



First Session — Thirty-Fourth Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS
(HANSARD)

37 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fourth Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ALCOCK, Reg	Osborne	LIBERAL
ANGUS, John	St. Norbert	LIBERAL
ASHTON, Steve	Thompson	NDP
BURRELL, Parker	Swan River	PC
CARR, James	Fort Rouge	LIBERAL
CARSTAIRS, Sharon	River Heights	LIBERAL
CHARLES, Gwen	Selkirk	LIBERAL
CHEEMA, Gulzar	Kildonan	LIBERAL
CHORNOPYSKI, William	Burrows	LIBERAL
CONNERY, Edward Hon.	Portage la Prairie	PC
COWAN, Jay	Churchill	NDP
CUMMINGS, Glen, Hon.	Ste. Rose du Lac	PC
DERKACH, Leonard, Hon.	Roblin-Russell	PC
DOER, Gary	Concordia	NDP
DOWNEY, James Hon.	Arthur	PC
DRIEDGER, Albert, Hon.	Emerson	PC
DRIEDGER, Herold, L.	Niakwa	LIBERAL
DUCHARME, Gerald, Hon.	Riel	PC
EDWARDS, Paul	St. James	LIBERAL
ENNS, Harry	Lakeside	PC
ERNST, Jim, Hon.	Charleswood	PC
EVANS, Laurie	Fort Garry	LIBERAL
EVANS, Leonard	Brandon East	NDP
FILMON, Gary, Hon.	Tuxedo	PC
FINDLAY, Glen Hon.	Virden	PC
GAUDRY, Neil	St. Boniface	LIBERAL
GILLESHAMMER, Harold	Minnedosa	PC
GRAY, Avis	Ellice	LIBERAL
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Harry	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HELWER, Edward R.	Gimli	PC
HEMPHILL, Maureen	Logan	NDP
KOZAK, Richard, J.	Transcona	LIBERAL
LAMOUREUX, Kevin, M.	Inkster	LIBERAL
MALOWAY, Jim	Elmwood	NDP
MANDRAKE, Ed	Assiniboia	LIBERAL
MANNES, Clayton, Hon.	Morris	PC
McCRAE, James Hon.	Brandon West	PC
MINENKO, Mark	Seven Oaks	LIBERAL
MITCHELSON, Bonnie, Hon.	River East	PC
NEUFELD, Harold, Hon.	Rossmere	PC
OLESON, Charlotte Hon.	Gladstone	PC
ORCHARD, Donald Hon.	Pembina	PC
PANKRATZ, Helmut	La Verendrye	PC
PATTERSON, Allan	Radisson	LIBERAL
PENNER, Jack, Hon.	Rhineland	PC
PLOHMAN, John	Dauphin	NDP
PRAZNIK, Darren	Lac du Bonnet	PC
ROCAN, Denis, Hon.	Turtle Mountain	PC
ROCH, Gilles	Springfield	PC
ROSE, Bob	St. Vital	LIBERAL
STORIE, Jerry	Flin Flon	NDP
TAYLOR, Harold	Wolseley	LIBERAL
URUSKI, Bill	Interlake	NDP
WASYLYCIA-LEIS, Judy	St. Johns	NDP
YEO, Iva	Sturgeon Creek	LIBERAL

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, September 7, 1988.

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Mr. Ed Helwer (Gimli): I beg to present the First Report of the Committee on Privileges and Elections.

Mr. Clerk, William Remnant: Your Standing Committee on Privileges and Elections presents the following as their First Report:

Your Committee met on Tuesday, September 6, 1988, in Committee Room 255 of the Legislative Building, a portion of which was held in camera, to consider persons suitable to be appointed as Ombudsman for the Province of Manitoba, as referred to in subsections 2(1) and 4(1) of The Ombudsman's Act. Your Committee has agreed to make its report to the Lieutenant-Governor-in-Council with the unanimous recommendation that Mr. Gordon Earle be re-appointed for a second term as Ombudsman for the Province of Manitoba.

Mr. Helwer: Mr. Speaker, I move, seconded by the Honourable Member for Springfield (Mr. Roch), that the report of the committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

Hon. James McCrae (Attorney-General): Pursuant to The Regulations Act, I am tabling a copy of each regulation filed with the Registrar of Regulations since the Regulations were last tabled in March. They are contained in the two large binders which, by arrangement with the Clerk, are already on the Table.

Hon. Glen Findlay (Minister of Agriculture): Mr. Speaker, I would like to table the Supplementary Estimates for the Department of Agriculture for 1988-89.

