



Fifth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
(Hansard)**

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

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| LAMOUREUX, Kevin | Inkster | Lib. |
| LATHLIN, Oscar | The Pas | N.D.P. |
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| WOWCHUK, Rosann | Swan River | N.D.P. |
| <i>Vacant</i> | St. Boniface | |

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 7, 1999

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Marcel Laurendeau (Chairperson): Madam Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Sturgeon Creek (Mr. McAlpine), that the report of the committee be received.

Motion agreed to.

Standing Committee on Municipal Affairs Second Report

Mr. Peter Dyck (Chairperson of the Standing Committee on Municipal Affairs): Madam Speaker, I beg to present the Second Report of the Committee on Municipal Affairs.

An Honourable Member: Dispense.

Madam Speaker: Dispense.

Your Standing Committee on Municipal Affairs presents the following as its Second Report.

Your committee met on Monday, July 5, 1999, at 7 p.m. in Room 255 of the Legislative Building to consider bills referred.

Your committee heard representation on bills as follows:

Bill 24—The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités

Wayne Motheral - President, Association of Manitoba Municipalities
Rolande Chernichan - Private Citizen
Grant Thorsteinson - President, Manitoba Municipal Administrators Association (MMAA)
David M. Sanders - Colliers Pratt McGarry

Written Submission:

Shirley Weidman - Private Citizen

Bill 25—The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale

Wayne Motheral - President, Association of Manitoba Municipalities
David M. Sanders - Colliers Pratt McGarry
Michael Mercury - Private Citizen
Rick Weind - CUPE Local 500
Councillor Clement - City of Winnipeg

Written Submissions:

James B. Furgale - Private Citizen
Kevin Chudd - Reeve, Rural Municipality of Gimli

Bill 31—The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act; Loi constituant l'Association des municipalités du Manitoba et modification corrélatives

Wayne Motheral - President, Association of Manitoba Municipalities

It was agreed that clause-by-clause consideration of Bill 25, The Municipal Assessment Amendment Act; Loi modifiant la Loi sur l'évaluation municipale, would be deferred to a future meeting.

Your committee has considered:

Bill 14—The Amusements Amendment Act; Loi modifiant la Loi sur les divertissements

Bill 31—The Association of Manitoba Municipalities Incorporation and Consequential Amendments Act; Loi constituant l'Association des municipalités du Manitoba et modifications corrélatives

and has agreed to report the same without amendment.

Your committee has considered:

Bill 24—The Municipal Amendment Act; Loi modifiant la Loi sur les municipalités

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

MOTION:

THAT the following be added after section 10 of the Bill:

10.1 Clause 335(2) is amended by adding, "Le Collège de Saint-Boniface" after "The University of Winnipeg".

MOTION:

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

Mr. Dyck: I move, seconded by the honourable member for Charleswood (Mrs. Driedger), that the report of the committee be received.

Motion agreed to.

**Standing Committee on Public Accounts
First Report**

Mr. Conrad Santos (Chairperson of the Standing Committee on Public Accounts): Madam Speaker, I beg to present the First Report of the Committee on Public Accounts.

An Honourable Member: Dispense.

Madam Speaker: Dispense.

Your Standing Committee on Public Accounts presents the following as its First Report.

Your committee met on Tuesday, July 6, 1999, at 10 a.m. in Room 255 of the Legislative Building to consider the Public Accounts Volumes 1, 2, 3 and 4 for the years ended March 31, 1996, 1997, and 1998, Volume 1 of the March 31, 1996, Provincial Auditor's Report, Provincial Auditor's Report on Public Accounts and the Operations of the Office of the Provincial Auditor for the year ended March 31, 1996, Annual Report on the Operations of the Office of the Provincial Auditor for the year ended March 31, 1997, and the Annual Report on the Audit of the Public Accounts for the year ended March 31, 1998.

Your committee received all information desired by any member at the meeting from the Minister of Finance and from Mr. Jon Singleton, Provincial Auditor. Information was provided with respect to the receipts, expenditures and other matters pertaining to the business of the province.

Your committee finds that the receipts and expenditures of the monies have been carefully set forth and all monies properly accounted for.

At that meeting, your committee adopted the following motion:

MOTION:

THAT the 5 reports cited by the Provincial Auditor be added to the agenda of the Public Accounts Committee.

Your committee has considered the Public Accounts Volumes 1, 2, 3 and 4 for the year ended March 31, 1996, Volume 1 of the March 31, 1996, Provincial Auditor's Report, and Provincial Auditor's Reports on Public Accounts and the Operations of the Office of the Provincial Auditor for the year ended March 31, 1996, and has adopted the same as presented.

At that meeting, your Committee adopted the following motion:

MOTION:

THAT we establish a sub-committee of this committee for the purpose of bringing forward recommendations on ways in which we can

reform our committee and that the said sub-committee report back to the Public Accounts Committee by the end of the year 1999.

Mr. Santos: I move, seconded by the honourable member for Burrows (Mr. Martindale), that the report of the committee be received.

Motion agreed to.

* (1335)

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 Ms. Barbara Tomkins, Ombudsman for the province of Saskatchewan, Mr. Scott Sutton, Ombudsman for the province of Alberta, Mr. Howard Kushner, Ombudsman for the province of British Columbia, Mr. Barry Tuckett, Ombudsman for the province of Manitoba, and Ms. Donna Drever, Deputy Ombudsman for the province of Manitoba.

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

ORAL QUESTION PERIOD

Winnipeg Child and Family Services Temporary Placements—Hotels

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, throughout Hansard last year in dealing with the unacceptably high numbers of kids in care that were warehoused at the hotels in Winnipeg under the Child and Family Services of Winnipeg, the Premier (Mr. Filmon) and the Minister of Family Services stated that their so-called strategic plans, they had confidence in that planning process to provide better services for kids.

I would like to ask the Premier: has he been advised of the strategic plans of the agency, and has it provided and will it provide better services for kids?

Hon. Bonnie Mitchelson (Minister of Family Services): I thank my honourable friend for that

question. The Winnipeg agency, under the new leadership of Lance Barber, has been focusing on strategic planning and reorganizing along functional lines rather than area. Madam Speaker, there were four different areas that were functioning in isolation, one of each other in many instances from time to time, and the whole new plan will focus on program areas and function areas.

The intake of children across all four areas will be co-ordinated, and there will be one central intake which will allow for better planning, better understanding of what the issues are. We have confidence that as the agency reorganizes, they will certainly be able to better serve the needs of the children that they need to support. Again, I do want to indicate that these are children that the agency is having to deal with that have been abused or neglected in their own homes, and it is important that we try to find the best solutions for the best reasons.

Mr. Doer: Madam Speaker, the real issue here is: are we getting substance for kids or are we getting public relations statements from this minister and this Premier (Mr. Filmon)?

In a summary of area meetings, Mr. Barber is quoted as saying that the agency believes changing staffing will not deal with the situation. The government does partly believe this myth about the agency, but management believes in the end strategic planning will fall far short of magic solutions the government may be expecting and may be proposing here in this Chamber.

Why has this Premier and this minister not gone beyond the myth of what they are saying in the House to real solutions for kids in care, including hotels, foster homes, preventative care—real solutions, not words?

Mrs. Mitchelson: Again, I thank my honourable friend for that question. I guess the only magic solution that might be looked at is the magic solution that the NDP seems to think they can find when you are dealing with issues around abused and neglected children, Madam Speaker. I have always said that the issues are extremely complex.

Madam Speaker, what we are having to deal with in our Child and Family Services system is as a result of dysfunctional families. That is why we have put over \$20 million last year and another over \$20 million this year into early intervention, into support for families through our BabyFirst initiatives, through our EarlyStart initiatives, through the Women and Infant Nutrition Program, through our Stop Fetal Alcohol Syndrome initiatives. These are all things that should prevent the need for the use of the Child and Family Services system into the future, and I have every confidence that the agency is working as aggressively as it can, realizing and recognizing that these early intervention programs are going to impact for many, many years to come. They do not deal right now with the kids that have needs within our Child and Family Services system.

* (1340)

Caseloads

Mr. Gary Doer (Leader of the Opposition): We do not believe that, in dealing with children in care, hotels will deal with the inadequacies of dysfunctional families. We need real secure and safe places but not hotel rooms. Mr. Govereau commented on the five deaths in 1995 and recommended that specific reviews be taken on those particular tragic deaths, and further, Justice Guy commented on the death of baby Thompson, that caseloads must be decreased to more acceptable levels rather than the two and a half to three times the recommended caseload that is presently the case here in Manitoba.

I would like to ask the Premier (Mr. Filmon): has he acted upon the Child Advocate report of 1996, and has he acted on Justice Guy's recommendations, or are we going to continue to see unacceptably high caseloads for people working with kids in crisis?

Hon. Bonnie Mitchelson (Minister of Family Services): Madam Speaker, I thank my honourable friend for that question because part of the reorganization within the Winnipeg agency is to de-layer administration and put, I think, 31 more positions on the front line, so I do know that the Winnipeg agency is trying to address in some part with the reorganization, the workload. The

other issue around workload is one that we take very seriously, and we have been working with the agency and have indicated we need to cooperate in order to determine what is a workload or a caseload. As they reorganize their system into functional operations rather than area operations, we should be able to assess and ensure that caseloads are appropriate to the kind of work that social workers are doing within the system.

Lord Selkirk Family Resource Centre Funding

Mr. Doug Martindale (Burrows): Yesterday, when we raised the issue of children in hotels and temporary placements, the minister said that she wanted to put resources into early intervention and millions and millions of dollars into the front end.

I would like to ask the minister if she will tell the House and tell the Lord Selkirk Family Resource Centre when their long-standing submission for funding will be approved so that they can provide preventive resources in their community.

Hon. Bonnie Mitchelson (Minister of Family Services): Madam Speaker, I thank my honourable friend again for the question and I do want to indicate that the issue of children being housed in hotels is a serious issue, one that we have been working with the agency on. I know that the statistics for April and May of this year were 29 children per month in hotels, but I do know that for the average monthly use, since last March 1998, the numbers were 15 per month on average. So I indicated in my answers in previous days and I will say again today that the numbers do fluctuate from day to day and from month to month, and we have to try to aggressively ensure that children are not staying the length of time that they were staying in hotel rooms and we are serious about addressing that issue.

Madam Speaker, we have worked throughout the community, and we will continue to look at proposals that come from the community around early intervention.

Mr. Martindale: Madam Speaker, I would like to ask the Minister of Family Services why she cannot give an answer today or at least in July 1999 to the Lord Selkirk Family Resource Centre, when in June 1998 she said she was going to review the request and make a decision. When are we going to get a decision on this funding request for this very important and preventive family resource program?

Mrs. Mitchelson: I thank my honourable friend for that question. I know that he is really supportive of all the community initiatives that we have undertaken in his constituency to ensure that families are able to provide the kinds of supports to their children that I know he believes we do need. We just spent hours in the Estimates process and he certainly could have asked that question in the Estimates process, and I would have had the answer for him. But I will undertake to get the answer for him and provide it.

Mr. Martindale: I would like to ask the minister, who has no plan for getting children out of hotels and who has known about the family resource centre for four years, when is this minister going to make a decision, since we know that the number of children in care in the Lord Selkirk development were from 40 percent of all the units four years ago, now only two families have open files at Child and Family Services, this is an extremely successful preventive—

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

Mrs. Mitchelson: Madam Speaker, I know that many neighbourhoods and communities are finding the answers and the solutions to trying to build stronger communities and stronger families. I know that Lord Selkirk is one of those. But, you know, we spent several hours again in the Estimates process last week, and I asked my honourable friend many times through that Estimates process, given that he is the Minister of Family Services in waiting, what his solutions might be to some of the issues, and he had no solutions.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

* (1345)

Point of Order

Mrs. Mitchelson: Madam Speaker, on a point of order. We clearly heard the member for Burrows from his seat indicate that they do not have to have any answers or solutions because they are not government, and with that kind of comment from his seat, they never will be government.

Madam Speaker: Order, please. The honourable member for Burrows, on the same point of order.

Mr. Martindale: Madam Speaker, on the same point of order, Beauséjour 417 says that answers to questions should be as brief as possible, deal with the matter raised, should not provoke debate. The Minister of Family Services is the government. I said they should have solutions; they do not have solutions. She had a chance to say that in her answer. We have a suggestion today: the minister has no answer.

Madam Speaker: On the point of order raised by the honourable Minister of Family Services, there was no point of order.

R.M. of Wallace Municipal Board Decision

Mr. Tim Sale (Crescentwood): Madam Speaker, in 1997 and 1998, the Town of Virden and the surrounding R.M. of Wallace were engaged in a bitter debate about the town's demand to annex some 2,560 acres of land from the R.M. The initial Municipal Board recommendation to the minister was set aside by the minister, and attempts at mediation failed ultimately because the town would not agree to the mediation report recommended by both parties. After promising not to impose the Municipal Board findings, the Minister of Rural Development suddenly changed his mind and imposed the very findings of the board he had previously set aside. Why did the Minister of Rural Development impose the very settlement on the R.M. that he had previously set aside?

Hon. Leonard Derkach (Minister of Rural Development): Madam Speaker, as the member may know, the reason that the order was set aside was because there was some hope that indeed the two sides could agree to a settlement which would resolve some of the issues that were before the two municipal bodies. Negotiations went on for some time, but in the end, unfortunately, the two sides could not agree. Because the two sides could not agree, it was known right from the very beginning that if that agreement could not be reached, indeed the municipal order then would be imposed as a method of settling the dispute between the two municipalities.

Mr. Sale: Madam Speaker, will the minister who knows that that is not the sworn statement of his own staff, Mr. Sawatzky, and it is not the finding of the cross-examination, acknowledge before the House today that he changed his mind because he was brought under severe and prolonged pressure by a member of this House to do so?

Mr. Derkach: Madam Speaker, I hate to be facetious, but it appears that the member opposite has once again had a bad dream. In all honesty, it was known from the very beginning that the order was set aside in the hope that there could be a mediated agreement between the two municipalities. When that was not possible, when the agreement could not be achieved, indeed, the order had to be imposed as was passed by the Municipal Board.

Mr. Sale: Will the minister, who I am sure does not want to mislead the House, not confess in fact that he told the reeve of the R.M. of Wallace that Mr. Downey had put him under severe and prolonged pressure to change his mind, and that the same Mr. Downey, Madam Speaker, acknowledged in fact, in a meeting on December 7, 1998, witnessed by eight people—

Madam Speaker: Order, please. I would remind, firstly, before recognizing the minister for response, the honourable member for Crescentwood that our rules are very clear. You should be referring to any member in this Legislature by the name of his or her constituency.

Mr. Derkach: Well, Madam Speaker, the member is not correct. Indeed, it was known from the very beginning that the order was temporarily set aside in the hope that a mediated agreement could be reached on the properties that were in dispute. After a significant amount of time in trying to achieve the settlement, there were signals given that, if a settlement could not be reached at a certain point in time, the order would be imposed, and indeed the municipal order was indeed imposed after it was very clear that a mediated resolution could not be arrived at between the two municipalities.

* (1350)

Health Care System Northern Patient Transportation Fee

Mr. Oscar Lathlin (The Pas): Madam Speaker, the Minister of Health was recently sent a letter from one of my constituents regarding the nearly \$6,000 he has been forced to pay over the last two and a half years travelling to and from The Pas to Winnipeg to get treatment. I want to ask this minister why it costs more for people of northern Manitoba to access health care and whether it makes sense that a cancer patient should be forced to pay a \$50 user fee, virtually all the costs for the escort, and other costs for more than 15 trips in those two and a half years to Winnipeg.

Hon. Eric Stefanson (Minister of Health): Madam Speaker, the member referred to a constituent of his who has written myself and my office. I certainly will be responding to that particular letter.

Again, we have talked about the issue of providing services as close to communities and in communities as possible. That has been a major part of regionalization in the province of Manitoba. We have seen enhancement of services in communities like Brandon, like Thompson and elsewhere throughout our province, and that certainly is one of the objectives of our health plan, to continue to do that, to continue to enhance services in communities so people can receive the services when they need them, where they need them. But there are still instances where people have to come to Winnipeg primarily to our two tertiary

hospitals and in some cases to our other facilities to receive services, and that will continue to take place.

Mr. Lathlin: Madam Speaker, my second question is to ask the Minister of Health and his government why his government is forcing people from northern Manitoba, patients from northern Manitoba to travel to Winnipeg, literally being forced to come to Winnipeg because there are no other services available in The Pas and spend \$6,000 in two years to access health care. Why is he forcing those people to come all the way to Winnipeg for treatment and incur a lot of expenses while his government has spent more than \$675,000 for the propaganda of the Filmon government?

Mr. Stefanson: Madam Speaker, again, as the member for The Pas knows, we now spend some \$2.1 billion on health care in the province of Manitoba, almost 36 percent of all of the money we spend on behalf of Manitobans. This budget alone, a budget that he and his colleagues stood up and supported, it includes \$194 million more for health care, a 10 percent increase, to continue to improve services in a number of areas. There is more money dealing with diagnostic services, reducing waiting lists, more money for surgical procedures, more money for cancer treatment procedures and a number of enhancements to our health care system. But again, I think we recognize in some speciality areas where there are provincial programs that services still cannot be provided in every community and every region of our province. For certain specialties, they have to be concentrated in facilities in many cases here in Winnipeg, but again, you just need to look at our financial commitment and the enhancement of programs and the reductions in waiting lists to certainly recognize our significant commitment to health care in the province of Manitoba.

Mr. Lathlin: I would like to ask the minister finally: would he consider removing today the \$50 Filmon user fee at least for cancer patients who are forced to come to Winnipeg anyway, and also that the Northern Patient Transportation Program to include, instead of removing, the transportation subsidy that was provided for escorts?

Mr. Stefanson: Madam Speaker, again I think the member for The Pas I am sure acknowledges that the Northern Patient Transportation Program acknowledges the fact that people have to travel from other communities to the city of Winnipeg to receive services. We provide millions of dollars supporting that program. In fact, as the member knows, we just had to deal with a significant offload from the federal government to deal with members of our First Nations communities, additional costs that are now being paid by the Province of Manitoba in the millions of dollars. So it is a significant program, a significant commitment to ensure that people can get the services here in the city of Winnipeg where those specialized services are provided.

So we are providing millions of dollars to do just what the member is talking about, to provide the services to the people in northern Manitoba to access the medical services they need here in the city of Winnipeg.

* (1355)

Home Renovation Programs Funding

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Minister of Finance (Mr. Gilleshammer) or the Minister of Housing.

Yesterday we raised the issue of the continual deterioration of our housing stock in the province and in particular in the north end of Winnipeg. We look to the government to demonstrate its abilities to demonstrate leadership, leadership on issues such as the infill housing program, co-op housing start program, residential rehabilitation programs. These are the types of programs that are necessary in order to rectify the very serious problem that we face today.

