is perceived from an opposition that you are patting the government on the back or if opposition is overly critical of government, the chances of the resolution passing are not that great.

I could comment fairly extensively on all the different issues which the member for Riel raises this afternoon, but a chord was struck when the youth justice committee system came up and the Young Offenders Act, and that is the reason why I thought that I would stand up and just comment in essence on those two issues.

Had the resolution been of a nature in which it was fairly specific and seeking opinions and if it were

complimenting all members on efforts that they might be putting forward in their own constituencies, then I would be speaking up saying, geez, this is a resolution that we should be passing, in fact.

Having said that, Madam Speaker, the youth justice committees are something which I first learned about just a short couple of years ago. I did that in my capacity as a campaign manager, actually, to my colleague for The Maples. As every night when we had the debriefing in terms of how things went on during the day, I found out what it was that these youth justice committees were all about. I would encourage very strongly that all members of the Chamber look into what actually can be accomplished through youth justice committees.

I personally actually sit on a youth justice committee. It is called the Keewatin Youth Justice Committee. I have derived many benefits out of that committee that go far beyond even dealing with justice issues in the province of Manitoba. It is always nice to be able to contribute back into the community efforts on a volunteer basis. This is one of the ways in which I personally have taken a great deal of pride in being able to assist in making the Keewatin Youth Justice Committee something that has been very supportive of that Keewatin area. It virtually serves the Meadows West, Garden Grove, Tyndall Park, Shaughnessy and Mynarski areas of the riding which I represent.

The member for Riel made reference to cases. I have had opportunity to sit in on our subcommittees, if you like, with the justice committee on numerous cases. It is very gratifying to see parents getting involved with the young offender. It is again gratifying to see the young offender in most cases coming forward and trying to explain why it is he or she had done what they were there to admit was in fact done. It is absolutely delightful to see the interest that the community itself has at participating in justice committees.

I have found, at least in the assisting of the establishment of the Keewatin Youth Justice Committee, that very few people know what a youth justice committee is all about. If MLAs, in particular MLAs, but other community leaders were to become better acquainted on just how a justice committee could

benefit the community as a whole, I am sure that we would see many more justice committees.

The current government and members of the opposition should be very supportive on any initiatives that the government takes dealing with youth justice committees, because I am of the personal opinion that the role can be greatly enhanced, Madam Speaker, and would like to see that in fact occur over the next number of years.

Another issue dealing with community safety—and that is the way I am going to address this particular resolution—is that of the community constables. There was an announcement from this government dealing with community police officers. I believe it was a commitment of 40-some officers and \$2 million and, Madam Speaker, I hope that this government is very persistent with the city and look to in particular the Minister of Urban Affairs (Mr. Reimer), the Minister of Justice (Mrs. Vodrey) at ensuring that those dollars actually do end up going into community police or safety or whatever it is that we want to name them offices, and they should be neighbourhood based.

Now, how small of a neighbourhood? Well, that is somewhat debatable but, in fact, these community safety or police offices, if you will, can in essence be the hub of a particular geographical, hopefully small geographical area in which individuals who are interested in dealing with safety issues, whether it is youth justice, whether it is Neighbourhood Watch, whatever it might be, have a place to which they can go, express their concerns, share their concerns and start building more as a community to try to make the communities in which we live that much more safe and a pleasant place to be.

I for one over the next few years have made this a very high priority and will persist at all levels of government—actually, it was not that long ago I was at the current Minister of Justice's constituency office out in Ontario and had an opportunity to meet with some of the staff there and express some concerns that I had in terms of things such as the Young Offenders Act, things such as the justice committees, in hopes that the federal government will be supportive, Madam Speaker, in seeing the types of changes that

constituents, not only my constituents, but I would ultimately argue constituents through the province are looking to see, and that is in fact leadership.

\* (1740)

But I would underline the importance of the fact that not as many people as I would like to see are as familiar and knowledgeable about the benefits of the youth justice committee. I am talking about, I would like to see 30, 40 percent ideally of our population being aware of what these justice committees and the great potential of community offices are all about. I think that as elected officials, all of us could put in a great deal of effort at ensuring that our constituents are in fact made aware as much as possible and promoting community leaders in getting involved in things of this nature.