ORAL QUESTION PERIOD

Day Care Subsidy Grants

* (1335)

Mrs. Sharon Carstairs (Leader of the Opposition): My question is to the Minister of Community Services (Mrs. Oleson). Yesterday in this House the Community Services Minister announced the creation of 800 new child care spaces. However, there are serious questions

as to whether, indeed, a single new physical space will be provided in this fiscal year. We, on this side of the House, support the concept of a subsidy going with the child, but only in circumstances where public space is not available. The Minister's announcement goes much further than that and may well create a situation in which public spaces lie vacant while private spaces are filled.

Will the Minister tell the House whether private day care will receive the subsidy grant of \$13.20 a day, or whether it is intended that additional monies will be given to them above and beyond the subsidy grant?

Hon. Charlotte Oleson (Minister of Community Services): The children attending private day cares will be subsidized the same as children going to the public day care centres.

Private Subsidies

Mrs. Sharon Carstairs (Leader of the Opposition): I am sure the Minister is aware that in addition to this subsidy is it this Government's intention to provide maintenance grants and salary enhancement grants to private day centres?

Hon. Charlotte Oleson (Minister of Community Services): The payment of subsidies will be the only payment into private. The maintenance grants, by legislation, are not allowed to go to private centres. The enhancement grants will not at this time go to private child care centres, but that subject will be taken up by the task force.

Salary Enhancement Grants

Mrs. Sharon Carstairs (Leader of the Opposition): Will the Minister tell the House today why this Government has decided not to provide any increase in maintenance or salary enhancement grants to public day cares in this fiscal year?

Hon. Charlotte Oleson (Minister of Community Services): The enhancement grants will be flowing to the public centres at the rate of \$2,800 per qualified employee, as before.

Mrs. Carstairs: But surely the Minister of Community Services is aware that the salary enhancement grants have been given in order to ensure decent salaries for those working in day care. Unless those grants are increased at least to the rate of inflation, it will mean the actual salaries of employees will decrease. Is this Government policy that day care workers should be paid less than they were paid last year in real dollars?

Mrs. Oleson: These are enhancement grants which are given. The centre itself pays salaries as well. This whole matter, I know, is thorny. It is a problem, the

salaries of child care workers. That is something which the task force will review as well.

Funding Allocation Priorities

Mrs. Sharon Carstairs (Leader of the Opposition): Will the Minister of Community Services tell the House whether the workplace centres forecast by the Minister will be public or private? Will public funds, for example, tax dollars, be used to build private workplace spaces?

Hon. Charlotte Oleson (Minister of Community Services): That whole issue and the funds allocated for it will be dealt with at a later time. We will look at proposals by centres. Hopefully, the private companies would build the spaces and make them available to their staff.

Mrs. Carstairs: Finally, the Minister has established two advisory boards. She is not willing to listen to their reports but she has created them: one of day care providers and one of parents. Can the Minister explain to the House why she has not allowed these two groups to discuss their problems together, or is this just one other example of the divide and conquer mentality of this Government?

* (1340)

Mrs. Oleson: I will ignore the last part of that statement.

The advisory groups are to advise the task force. They are part of the task force process. They will advise and monitor the task force to be sure that there is input from parents and from people in the child care field. This is a short-term endeavour, the same as the task force. It is not an advisory committee ad infinitum to advise the Minister, they advise the task force on their feelings toward day care.

Wife Abuse Program Funding Reductions

Mr. Gary Doer (Leader of the Second Opposition): Indeed, we are celebrating the private child care centres with some of the celebrations yesterday in Alabama with some of the companies that own private child care centres in Manitoba. It is a very serious issue, Mr. Speaker.

My question is to the Minister of Community Services and Corrections (Mrs. Oleson). The Minister of Finance (Mr. Manness) in this House, during Estimates of Interim Supply, stated, "There is a commitment that none of the reductions will be made other than those that were announced last week by the Minister in charge of Community Services dealing with the Committee on Wife Abuse." Is the decision to reduce by \$157,000 the amount of money the Child and Family Services agencies receive, is that in contradiction to the commitment made by the Minister of Finance in this House during the Interim Supply and Spending Estimates that we were dealing with?

Hon. Charlotte Oleson (Minister of Community Services): No, it is not a contradiction. The Community

Outreach grants which the agencies had received only went to six Winnipeg agencies, so it was an inequitable system. It did not go to everyone in the province equally. We felt that we would like to change the focus of those grants so that they could be focused on specific programs. The money will still be available. The agencies will apply with specific programs so we know exactly where the money will be going.