My question to either minister is: is the government prepared to reopen its budget and come back with a budget that would address the very serious issue of deterioration of our housing stock?

Hon. Jack Reimer (Minister of Housing): Madam Speaker, this government recognizes

that there is a responsibility to be aware of a lot of the social problems and some of the housing conditions that are not only prevalent, as the member mentioned, in north end Winnipeg but throughout Manitoba. This is one of the reasons why we have increased our funding. In regard to the RAP program that he has talked about, we have contributed just over \$616,000 as a provincial contribution in partnership with the federal government to look at actually increasing the availability of funding. This has also been to look at approximately 200 units that can take advantage of these residential improvements in their housing.

As mentioned, this is a joint program with the federal government. The federal government has been a partner with the provincial government on a lot of housing initiatives. But as the member knows, the federal government has been slowly pulling itself out of all commitments to public housing throughout not only Manitoba but throughout all of Canada. This puts the added burden not only on the provincial government but on municipalities in trying to make adequate housing available. Unless the federal government is prepared to look at reintroducing more federal dollars, then the provincial government cannot do this all alone.

Winnipeg North End Property Assessments

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Minister of Finance (Mr. Gilleshammer).

Does the Minister of Finance believe that tens of millions of dollars in property over-assessment that individuals in particular in the north end of Winnipeg are in fact having to pay is fair? I appeal to the Minister of Finance to recognize the injustice that is there and to take some form of action to alleviate that injustice.

Hon. Jack Reimer (Minister of Housing): Madam Speaker, we are naturally concerned about the taxation burden and the effect of taxation on all levels of citizens in Manitoba, and this is one of the reasons why this government initiated the Lower Tax Commission, to look at ways of the best utilization of not only how taxes are spent but of lowering taxes in our

province. This is one of the reasons why a committee has been formed to look at all areas of taxation.

The idea that I mentioned yesterday regarding the assessment and the assessment process through the Minister of Rural Development (Mr. Derkach) and the Assessment Department there, they have worked very, very closely with the City of Winnipeg and their Assessment Department to try to bring in some sort of semblance of a meaningful approach to assessment in the city of Winnipeg. We believe that through these types of co-operations in working with the City of Winnipeg and working with them in their Assessment branch that we can come to some sort of reasonable solutions towards looking at a fair and equitable tax base and assessment not only within Winnipeg but throughout all of Manitoba.

* (1400)

Education System Standards Testing Breach

Mr. Kevin Lamoureux (Inkster): Madam Speaker, on a new issue. Whether it is students, whether it is parents, whether it is the teachers—my question is for the Minister of Education and asking the Minister of Education to look at the integrity of the standards exams. Given the minister is not prepared to table the report, because of that we ask the government at the very least to acknowledge that, if they are not going to table the report, they are going to call for an independent investigation into this whole disaster that the Minister of Education has failed to give proper reporting on.

Hon. James McCrae (Minister of Education and Training): Madam Speaker, I am prepared to table the report. The writer of the report, Mr. John Wiens, the superintendent of the Seven Oaks School Division, says at page 4 of his report that he respectfully suggests that the government might wish to seek legal advice prior to its release. That I have done.

I have also asked officials responsible for the administration of the Freedom of Information and Privacy Protection legislation to have a look at the report, and that has been done

as well. Certain parts of the report have had to be severed. For that reason today, I have to table the expurgated version of the report on allegations of breaches of security regarding the administration of provincial examinations at Maples Collegiate.

I note the conspiracy of silence that shrouds the New Democratic Party over this sordid matter, and that silence, Madam Speaker, I suggest, speaks quite loudly about the integrity of the leadership of the New Democratic Party.

We Care Program Student Accident—Investigation

Mr. Dave Chomiak (Kildonan): Madam Speaker—[interjection]

Madam Speaker, could you call the member for Assiniboia (Mrs. McIntosh) to order. I cannot even hear myself talk because the member is rattling from her seat.

Madam Speaker: Order, please. The honourable member for Kildonan was not up on a point of order. The honourable member for Kildonan took the liberty of drawing that to the Speaker's attention after he had been recognized to pose the question, so therefore there is no official point of order.

The honourable member for Assiniboia, on a point of order?

Hon. Linda McIntosh (Minister of Environment): Madam Speaker, several people on this side clearly heard members opposite say they already had the full report, so I am wondering why they are asking for it.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Mr. Chomiak: Over a month ago, we asked the minister serious questions about an accident that occurred, under a community college that is licensed by the government, where people were almost killed, hospitalized, some serious breaches were alleged of provincial regulations. Some of these people do not have jobs; some of these people do not have compensation; some

have been forced to go on welfare. We asked the minister to investigate this situation.

We have one of the students up in the gallery today. Can the minister advise what the investigation revealed about an accident that occurred almost a year ago in a program that has been authorized by this provincial government?

Hon. Jim McCrae (Minister of Education and Training): The honourable member asked a question about a vocational school which comes under the authority of The Private Vocational Schools Act. In response to that inquiry by the honourable member, we have been conducting a review of the circumstances surrounding that event and will be making the results of that review known to the honourable member in due course, at a time when we are able to do so.

Mr. Chomiak: I would like to ask the minister about the Department of Education's priorities in terms of dealing with serious issues. Can the minister indicate whether or not these students, 10 months after the accident, whether the minister or the minister's department or anyone has contacted these students to ask if there is any assistance required, to inquire about the accident and the state of their health and, in fact, their future since some of them were in a program at the request of the provincial government?

Mr. McCrae: I remind the honourable member that it was over 12 months ago that their campaign manager, Mr. Brian O'Leary, breached examination protocol and opened a package that he was not supposed to open. So the honourable member wants to talk to me about 10 months. I could talk to him about 12 months and why it is that no action has been taken by the Leader of the Opposition (Mr. Doer) with respect to his own campaign manager, who has publicly acknowledged breaching exam protocol.

With respect to the matter raised by the honourable member, I have indeed made inquiries about it, and I will be making the results of that inquiry known to the honourable member.

Mr. Chomiak: I believe that Manitobans witnessing this will understand the priorities attached by this government to the lives of Manitobans. I would like to ask the minister:

will the minister meet with these students to inquire as to their condition and endeavour to try to assist these students to receive compensation for their losses as a result of this accident, many of whom were in this course at the request of the provincial government, for which there is no compensation that has been forwarded either by that vocational college or by the provincial government of which these people are suffering, and is that not a priority of this government?

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

Mr. McCrae: If there is any appropriate way that I can be of assistance to these students or any other students, Madam Speaker, of course I am willing to meet with people. The honourable member suggests, however, there is some area of responsibility here that I am supposed to be assuming, and if that is true, no doubt I will find that out upon the full review of the matters at issue here. But the honourable member asks that I meet with students. I would be delighted to do that because there is no reason in the world that I should not meet with any student involved in education in Manitoba. If there is any appropriate way that I can help, that is what I am here for.

Not-for-Profit Housing Information Request

Ms. Marianne Cerilli (Radisson): Madam Speaker, before the Housing Estimates I asked the Minister of Housing for information about not-for-profit housing maintenance schedules and budgets, about properties declared surplus and arrears owed to Manitoba Housing. The minister said he would get it to me before Estimates, but at the Estimates table he said he forgot the file. The next day he said he brought the wrong file; then I was given incomplete information. Last week I was told it was on the minister's desk.

I want to ask the minister: what is he hiding, and is it what not-for-profit housing corporations are telling me, that their maintenance budgets and their overall budgets have been cut and they cannot maintain their properties?

Hon. Jack Reimer (Minister of Housing): Madam Speaker, one of the processes of Estimates is naturally the requests for information that the various members of the opposition will always ask for from the various ministries. The member for Radisson has been true to her course in asking for a lot of information. I know that the Department of Housing is in the process of getting the information ready for her. There is nothing that we are trying to hide; there is nothing that is mysterious about the process other than the fact that it is an assignment of resources to get the information. The information, to the best of my knowledge, is not sitting on my desk as she has alluded to. My desk has very few papers on it, because I work very diligently. I try to move the papers off there as fast as I can. So I would think that if I go down to my desk shortly after Question Period and I find it there, I will make sure that I get it to her.

* (1410)

Minister of Housing Meeting Request

Ms. Marianne Cerilli (Radisson): Madam Speaker, I want to remind the member that Estimates for Housing were completed more than a month and a half ago. I want to ask—

Madam Speaker: Order, please. Would the honourable member please pose her question.

Ms. Cerilli: I want to ask him: did he also hide it from tenants in public housing in Manitoba Housing? There are a number of tenants who have been asking the minister for a meeting. I am wondering if the minister could clarify for us today: is it his policy to meet with tenants in Manitoba Housing when they request a meeting with him?

Hon. Jack Reimer (Minister of Housing): Madam Speaker, I place a very, very high priority on tenants and tenants' associations and tenants' relations not only between myself and the tenants but between the tenants' associations and my whole department. We strive very, very diligently and constantly to try to make contact with tenants. I have never refused a meeting

with any type of tenants' association if they wanted to meet with me.

I have gone to the tenants' association meetings in their complexes. I have gone to the member's area, into Transcona, to the Triplex Association. I have met with them on numerous occasions. I go to Gilbert Park to meet, Lord Selkirk Park. I have been at a lot of tenants' association meetings. If they want to meet with me, my door is open or I will go to their association and meet with them on their terms and their conditions. I will not stop meeting with the tenants' associations. I hope the member is not suggesting that I do not meet with them.

Ms. Cerilli: Well, I wonder if the minister can explain that perhaps what is happening is he has not been getting his mail and his telephone messages. I want to ask him, since he has asked me to send all of my correspondence requests directly to his office, why does it now seem to be the policy in his department that tenants who write the minister consistently get a response from the deputy minister? Is the minister getting his mail?

Mr. Reimer: Well, I hope the member is not putting aspersions on Canada Post. I believe that Canada Post does a tremendous job, because there is a responsibility there, and I would think that if Canada Post are not delivering their mail to me, we will find out for sure. But the mail that comes across my desk, all mail that comes into my office, if it is addressed to the Minister of Urban Affairs or the Minister of Housing or to me personally, it is opened, it is read, it is redirected by myself. I do not filter the mail that comes to my office. I want to read about the people that are willing to meet with me or wanting to phone me. My phone number, I can give my phone number here to the people who are possibly watching on Access TV, 945-0074.

Youth Crime Parental Responsibility

Mr. Gord Mackintosh (St. Johns): To the Minister of Justice. Yesterday I asked the minister if he would confirm that, since it was announced over four years ago, not one single parent has been found financially responsible under The Parental Responsibility Act, and the

minister later came back in Estimates with this response. He said, and I quote: "That is incorrect. My information leads me to believe that there has been some success in that. Specifically," and he said: "I am aware of a case in Flin Flon where a judgment was awarded against the parents of a child who had broken a car window with a rock."

My question to the minister is: Why did he once again make such a misleading statement?

Hon. Vic Toews (Minister of Justice and Attorney General): Well, I do not know what the member is referring to, but that is certainly my information from the court staff. I know that in some cases it is difficult for court staff to determine if a small claim action is in fact a Parental Responsibility Act action because the plaintiff is not identified on the small claims form that it is such a claim. So my information leads me to believe there is in fact utilization of that process and that the principles in the act indeed are not only utilized in our formal court system but through our youth justice committees as well.

Mr. Mackintosh: Would this minister, who, by the way, would think that a difference between no cases and one case is as the difference between dismal failure and runaway success, I want this minister—

Madam Speaker: Order, please. Will the honourable member please pose a question?

Mr. Mackintosh: I ask the minister: explain to this House why he has misled, apparently deliberately misled, this House. Why is he saying this?

Point of Order

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, on a point of order, Beauchesne clearly states "misleading deliberately" is definitely out of order. I would ask you to bring the member to order.

Madam Speaker: The honourable member for St. Johns, on the same point of order.

Mr. Mackintosh: I ask that question as well deliberately because an answer was given very specifically by the minister yesterday in Supply. He repeated that answer today. He had plenty of time to look at the information and get the accurate information from the officials within—

Madam Speaker: Order, please. The honourable member for St. Johns is defending why he made the statement, not speaking to the point of order.

The honourable member for St. Norbert indeed did have a point of order. The term "deliberately misled" directed to a member of the Assembly has been ruled unparliamentary on several occasions, and I would ask the honourable member for St. Johns to please withdraw the words "deliberately misled."

Mr. Mackintosh: In that event, Madam Speaker, I rise on a matter of privilege. I will be concluding my matter of privilege with the substantive motion, and this matter of privilege deals with what appears to be a deliberately misleading statement.

Madam Speaker: Order, please. We must deal with the ruling that was made by the Speaker prior to the member rising on a matter of privilege, and the ruling was that I asked the honourable member for St. Johns to withdraw the words "deliberately misled."

Mr. Mackintosh: I will withdraw that and proceed with the matter of privilege within which I will allege and prove, Madam Speaker, that this minister deliberately misled the House.

Madam Speaker: Order, please. The rules are very specific. All I ask is that the honourable member please just withdraw the words unequivocally, and let the Speaker conclude the point of order before proceeding to the next order of business.

Now could I please ask for the honourable member to repeat, because I do not have the benefit of the record in front of me, that he withdraw.

* (1420)

Mr. Mackintosh: I withdraw, and I proceed now with the matter of privilege, Madam Speaker.

The matter of privilege, Madam Speaker—is there more, or do you want me to say it a third time here?

Madam Speaker: I find the honourable member rather disrespectful and also very argumentative. I asked him to withdraw and then let me conclude the matter. Then I will re-recognize the honourable member.

I thank the honourable member for St. Johns for his withdrawal.

MATTER OF PRIVILEGE

Minister of Justice Motion to Censure

Madam Speaker: Now, the honourable member for St. Johns.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable member for St. Johns was recognized to speak on a matter of privilege when the House disrupted very rudely.

Mr. Gord Mackintosh (St. Johns): Well, Madam Speaker, I will go through this now. Once again we have a Minister of Justice, keeping in mind that justice begins in the office of the minister, once again has misled this House, and I say deliberately because he had full opportunity from sources within his own department, in his own office, to ascertain, to check and to come back to this House. He could have, in answer to my question today, withdrawn his statement from yesterday, his little gotcha. He likes to play gotcha. But every time he plays that little game he is a loser at it.

Just to go back, it was over four years ago that as a centrepiece of the Premier's (Mr. Filmon) election-time announcements, The Parental Responsibility Act was promised as a crackdown on youth crime. Those were his words, "crackdown on youth crime." That was set out in a press release, big headlines, big story

all over the province, and the main part of that crackdown was the promise that parents would be made responsible by this government for restitution to the victims of property crimes committed by their children, and that was promised, and I use the words of the Premier, to keep Manitoba's streets and neighbourhoods safe, April 10, 1995.

So that led me to a question yesterday in the Legislature based on information that we had received from the Court of Queen's Bench and officials within the minister's department indicating that not a single parent has yet been found responsible financially under this legislation since this legislation was announced four years ago and proclaimed almost two years ago. That information could have been wrong, but it was information that we had a right to rely on. It was information that we had confirmed two or three times, and as late as Monday.

So I asked the minister yesterday: "would he tell us how many parents have been found financially responsible under this act since it was announced over four years ago?" And he said: "I will take the question as notice from the member; I do not have those statistics here." And then I concluded with my second supplementary by asking: "will the minister instead admit that he does in fact know how many parents have been financially responsible? Will he confirm that since it was announced over four years ago not one single parent has been found financially responsible under the centrepiece legislation? How can this be a crackdown?"

So later on in the afternoon, it was in Estimates and in response to a question or some ramblings following a question from the member for The Maples (Mr. Kowalski), and this was in the Estimates for the Department of Justice, the minister said: "I know the member for St. Johns (Mr. Mackintosh) stated today that there had been no cases in Manitoba where a case involved The Parental Responsibility Act, where a parent of a child, in fact, has had a judgment award against him. That is incorrect," he said. That is the gotcha, I guess, Madam Speaker. He said: "My information leads me to believe that there has been some success in that. Specifically, I am aware of a case in Flin Flon where a judgment was awarded against the

parents of a child who had broken a car window with a rock."

Again, Madam Speaker, I just add this as a footnote, but imagine that, a minister thinking that the difference between no cases and one case was all the difference between a dismal failure and a runaway wild success. Today I asked the minister again, I asked him why he misled the Committee of Supply yesterday? He got up and he reiterated that in fact that information was accurate. Well, it was not accurate as far as our information goes, and the information is within the knowledge surely of the minister. Surely he knows, if he has information from that court, he knows that on January 25, 1999, a certificate of decision was entered which dismissed that claim. No parent has been found financially responsible under this legislation, and if he knows of another case, he can get up and say so, but the case that he referred to does not exist.

Now, this is in the context, Madam Speaker, not of one singular incident. It was only a couple of weeks ago that this minister flip-flopped, flip-flopped, flip-flopped four or five times on the so-called gang hotline, the cold line, and this is in the context again of serious discrepancies. It goes back to sticky fingers on the appointment of judges. It goes back to issues about what he knew about the Prosecutions branch being undersupported by his department. It goes back to issues as a Labour minister.

But, Madam Speaker, I have to be able to come in this House and act on information from the minister because I am accountable to the public based on information. But I have got information from his department, from the Court of Queen's Bench, and I have got different conflicting information from the minister which he maintains. It cannot be anything but deliberate. It cannot be.

I move that this House censure the Minister of Justice (Mr. Toews) for deliberately misleading the House about the lack of judgments under The Parental Responsibility Act. I move, seconded by the member for Rupertsland (Mr. Robinson).

* (1430)

Hon. Vic Toews (Minister of Justice and Attorney General): I think I know where the member's motion is coming from. The member for St. Johns has wanted to make a motion in respect of my salary. He was asleep at the switch, and he missed that yesterday. So now he is trying to bring this up in this context. Madam Speaker, there were matters that I indicated yesterday that I would take as notice. After leaving the House, I did in fact receive some information from my department. I think it may well pay to go over the information that I received and that I was relying on from my department. As I indicated, I had reason to believe, or words to that effect, that in fact what I indicated was accurate. I know that my staff provided me with some information.

The information that I have received and which I am advised at this time is accurate—again, I have indicated I would take this matter as notice. It indicates that—and I will deal with that in some detail—from August 1998 to December 31, 1998, the number of Parental Responsibility Act cases filed in the Winnipeg Small Claims Court increased from a total of four to a total of 11. During the same period, the number of applications for youth court certificates of disposition in Winnipeg increased from a total of one to a total of three. However, the report goes on to indicate the applicants for certificates of disposition have not yet filed Parental Responsibility Act claims and none of the plaintiffs who have filed Parental Responsibility Act claims have applied for certificates of decision.