I ultimately believe, Madam Speaker, that if we did just that, we would be living in a lot better place today. I appreciate the opportunity to say a few words. Thank you.

**Ms. Becky Barrett (Wellington):** It is a pleasure to get up and speak on this resolution put forward by the member for Riel (Mr. Newman).

We, on this side of the House, I think, can support several of the WHEREASes in the member's resolution, and that is: the first, "WHEREAS Manitobans of all ages have the right to safety and security in their homes, their communities and in their schools;" and "WHEREAS the safety and security of the individual, their families and their communities is essential to our quality of life."

No reasonable person would deny the importance or the validity of those WHEREASes. However, I think that the member for St. Johns (Mr. Mackintosh) has quite eloquently outlined some of the areas where we do have concerns with the rest of the other WHEREASes of the resolution. Most certainly, we have a great deal of concern with the RESOLVED portion of this resolution, that we "endorse and support the provincial government and the Minister of Justice in their efforts towards the advancement of safety in our communities."

The reason we have problems with the RESOLVED in this resolution is that we do not believe there has been nearly the kind of advancement and support for community safety, for individual safety, for the safety of individuals and their families in this province that the minister and the government would have us believe in this resolution and also in comments made both in and outside the Chamber by, most particularly, the Minister of Justice (Mrs. Vodrey).

I would like to spend some time going over specifically the government nine-point plan on youth crime, this nine-point plan that came out quite a while ago as a result of a workshop that was held with members of the community that came up with, I believe, 700 recommendations. The government, in its wisdom, distilled those several hundred recommendations into nine points.

Of course, no government can implement all recommendations from all of that nature, 300 or 400 or 500 or 600 or 700 recommendations. It would be impossible to logistically do that. But to distil that kind of recommendation down to nine points, many of which are very detailed and narrow in their focus, is something that we have said in this House in the past and repeat that this kind of plan does not begin to address the underlying issues that we have before us in the whole area of youth crime.

But that aside, Madam Speaker, just to deal with the nine points that the Minister of Justice (Mrs. Vodrey) has spoken about so much, I would like to, as the member for St. Johns (Mr. Mackintosh) has provided a report card on that nine-point plan, briefly go over those nine points.

The first promise, the first point, is a provincial council on youth crime. Now, none of these ideas are bad in and of themselves. It is just that we feel that they do not deal with the broad range of issues that should be dealt with in youth crime and they certainly in and of themselves have not been implemented.

There was a committee of experts that was to be appointed that I am assuming would make up this provincial council. This committee was never appointed, although the volunteer chair submitted

names to the Minister of Justice (Mrs. Vodrey) in 1994. Over one year ago the Minister of Justice got names for the provincial council on youth crime from the volunteer chair—[interjection] Well, the minister has asked me to check my dates, and I would be more than willing to check my dates, but I think that the important point to be made in this is that this point No. 1 in the nine-point plan on youth crime has not been implemented, a provincial council on youth crime. The minister and the government have talked time and time again about the importance of volunteers in dealing with youth crime, dealing with all of the issues that face us in the province of Manitoba and here they have made a pledge to implement a volunteer organization and they have not done it.

The second promise, an expanded mandate for the youth justice committees. According to the report card that we have put together, there has been no comprehensive action to empower the committees to develop antiviolence plans. Again, a wonderful idea that has not been given the resources or the ability to implement it. These promises were made well before this last election, a year and a half ago my honourable colleague the member for St. Johns (Mr. Mackinstosh) says.

Actually a year and a half ago is just about the time that there possibly might have been a provincial election campaign, but it would be inappropriate of me to say or to even intimate that there was any connection between the nine-point plan and a potential provincial election. I would never, ever do that. I would like the record to note that my tongue was firmly in cheek in that last statement.

Madam Speaker, the third promise was a youth advisory council. Again, another very good idea. We are dealing with youth crime. We would like to have the input of youth into something like this, a youth advisory council.