Child and Family Services Centralization Effects

Mr. Gary Doer (Leader of the Second Opposition): Again, we were told by the First Minister two weeks ago that there would not be centralization of the Child and Family Services. Here we see the slippery slope of centralization under this leadership of this Minister. Does this move not take away from the creativity and the community-based activity that has been going on with the Child and Family Services Divisions working with their communities—communities, I should say to the Minister, which are as large as any community in all of the child welfare services outside of the City of Winnipeg? Indeed, some of those community-based groups are serving populations of over 100,000 people with the six Child and Family Services.

Does the Minister not feel that this will take away from the Child and Family Services' ability to work with communities and families for the betterment of all of our children under the leadership of the Child and Family Services division?

Hon. Charlotte Oleson (Minister of Community Services): No, it will not take away creativity. It will not take away the funding of the special project. The people in the agencies could still be just as creative, only now they will have to apply to the department to have their projects approved.

I must tell the Honourable Member that over the years there has been an accumulation of funds tucked away in bank accounts. They were not all used. Now, we want to know that the money we are going to put in focus on the prevention of taking children into care, we want to know that money is used and used to good advantage.

* (1345)

Staff Reductions

Mr. Gary Doer (Leader of the Second Opposition): Mr. Speaker, when you take the money and put it back with the central bureaucracy, the hundreds of volunteers, the community workers that have been established working in the community will not have the creativity, they will not have the resources available to help children.

My question to the Minister is will there be any directions in Government measures that she will initiate, as Minister of this department, that will reduce the number of staff working with children under the Child and Family Services six agencies in the City of Winnipeg?

Hon. Charlotte Oleson (Minister of Community Services): No, there have been no reductions in staff. In fact, there have been increases.

Mr. Doer: Mr. Speaker, my question is a very serious one to the Minister. Are there any measures that the Government is taking with the Child and Family Services six agencies that will result in a reduction in the number of Child and Family Services staff working with children?

Mrs. Oleson: In fact, just yesterday, Mr. Speaker, I informed one of the agencies they would be getting three extra staff.

Day Care Task Force Representation

Ms. Avis Gray (Ellice): Mr. Speaker, this Government has attempted to lead the people of Manitoba into believing that they are an open Government and that openness and consultation is the order of the day.

Well, Mr. Speaker, actions speak louder than words. Yesterday the Minister of Community Services made an announcement on the department's day care thrust. The Manitoba Child Care Association have always been consulted in major issues dealing with funding and they were not consulted in this case. In fact, private day care operators were aware of the announcement of this department before they actually occurred. We, on this side of the House, are very, very concerned that the Minister of Community Services and her Government are anti public day care.

Could the Minister of Community Services confirm for this House that the Manitoba Child Care Association will be represented on the seven-member child care task force?

Hon. Charlotte Oleson (Minister of Community Services): Yes, that organization will be represented.

Ms. Gray: We are pleased to hear that, and we hope that the Manitoba Child Care Association will be notified; they have not been to this point.

A supplementary question, Nobody . . . Mr. Speaker. Regular meetings, monthly meetings and quarterly meetings were always held with the Manitoba Child Care Association and the day care office. Could the Minister tell this House why these meetings have been suspended?

Mrs. Oleson: I have met with the Manitoba Association of Child Care in my office not too long ago.

Advisory Groups Privileges

Ms. Avis Gray (Ellice): A supplementary to the Minister of Community Services. She has indicated that she had met with people in her office; I would hope that they were more productive meetings than we have had in the past with other associations, such as the foster parents.

Would the Minister tell this House—she has indicated that the advisory boards will advise and monitor the

main task force. Will these advisory groups that have been established, or that will be established, have the authority to make changes on any of the recommendations of the main task force?

Hon. Charlotte Oleson (Minister of Community Services): Mr. Speaker, they will be in an advisory capacity.

Subsidy Shortfall

* (1350)

Ms. Judy Wasylycia-Leis (St. Johns): Mr. Speaker, yesterday in both the House and in Estimates, the Minister in response to questions put to her about evidence that this new concept of the subsidy going with the child or the parent would result in new spaces or improved quality in our child care system could point to absolutely no studies and no examples of how it would actually work. There are many concerns with the proposal announced by the Minister yesterday.