It goes on to break down the number of Parental Responsibility Act cases, indicating how many have been filed by private citizens, how many have been filed by insurance companies and how many have been filed by a corporation. It indicates that two of the claims were for amounts between \$1 and \$1,000, three claims were between \$1,001 to \$2,000, one was between \$2,001 to \$3,000 and five were between \$4,001 and \$5,000. It goes on to indicate, and I am quoting here that there have not been any claims yet for cases between \$3,001 to \$4,000.

Of the 11 Parental Responsibility Act cases, it indicates that two cases were dismissed after contested hearings. Again, that does not indicate

to me whether they were settled and then there was a dismissal, and so there could well have been settlement. I do not have that information. Two have been discontinued, and again, that could have been as a result of a settlement. I do not have that information. Two have been adjourned sine die. Again, those two could have been settled and adjourned sine die, and one, it is indicated, has been adjourned pending completion of youth court proceedings.

It goes on to indicate that of the two cases that proceeded to contested hearings, one involved allegations of kicking out a car window, and the other involved damage to dentures as a result of an assault. It indicates in one of my notes here that the Flin Flon case proceeded to a contested hearing, and a judgment was awarded against the parents of a child who had broken a car window with a rock. That is the information I have received, and that is the information I related.

It also goes on to indicate, the briefing note, that the Selkirk case also proceeded to a contested hearing, so there is another indication here that there may well be another case. Again, I cannot confirm this other than the information I have received from my department. It indicates a judgment was awarded against the parents of the youth who had broken a gold chain of another youth and also damaged a vehicle. It goes on to say: The Selkirk case is very interesting because it is the first case in which a certificate of disposition was used to create a reverse onus in a contested Parental Responsibility Act hearing. Also, this was a case where the plaintiff proceeded to court because restitution ordered in the youth court was not paid, so this was an alternative that was being sought.

The report from my office goes on to say: In some cases it is difficult for court staff to determine if a small claim is a Parental Responsibility Act claim because the plaintiff has not indicated that on the small claim form or in the written description of the claim. In Winnipeg, the Winnipeg small claims manager scrutinizes each claim and checks with the hearing officer to determine if any small claims cases heard by them are Parental Responsibility Act actions.

A small claims hearing officer—the officer writing this report indicates to the recipient of the document that there may have been a PRA case, he states, a Parental Responsibility Act case in a regional small claims court that was not recorded in its statistical report. Unfortunately, small claims officers do not keep any detailed records of their cases, and there are no clerks in the regional small claims courts, so there is no way of tracing the case that was missed. It goes on: I have asked the small claims hearing officer to begin keeping track of any Parental Responsibility Act cases that they hear in regional courts and to have that information forwarded on to me when they return to Winnipeg.

So when I received information between the House and Estimates, I gave what information I knew at that time. I did not get into very much of the details, Madam Speaker, because the details simply were not clear to me. If the member says that the case in Flin Flon has been dismissed, I cannot argue with him if in fact that has happened. Here it indicates that a judgment was awarded against the parents of a child. It indicates the same thing with a Selkirk case, but there is a discrepancy in some of the facts that have been presented to me.

For example, it indicates here—and this was one of the concerns that I had in terms of releasing any information at that time beyond what I did—it says: Table A, Status of Parental Responsibility Act cases. It says, number of cases filed: Winnipeg, 11; regional courts, two; total 13. Requests for certificates of disposition: Winnipeg, three; regional courts, one; total, four. It says, cases adjourned pending outcome of youth court cases: Winnipeg, one; regional courts, zero; total, one. It indicates cases adjourned sine die: two in Winnipeg, none in the regional courts, and two in total. It says, discontinued hearings: in Winnipeg, there were two; in the regional courts, there were zero; in total, two. Contested hearings: it says two in the Winnipeg courts and two in the regional courts for a total of four. It says, judgments granted: in Winnipeg zero; in the regional courts, it says one, for a total of one.

Now the information that I have received, Madam Speaker, and which I related that I had some information to believe that this in fact was

the case, was that there was at least one case. In the information that I have, in fact, there appears to be two. Now the member may have in fact other information that says that what my officials have provided me with is not correct. Table B, the breakdown of the Winnipeg parental responsibility cases indicates that there were cases in the amount of one to a thousand, two individuals, corporation zero, insurance zero, and goes through some of the statistics.

So, if this case, for example, went on to appeal and the matter was dismissed, that may certainly have an input in respect of what the final statistics are, but, as I indicated, Madam Speaker, I took the matter as notice to the House, and I do not think that anything I have said is inaccurate or indeed certainly misleading in even an innocent way. I think I simply provided the facts that I had at that time. There was some discrepancy on the face of the document that I had. That causes me some concern about what, in fact, the true issues are, and that is why the notice was given yesterday.

Some information was provided in Estimates, and, again, I do not know the total accuracy of all of the information that my department has provided me with, but, Madam Speaker, for him to suggest that this was in any way a deliberate misleading of the House just goes back to the issue that he missed the boat yesterday. He wanted to put a motion on the record to censure me for my salary. He was asleep at the switch and now in a very deliberate way brought this matter not to raise any issues of credibility but to disrupt the proceedings in this House.

Mr. Steve Ashton (Thompson): I want to indicate that while we wish we could raise matters of privilege on what I would call the virtual reality campaign promises we see from the government, in actual fact this goes beyond even that. I think the facts are fairly clear. This government has brought in numerous programs.

I think they start by sitting down with their advertising agency. They think up the commercial first, and then they think up some sort of act to follow, and this is another example of that except in this case the minister was caught once again—I mean, this is a pattern with this

minister—of trying to pump up this act and referenced a case which, in fact, as the member for St. Johns (Mr. Mackintosh) pointed out, was dismissed by the courts. So, in fact, we end up with once again one of these campaign commercial acts that does not work.

What I want to point out, Madam Speaker, is the minister is quite right about his salary, by the way. He may not have noticed there was a vote in the House. I do not know who was asleep yesterday. I do not know if he knows the process, that when we hit 240 hours worth of Estimates, in fact what happens is you then have a vote on the outstanding resolutions, and that is exactly what took place. I can guarantee you that indeed we were against this minister's salary, the only minister this session to be singled out in terms of his salary because this minister has proven by his behaviour, I believe, that he is not competent to be Minister of Justice in this province because he continuously gets into this type of situation.

He did it earlier this session on the so-called hotline, remember? This was the hotline that they did not return calls on for five months. This was the minister who said, well, the member for St. Johns had called eight times—

* (1440)

Point of Order

Hon. Darren Praznik (Government House Leader): Madam Speaker, I would ask you to draw the opposition House leader's comments to the matter of privilege that is before the Assembly: whether or not the member has misled the House. The opposition House leader is using the debate on the privilege to extend the Estimates debate. He is not addressing the issue of privilege.

Madam Speaker: Order, please. On the point of order raised by the honourable government House leader, I would ask for the co-operation of the honourable member for Thompson to speak to the matter of privilege, and that is that the honourable Minister of Justice (Mr. Toews) deliberately misled the House.

* * *

Mr. Ashton: Madam Speaker, what I am trying to establish here is that there is a consistent pattern with this minister of doing this, of deliberately misleading the House on matters related to justice, and I say this with all due respect to the minister because I believe as Minister of Justice he has a responsibility to avoid the kind of careless remarks he has put on the record on a number of occasions, including in this particular case. I say this because we are seeking a censure motion of this minister. It is not appropriate for this minister to play the kind of game we have seen from this minister time and time again. He may think he is scoring some debating point here, but these are very serious issues.

When the Minister of Justice (Mr. Toews) speaks on a matter such as this, we expect that minister to act appropriately. This minister did not in this particular case. I want to suggest, that is why we took the unusual step yesterday of voting against the Minister's Salary. That is an indication of no confidence in the minister based on his behaviour. I say that with all due respect to the member. I say as well, that is why we are bringing in this matter of censure.

I said to the government House leader, the reason we are documenting the other incidents of this session, let alone last session, who can forget the appointment of judges and that whole fiasco? The reality is, we believe we are dealing with a combination of fraudulent, and I say this very decidedly, fraudulent campaign promises. We see with the minister that he does not quite understand that instead of playing the debating games back and forth, he would be far better off being up front with the Legislature and the people of Manitoba and point out, as has been pointed out by the member for St. Johns (Mr. Mackintosh), we have another example of yet another campaign promise that just is not working in this province, that was not even worth the campaign ad that it was aired on.

I say to the government House leader and other members of this House, we expect a higher level of duty, particularly from the Minister of Justice. The Minister of Justice has a responsibility that goes beyond being a member of this Legislature or indeed of being a member of the cabinet. When it comes to serious issues, I

believe we expect the Minister of Justice to provide factual information, to not get into the kind of situation we saw again where he made misleading comments, comments we believe were made deliberately. I say that on this matter of privilege, because as was well documented in the matter of order previously, we cannot say that on a matter of order, but on a matter of privilege we can point to the fact that once again this minister has done it. That is why I would urge you to find as a prima facie case of matter of privilege, particularly dealing with what we feel is the contempt of Parliament. This is one of the issues historically with privilege.

I point to Beauchesne that specifically cites the contempt of Parliament. If it was simply one incident, I would suggest we might say, well, that is an isolated incident, but this is a repeated pattern, and it is simply not good enough coming from this Minister of Justice. We believe he should do far more than just apologize, as he has had to do on many occasions. We believe it has gotten to the point where we have to vote against his salary. In this case, on the matter of privilege, indeed we have to ask this House to censure the Minister of Justice for once again I believe violating his responsibility as Minister of Justice in this province to be direct and forthright with the people of Manitoba, something he has once again proven he is unable to do. Thank you, Madam Speaker.

Mr. Praznik: Madam Speaker, I would suggest that what we are witnessing here today is an attempt by the member for St. Johns to extend the debate of Estimates in the Department of Justice rather than raise a legitimate point of order.

What is most telling about the arguments that have—pardon me, Madam Speaker, a legitimate point of privilege. What is most telling about the comments of the opposition House leader and the member for St. Johns, members who are both regularly able to quote Beauchesne when making a point, is that they totally failed to cite Citation 31 where: "A dispute arising between two members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege." Conveniently missed by both, because really there is no issue of privilege here, what we have is an extension of the Estimates debate.

The member for St. Johns and his party had some 240 hours to debate the issues of Justice. Did they choose to spend an extra five or 10 hours on the Estimates of Justice? No. They did spend 32 hours or 30 hours, I believe, on debating the Department of Consumer and Corporate Affairs, a great tribute to one of their members who is here to do his duty in the Estimates time, the member for Elmwood (Mr. Maloway).

It certainly says that the member for St. Johns, who, given the flexibility we were allowing in setting the course of Estimates, could have spent many more of those hours, could have used 10 of those hours that were spent in Consumer and Corporate Affairs, Madam Speaker, to continue the debate on these issues in the Department of Justice.

The truth of the matter, Madam Speaker, we would suspect, is the member for St. Johns (Mr. Mackintosh) was not there to do his job in Estimates, wants to continue the debate here today in this Chamber, raises this point of privilege. We have listened to not points being made on a matter of privilege, but we have listened to a continuation to debate on issues arising to the effectiveness of a particular piece of legislation.

Madam Speaker, again, I convey the Citation 31 of Beauchesne: "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege" and suggest very strongly that there is no matter of privilege here at all but simply an attempt by the member for St. Johns, who was not there to do his job in the Estimates debate, to extend that debate now into Question Period by misuse of a motion of privilege.

Madam Speaker: Order, please. A matter of privilege is indeed a serious matter. I will take the matter under advisement to check with the authorities and research Hansard and report back to the House.

Officially Question Period had expired during the posing of the honourable member for St. Johns' question. Traditionally, we permit the individual being posed the question the opportunity to respond to that question. Given

the lapse of time since the question was posed, I would ask if the honourable member for St. Johns, for the benefit of all members, would quickly repeat the question asked, and we will allow the honourable Minister of Justice, if that is to whom the question is posed, to respond.

* (1450)

Youth Crime Parental Responsibility

Mr. Gord Mackintosh (St. Johns): Would this minister, who does not want Manitobans to rely on statistics about The Parental Responsibility Act but rather his vivid imagination, tell this House why is it that he does not check his facts before he makes strong statements in committee and in this House? Why does he do so?

Hon. Vic Toews (Minister of Justice and Attorney General): As indicated in the House last date, I took the matter as notice in respect to those statistics. I had received some information prior to Estimates, and I put some information on the record. I will, as I indicated, put all comments onto the record in due course, but as indicated, the statistics that I have indicate, in fact, that there has been a judgment granted in a case. Whether that will be confirmed after my review of all of the facts, I do not know, Madam Speaker, but certainly my statistics indicate that the act is being utilized.

It is a very important act. It is the first act of its kind in Canada. I think not only do the statistics here indicate that it is being utilized but, secondly, that the principle of the act is being used in the context of youth justice committees. I think that is very important to bear in mind.

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

MEMBERS' STATEMENTS

Clay Lewis

Mr. Gary Doer (Leader of the Opposition): I would like to first of all congratulate Clay Lewis, a community activist in the province of

Manitoba, for being the first recipient of the John Rodgers Award for community service in the city of Winnipeg.

I have had the privilege of working with John Rodgers as a former volunteer with the Main Street Project. I have worked with him over the years, and the fact that the City of Winnipeg has created this award in his name I think is a very, very positive realization that people can make a difference to their community. People do make a difference, and when people do make a difference, it is important for all of us to recognize them.

The fact that Clay Lewis, who worked with John for years at the Main Street Project and worked as a volunteer at the Main Street Project group home and worked in a number of other projects like Jack's Place and other projects in the inner city, was the first recipient, I think is wonderful, because the two of them worked in partnership on behalf of people in the city of Winnipeg and across the province of Manitoba.

I have a great deal of respect for John Rodgers and his contributions to our community. I obviously know his family members and his two sons and daughter who are carrying on I think in the spirit of the Rodgers family, but to give this award first of all to Clay Lewis in the ceremony last week at City Hall is wonderful. I congratulate the Lewis family as well on being the recipient of this wonderful award. Thank you very much.

Economic Growth

Mr. Peter Dyck (Pembina): Madam Speaker, Manitoba is the country's best-kept secret, CJOB host Charles Adler trumpeted on a recent broadcast. University of Manitoba economist John McCallum told CTV News that Manitoba is, and I quote, probably the best untold economic story in this country in the last generation. He noted Manitoba is succeeding because it has moved away from an agricultural-based economy into just about every field of manufacturing. Diversification is paying dividends.

A story in the Winnipeg Free Press this week explains how Manitoba continues to have

the lowest unemployment rate in the country. Everyone is looking for workers, the service sector, the construction sector. High-skilled, high-tech positions are going wanting as the economy continues to thrive. The provincial economy continues to experience strong retail sales and an increase in export sales. From woodworkers to accountants to engineers to hog barn managers to computer programmers, Manitoba workers are in high demand. "Help Wanted" signs abound.

Our government wants to see a strong, healthy economy in Manitoba because that is the way to guarantee a brighter future for our children. Our government believes the way to achieve a strong economy is to provide responsible, predictable leadership, remove barriers to economic growth, keep taxes competitive, and look for strategic opportunities which build upon the province's natural strengths.

Manitoba has seen tremendous growth over the past number of years because of the way our government has positioned this province. Consecutive surplus budgets, no major tax increases, and a plan to pay off the province's accumulated debt all serve to send a message: Manitoba is open for business. Thank you.

Cyprus Occupation

Mr. Steve Ashton (Thompson): Madam Speaker, July of 1999 marks a very difficult anniversary for the people of Cyprus. Twenty-five years ago this month Cyprus was invaded. In fact, 40 percent of the area of Cyprus was invaded and occupied by Turkish troops. Since that time more than 200,000 Greek Cypriots left the island after thousands died in the conflict. At that time there were 15,000 Greek Cypriots remaining in the occupied part of Cyprus. Today there are fewer than 500 who live under very difficult circumstances with apartheid-like conditions and subject to arbitrary treatment and abuse. It has been a difficult process for Turkish Cypriots as well. In fact, there has been an exodus of 50,000 Turkish Cypriots, replaced by 100,000 colonists from mainland Turkey.

I want to put on the record that there have been 106 United Nations General Assembly and Security Council resolutions for the withdrawal

of the occupying forces and efforts to have a peaceful settlement, but at this point in time for many people Cyprus has become the forgotten conflict.

As a concerned Canadian, I visited Cyprus a short time ago, and I made a personal commitment to get involved in trying to work towards a settlement of the situation in Cyprus by helping organize a group called the Campaign for Cyprus. I want to urge all members on July 20 of this year to mark that occasion by giving our own support for the people of Cyprus. I want to just remind people that we have done this on other issues such as apartheid. In fact, Desmond Tutu spoke during his recent visit to Canada that if the fight against apartheid can succeed in South Africa, there is hope in other countries facing human rights abuses such as Cyprus.

On this, the 25th anniversary of the invasion and occupation of northern Cyprus, I urge everyone in the world community to push for an international campaign aimed at the end of the occupation of Cyprus and the re-establishment of a multiethnic, united Cyprus. We as Canadians can play a key role in achieving that. Thank you, Madam Speaker.

Aboriginal Public Administration Program

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, education and training is one of the foremost commitments of my government. We want all Manitobans to acquire the skills necessary to take advantage of employment opportunities, and we want the Manitoba workforce to be representative of the general population. Having recognized that aboriginal people are underrepresented in the civil service, my government recently announced the establishment of the Aboriginal Public Administration Program.

This program will provide qualified First Nations, Inuit, non-Status Indians and Metis interns from across the province with on-the-job placement and training in different government departments. Each intern will be assigned a mentor as part of the support network. Interns will gain exposure to a wide variety of public sector areas such as finance, program administration, policy development and research.

Through this program, they will build on existing knowledge, gain new skills and acquire the leadership abilities required to make their voices heard in their communities and in their province.

It is important that the different segments of our population are represented in government agencies to reflect the diversity of cultures that comprise the Manitoba mosaic. We need their knowledge about their issues, cultures and communications in order to effectively manage our programs and services.

* (1500)

Madam Speaker, my government values the perspectives of the numerous cultural groups in our province. We want everyone to have the opportunities and the abilities to succeed and to make significant contributions to public life. We feel confident that the Aboriginal Public Administration Program is an important step in this direction.

Thank you, Madam Speaker.

Urban Aboriginal Issues

Mr. George Hickes (Point Douglas): Madam Speaker, I just want to put on the record a few comments on the announcement this morning of the urban aboriginal issues that was announced by Minister Axworthy and the government minister.