There was a chair that was proposed who declined early last year, and as far as we know to date there has been no follow-up or appointments made for this youth advisory council.

**An Honourable Member:** Not yet?

**Ms. Barrett:** No, a year and a half after the original nine-point plan was put in place. We will wait and wait and wait.

The fourth of the nine points is a school violence prevention co-ordinator. Again, a wonderful idea, Madam Speaker. Schools are the one place in our province that virtually all children and youth attend, some more often than others. It is the one spot where there is access to children and to youth. What better idea than to have in place a school violence prevention co-ordinator. The schools are also the location of some major elements of violence in our society. Why can we not do something? Why should we not put in place one of these—

**An Honourable Member:** When was the appointment? When was the co-ordinator appointed?

**Ms. Barrett:** There has been a half-time person seconded for the entire province—one half-time person seconded, which means that this person's half-time position is taken away from another government role, but I am sorry to say, Madam Speaker, that not even that position, that seconded position, has been filled. Currently, there is no school violence prevention co-ordinator, half time, quarter time, full time, no time. There is no school violence prevention co-ordinator, another broken promise.

\* (1750)

The fifth promise urging changes to the Young Offenders Act—let me state here that we are not just here to be negative. We will say that the minister has taken a role in urging changes to the Young Offenders Act. So, yes, one out of five so far has begun to be implemented.

The sixth promise, a youth gang and violence line, again, an identification of a major part of the problem of youth violence, the problem of gangs, wonderful, there is a recognition there. What has happened? There is a telephone hot line. Is it staffed, Madam Speaker, by even a seconded one-half position? No, someone has information on street gangs, youth violence that relates to street gangs, it is an answering machine, no personal contact at all.

Now, someone takes the initiative and someone takes, in many cases, probably, their safety in their hands to say that I have some information on street gangs. This is a very major step for an individual to take, and what kind of response do they have at the other end of that telephone line? It is a telephone message. There is no personal contact at all. No guarantee that any response is going to happen at all

The street gang unit, there is a street—

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

**Madam Speaker:** Order, please. The honourable member for Wellington, to continue debate.

**Ms. Barrett:** Madam Speaker, there is a street gang unit in the Winnipeg Police department. I know I have spoken with one of the high schools in my constituency, Daniel McIntyre Collegiate institute, and they have said that the street gang unit has been extremely helpful to them in dealing with problems in regard to youth violence and gang activity, so I would like to make that positive statement. However, this youth gang and violence line is not located in the offices of the street gang unit at the police department.

**An Honourable Member:** Yes, it is.

**Ms. Barrett:** Well, the minister says that it is located in the street gang unit at the police department. I stand corrected. So that is, again, the second part of the report card that has been fulfilled.

The seventh of the nine points was surveillance by Winnipeg Youth Crime Intervention Team. The action to date is, there is no promised team surveillance of gangs and high-risk offenders. Well, excuse me, but, if you are going to surveillance of youth crime to intervene, if you do not provide surveillance of gangs and high-risk offenders, then you do not have any surveillance, you have not implemented it at all.

There have been half a dozen meetings of officials to discuss a possible mandate. Well, Madam Speaker, this is a year and a half ago that these recommendations came out. There have been nine of them, and this surveillance by the Winnipeg Youth Crime Intervention

Team is still in the discussion stage, a year and a half later.

School violence prevention training, the eighth promise, again, another very good idea. Let us talk within our school setting to prevent violence in the school setting and perhaps that will have an impact in the larger community.

Well, Madam Speaker, this is the third of the nine that I can say there has been something done on, but it is not by any manner of means a complete yes as far as being fulfilled or in place. What has been done on a school violence prevention training is that there was a one-day workshop offered by the London Family Court. When one might ask was that workshop offered? It was offered in April 1994, almost a year and a half ago and there has been, as far as we know, no follow-up to that one-day workshop.

Anyone who knows the school system knows that you have new people coming on stream as teachers. You have new resources. You have change that takes place. Madam Speaker, a one-day workshop—and I would suggest that perhaps a one-day workshop was not enough to begin with—but even that one one-day workshop a year and a half ago has not been repeated. You cannot just do it once and assume that it will carry on. That is not a responsible response.