Madam Speaker, I applaud the federal government for taking the initiative and putting dollars in place to try and help the urban aboriginal population, but I was really disappointed when I heard that our provincial minister of Manitoba—I think somebody should probably sit down with him and explain to him that aboriginal people are not only Status treaty people.

When I saw the comment in the paper where our provincial minister said 100 percent of the responsibility of aboriginal people is with the federal government, I think someone should explain to him that the Metis, the non-Status people are not federal responsibilities and that

they are provincial responsibilities, and also they are all treaty people. The non-Status people are citizens of Manitoba, and we have to work in co-operation with the federal government as a provincial government to try and make things work, so that aboriginal people, who, in a few years, a quarter of the workforce will be aboriginal people, to ensure that the proper training is in place, adequate employment opportunities are there, adequate housing is available for individuals, and to meet with the aboriginal leadership.

We have the MMF, the Assembly of Manitoba Chiefs, the urban Aboriginal Council, the friendship centres. They represent the people who elected them, and our governments have to meet with those leaderships so they can go back to the people that they represent to get ideas, to make sure that our Urban Aboriginal Strategy will work. This government has to be serious about helping aboriginal people and not trying to promise programs just to get by the next provincial election, which they will not deliver anyway, Madam Speaker.

MATTERS OF GRIEVANCE

Seniors Health Care

Mr. Dave Chomiak (Kildonan): Madam Speaker, I am rising this session on a grievance motion, availing myself of this opportunity to discuss an issue that is very relevant in my constituency and throughout the province of Manitoba but which I am undertaking on behalf of the constituents in my area, who, in fact, put together a petition that they wished to forward to the Legislature concerned about the level of taxation that has been foisted upon Manitobans, particularly senior citizens by the provincial government, asking for a remedy and a solution to the incredible burden that has been placed on Manitobans, particularly seniors.

Madam Speaker, it is bad enough that many individuals have been cut off their Pharmacare benefits, that are forced to pay for health care that they did not have to pay for before, and are forced to face the indignity of long line-ups and waiting in hallways in order to get health care.

But further, Madam Speaker, and just let me quote from a letter that I received from a constituent, together with a petition wherein he said, to whom it may concern, and it is addressed to us in the Legislature: We seniors from Winnipeg need an explanation from the government of Manitoba. Why would we have to pay school tax all our life and still pay when you retire, pushing people to extreme difficulty to make a living? We have no pay cheque every week or every two weeks, only once-a-month pension cheques, which after they are divided for bills to pay, also have no kids going to school, our kids pay the taxes already. I believe this tax should be abolished for seniors only. Why do people have to sell their property when they retire, because they cannot pay their bills and have no other action than to go and live in an apartment block against their will? During our lifetime working so hard together and our families, we had one home for our future enjoyment, but the government of Manitoba took it away from us. Please give us an answer what you are going to do about it. All these people who have signed this petition are ready to march to the Legislative Building. We cannot go on any longer.

Madam Speaker, it is not just the hundreds of individuals who signed this petition, like Peter Petrillo [phonetic] and Frank Toschi [phonetic] and Amilio Anello [phonetic] and Giuseppe Troia and Tony Fenari [phonetic] and Mrs. Alamo [phonetic] and Salvatore Melizza and Mary Aretti [phonetic] and Felice Arettisi [phonetic] and Amelia Perelli [phonetic] and Rosario Serizzi [phonetic] and Silvario Anizzio [phonetic] and Giuseppe Carnevale and Catarina Suazza [phonetic] and Joachim Gomez [phonetic] and Paul Hankimper [phonetic] and Michele Perillo and Joe Pelletier and Joe Perillo and Guido Martelli and Domenico Nardi and Umberto Cassarolo [phonetic] and Christine Yaskiw and Frank Aquisto [phonetic] and Stanley Skopeski [phonetic] and Alberto Busceni [phonetic] and Renaldo Petrillo [phonetic] and all of these individuals, and I could go on and on, who were asking for a remedy.

But I have spoken with hundreds of constituents during my regular door knocking who have expressed to me the difficulty that

they are having. I have talked to individuals in our constituency who are literally forced to sell their homes because they cannot pay for their property tax. They have signed this petition, which says: whereas school division taxes have skyrocketed over the mandate of this government; and whereas the average homeowner in the city of Winnipeg has seen their school division taxes increase by over 60 percent since 1990; and whereas these tax increases are as a result of deep cuts to education from the provincial government, cuts totalling \$482 per pupil, real dollars, since the Filmon government was elected, and in 1993 the Filmon government reduced the property tax by \$75 per household, which is nothing more than a property tax increase on homeowners, and in 1993 the Filmon government also scaled back the seniors tax credit of \$175, whereby further driving up property taxes for seniors, we, your petitioners, humbly pray the Legislative Assembly of Manitoba request the government of Manitoba to consider adequately funding public schools to take pressure off the school taxes and return the property tax credits to the level they were before this administration took office.

In so many ways, we are neglecting and we have written off our seniors in our society. We have written them off on Pharmacare, we have written them off on health care, and that is tragic, and on taxes where many of them only get a regular pension cheque. The Filmon government has offloaded property taxes and school taxes to historic highs in the province of Manitoba. They have offloaded those taxes and caused a terrible disservice to individuals who spent their entire lives saving and building for this community.

That is why as an alternative we have said: you must put back the money you took away from them as a start, took away from senior citizens on the property tax credit to provide some relief to those seniors who have been so horrendously pressured by the Filmon government, who have been written off. It is not fair to those people who have built this country. It is not fair to seniors who are on a fixed income what this government has done. You have to recognize that these people who have paid taxes all their lives, who worked hard to build security

for themselves, are now in very difficult situations as a result of your tax increases.

It is not enough that personal income taxes have been reduced, because one of the key factors is that the impact of property taxes and school taxes that have been offloaded from the provincial government onto the property tax base is patently unfair and undesirable for these individuals. We in this Legislature, it is incumbent upon us to do something to protect our senior citizens and protect all of our citizens, to allow them to build and to remain in our community and not to have to go to apartments, as this letter states to me, forced to live in apartments and forced to give up their homes as a result of the offloading of property taxes onto the backs of senior citizens.

Madam Speaker, the property tax credit that was introduced by the Schreyer administration was one example of how you can deal with the burden of property taxes by taking, in an absolute stance, part of the burden of the taxes off of senior citizens and lowering their property taxes for education purposes. But that whole philosophy has been turned on its head by this government that has offloaded year after year after year of taxes—in fact, they are called the GFT, the Gary Filmon taxes—on the backs of Manitobans, forcing them and many seniors out of their homes.

This is intolerable because these people are the ones who built the society that provided the fruits under which we are living, and it is tragic that in our area so many senior citizens have told me that they have no choice but to sell their homes and move because they cannot afford these taxes, Madam Speaker. They are looking to us for leadership in this Legislature, and there is no doubt that we have to decrease the burden of property taxes and school taxes and remove the burden from our senior citizens.

* (1510)

A good start, something we could do immediately, would be to increase the property tax credit to these individuals to remove the burden as a start, and, then, Madam Speaker, we have to look at a way and a means, as many seniors have put to me, of dealing with the

property taxes and the school taxes to make it a fairer system, because there is only so much and there comes a point where you cannot take it anymore. A strain on the back of an individual and a taxpayer becomes so much that they no longer can pay and they no longer can exist.

You know, Madam Speaker, there are many examples of rash and wasted expenditure in the provincial government that could go to offload taxes. We are paying \$20 million for frozen food, much of which these seniors, unfortunately, in their declining years might be forced to partake in. We are spending over \$100 million on computers, the largest expenditure in the province, on computers, on SmartHealth, and this money could go back to our senior citizens who built this country. It is more than \$100 million on computers. In fact, it is \$120 million-plus.

But, Madam Speaker, these are some progressive changes that we could provide to our seniors to ease the burden, to allow them to stay in our communities because it is not just the question of easing the burden. We should be encouraging seniors to remain in the community to provide for the vitality of the community, to provide for the experience in the community, not shunting them off, not rejecting them, not forcing them out of their homes because they cannot afford the health care that has been user-fee imposed on them, because they cannot afford the property taxes that have shot up through the roof as a result of initiatives of this government.

So I am imploring members of the Legislature, listen to the individuals whose names are on this petition, who represent everyone who is on this petition and I dare say probably represent another hundred or perhaps 500 individuals who feel the same, who are senior citizens who are completely overburdened by the unfair tax increases of this administration and who are looking to us in the Legislature to do something to relieve the burden, to allow them to stay in their community, to allow them to continue to contribute to this community.

So I am urging all members of the Assembly to take this petition and to take this letter that I have read into the record seriously to deal with the issues raised, and I am urging all members of

this Chamber to pay attention to our seniors. We owe it to them, Madam Speaker, and we owe it to do our part to ensure that they have a right to remain in our communities and to continue to be the productive members of the community that they have always been.

**Seven Oaks School Division Report
Provincial Examination Breach of Security**

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, would rise to stand on my grievance.

Madam Speaker: The honourable member may proceed, yes.

Mr. Lamoureux: Madam Speaker, given the tabling of the report that we have been calling for for a number of weeks now, I thought it would indeed be appropriate for me to put some comments on the record and make very clear some of the concerns that we have.

In public expenditures, we recognize health care as being the No. 1 priority in terms of what Manitobans expect, but closely behind health care is that of our public education. We are, in fact, charged with the responsibility of the administration of public education. There are certain things in which it is important that we do inside this Legislature to ensure that the quality of public education is well maintained and that Manitobans are served by the different types of directives that the Department of Education puts out.

So we take it very seriously, the issues that we have raised over the last number of weeks, and I stand in disappointment because, in calling for a report, I had indicated a while back that I do not give any credibility to a report, I guess whatever report might be done by the school division or by the Department of Education. I say that because I believe it is stating the obvious.

If you read within the report, you will read: This report has been prepared by me, as superintendent of Seven Oaks School Division No. 10, on behalf of the board of trustees—well, the me, of course, is, in fact, John Wiens.

Finally, I submit this report believing it be factual and objective and impartial.

Madam Speaker, I do not know if I happen to have had inappropriate behaviour, if it would be appropriate to go to the Leader of the Liberal Party and ask the Leader of the Liberal Party to comment or to investigate on my political behaviour.

There is no credibility that could be given by the Department of Education conducting an investigation into it. The reason I say that is that you have to look at the principal, the principal being Brian O'Leary. The one that did violate the directive from the province is, in fact, the campaign manager for the New Democratic Party.

Given, and it is no longer alleged, the individual and very political nature of this issue go beyond just the principal, if you factor in the superintendent, the superintendent is, in fact, a very close adviser for the official opposition on education-related issues, and all members of this Chamber are very much aware of that. That is the reason why we believe that, given the political nature of what has actually taken place, it would not be appropriate for the Department of Education to be investigating this matter.

Well, if the government was to say that they concur in full with the report, I guess then the challenge could be put to us as to the need for an independent investigation. My interpretation, given comments in questioning, in particular from the Premier (Mr. Filmon) in answering, referring to the principal as a cheater, issues—

Point of Order

Mr. Gary Kowalski (The Maples): On a point of order, there are only two members of my party in this Legislature, and when we speak, we would like to be heard. When the members of the two other parties are bantering, I am sitting next to the member, and I am having a hard time listening to him. I would like to hear. This is a matter that I am very interested. The parties here are close friends of mine. It is a very difficult situation for me, and I would like to hear what the member says.

Madam Speaker: On the point of order raised by the honourable member for The Maples, indeed the honourable member for The Maples did have a point of order. I would ask for the co-operation of all members on all sides of the House in keeping their conversations very quiet and preferably having those private conversations in the loge or outside the Chamber.

* * *

Mr. Lamoureux: Thank you, Madam Speaker, and I thank the member for The Maples for the consideration.

What we need to recognize is the report that has been tabled today is what I had argued weeks ago would not, in all likelihood, meet the type of expectations that we had, because of what I indicated in terms of relationship between the superintendent and the principal, things that had already previously been indicated through the media, through the Chamber. I would have been surprised, given the political nature and the background of this particular incident, if the government would have bought into the report.

Well, I do not believe the government has bought into the report, and I am grateful for that because I think it would have been an injustice. I have before me what one would classify as a copy of the report, but, of course, Madam Speaker, the amount of information that is blanked out is truly amazing and just does not give any justice whatsoever to the issue that we have before us.

As an example, if you look at the conclusion, Madam Speaker, there are some eight points. I will read the eight points in the conclusion.

First point: there was a contravention of examination protocol. Everything else, the full paragraph, I do not know if it is one or two paragraphs, is blanked out.

* (1520)

Then there is 2: There was not nor is there any evidence to suggest that there was a breach, a violation of provincial examination security either in June '98 at Maples Collegiate or prior or

subsequent to June '98. This conclusion is supported by the actions of the Assessment Branch of Manitoba Education and Training.

What is nice, Madam Speaker, is that you actually have a full conclusion point where everything is being reported, but there are serious allegations, in fact, that there was more than one breach. The report is inconclusive in saying yes or no on that particular breach, very, very serious, yet you read point 2. Then it gets a lot worse from there.

It goes into point 3: The nature of degree of the intervention by—and, of course, it blanks out—is commensurate with the seriousness of the violation considering that Manitoba Education officials agreed that no serious breach had occurred.

I would challenge that particular thought, Madam Speaker, but I would go on to points 4, 5, 6 and 7—well, 4, 5 and 6, where absolutely every aspect of it has been whited out. There is nothing that I can actually read on those points.

On point 7, you have to go well into it where they again make another reference, and I find this to be quite interesting. Again, it starts off halfway or three-quarters of the way through the point: They will have known all along that the numbers involved presented no statistically significant threat to the validity or reliability of examination results. In other words, the involvement of these students pose no compromise to the integrity of the process of the results. The only potential winners or losers were students.

I find that to be—and, again, I have not seen what was written ahead of it—absolutely amazing, Madam Speaker. In the report it tries to imply that no harm has been done. I find that amazing to even believe that one could get any sort of interpretation of that nature given the type of breach that was conducted.

Then on point 8, and, finally: my office has no means at its disposal for determining a truth regarding allegations No. 4 and No. 5. I can only report that I have no substantiated evidence to support the allegations in any way, shape or form.

Now, Madam Speaker, on that particular point, keep in mind the relationship between the superintendent and the principal. Take a look at allegation No. 4. Allegation No. 4, which is on page 12 in the report is: In January, a 40S mathematics examination went missing under the same circumstances as in June 1998. "Blank" received a copy of the examination from—and, then, again, it has been blanked out.

Well, Madam Speaker, that really raises the question—it is the first time that I heard that particular allegation, that, in fact, it has happened before, that it is indeed not the first time. It should be noted, it indicated, after considerable blanking, that he would be prepared to attest to this in a court of law. So, obviously, the individual who has reported this particular allegation is indeed quite serious, but when you look at the allegation No. 4 and the superintendent's response, it is without further information: it is not within my purview nor power to determine the validity of this allegation.

I would suggest and argue to you, Madam Speaker, that the only way in which that allegation could be properly addressed would, again, be through an independent investigation. You cannot ask one of the policy advisers of the New Democratic Party to investigate the campaign manager who happens to be the principal who broke, we know at least, or breached at least once, and when you have other serious allegations that have been made—and even the superintendent acknowledges that at least one of those other serious allegations, in fact, cannot be substantiated one way or the other because of contradictions.

You know, Madam Speaker, in going through this whole report, and, unfortunately, I have not had as much time as I would have liked, but I felt that it was important to stand up today because I personally appeal to the Minister of Education (Mr. McCrae) this afternoon to recognize the importance of calling for an independent investigation. That is the reason why I chose to rise today.

Page 14 talks about the initial incident and where it clearly demonstrates that there was a contravention of examination protocol by

providing a teacher with a copy of the S4 Mathematics 40S examinations the day prior to the examination and, in doing so, potentially compromising the test's security.

It goes on, Madam Speaker, to say: there is no evidence to show that the test's security was in fact compromised—how can one make that statement when in fact the box was unsealed, there was an exam missing? All evidence suggests that no teacher teaching the 40S Mathematics course at the time of this writing viewed the test. There is evidence to suggest neither.

Then, of course, we go into the blank-out portion. But there is no question that there was the breach of security. That has been put to rest.

There are today more questions to be asked about were there additional breaches in security. Again today I think there are even more questions that could be asked in terms of how issues of securities being breached, the provincial directive, are in fact being addressed. I say that, and one has to be very careful and very cognizant of the fact that in here it is referred that one should get legal opinion. I say that inside the Chamber because inside the Chamber I cannot be intimidated for what I might say and have to worry about lawsuits being taken out against me.

I have heard many different allegations levelled at the Seven Oaks School Division in terms of what takes place at the administration level. There is definitely, I believe, an intimidation factor that is there. I believe it was very courageous for this teacher who raised the issue in the first place, and it is for that reason that I stand and for the reason that a constituent of mine who brought it to my attention, the reason why I raised the issue and continue to raise the issue, and will continue endlessly as much as possible in addressing this issue, that there is a lot that needs to be looked at in terms of what has actually occurred.

If you believe in standard exams—and all three political parties say they believe in standard exams, with some modifications on the Grade 3 standard exams in particular, but all three political parties in this Chamber believe in

the standard exams—then let us start talking about the integrity of those exams. If this government does not take direct action in terms of having an independent investigation into this particular matter—we know for a fact there was at least one breach. I am very suspicious whether or not there was more than one breach, and I think that there is just cause to argue that in fact there was more than one breach.

If this government believes in standard exams and is prepared to stand by those standard exams, I am going to suggest the government has an obligation to do one of two things, and this is how I would conclude my remarks. Either you throw the standard exams out and have no obligation for teachers to report, Madam Speaker, or you protect the integrity of those standard exams and you call for, immediately, an independent investigation which does not have to consume a great deal of money, but it does protect the integrity of the exams. I ask for the Premier (Mr. Filmon) of this province to do the right thing today and initiate an independent investigation.

Thank you very much, Madam Speaker, for allowing me to say those few words.

* (1530)

Seven Oaks School Division Report Provincial Examination Breach of Security

Mr. Tim Sale (Crescentwood): Madam Speaker, I rise on a matter of grievance that has come to my attention both through the very politically motivated actions of members of this House opposite and the member for Inkster (Mr. Lamoureux) and teachers and others who have raised this concern with me in my constituency. I of course refer to the matter of the report which was released today and the allegations which were made in regard to exam security in the Seven Oaks School Division.

First of all, Madam Speaker, let us draw a very sharp contrast between the actions of the person whose name has been used so freely here, Mr. O'Leary, and the actions of those many conservatives who were cited in the Monnin report. First of all, let us be very clear that Mr. O'Leary, when asked had he done what was

alleged, he said, yes, he did. He was truthful, he was forthright, as compared to so many liars that Mr. Monnin encountered in his inquiry when at the end of the day he was still not sure whether he had heard the whole truth.