Finally, Madam Speaker, the ninth of the nine-point plan on youth crime is the boot camps. I would like to quote a couple of comments on this. One, we must view it as an empty gesture or facade—and this is from a detention counsellor, someone who works in this area all the time. Another quote, really there have been no substantive changes. This is from a youth lawyer. We have talked in this House a great deal about the boot camps so I will not go into it anymore. I know that my time is almost at an end.

I would just like to say, Madam Speaker, that I think it is very clear that the government has not followed through on their promise made a year and a half ago and their continued statements in this House and outside this House that they are dealing with youth violence. They have not, they have not, they have not and they show absolutely no inclination to move on any

of the issues that are facing us, the enormous issues that are facing us in Manitoba when it deals with youth crime.

So this resolution brought forward I am sure in all good conscience by the member for Riel (Mr. Newman), we can support the two WHEREASES, but we cannot under any circumstances support the RESOLVED of this resolution because the people of Manitoba know that the government has not dealt in any way, shape or form with the issues surrounding youth crime and youth violence in our province. Thank you.

**Mr. Chomiak:** Madam Speaker, I, too, join with my colleagues in congratulating the member for Riel for bringing forward a resolution of this kind. It allows us as members of this Chamber to have an opportunity to discuss the issue of crime and community, an issue of social injustice in general that exists in our society today.

One of the difficulties I have with the resolution is the fact that it goes on to congratulate the government for initiatives, and we certainly argue on this side of the House that most of the initiatives that this resolution goes on to congratulate the government on are only initiatives in name only and not initiatives in practice.

That is unfortunate, Madam Speaker, because this resolution really does afford us an opportunity, and I think we should have an opportunity, to have a meaningful debate as to the serious issue facing our society in general.

Any member who has been out on the doorstep and all of us have, recently coming out of the provincial election, or any member who has recently been on the doorstep knows how pervasive and how deeply felt this issue is amongst the citizens of Manitoba. It certainly ranks within the top two or three issues that are mentioned by my constituents on a regular basis, and it is certainly something that all of us need to be concerned about. None of us should be smug about it; none of us should be self-righteous about it.

We should actually be joining genuinely in this Chamber to try to do what we can to resolve this issue.

It certainly is, it is a classic issue of something where we in this Chamber who are the lawmakers, I might add, Madam Speaker, ought to be spending time and energy devoted to discussing ideas relating to this fundamental issue which affects our society.

It goes much further than programs as was mentioned by the member for St. Johns (Mr. Mackintosh), and it goes much further than self-congratulatory press releases that have been put out. It goes to the essence of what we are in this community and what we are in our society.

I dare say that some of the developments that have occurred in the society of Manitoba, in our urban centres, have resulted in, in many ways, a very dysfunctional approach and a very dysfunctioning and a breakdown of many of the basic values of our society that we have held so dear for the past 100 years. It goes beyond in some cases politics, and it goes beyond some of the rhetoric that we hear in this Chamber and I think fundamentally we have to look at.

The member for Riel (Mr. Newman) talked about values. I think we have to look at where we are going as a society, and how we are determining what our goals are and what our values are as a society. I think to a large extent we have lost a sense of direction, and as a result we are seeing a serious difficulty in our urban centre, serious difficulty in having functioning communities, serious difficulty in getting to those individuals and those members of the community who actually need the help and the support of all of us in the community in order to prevent crime but more importantly to prevent the social deficit that is occurring on a regular basis in our society. I need look no further than the community that I represent, the area of Kildonan. I need look no further than the fact that we have had difficulty putting together—

**Madam Speaker:** Order, please. When this matter is again before the House, the honourable member for Kildonan (Mr. Chomiak) will have 11 minutes remaining.

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



**Erratum**

Volume XLV No. 31, Tuesday, September 19, 1995,  
on page 3068, first column, last paragraph, Mr.

Mackintosh's comments should read: My question to  
the minister is, now at least six months after the  
legislation was passed out in this House . . . .

# LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, September 25, 1995

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