So let us, first of all, draw the sharp distinction that the person whose reputation would be smeared and has been smeared by this member opposite in Inkster and by the member particularly for Brandon West is a person of integrity, a person who has shown educational leadership, a person who admitted he made a mistake, a person who had the courage, the forthrightness and the honour to say: I made a mistake, and I did the wrong thing. He told people that. He did not deny it. He did not dissemble. He did not lie to a court. That is the first distinction, and it is a very important one.

Madam Speaker: Order, please. The honourable member for Inkster, on a point of order?

Mr. Kevin Lamoureux (Inkster): No, Madam Speaker, I rise on a matter of privilege.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. Yes, the honourable member for Inkster may rise on a matter of privilege. A matter of privilege takes precedence over all other business in the House.

MATTER OF PRIVILEGE

Member for Crescentwood Motion to Censure

Mr. Kevin Lamoureux (Inkster): Madam Speaker, in listening to what the member for Crescentwood (Mr. Sale) is saying, there are a couple of things that come to mind and ultimately cause me to rise on a matter of privilege. I could have in fact articulated and stood up on a point of order, and on that point of order I could have said that in Beauchesne's 481 where it states that "Besides the prohibitions contained in Standing Order 18, it has been sanctioned by usage that a Member, while speaking, must not"—and as I quickly go through it—"make a personal charge against a Member." It also states that one should not "impute bad motives or motives different from those acknowledged by a Member."

Madam Speaker, that would in fact have been a valid point of order, I would ultimately argue. But what concerns me more, because it has happened to me in the past, as a member we all have certain obligations which we all want to meet in the very best ways in which we can. You know, over the years I have had the unfortunate opportunity, in some cases, where there are different forms of intimidations that are being used.

When I made reference in my grievance, I talked about some of the tactics or some of the thoughts and some of the expressions I have heard directly in terms of what has happened in the Seven Oaks School Division administration, and these are all alleged comments. I realize there is a great deal of fear that is there. One of the things that is important in terms of our rules is that we are afforded the opportunity to be able to stand up and express the concerns that we feel are very important to all of Manitobans.

So, for example, during the Monnin investigation, what we heard was the NDP day after day, and justifiably so, we too had stood up and called and suggested all these unethical names and behaviours of Tory campaign managers or campaign workers, staff of the government, and there was a great deal of cynicism that was ultimately levelled at these people, their personalities, their character, and so forth. I would even go as far as to say that I might have participated in some of that dialogue, and for good reason. But I do not believe that I had stood up and attempted in any fashion whatsoever to intimidate or to shame the member for Crescentwood (Mr. Sale) or the Leader of the New Democratic Party (Mr. Doer) or any other member of the New Democratic Party for what they were doing, because I believe what they were doing then was in fact the right thing to be doing.

Even though over the years I have developed somewhat thick skin, one of the things that is important for me is the member's right not to feel that they are intimidated within this Chamber. That is the reason why I chose to stand up on the matter of privilege. The matter of privilege is suggesting that all of us have an opportunity to express in whatever ways that we

can following the rules what are important issues not only to us but to all Manitobans. We should feel free to be able to express that and not have to worry about undue, I would say, or inappropriate comments, whether it is for intimidation purposes or to try to prevent someone from saying something.

I think that if the member for Crescentwood was to read his remarks at the beginning of his grievance, he will find that they were indeed quite strong and quite pointed on me as an MLA. To a certain degree, I think that I would be more forgiving or at least more open-minded, but this is an issue that the member has to realize came to me from a former NDP candidate, a constituent of mine who obviously felt that it was of some importance. That is the reason why I initially got involved in the issue.

As it proceeded, I can honestly say, and you might say that I am somewhat naive, is that I did not know Brian O'Leary at the time was the campaign manager of the New Democratic Party. The more that we got involved in getting some of the background of this, the more I argued both internally within our Party and externally within this Chamber that we needed to have an independent investigation.

Even though, as I indicated, that I might have that thick skin, I believe that there are individuals who are out there that have been intimidated in other forms, Madam Speaker. I think that we have to be cognizant of that and we have to respect that. I can appreciate that the personalities involved might be very good friends and close to the member for Crescentwood, and I know I would not derive any enjoyment of our campaign manager but, you know, when the New Democrats heckled and gave speeches and talked about our candidate in Minnedosa and the bribery there, it is something which I accepted. I did not care for it. It hurts when those sorts of allegations are being made, and so forth, but there was something that was wrong there. I recognized that and we do not support it, nor did I impute their motives on it. That is the reason why, as I say, we all stand here in hopes that we are going to be able to express the concerns that we have. I would ask members of the Chamber, do not try to impute the different motives that I might have.

In our rules it says that we are all honourable members. I did not impute motives on some of the questioning that was being posed with respect to the Monnin investigation and the calling back at this time, in June of last year, let alone stand up and then make fun of or instigate or make the same sort of allegations that the member for Crescentwood (Mr. Sale) was just starting off with respect to me.

It would be very difficult, I think, to intimidate me into shutting up and not saying what I really think is right and just. The reason why I chose to stand up on the matter of privilege today is more so for all members, because I think at times it can be very intimidating inside the Chamber. One needs to be somewhat cautious and take the issues for what they are. If one wants to heckle and impute motives through heckling, I myself have done that in the past to a certain degree, and to a certain degree that is fair game. It is part of the procedures that often will throw individuals off track and you might get something which you otherwise would not have gotten on the record.

* (1540)

But I think that we have to be careful, Madam Speaker, and even if you read the comments, because you might take this particular motion under advisement, if you read the comments, what you will find is that in Beuchesne there is this one great qualifier. That qualifier is that, look, yes and no, everything can or cannot be parliamentary. It all depends on the way which you state it. I do not know if I have time here to quickly find it here, but I think it is important.

This is Beuchesne Citation 491, where it says: "The Speaker has consistently ruled that language used in the House should be temperate and worthy of the place in which it is spoken. No language is, by virtue of any list, acceptable or unacceptable. A word which is parliamentary in one context may cause disorder in another context, and therefore be unparliamentary."

I bring that up, Madam Speaker, because when you take a look at the matter of privilege, one of the things that you do not get is the context of the mood of the Chamber at the time

when the member for Crescentwood was making the statements. All you are going to read is the verbatim and you will not catch the heckles. I guess ultimately you could listen to the tape, but even that does not give you the full context of what has been said.

So I would suggest that indeed it is a matter of privilege and for that reason I would be more than happy to entertain what the member for Crescentwood would have to say in regard to my comments, but suffice to say, maybe he might be able to change my mind on it. I do not believe I misunderstood what it is that he was saying or, more importantly, the context in which he was trying to put it.

I would ask the member to look at the fact that just prior to his standing, I just, and each member is given one grievance in a session, I chose my grievance on an issue that I believe is very important to Manitobans, and that is the integrity of the standard exams. So you will have to look at the fact that I took this time to express my concerns on the integrity of the standard exams. I looked to the member for Crescentwood, who then stood up, following me and then took great objection and definitely violated rules and ultimately might even have crossed the line in terms of the matter of privilege.

That is the reason why now, I would move, seconded by the member for The Maples (Mr. Kowalski), that the member for Crescentwood (Mr. Sale) be censured for his comments imputing my motives as an honourable member of this Assembly.

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, I am somewhat disappointed in the member's comments because the member spoke on his grievance for 15 minutes and expressed his view, and they are strongly held views. While I do not agree with those views, that was his right.

Mr. Marcel Laurendeau, Deputy Speaker, in the Chair

The member for Crescentwood (Mr. Sale) was beginning a process of doing exactly the same. The member referenced unparliamentary

language. I know the member has been in this House for 11 years and has been, either in actual fact or certainly de facto, the House leader at times. I know the member for The Maples, I think, is officially. He knows that if it is merely unparliamentary language, that is a matter of order.

What I take some umbrage at is the suggestion that somehow the member for Crescentwood was doing anything other than what the member for Inkster had done, which was to express strongly held views. I realize, and I want to say this again, that the member for Inkster (Mr. Lamoureux) has every right to stand up for 15 minutes on this matter, and no one is disputing that. I would suggest—

An Honourable Member: Did you hear what he said?

Mr. Ashton: To the member for The Maples, I heard exactly what the member for Crescentwood said.

An Honourable Member: Were you in the room?

Mr. Ashton: For the member for The Maples, I was in the room, and I heard exactly what the member for Crescentwood said. I was actually sitting in my chair listening to the member for Crescentwood.

The point of this is, if the member for Inkster has concerns about unparliamentary language, the way in which to deal with that is through a matter of order. I say to the member for Inkster as well, particularly in this case, to censure the member for Crescentwood for unparliamentary language, one censures in this House for real matters of privilege, and one makes that argument. We did earlier in Question Period. I would point the member to privilege and the fact that contempt of Parliament, "the law of contempt of Parliament," 26.(2), is, indeed, that.

I say to the member for The Maples, any member in this House getting up and giving a strongly worded speech is not intimidation. He has been in this House for a number of years, and I take great umbrage at that because I often

have defended, I have defended members on all sides of this House in giving strongly held views, including the member for The Maples and the member for Inkster. But I do not think the member for Inkster intimidated or attempted to intimidate anybody in this House, and I would say that I would expect the member for Inkster would not make that kind of accusation to the member for Crescentwood. A strongly worded statement indeed. He feels strongly about this; many of us do.

But to say that the member for Crescentwood was trying to intimidate the member for Inkster by speaking, I think, is going a little bit too far, in fact going a lot too far. Let us remember this is parliament. One of the things that defines the parliamentary system is the fact that we come in here, and, as the member for Lakeside (Mr. Enns) so eloquently put it a number of weeks ago, we fight with words at times; we never fight in terms of physical violence; we never intimidate people. That is one of the major developments of parliamentary tradition. You know, I am proud of that, and I say, as a member of this Legislature, to the member for Inkster, I know I get accused of this at times. I know yesterday the Minister of Family Services (Mrs. Mitchelson) was saying, well, I was speaking loudly. You know, what are we elected for? We are all elected members of this Legislature to speak out on behalf of our constituents, on behalf of our political parties, and when we speak out, we are not intimidating anyone.

I mean, I would hope no one would be intimidated by my coming down as the MLA for Thompson expressing my views in this House. I have been doing that ever since I was elected, and I know other members have done that as well. I just say to the member for Inkster, he may or may not have had a point of order. I think if he had raised the issue on a matter of order, I think we would have dealt with that, and I think that was reasonable. At times I respect the fact that when we make matters of privilege, we are trying to develop a prima facie case and, indeed, the contempt of Parliament.

But there was no intimidation from the member for Crescentwood. Strongly worded views are an integral part of this institution. In

fact, if you read Beuchesne, it is reflected in Beuchesne itself, which is a codification of hundreds of years of parliamentary tradition. I say it, Mr. Deputy Speaker, because I say this directly to the member for Inkster (Mr. Lamoureux), because I have on numerous occasions spoken out in this House on behalf of him and other members of this Legislature. I feel a special sort of privilege: I have been one of the few people in this House, some of us on our side have had that—I do not know if you call it a privilege, but having been in government and in third party in opposition, I understand at times what the member for Inkster and the member for The Maples (Mr. Kowalski) go through in terms of being a third party, perhaps not quite the degree.

I defend the right of the member for Inkster to speak out in this Legislature. I know he is not trying to intimidate anybody. I also defend the right of the member for Crescentwood (Mr. Sale) to get up and respond in debate on a grievance, his only opportunity this session to be able to do so. For the member for Inkster to suggest that there was any intimidation there, I would hope—and we can deal with the matter of privilege, I think, on its merits—he would reconsider using terms like that for a member in this House, standing in his place, speaking in debate. That is not intimidation. That is what we are elected to do. I will defend the right of the member for Inkster to speak on this matter of grievance, and I defend the right of the member for Crescentwood to do the same thing.

* (1550)

Hon. Darren Praznik (Government House Leader): Questions of privilege are, of course, very important matters. I find the comments of the member for Thompson (Mr. Ashton), some irony in them, given his attempt at defending the motion of privilege, I think the very ill-conceived motion of privilege of the member for St. Johns (Mr. Mackintosh) earlier this afternoon, but I guess one has to always argue as a House leader in opposition on a variety of positions whether they have merit or not.

Mr. Deputy Speaker, whether or not there is a question of intimidation is something that will

have to be decided by yourself in ruling on this particular matter, but in reference to Beuchesne that the member for Inkster made with respect to the comments by the member for Crescentwood about imputing bad motives, motives different from those acknowledged by the member, from what I recall of the member for Crescentwood, he certainly would be in breach of that statement because what we heard him say is somehow that members of this House, particularly the member for Inkster, was doing some terrible thing by raising the report that was made public today and asking very obvious questions about the conduct of Mr. O'Leary, about the conduct of the Seven Oaks school district.

I can appreciate the sensitivity of the member for Crescentwood, given that all of the players involved in this are members of the New Democratic Party, advisers to the New Democratic Party, campaign chairs to the New Democratic Party. What I found most interesting in the member for Crescentwood's comments is when—yes, he acknowledged that Mr. O'Leary did breach, and, yes, he admitted to breaching those rules. What was most interesting is the other question that comes out of this whole incident is why then was the teacher who drew the public's attention to this issue demoted in that manner by the same parties whose actions are questionable or may, in fact, have been making efforts to cover up the actions of Mr. O'Leary. That is probably the most serious part of this whole situation: an individual who had brought to the public's attention a clear breach of the protocols and then to be moved to a position as a typing teacher when he was a math teacher. The reason I raised this—

Point of Order

Mr. Ashton: Mr. Deputy Speaker, earlier in this sitting, the government House leader actually rose on a point of order when I was speaking on a matter of privilege and suggested I was being somewhat out of order. I do recall the Speaker at the time said it was a legitimate point of order, and having been on the receiving end, I do think the government House leader is also skating into that territory. So I am wondering if he might ask him to deal with the matter of privilege and not the debate that was taking place on the grievance.

I think what is good for the goose is good for the gander.

Mr. Deputy Speaker: The honourable House leader, on the same point of order?

Mr. Praznik: Yes. I think if you would allow me a few moments to continue. The reason I am referring to this whole incident is because it comes back to the matter raised by the member for Inkster, where he indicates—and his concern, part of it, was that bad motives or motives different from those being acknowledged are being made by the member in his grievance. What I am trying to point out is that the issue—

Mr. Deputy Speaker: Order, please. Let me deal with the point of order. I think I have enough information on it.

The honourable member for Thompson (Mr. Ashton) did have a point of order. I was about to ask the minister if he was going to be referring to the matter of privilege before. So if the honourable minister could now refer to the reasons the matter of privilege is before the House.

The honourable minister, to continue.

* * *

Mr. Praznik: Mr. Deputy Speaker, what we heard the member for Crescentwood (Mr. Sale) say in this Chamber was to really attack the motivation of the member for Inkster (Mr. Lamoureux) in asking logical and reasonable questions about a matter of great public concern.

All of the issues that are part of that report were subject to the investigation, including what happened to the teacher who brought this matter to attention and appears to the public to have been punished by the New Democrats, from Mr. O'Leary to Mr. Wiens and all those who run the Seven Oaks School Division.

Those are legitimate points and questions that the member for Inkster raised in his grievance, and to have the member for Crescentwood (Mr. Sale) somehow attack his motivation for bringing forward very legitimate questions that are unresolved I believe supports

the concerns raised by the member for Inkster (Mr. Lamoureux) in his matter of privilege, Mr. Deputy Speaker.

What is most interesting about this is there are many unanswered questions. The member for Crescentwood has firmly put on the record today that Mr. O'Leary did breach the protocol and somehow that that is okay, and, secondly, that the punishment of the whistle blower is also okay too, and questioning the motivation of the member for Inkster (Mr. Lamoureux) to raise this matter that is of concern to I think all people out there who want to see fairness in the way people are treated within school divisions, who want to ensure that provincial exams and security is proper and who want to make sure that those who have the responsibility for ensuring that security are not making a mockery of that security, to question that motivation is not appropriate, Mr. Deputy Speaker.

Mr. Gary Kowalski (The Maples): I just wanted to speak to the prima facie case for the matter of privilege very succinctly. It will not be complicated, but the member for Thompson (Mr. Ashton) talked about how speaking strongly is not intimidation, and I agree, but we have rules how you shall speak. You shall not call someone a liar; you shall not question their motives; and doing that is a form of intimidation.

So I believe he has established a prima facie case about a matter that was brought to him by his constituent that he felt compelled—and, believe me, we have had many discussion about this matter because many of the parties involved I am close personal friends with or have relations with them, so this has been a very important issue on which there has been much discussion, and his motivation is to serve his constituents and his role here.

I believe by questioning his motives, it is a form of intimidation, and if it is allowed to occur here, it will occur again and affect all members and affect how this Chamber operates. So I think he has established a prima facie case.

Mr. Tim Sale (Crescentwood): Very briefly, Mr. Deputy Speaker, because I think you have had a lot of advice, first of all I do want to make sure that the record is clear. The liars that I was

referring to were the people referred to by Mr. Justice Monnin in his report. I did not at any time during my remarks suggest the member for Inkster (Mr. Lamoureux) was a liar.

I think it is quite possible that I may have breached the rules in relation to the question of motivation. If there is a point of order in that regard, then I think that is what should be under debate, but the member for Inkster is not a person who is easily intimidated, and I do not think he is intimidated now, Mr. Deputy Speaker, nor do I think he has made a case of privilege. At best, he has made a case of a breach of our rules.

Mr. Deputy Speaker: I would like to thank the honourable members. The honourable member for Inkster has already spoken to the matter.

Mr. Lamoureux: Mr. Deputy Speaker, just given the remarks from the member for Crescentwood (Mr. Sale) and some dialogue that has happened since my originally standing, I am prepared to withdraw the motion.

Mr. Deputy Speaker: This will conclude the matter of privilege then.

MATTER OF GRIEVANCE

Seven Oaks School Division Report Provincial Examination Breach of Security (Continued)

Mr. Deputy Speaker: The honourable member for Crescentwood, with 13 minutes and 21 seconds remaining on his grievance.

* (1600)

Mr. Tim Sale (Crescentwood): I want to reiterate again that no member on this side of the House has ever said that what Mr. O'Leary did was all right. What Mr. O'Leary did was honourable because he agreed that he had breached the rule. He was truthful. He responded immediately truthfully.

If you read the report, the report says that Mr. O'Leary co-operated at every moment of the investigation. My comment was simply that there is an enormous difference between

someone who makes a mistake and admits it and says it was wrong and someone who will never admit that they are wrong until it is proven finally in some court. Mr. O'Leary did something that was wrong, and he admitted it. He, in doing so, has dealt with the issue in terms of his own personal integrity and his honour. He has apologized. That is what we do in this House when we do something wrong, and we consider the matter dealt with at that point, Mr. Deputy Speaker.

In terms of this report, let me say that the report is unsatisfactory to us because of all of the deletions and all of the omissions, and that is why my Leader, the honourable member for Concordia (Mr. Doer), has already indicated that he will be seeking, first of all, that under The Freedom of Information Act further information be released. He will appeal any deletions, and he will appeal them to the Ombudsman if necessary.

He would like the whole report to be public. We would like the whole report to be public. On that, we agree with the member for Inkster (Mr. Lamoureux), and I presume we agree with the Minister of Education (Mr. McCrae). Nothing much is served by having a heavily expurgated version of an important report. It simply does not meet the needs of anybody, Mr. Deputy Speaker, and we support the notion that the whole report should be made public.

What I do find strange is that we have a Minister of Education, Mr. Deputy Speaker, who has stood in defence of the right of school boards to manage their own affairs, to investigate issues of concern within their boards. We have a board that is chaired by a person who is a former Liberal candidate, not a board of one particular party, but, in fact, I think you will find that members of the Seven Oaks school board represent the political spectrum. The Minister of Education, the honourable Minister of Education has many times in this House risen to defend the local jurisdiction, the rights of schools boards to manage their affairs, and now he makes a case that this board cannot do so, in spite of the fact that they are comprised of competent elected officials. They caused their most senior officer to do a long and exhaustive written inves-

tigation, and the conclusions of that investigation are very interesting.

There is, first of all, the conclusion that Mr. O'Leary agrees with, and Mr. O'Leary says, yes, there was a contravention of the examination protocol. There was not, nor is there any evidence to suggest that there was a breach or violation of provincial examination security either in June 1998 at Maples Collegiate or prior or subsequent to June 1998. This conclusion is supported by the actions of the Assessment Branch of the Department of Education.

There was no harm done. Yes, there was a breach. Yes, it was acknowledged. Yes, it was apologized for. There was no harm done. The nature and degree of the intervention is commensurate with the seriousness of the violation, considering that Manitoba Education officials agreed that no serious breach had occurred. This is a tempest in a political teapot, Mr. Deputy Speaker, and I—

Point of Order

Hon. James McCrae (Minister of Education and Training): Just to lend support to the statement by the honourable member for Crescentwood (Mr. Sale) about the unsatisfactory nature of this report, the very last conclusion to which he referred about the department's view, my understanding is the department takes serious issue with that last aspect about that there had been no breach or whatever that was that the honourable member for Crescentwood referred to last.

So just by way of a point of order and so that the record is clear, I could not agree with the honourable member more about the unsatisfactory nature of this particular report, because I am advised that the department itself takes serious issue with that last finding.

Mr. Deputy Speaker: Order, please. The honourable minister does not have a point of order. It is clearly a dispute over the facts. The honourable member for Crescentwood, to continue.

* * *

Mr. Sale: Mr. Deputy Speaker, what we find unsatisfactory is not the report. We do not know what the report says because so much of it has been excerpted and crossed out. We would like to see the entire report. The Leader of the official opposition (Mr. Doer) has made it clear further that he would like to see freedom of information release further amounts, and if they do not, he would appeal that. Furthermore, we have made it clear that we support, if this is the wish of the government, an independent inquiry, an independent investigation into this issue to clear the record once again.

But I want to refer to the letter from the chairperson of the board, Ms. Claudia Sarbit, of December 23, 1998. I am going to read part of this into the record: I am seeking information regarding protocol, security, and publicity. She is talking about a letter that was faxed to her by the deputy minister, Friday, December 18. Why was the usual protocol not followed? It has been my assumption that elected people at one level communicate with their counterparts at another level on matters of policy and administrators with administrators. The two do not mix easily. Relatedly, the fax correspondence did not follow protocol regarding confidentiality of such sensitive material. I find it extremely troublesome that the deputy minister continues to infer that additional breaches in security occurred but that he has not substantiated these claims other than with vague references to previous occasions and credible sources. Third, the deputy minister's letter was obviously shared by someone with at least one member of the media, Tom Brodbeck of the Winnipeg Sun. There are only two possibilities for this deliberate disclosure that should have remained confidential. It happened at our end or yours. We will investigate here and share our results and request that you do the same and advise us of your findings.

In other words, from the very beginning this issue was used as a political football instead of as a matter of true concern about the quality of education in our province.

In concluding my grievance, Mr. Deputy Speaker, we want to make it very clear that we agree that there was a breach, that we commend Mr. O'Leary for being frank and honest in direct

distinction to those who were found by Mr. Justice Monnin to have covered up, to have lied, to have failed to be forthright, to have not told anything truthfully until they were confronted with facts they could not deny. That is the big distinction in this issue.

Our Leader and our party have supported the notion that this entire report should be public. They wish it to be so. If it would serve some useful purpose, we are quite prepared to see there be a further inquiry by a truly independent body, which clearly in this case is not the Minister of Education (Mr. McCrae), because he has clearly shown himself by his remarks in this House, by his remarks outside the House to be extremely partisan on this matter, which I regret, because we consider this a very important issue, as obviously the school board does, because they have spent a great deal of time and a great deal of effort and therefore a great deal of money investigating and using their senior personnel to come to the conclusion shared by the Department of Education that while there was a breach, no harm resulted, and the breach was of a technical nature, that it was sufficiently dealt with by the investigation, that the person involved, most named in the whole affair, was truthful and forthright and honest in regard to any enquiries about it, and the matter was disposed of with the promotion of the person involved by the board, not by the superintendent, because the superintendent does not name deputy superintendents, the board names deputy superintendents.

So this was a vote of confidence by the board employing the person who was under investigation, who acted in a forthright and honest manner, who after the full investigation was found not to have caused any serious breach and was promoted with the full confidence of the board of the Seven Oaks School Division, the board that the Minister of Education now wishes to call into question in terms of its credibility, its partiality, its competence. He wishes to question the integrity of the board of Seven Oaks School Division. I think that this shows that this minister does not, in fact, have a concern that school boards are competent and should be left to make a competent judgment about matters under their jurisdictions, which clearly this was.

I think he has no confidence in the ability of Seven Oaks School Division to administer one of the finest school divisions in this province, that has turned out some of the finest graduates, that has some of the finest administrators and the finest teachers in this province. He does not believe that they are competent. He does not believe that they are capable of administering the affairs of their division. I find that sad, because this is the minister who has accused others of wishing to play Big Brother. He is such a proponent of the Big Brother school, Mr. Deputy Speaker, that not only does he want to have the right to approve whether a school division even rents a broom closet, he also wants to call into question the judgment of one of the most senior and respected school divisions, most senior and respected superintendents and most senior and respected principals in this province. He does not have confidence in the elected officials. He does not have confidence in the school board. He is the big brother.

* (1610)

He is the one who wants to call into question an investigation which took over six months and which he would not fully release because of some concern that he has. Why will he not fully release the document? What is he afraid of? What is in there that is not consistent with the line that he has been preaching? Why does he not release the document? If he wants to have a full inquiry, we support a full inquiry. Let us stop playing politics with people's lives, particularly with the lives of people who cannot come and defend themselves before this House.

This issue should be disposed of through a full inquiry. If that is the wish of the government, let them say so, let them act, but, first of all, let us get this whole report public. Let us get this on the public record with all the details and find out what the minister is not telling us that is in here.

Mr. Deputy Speaker, it is a serious issue. I believe it has been dealt with in a serious manner. I believe that the person involved has acted honourably and has apologized and has admitted that he has done wrong. We are clear that he did the wrong thing. No material harm resulted. Let us get on with issues that are as

important as this but which ought to be occupying the business of this House today. Let us deal with this through FOI by the release of the whole report or through an independent inquiry. We do not mind which. We would support both.

ORDERS OF THE DAY

Committee Changes

Mr. Edward Helwer (Gimli): Mr. Deputy Speaker, I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Law Amendments—this is for tonight, 7 p.m., meeting July 7, 1999—be amended as follows—

Mr. Deputy Speaker: Order, please. Could I ask the honourable members who want to carry on a conversation to do so in the loge so that I can hear the member for Gimli? Thank you.

The honourable member for Gimli, to continue.

Mr. Helwer: That the composition of the Standing Committee on Law Amendments be amended as follows: the member for Sturgeon Creek (Mr. McAlpine) for the member for Gimli (Mr. Helwer); the member for Charleswood (Mrs. Driedger) for the member for St. Norbert (Mr. Laurendeau); the member for Turtle Mountain (Mr. Tweed) for the member for Emerson (Mr. Penner); the member for Ste. Rose (Mr. Cummings) for the member for Morris (Mr. Pitura); and the member for River East (Mrs. Mitchelson) for the member for Kirkfield Park (Mr. Stefanson).

And I move, seconded by the member for Sturgeon Creek (Mr. McAlpine), that the composition of the Standing Committee on Law Amendments—this is for Thursday, July 8, 1999, 10 a.m. sitting—be amended as follows: the member for Gimli (Mr. Helwer) for the member for Turtle Mountain (Mr. Tweed).

And I move, seconded by the member for Pembina (Mr. Dyck), that the composition of the Standing Committee on Industrial Relations be amended as follows: the member for Kirkfield Park (Mr. Stefanson) for the member for

Rossmere (Mr. Toews); the member for Brandon West (Mr. McCrae) for the member for Minnedosa (Mr. Gilleshammer); and the member for Roblin-Russell (Mr. Derkach) for the vacant position on that committee.

Motions agreed to.

House Business

Hon. Darren Praznik (Government House Leader): Mr. Deputy Speaker, a number of announcements to make. I know we were talking about having a Committee of Municipal Affairs to finish the clause-by-clause consideration of Bill 25. However, given the activity this afternoon, I think we will hope to try to arrange that for tomorrow afternoon. It just seems more practical.

Mr. Deputy Speaker, I would propose that this House resolve itself into two sections of the Committee of Supply, that this House, as agreed, now resolve itself into two sections of the Committee of Supply to meet outside the Chamber to consider of the Supply to be granted to Her Majesty with the understanding that House business will be continued in this Chamber. I believe there will be agreement for that.

Mr. Deputy Speaker: Is the honourable minister going to be requesting leave?

Mr. Praznik: I just did.

Mr. Deputy Speaker: You did ask for leave. Is there leave for the committees to sit in two sections? [agreed]

Mr. Praznik: I also, just for the Clerk and the record, seek leave to ensure that the departments as in each committee, Rooms 255 and 254, as they were yesterday when the House adjourned, continue until their conclusion.

Mr. Deputy Speaker: Is there leave that the two committees, 254, 255, continue where they were yesterday? [agreed]

Point of Order

Mr. Gary Kowalski (The Maples): On a point of order. Reviewing Hansard from yesterday

indicates that a number of resolutions in the Estimates, I am referring to Resolutions 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 and 7.8, there is no indication that those resolutions are passed. My information is that, in fact, they were passed and that would mean that Hansard would have to be reprinted. If we remember, yesterday there were bells being called, there was a mixup. I am suggesting, as a matter of procedure, just to remove any doubt that those have passed, that we revert back to 7.2 to have those passed today.

Mr. Deputy Speaker: The honourable member did not have a point of order. Number 1, if he wants to bring up an issue that happened within committee, that is the place to do it. The House will not deal with matters that are of the committee's jurisdiction. So that is where the member should bring that issue forward if he so chooses.

* * *

Mr. Praznik: Mr. Deputy Speaker, with leave of the House, I would move, seconded by the—

Mr. Deputy Speaker: No, private members' hour.

Mr. Praznik: Pardon?

Mr. Deputy Speaker: You did not waive private members' hour yet.

Mr. Praznik: Do you want to waive private members' hour?

Some Honourable Members: Yes.

* (1620)

Mr. Praznik: Okay. Mr. Deputy Speaker, if you would canvass the House to see if there is a willingness to waive private members' hour?

Mr. Deputy Speaker: Is there leave to waive private members' hour? [agreed]

Mr. Praznik: Mr. Deputy Speaker, I would move again, seconded by the Minister of Finance (Mr. Gilleshammer), that this House, as agreed, now resolve itself into two sections of the Committee of Supply to meet outside the

Chamber to consider of the Supply to be granted to Her Majesty with the understanding that House business will be continued in this Chamber.

Motion agreed to.

Mr. Praznik: As the two committees now proceed to get established, I imagine those members who will be taking part should be now on their way to dispatch the business of those committees.

With respect to business in the Chamber, Mr. Deputy Speaker, I would ask that you call for introduction of second readings bills in this order: Bills 41, 42 and 44, to be followed by the continuation of debate on second readings of Bills 35, 39 and 43, in that order, then followed by third readings of bills as they appear on the Order Paper.

SECOND READINGS

Bill 41—The Professional Corporations (Various Acts Amendment) Act, 1999

Hon. Harold Gilleshammer (Minister of Finance): I move, seconded by the Minister of Highways and Transportation (Mr. Praznik), that Bill 41, The Professional Corporations (Various Acts Amendment) Act, 1999 (Loi de 1999 sur les corporations professionnelles (modification de diverses dispositions législatives), be now read a second time and referred to a committee of the House.

Motion presented.

Mr. Gilleshammer: Mr. Deputy Speaker, I am pleased to rise and present to the House today the second reading of Bill 41, The Professional Corporations (Various Acts Amendment) Act, 1999.

The members of this House will recall that the 1998 Manitoba budget announced that we were prepared to allow professionals including medical practitioners to incorporate their practices; however, it is also important that patient and client protection and the rights of recourse are maintained. Accordingly, we were prepared to enter into discussion with the

governing bodies of interested professions to develop appropriate legislation for possible introduction as early as 1999.

Before commenting directly on Bill 41, I would like to review for the members of this House the reasons why the need for this legislation has arisen. There are several reasons for moving ahead with professional incorporation at this time.

The Manitoba government has repeatedly been approached over the years by a number of professional groups who have requested legislation enabling professional corporations. Some professional organizations have been vocal about the need to address the continuing out-migration of practitioners. Manitoba must remain an attractive environment for individuals educated in Manitoba to remain here once they become accredited or licensed professionals. Professional incorporation has been identified by professional organizations as one means of addressing these vital concerns.

Since 1975, when Alberta first allowed professional corporations to practise, other provinces, namely British Columbia, New Brunswick, Nova Scotia and Prince Edward Island, have allowed professionals to incorporate. Other provinces are also eyeing professional incorporation legislation in order to keep in step with the opportunities that are available in these provinces.

Manitoba must also keep in step with developments in other provinces where professionals are allowed to incorporate in order to maintain a level playing field to ensure that professionals in our province are not left in a disadvantaged position. It should also be noted that nonprofessionals are not prevented from incorporating in Manitoba or in other provinces. It is unjust to disallow professionals the same corporate taxation planning privileges that nonprofessionals are able to utilize.

One often noted concern preventing professional incorporation is the potential use of a corporate veil to shield practitioners from meeting any liabilities that may arise from negligence in practice or professional misconduct. There are now a number of statutory

models, and enough experience has been gained in other provinces that this concern can readily be resolved legislatively.

For these reasons, the 1998 Budget Address announced this government's willingness to negotiate incorporation provisions with interested professional organizations that indicate to government a desire to allow their members to form corporations.

Mr. Deputy Speaker, I would now like to turn my attention to Bill 41 directly. Part 1 amends The Certified General Accountants Act respecting the practice of certified general accountants as a professional corporation. Part 2 amends The Chartered Accountants Act respecting the practice of chartered accountants as a professional corporation. Part 3 amends The Dental Association Act respecting the practice of dentists as a professional corporation. Part 4 amends The Law Society Act respecting the practice of lawyers as a professional corporation.

The fundamental features respecting professional corporations are the same for each profession represented under Bill 21. A corporation is a separate legal entity distinct from its shareholders, directors and employees. Such persons are generally isolated from any liabilities incurred by a corporation. On the other hand, professional regulatory bodies develop and uphold codes of conduct, guidelines for their membership that serve to protect the public by ensuring individual members are personally bound to any wrongdoing that arises in their practice.

In order to address this dichotomy, provinces that allow professional corporations have adopted a number of safeguards which are also reflected in Bill 41. A large part of Bill 41, however, represents the consequential amendments to each statute governing a particular profession. The required changes ensure that the authority and powers of each governing body will apply with the same force to the professional corporation individual practitioner.

The common features that are found in each section covering the four different professional groups represented in Bill 41 are as follows: the

individual professional remains responsible and liable for any negligence or professional misconduct in any way by allowing him or her to practise through a corporation. Voting shareholders of a professional corporation are jointly and severally liable with the corporation for any professional liability claims against the corporation.

All the voting shares of a professional corporation must be owned by licensed professionals or by other professional corporations. Nonvoting shares may be owned by a person who is a voting shareholder or a spouse or child of a voting shareholder, or by another corporation, the shares of which are owned by such persons.

All the directors and the president of a professional corporation must be licensed professionals. The business of a professional corporation is restricted to the practice of the profession and any activities directly related to the practice. No professional corporation can practise without a permit or licence which is issued annually upon payment of a fee prescribed by the governing body.

The penalties for the breach of a prohibition against practising in contravention of the act or representing oneself as being entitled to practise a profession have been amended for consistency. The provisions under Bill 41 will come into force upon proclamation which will occur once the governing bodies have their internal mechanisms in place to approve applications by members to operate as professional corporations.

Mr. Deputy Speaker, I would also like to point out to the members of this House that other professional organizations are also expected to express an interest in professional incorporation and to come forward with proposals for legislative amendment. Let me assure everyone that we are receptive to any group which sees a benefit to its members who are currently prohibited from incorporating.

Bill 39, The Medical Amendment Act, which is currently before this House is also amending legislation to allow doctors and surgeons to also form professional corporations. The co-ordinated efforts of the various depart-

ments and professional organizations involved in bringing Bill 41 to fruition has not been a small task, and there is more work ahead as other organizations come forward.

* (1630)

Mr. Deputy Speaker, we will level the playing field so that no professional is left behind other provinces or other businesses, so that no graduate of a Manitoba university feels compelled to leave the province just because there is a desire to function through a corporate entity in another jurisdiction. The ability to retain and attract professionals is important to maintain the level of services provided by the highly skilled practitioners in Manitoba, and Manitobans in general will be better served as a result of our efforts.

I would add that the practitioners who will benefit the most from incorporation are the smaller firms and not the larger multipractitioner national firms with an office in Manitoba. Many of the larger firms are already able to organize themselves to take partial advantage of incorporation through the use of professional management companies. This is particularly important to recognize in rural Manitoba where many professional practices are smaller, and the need to retain and attract professionals is greatest.

Thank you, Mr. Deputy Speaker.

Mr. Steve Ashton (Thompson): I would like to indicate on behalf of our critic that we are prepared to pass this bill through to committee. It is a fairly technical act, but, as the minister points out, essentially the bottom line, the principle here is bringing us in line with what is happening in other jurisdictions, and that is something that I think is important.

We need to be in a position of being able to offer the same type of ability to have professional corporations, and it is going to make a difference, we believe, in terms of not only being competitive in a technical sense but making sure that we can attract professionals and keep professionals in this province. If we do not, Mr. Deputy Speaker, we are dealing with a situation in which we may lose people to other provinces.

So we are prepared to pass this bill through to committee and see an early passage on it. Thank you.

Mr. Kevin Lamoureux (Inkster): Mr. Deputy Speaker, in listening to some of the contributions to the debate on this bill from the Minister of Finance (Mr. Gilleshammer), we, too, do not have any problem in terms of passing the bill into committee.

But just as a bit of a cautionary note, I know I just left the committee in which there was a vote that was requested of the House, and I am somewhat concerned as one committee might be continuing to pass resolutions knowing full well when the other committee has actually risen. I would ask, Mr. Deputy Speaker, that you take that into consideration immediately.

Mr. Deputy Speaker: Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Deputy Speaker: Agreed? Agreed and so ordered.

Hon. Darren Praznik (Government House Leader): Mr. Deputy Speaker, I understand that a vote has been requested in one of the sections of the Committee of Supply.

Mr. Deputy Speaker: Well, I cannot recognize him. I have to be moved into committee.

Mr. Praznik: Then I would, with leave of the House, move that Mr. Deputy Speaker do now leave the Chair and that this House resolve itself into a section of the Committee of Supply to meet in this Chamber to consider of the Supply to be granted to Her Majesty.

Mr. Deputy Speaker: Is there leave? [agreed]

It has been moved by the honourable government House leader, seconded by the honourable Minister of Finance (Mr. Gilleshammer), that Madam Speaker do now leave the Chair and this House resolve itself into a section of the Committee of Supply to meet in this Chamber to consider of the Supply to be granted to Her Majesty. Agreed? [agreed]

COMMITTEE OF SUPPLY

Mr. Chairperson (Marcel Laurendeau): Committee will come to order.

Report

Mr. Ben Sveinson (Chairperson of the section of the Committee of Supply meeting in Room 255): Mr. Chairperson, in the section of the Committee of Supply meeting in Room 255 to complete the consideration of the remaining Estimates resolutions, a voice vote was held on Resolution 7.10. Net Tax Credit Payments \$181,800,000 from the Department of Finance. Following from the voice vote, it was declared that Yeas were in the majority. A request for a formal counted vote was then made by two members. I am now reporting that request.

Formal Vote

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

The committee will come to order. In this section of the Committee of Supply meeting in Room 255 to complete the consideration of the remaining Estimates resolutions, a voice vote was held on Resolution 7.10. Net Tax Credit \$181,800,000. Following from the voice vote, it was declared that the Yeas were in the majority. A request for a formal counted vote was then made by two members. I am reporting that request.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 42, Nays 2.

Mr. Chairperson: The resolution is accordingly carried.

This section of the Committee of Supply will now rise and resume. Call in the Speaker.

IN SESSION

Committee Change

Mr. George Hickes (Point Douglas): Mr. Deputy Speaker, I move, seconded by the member for Elmwood (Mr. Maloway), that the composition of Standing Committee on

Industrial Relations be amended as follows: Selkirk (Mr. Dewar) for Broadway (Mr. Santos) for Wednesday, July 7, for 7 p.m.

Madam Speaker in the Chair

Motion agreed to.

Hon. Darren Praznik (Government House Leader): Madam Speaker, before you call Bill 42 for second reading, I would ask if you could call Bill 39 for continuation of debate on second reading?

* (1650)

DEBATE ON SECOND READINGS

Bill 39—The Medical Amendment Act

Madam Speaker: On the proposed motion of the honourable Minister of Health (Mr. Stefanson), Bill 39, The Medical Amendment Act (Loi modifiant la Loi médicale), standing in the name of the honourable member for Transcona (Mr. Reid).

Is there leave to permit the bill to remain standing?

Some Honourable Members: No.

Madam Speaker: No? Leave has been denied.

Mr. Dave Chomiak (Kildonan): I will be representing our side of the House with respect to this particular bill, and because of the fact that the matter can appropriately—and agencies and representatives will be there tonight—go to committee, we will be allowing this bill to be passed through to committee, although I have some major difficulties with this bill, and I have communicated that to the Minister of Health.

I will be looking in committee for government explanations of this bill. Just let me start at the onset. I have always had difficulty, and it is almost a speech that could be tape recorded on numerous occasions in this House with respect to effective omnibus bills, and those are bills that come in under a particular act and try to do various different things under an act. That creates real difficulty, because there may be

components of the bill that we can support with no reservation and which we have no difficulty on. There may be parts we do not support or there may be parts in this case that raise enough questions that we have difficulty in determining what the government's intention is, and that is certainly the case with this bill.

Now the bill, Madam Speaker, deals with Parts 1, 2 and 3, outlined procedures for registering physicians, and for refusing to register, cancelling registration, et cetera. Part 4, it deals with the incorporation of a medical practice. Let me deal with Part 4. Part 4 has been a long-standing discussion and debate in this jurisdiction and in other jurisdictions with respect—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I wonder if the honourable members, having the private conversation at the back of the Chamber, could do so in the loge or outside the Chamber. The honourable member for Kildonan has the floor.

Mr. Chomiak: Certainly Part 4, that deals with the incorporation of medical practice, has been something that has been debated across in other jurisdictions and in Manitoba for some time. There is no doubt that it has a significant impact on the practice of medicine. Certainly this particular part of the bill will allow doctors to incorporate and provide them with the tax advantages and tax benefits that are commensurate with that particular activity, which is comparable to that which is allowed to other professionals. Certainly there are philosophical issues that we could debate in this regard, but I do not think we in this Chamber want to, insofar as other jurisdictions have allowed it as well and insofar as it is very hard, very difficult in this province to keep doctors here, I do not think we would want to hold up that portion of the bill or that particular aspect of it that would put our medical professionals at a disadvantage vis-à-vis medical professionals in other jurisdictions.

So that is a significant change in legislation in Manitoba, a significant change that in itself should be a major component of the bill. So we are certainly going to allow that bill to go to committee.

The part that I have more problems with is in respect to the other parts dealing with the registry portion, and again, the registry portion, there are many aspects of it that we agree with, but I am concerned about the part dealing with the clinical assistant registrar, which is Section 11. You know, generally, in the past, on matters of this kind we have been given advance notice of significant changes of this kind. We have been allowed to be briefed, and we have been allowed to discuss these issues prior to legislation coming forward. That has not been the case. I pointed out to the minister yesterday that I had a lot of questions on the section dealing with clinical assistant registrar.

I give the minister credit. He provided me with information last night and provided me with information just recently explaining some of the changes and some of the purposes that are intended under this particular amendment. I do not think we as legislators can make as significant a change as this without having an opportunity to discuss this with other professionals, with other groups and to determine what the ramifications are in a change of this kind. So I am still, we are still concerned about this particular section and what impact is intended by virtue of this particular amendment.

Madam Speaker, certainly there are serious questions that arise with respect to this clinical assistant registrar. For example, we have recently passed through legislation dealing with nurses and dealing with advanced practice nurses that allows them to establish a registry for advanced practice, which we are very supportive of. How does that relate to the registry for physician assistants? Does it mean that these physician assistants will supersede the advanced practice nurses? Does it mean advanced practice nurses will be entitled to the physician assistants? Do these two come into conflict? We do not know from this legislation.

Madam Speaker, what will be the impact of the physician assistants legislation on foreign-trained doctors who are Manitoba residents? Will it permit foreign-trained doctors to assume these positions and to advance to be recognized as practising physicians in Manitoba? Or will it be a dead end for foreign-trained Manitoba physicians who will be forced by virtue of this

legislation to never attain their goal of being recognized in Manitoba and will be forced to only function as physician assistants?

Madam Speaker, when we are talking about a major innovation and change in the health care field by the introduction of physician assistants, I think it behooves us to spend more time and more explanation on this particular issue. For example, the issue of advanced practice nurses has been debated and has been bandied about in this province for years and only this year have we actually seen legislation. Now, we happen to have supported that position and have looked forward to that position for a long period of time, but I only point that out to illustrate the fact that we knew where we were going on that.

At this point, we see the introduction of a new category of medical practitioner in the province of Manitoba in the form of physician assistant. Now, the minister provided me with a briefing note that says, and I quote, persons eligible for registration on this register could include physician assistants, nurses with advanced training or emergency medical attendants. They would have to pass a competency assessment approved by the council of the college and comply with requirements to be set out in a regulation. It goes on to say: clinical assistants will work under direct or indirect supervision of a specifically assigned physician.

This implies to me, Madam Speaker, certainly, on the face of it, that we are going to a system in Manitoba of physician assistants. What impact will that have on Manitoba-based foreign-trained physicians? Will it be a dead end for them or will it be a stepping stone to be recognized as a full-fledged physician? What impact will it have on nurses who have only recently attained the right in legislation to practise as advanced nurses? These are serious questions and serious issues, and very rarely do we stand up in this Chamber and say this is a very difficult situation and we require a good deal more information.

The last time the act was amended, the college sat down with us in opposition. We had representation from them; we took the opportunity to spend time dealing with the amendments. We have not had that opportunity.

At this late date, we have seen a bill that is introduced that will have significant change dealing with medical practice in Manitoba.

I want this to go through to committee because I want the opportunity at committee to review this bill and to deal with these changes to determine, in fact, what this is going to be. So having said those few comments, I certainly am welcoming the opportunity of debating this issue and dealing with this issue and having our questions and our responses answered at committee. Thank you, Madam Speaker.

* (1700)

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I, too, had a few words that I was going to put on the record on this particular bill just prior to its passage, but I understand the Chair of one of the committees or the government was likely going to be asking for some leave to go back into committee to deal with a vote, and then I would continue my remarks once we reconvene.

Madam Speaker: The honourable member can continue. I do not see the Chair of the committee. Oh, I am sorry. I apologize. I did not see the Chair.

Hon. Jack Reimer (Acting Government House Leader): Madam Speaker, by leave, Madam Speaker do now leave the Chair and this House resolve itself into a section of the Committee of Supply to meet in this Chamber to consider of the Supply to be granted to Her Majesty.

Madam Speaker: It has been moved by the acting government House leader (Mr. Reimer), seconded by the honourable Minister of Government Services (Mr. Pitura), by leave, that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty. Is there leave? [agreed]

COMMITTEE OF SUPPLY

Mr. Chairperson (Marcel Laurendeau): The committee will come to order.

Report

Mr. Ben Sveinson (Chairperson of the section of the Committee of Supply meeting in Room 255): In the section of the Committee of Supply meeting in Room 255 to complete the consideration of the remaining Estimates resolutions, a voice vote was held on Resolution 19.1. Northern Affairs Executive \$511,400. Following from the voice vote, it was declared that the Yeas were in the majority. A request for a formal counted vote was then made by two members. I am now reporting that request.

Formal Vote

Mr. Chairperson: A recorded vote being requested, call in the members.

* (1730)

The committee will come to order. In the Committee of Supply meeting in Room 255 to complete the consideration of the remaining Estimates resolutions, a voice vote was held on Resolution 19.1. Northern Affairs Executive \$511,400. Following from the voice vote, it was declared that the Yeas were in majority. A request for a formal counted vote was then made by two members. I am now reporting that request.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 42, Nays 2.

Mr. Chairperson: The resolution is accordingly carried.

This section of the committee will rise. Call in the Speaker. The other sections can carry on.

IN SESSION

DEBATE ON SECOND READINGS (continued)

Bill 39—The Medical Amendment Act

Madam Speaker: Order, please. We will now resume adjourned debate on second reading, Bill 39, The Medical Amendment Act. The honourable member for Inkster had been identified to speak on the bill.

Mr. Kevin Lamoureux (Inkster): I was just wanting to conclude my remarks by saying we do not have any problem with this bill going into committee. Thank you, Madam Speaker.

Madam Speaker: Is the House ready for the question? The question before the House is second reading Bill 39, The Medical Amendment Act. Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed? Agreed and so ordered.

Hon. Darren Praznik (Government House Leader): Madam Speaker, I would like to announce that Bill 39 is referred to the Standing Committee on Industrial Relations which is meeting this evening at 7 p.m.

Madam Speaker: Bill 39 will be referred to the Standing Committee on Industrial Relations which is meeting this evening at 7 p.m.

Mr. Praznik: Madam Speaker, I believe we called earlier for the order, that we would go back to second readings, introduction for second readings, the next being Bill 42 and then Bill 44, followed by continuation of debate on second readings for Bill 35 and Bill 43, and then if time permits, to begin third readings of bills as they appear on the Order Paper.

SECOND READINGS

Bill 42—The Community Protection and Liquor Control Amendment Act

Hon. Vic Toews (Minister of Justice and Attorney General): Madam Speaker, I move, seconded by the Minister of Environment (Mrs. McIntosh), that Bill 42, The Community Protection and Liquor Control Amendment Act (Loi sur la protection des collectivités et modifiant la Loi sur la réglementation des alcools), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Toews: Madam Speaker, it is my privilege to rise today to introduce an innovative bill, the only one of its kind in Canada, which would

help communities across Manitoba restore the enjoyment and safety of their neighbourhoods. It has become clear that an effective response to the conditions that favour the development of crime must take into account the local issues and needs, as well as the strengths of our communities. This government has taken an aggressive approach to the design and implementation of legislation to combat these conditions. This approach builds upon the strength and commitment of neighbourhood groups, mobilizing them to create safer communities and empowering them to take back our streets.

The Community Protection and Liquor Control Amendment Act is designed to stop certain types of ongoing activities that cause the deterioration of our communities. The act empowers communities to seek judicial remedies to stop these activities that affect the peaceful enjoyment and safety of our neighbourhoods. The bill targets five activities that cause the deterioration of our communities. These are, first, the habitual use or sale of nonbeverage alcohol products such as hairspray and mouthwash; second, the habitual use or sale of an inhalant such as glue, gasoline and nail polish remover; third, the habitual use or sale of illicit drugs; fourth, prostitution and activities related to prostitution; finally, the habitual sale of liquor without a licence.

This bill outlines a three-tiered process for stopping these activities which impact so severely on our communities. The first tier is an application for a cessation notice to the Provincial Court. The court must be satisfied that the applicant has a reasonable belief that one or more of the five activities just referred to is habitually taking place at a specified building and is adversely affecting the neighbourhood or community. Once issued, a cessation notice requires the owner of a residential or commercial building to stop the activities taking place on the premises whether or not the owner is an active participant. If the activity continues, notwithstanding the fact that the court has issued a cessation notice, the applicant can seek a community protection order, the second tier of judicial remedy available.

The community protection order is obtained from the Court of Queen's Bench. The court must be satisfied on a balance of probabilities

that activities are occurring that lead to the court to conclude that the building in question is being habitually used for one or more of the five activities in question. If the applicant is successful, the effect of the order is to enjoin any person from causing or permitting the activities to continue. The third tier is a closure order, and it may be sought where the activity continues, despite the community protection order. The closure order is obtained from the Court of Queen's Bench. The court has authority to order that building be vacated for up to 90 days.

The bill also contains an important provision for an immediate application before the Court of Queen's Bench for the emergency closure of a building where there exists an immediate threat to the safety or security of its occupants or persons living in the neighbourhood.

* (1740)

The bill contains a variety of offences and penalties for failure to comply with orders issued by the court. These offences are designed to facilitate compliance with the court orders issued pursuant to the legislation. The bill would also amend The Liquor Control Act to create an offence where a licensee permits illegal activities to occur in licensed premises. A conviction of such an offence could lead to licence suspension proceedings under The Liquor Control Act.

A special new community safety unit will be established under the supervision of the director of public safety to assist individuals and community groups with the preparation of court applications. The bill provides communities with a concrete tool for addressing the conditions in their communities. It is this type of direct intervention which can help to reclaim neighbourhoods from those whose activities lead to destruction and disintegration of communities.

The bill represents a fair and balanced approach for creating safer communities, adopting a moderate incremental approach for dealing with owners and occupants. There are notice requirements at each state of the court proceedings and the court is authorized to dismiss applications and award costs where appropriate.

In closing, Madam Speaker, this bill represents a valuable new tool for neighbour-

hoods that are now under pressure from conditions that favour the development of crime. The bill will allow the province to exercise its jurisdiction to counteract these destructive conditions. I recommend this bill to you and ask that it be referred to a committee of the Legislature for review.

Mr. Gord Mackintosh (St. Johns): After 11 years of puffery and token measures by the government, what have we got in this province? We have become known as the gang capital of Canada, the sniff capital of Canada, the robbery capital of Canada, the auto theft capital of Canada. We suffer the highest increase in violent youth crime of all the provinces since 1990, and yet the Premier (Mr. Filmon) had the gall to put together some TV ads saying how tough the government was on gangs. Well, Madam Speaker, we have become known as the street gang capital of Canada under the watch of this Premier. Yet on these ads the Premier is saying, we are passing tough new anti-gang laws, not realizing or, I am afraid, probably indeed knowing entirely, that it had never passed a single anti-gang law in the course of its 11-year mandate.

I know the Minister of Justice (Mr. Toews) tried to make this strange argument that the anti-gang law was an anti-gang law, and yet we see more escort services now than ever in the history of this city. Prostitution continues unabated. I saw it again this morning on the streets as I came on the bus to work.

So they said, by gosh, we had better get an anti-gang law into that Legislature because we are going to really look like fools, but we do look like fools. We had better find something right away, and they said we had better not bring in a law that really is going to do something because that is just not in our grain. You know, we have to keep this crime thing so that we can talk tough, you see. You can talk tough. But, if we start to walk the walk, it will make it look like indeed we have not done anything over the last 11 years. So, ta-da, ta-da, they bring in this legislation.

Now I do not know, and I want to know from the minister what consultations took place. I want to know what community organizations

were consulted. There is no doubt that we have to do things differently in this province. We have to get serious with the ugly face of crime that has developed in this jurisdiction. We have to deal with the underlying social problems. The question is: is this the way to do it? Is this indeed a tool, or are there better, more effective tools? Is this the solution, as the minister says, as the Premier (Mr. Filmon) says?

There is no doubt at first this legislation sounds good. The Parental Responsibility Act sounded good; the principle, no one could dispute, legislation that did not look too bad, although we tried to pass amendments to make that legislation truly workable and meaningful for ordinary Manitobans. We tried to make that legislation work for victims of violent crimes because the government is only concerned about property crime under that legislation. But, oh, no, they rejected all those amendments. After four years, there is not one known parent who has been made financially responsible under that legislation, not one known victim that has been given restitution under that legislation.

It sounded good, Madam Speaker. It sounded good going into an election campaign. But let us look at this legislation. This legislation puts into statute law what is generally available under the common law tort of nuisance.

There are two kinds of nuisance in fact. One is the public nuisance, which obligates the Minister of Justice and only the Attorney General to take action. For example, in British Columbia, the Attorney General there took the responsibility to deal with a public nuisance. That was prostitution in a particular neighbourhood, and went to court and got a court order to deal with that prostitution problem.

Well, the other tort of nuisance is private nuisance. Now, you can sue your neighbour right now if your neighbour is a nuisance. There are certain tests that have to be met indeed, but the reason that the neighbours do not sue the neighbours are manifold, and the most obvious is it costs a lot of money. I know, I practised litigation law. It costs in the area of \$5,000 easily, and that is with no appeal and just one simple application by affidavit evidence to go to court to get an order.

So do victims of a nuisance, do victims in a neighbourhood want to go to court, pay \$5,000 to a lawyer, not knowing at all whether they will be successful, and likely not getting damages? Of course not. It is not enough that the government says, in response to these serious challenges facing Manitobans, go sue. It is saying to the victims in the neighbourhoods go sue. Hire a lawyer, spend \$5,000, \$10,000, I do not know if you will succeed. Not only that, it says to the victims here you go get the certificates of title, go get that, go hire your lawyer, find your lawyer, pay your filing fees, maybe be liable for costs, go and even post a notice on the affected property if you are successful.

So the act requires a community member to place him or herself potentially in danger, by standing up to gang members, for example. Some may want to do that, but does this not call for an administrative response? Or a better use of police and by-law enforcement? The reason that neighbours do not sue neighbours right now in nuisance is because they can call the police and often the police will be able to shut down a gang house or a crack house or brothel, or they can call the city and they may or may not be able to act. I am not going to say that the current system is good enough, because it is not.

We are prepared to accept this legislation on the understanding that the government is going to rethink immediately why it is simply going to put the obligation back on victims to go sue. We ask this government to instead take on the obligation, if it is so concerned about this problem of pursuing these matters to court, whether through a prosecutor or through the civil litigation branch, that it takes conduct of this matter, that it takes responsibility for the case or that there be another administrative response. It is not good enough that the victims be victimized, that they be made open to retribution, as could happen here. One police officer said in response to the announcement here, well, it looks like it would not hurt. Well, that is not good enough.

* (1750)

So we will ask the government not to impose this kind of obligation on victims, that it

takes some leadership, it takes some responsibility, and it works indeed in partnership with local community groups and communities and individuals who are victimized by these challenges. The partnership will instead work much better than what we see here. We will give the government some benefit of the doubt here. We do not oppose this legislation. We will move it forward and hope the government is listening to this, the minister is listening to this, so that we can indeed get serious about these challenges. Thank you.

Mr. Kevin Lamoureux (Inkster): Madam Speaker, just very quickly. We look at Bill 42 as an actual additional resource for community members, ultimately. One can call into question, as we do in terms of the timing of much of the legislation and the reason why we have it before us today, and as been attributed in the past, much of the legislation no doubt appears because there is an election just around the corner.

Having said that, I believe that what it does do is it gives more empowerment to our community members, which, in a real sense, can be a very positive thing. Whether community members take advantage of it or not, it sends a very strong message. I think that the message that it sent is one of a positive nature, whether it is our crack houses or brothels, I think there is widespread support that government does have a responsibility. Quite frankly, action speaks far more than words, and we would have liked to have seen a government more aggressive in dealing with these problems.

Having said that, we recognize with the election around the corner that that could be the motivating factor for bringing Bill 42 today, but it is a bill which we do have support for.

Madam Speaker: Is the House ready for the question? The question before the House is second reading Bill 42, The Community Protection and Liquor Control Amendment Act.

Is it the will of the House to adopt the motion?

Some Honourable Members: Agreed.

Madam Speaker: Agreed. Agreed and so ordered.

Hon. Darren Praznik (Government House Leader): Madam Speaker, I understand that a further vote in Committee of Supply has been requested.

Therefore, by leave, I would move, seconded by the honourable Minister of Housing (Mr. Reimer), that Madam Speaker do now leave the Chair and that this House resolve itself into a section of the Committee of Supply to meet in this Chamber to consider of the Supply to be granted to Her Majesty.

Madam Speaker: Is there leave? [agreed]

Motion agreed to.

COMMITTEE OF SUPPLY

Mr. Chairperson (Marcel Laurendeau): The committee will come to order.

Report

Mr. Ben Sveinson (Chairperson of the section of the Committee of Supply meeting in Room 255): Mr. Chairperson, in the section of the Committee of Supply meeting in Room 255 to complete the consideration of the remaining Estimates resolution, a voice vote was held on Resolution 34.1.Children and Youth Secretariat \$685,800. Following from the voice vote, it was declared that the Yeas were in the majority. A request for a formal counted vote was then made by two members. I am now reporting that request.

Formal Vote

Mr. Chairperson: A count-out vote has been requested in committee of Room 255. Call in the members.

The committee will come to order. The Committee of Supply, meeting in Room 255, to complete the consideration of the remaining Estimates resolutions, a voice vote was held on Resolution 34.1. Children and Youth Secretariat \$685,800.

Following from the voice vote, it was declared that the Yeas were in the majority. A request for a formal counted vote was then made by two members.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 40, Nays 2.

Mr. Chairperson: The resolution is accordingly passed.

The hour being after six o'clock, committee rise. Call in the Speaker.

COMMITTEE OF SUPPLY

Mr. Chairperson (Gerry McAlpine): Will the Committee of Supply please come to order. The 240 hours allowed for the consideration of Supply resolutions has expired. I am therefore putting the questions of all remaining resolutions. The resolutions are as follows:

Government Services.

Resolution 8.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$26,731,100 for Government Services, Property Management, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 8.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$6,378,100 for Government Services, Supply and Services, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 8.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,479,800 for Government Services, Accommodation Development, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 8.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,292,500 for Government Services, Emergency Management Organization, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 8.6: RESOLVED that there be granted to Her Majesty a sum not exceeding

\$5,683,300 for Government Services, Minor Capital Projects, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 8.7: RESOLVED that there be granted to Her Majesty a sum not exceeding \$8,136,500 for Government Services, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000. [passed]

Other Appropriations.

Resolution 27.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$23,500,000 for Other Appropriations, Emergency Expenditures, for the fiscal year ending the 31st day of March, 2000. [passed]

Hon. Glen Cummings (Minister of Natural Resources): Mr. Chairman, my colleagues in the opposition raise a legitimate question. Is it not within the purview of the committee of the House, given that the hours have expired, to automatically declare all of the appropriations approved?

Mr. Chairperson: In answer to the honourable minister, all the resolutions have to be on the record as being passed, and this is the process in which they can be done after the expiration of the 240 hours.

Natural Resources.

Resolution 12.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$5,183,900 for Natural Resources, Administration and Finance, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 12.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$36,261,500 for Natural Resources, Regional Operations, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 12.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$45,716,600 for Natural Resources, Resource Programs, for the fiscal year ending the 31st day of March, 2000. [passed]

* (1630)

Resolution 12.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$5,717,400 for Natural Resources, Land Information Centre, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 12.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$8,428,300 for Natural Resources, Infrastructure and Minor Capital Projects, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 12.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,926,600 for Natural Resources, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 12.7: RESOLVED that there be granted to Her Majesty a sum not exceeding \$51,109,800 for Natural Resources, Flood Proofing Programs, for the fiscal year ending the 31st day of March, 2000.

Shall the resolution pass?

An Honourable Member: No.

Voice Vote

Mr. Chairperson: All those in favour, say yea.

An Honourable Member: Yea.

Mr. Chairperson: All those against, say nay.

An Honourable Member: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. The resolution is accordingly passed.

* * *

Mr. Chairperson: Community Support Programs.

Resolution 33.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$6,314,300 for Community Support Programs, for the fiscal year ending the 31st day of March, 2000.

Shall the resolution pass?

An Honourable Member: No.

Voice Vote

Mr. Chairperson: All those in favour of the resolution passing would say yea.

An Honourable Member: Yea.

Mr. Chairperson: Against.

An Honourable Member: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. The resolution is accordingly passed.

An Honourable Member: Yeas and Nays.

Mr. Chairperson: Does the honourable member for The Maples (Mr. Kowalski) have support? The honourable member does not have support. The resolution is accordingly passed.

* * *

Mr. Chairperson: Resolution 33.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,300 for Community Support Programs, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000.

Shall the resolution pass?

An Honourable Member: No.

Voice Vote

Mr. Chairperson: All those in favour, please say yea.

An Honourable Member: Yea.

Mr. Chairperson: All those against, say nay.

An Honourable Member: Nay.

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

An Honourable Member: Yeas and Nays, please.

Mr. Chairperson: Does the honourable member have support? The honourable member does not have support. The resolution is accordingly passed.

* * *

Mr. Chairperson: Other Appropriations.

Resolution 27.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$17,500,000 for Other Appropriations, Urban Economic Development Initiatives, for the fiscal year ending the 31st day of March, 2000.

Shall the resolution pass?

An Honourable Member: No.

Voice Vote

Mr. Chairperson: All those in favour of the resolution passing, say yea.

An Honourable Member: Yea.

Mr. Chairperson: All those against, say nay.

An Honourable Member: Nay.

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

An Honourable Member: Mr. Chairman, Yeas and Nays.

Mr. Chairperson: Does the honourable member for The Maples (Mr. Kowalski) have support? The honourable member does not have support. The resolution is accordingly passed.

The committee is accordingly recessed for a vote in the House. The committee will recess.

The committee recessed at 4:35 p.m.

—————
After Recess

The committee resumed at 4:49 p.m.

Mr. Chairperson: Order, please. Will the Committee of Supply meeting in Room 254 please come to order to conclude the resolutions.

Other Appropriations.

Resolution 27.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$6,127,100 for Other Appropriations, Canada-Manitoba Infrastructure Works and Economic Development Partnership Agreements, for the fiscal year ending the 31st day of March, 2000. [passed]

* (1650)

Employee Benefits and Other Payments.

Resolution 6.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$50,753,900 for Employee Benefits and Other Payments, for the fiscal year ending the 31st day of March, 2000. [passed]

This concludes our consideration of the Estimates in the section of the Committee of Supply. I would like to thank the minister and the critics for their co-operation. Committee rise.

* * *

Mr. Chairperson (Ben Sveinson): Order, please. Will this section of the Committee of Supply please come to order. Given that the time for Estimates consideration has expired, according to Rule 71.(1) and Rule 71.(3), I will now put the remaining resolutions to the committee. These resolutions are to be decided without debate, amendment or adjournment.

The resolutions are: Finance, Resolution 7.9—

Point of Order

Mr. Gary Kowalski (The Maples): On a point of order. Reviewing Hansard, it indicates that Resolutions 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8—it does not indicate in Hansard that they were passed. My understanding is in fact they were passed, but talking to the official opposition House leader and conferring with my colleague, I am sure the government would agree that probably the easiest way to facilitate is to go over those resolutions and to pass them.

Mr. Chairperson: I have been informed by our Clerk's office that the Hansard editor has verified that indeed the Hansard that we have been given today was in error and that it has been verified that indeed those particular ones that you have named were indeed passed right up to and including 7.8. They will also reprint that particular Hansard to indicate that indeed those particular ones were passed.

* * *

Mr. Chairperson: Is it the will of the committee to continue from where we are at 7.9? [agreed]

Finance.

Resolution 7.9: RESOLVED that there be granted to Her Majesty a sum not exceeding \$785,800 for Finance, Amortization of Capital Assets, for the fiscal year ending 31st day of March, 2000. [passed]

Resolution 7.10: RESOLVED that there be granted to Her Majesty a sum not exceeding \$181,800,000 for Finance, Net Tax Credit Payments, for the fiscal year ending the 31st day of March, 2000. Shall the resolution pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

Mr. Chairperson: I believe the Yeas have it.

Mr. Kowalski: Yeas and Nays.

Mr. Chairperson: Yeas and Nays have been asked for. Is there a second member to support the request for a recorded vote?

Mr. Kevin Lamoureux (Inkster): With great pleasure, Mr. Chairperson.

Mr. Chairperson: Okay, then, we shall recess and proceed to the Chamber for a recorded vote.

The committee recessed at 4:29 p.m.

After Recess

The committee resumed at 4:49 p.m.

Mr. Chairperson: Order, please. We are now into Enabling Appropriations.

Enabling Appropriations.

Resolution 26.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$16,330,800 for Enabling Appropriations, Canada-Manitoba Enabling Vote, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 26.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$3,400,000 for Enabling Appropriations, Sustainable Development Innovations Fund, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 26.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,500,000 for Enabling Appropriations, Justice Initiatives, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 26.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$20,000,000 for Enabling Appropriations, Internal Reform, Workforce Adjustment and General Salary Increases, for the fiscal year ending the 31st day of March, 2000. [passed]

* (1650)

Other Appropriations.

The next one is Allowance for Losses and Expenditures Incurred by Crown Corporations and Other Provincial Entities.

Resolution 27.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$775,000 for Other Appropriations, Allowance for Losses and Expenditures Incurred by Crown Corporations and Other Provincial Entities, for the fiscal year ending the 31st day of March, 2000. [passed]

Capital Investment.

Resolution B.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$13,000 for Capital Investment, Agriculture, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$8,710,000 for Capital Investment, Family Services, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$7,400,000 for Capital Investment, Finance, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$40,700,000 for Capital Investment, Government Services, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$20,700,000 for Capital Investment, Health, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,453,800 for Capital Investment, Highways and Transportation, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.7: RESOLVED that there be granted to Her Majesty a sum not exceeding \$280,000 for Capital Investment, Natural Resources, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution B.8: RESOLVED that there be granted to Her Majesty a sum not exceeding

\$34,000,000 for Capital Investment, Internal Reform, Workforce Adjustment and General Salary Increases, for the fiscal year ending the 31st day of March, 2000. [passed]

Other Appropriations.

On to Capital Initiatives.

Resolution 27.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$55,000,000 for Other Appropriations, Capital Initiatives, for the fiscal year ending the 31st day of March, 2000. [passed]

Millennium Fund.

Resolution 27.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$4,000,000 for Other Appropriations, Millennium Fund, for the fiscal year ending the 31st day of March, 2000. [passed]

Northern Affairs.

Resolution 19.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$511,400 for Northern Affairs, Northern Affairs Executive, for the fiscal year ending the 31st day of March, 2000. Shall the resolution pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Voice Vote

Mr. Chairperson: All those in favour of passing the resolution, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Mr. Kowalski: Yeas and Nays.

Mr. Chairperson: A recorded vote has been asked for. Is there a second member to support it?

Mr. Lamoureux: I am more than happy to, but I am sure the member for Elmwood would also be, Mr. Chairperson.

Mr. Chairperson: A recorded vote has been requested. We will recess and go to the Chamber.

The committee recessed at 4:57 p.m.

After Recess

The committee resumed at 5:35 p.m.

Mr. Chairperson: Order, please. We will take on where we left off on Northern Affairs.

Northern Affairs.

Resolution 19.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$15,987,200 for Northern Affairs, Northern Affairs Operations, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 19.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,614,600 for Northern Affairs, Capital Grants, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 19.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$126,400 for Northern Affairs, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000. [passed]

Consumer and Corporate Affairs.

Resolution 5.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$1,162,300 for Consumer and Corporate Affairs, Administration and Finance, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 5.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$5,577,600 for Consumer and Corporate Affairs, Consumer Affairs, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 5.3: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,382,400 for Consumer and Corporate Affairs, Corporate Affairs, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 5.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$206,600 for Consumer and Corporate Affairs, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000. [passed]

Agriculture.

Resolution 3.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,692,800 for Agriculture, Administration and Finance, for the fiscal year ending the 31st day of March, 2000. Shall the resolution pass?

Some Honourable Members: Pass.

An Honourable Member: No.

Voice Vote

Mr. Chairperson: All those in favour of the resolution, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those against, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. The resolution is accordingly passed.

* * *

Mr. Chairperson: Resolution 3.2: RESOLVED that there be granted to Her Majesty a sum not exceeding \$53,412,600 for Agriculture, Risk Management and Income Support Programs, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 3.4: RESOLVED that there be granted to Her Majesty a sum not exceeding \$13,214,600 for Agriculture, Agricultural Development and Marketing, for the fiscal year ending the 31st day of March, 2000. [passed]

* (1740)

Resolution 3.5: RESOLVED that there be granted to Her Majesty a sum not exceeding \$14,244,100 for Agriculture, Regional Agricultural Services, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 3.6: RESOLVED that there be granted to Her Majesty a sum not exceeding \$2,297,200 for Agriculture, Policy and Economics, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 3.7: RESOLVED that there be granted to Her Majesty a sum not exceeding \$4,900,800 for Agriculture, Agriculture Research and Development, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 3.8: RESOLVED that there be granted to Her Majesty a sum not exceeding \$12,000,000 for Agriculture, Agricultural Income Disaster Assistance, for the fiscal year ending the 31st day of March, 2000. [passed]

Resolution 3.9: RESOLVED that there be granted to Her Majesty a sum not exceeding \$743,100 for Agriculture, Amortization of Capital Assets, for the fiscal year ending the 31st day of March, 2000. [passed]

Children and Youth Secretariat.

Resolution 34.1: RESOLVED that there be granted to Her Majesty a sum not exceeding \$685,800 for Children and Youth Secretariat, Children and Youth Secretariat, for the fiscal year ending the 31st day of March, 2000. Shall the resolution pass?

Some Honourable Members: No.

Some Honourable Members: Yes.

Voice Vote

Mr. Chairperson: All those in favour of the resolution, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Mr. Kowalski: Yeas and Nays, Mr. Chairman.

Mr. Chairperson: Yeas and Nays have been asked for. Is there a second member to support that?

Mr. Lamoureux: Mr. Chairperson, thinking of the children in hotel rooms, I would be more than happy to second that motion.

Mr. Chairperson: You do support the request for a recorded vote?

Mr. Lamoureux: Yes, I do.

Mr. Chairperson: A recorded vote has been requested. We will recess and then proceed to the Chamber.

The committee recessed at 5:44 p.m.

After Recess

The committee resumed at 6:05 p.m.

Mr. Chairperson: Order, please. The time being after six o'clock, committee rise.

IN SESSION

Madam Speaker: Order, please. The hour being after 6 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, July 7, 1999

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