Although the Minister could prove and demonstrate that there were no additional spaces to be gained by going this route, I would like to ask the Minister of Community Services (Mrs. Oleson) if in fact it was possible for new spaces to be created by this subsidy, travelling with the child or the parent, given the fact that the average rate, the average fee charged in a profit private day care centre, is in the neighbourhood of \$17 to \$20 per child; and given the fact that her subsidy, going with the child or the parent, amounts to \$12, and I believe she said, 80 cents. Could the Minister explain to this House who would make up the difference between the average of \$12 going with the parent and the average of \$17 to \$20 being paid by a parent in a child care centre? Could she please explain to the House that situation?

Hon. Charlotte Oleson (Minister of Community Services): Mr. Speaker, the Member's question points to one thing. The parents will have a choice. If they wish to go to a private day care centre and pay extra, that is their choice. If the day care centre wishes to forego that extra, that would be their choice.

Ms. Wasylycia-Leis: Mr. Speaker, I am afraid the Minister has not answered the question. She has given us some very loose answers to questions around this very serious matter.

Mr. Speaker: Order, please; order, please. Would the Honourable Member for St. Johns kindly put her question.

Ms. Wasylycia-Leis: It is a fact, Mr. Speaker, that this proposal is supposed to create flexibility.

Mr. Speaker: Order, please. Would the Honourable Member kindly put her question?

Ms. Wasylycia-Leis: Could the Minister explain to this House whether the difference between the \$12 and the \$17 to \$20 will come from the parent who cannot afford

it to begin with, will come from the salaries of day care workers that are much below the average of day care workers in the public sector, or will come from the parents who are paying the full rates? Could the Minister explain where the money will be coming from?

Mrs. Oleson: Mr. Speaker, I believe I answered that question for the Member. The subsidy goes with the child to the centre. The parent will make the choice.

Ms. Wasylycia-Leis: Mr. Speaker, given the fact that we still have not received an answer to that question, could the Minister explain to this House and give some information to this House—Mr. Speaker, it is very hard to ask a question in this House when Members of the Conservative Government are so defensive about this policy and obviously revealing—

Mr. Speaker: Would the Honourable Member kindly place her question?

Ms. Wasylycia-Leis: Given the fact that the Minister has explained that she is very concerned about care for children and about accessibility for parents, could the Minister explain if there is absolutely no increase in maintenance grants going to non-profit public centres and no increase in salary enhancement grants going to non-profit public centres, who will pay? Will the parents pay for the increase in cost of living, the increase in maintenance cost, the demands placed on any system in our non-profit public sector? Who will bear the burden and why cannot one penny of the \$7 million in this Budget go toward current centres, enhancement of our centres, enhancement of the quality of our centres?

Mrs. Oleson: Mr. Speaker, the salary enhancement grants are still going to the centres. As I said before, when I answered the question before, it will be the parents' choice what day care centre they take their child to. They may pay the extra to have it in that centre. The centre may forego it.

* (1355)

Road Improvements Capital Projects

Mr. Harry Enns (Lakeside): I direct a question to the Minister responsible for Urban Affairs (Mr. Ducharme). I know that from the highways project that was announced earlier and from discussions with the Minister of Highways, that the province is undertaking a multi-million dollar improvement at the interchange of the No. 6 or No. 7 Highway and the North Perimeter Highway. My concern is and that of thousands of motorists who travel that area from the constituency of Gimli and my own Stonewall, Teulon every morning and evening to and from work funnel on to that one narrow stretch of seven or eight miles of city streets known as Brookside Boulevard.

I am asking has the Minister of Urban Affairs, in his capacity in dealing with urban matters, had any discussions with the city in the hopes that they could coordinate the construction programs of both the

province and the city and alleviate this really very serious bottleneck that develops every morning and every evening in the northern extremity of the city?

Hon. Gerald Ducharme (Minister of Urban Affairs): I have met with the Chairman of Works and Ops just last Friday, to discuss many of our highway projects, and we are looking at all those. As you probably appreciate, their capital projects on review will be coming forward. They will start to approach us in December and January.

Mr. Speaker: The Honourable Member for Lakeside, with a supplementary question.

Mr. Enns: Mr. Speaker, always wishing to follow the admonitions of the Speaker, I will ask a simple direct question to the Minister of Urban Affairs. Has he been able to determine whether or not the city will undertake that particular stretch of road improvement in the coming capital construction year?

Mr. Ducharme: There is no commitment from the city at this time on either capital works in the new five—as you probably appreciate, they have a five-year program and there is nothing right now. I can honestly say to the Member that we will be pushing forward for the satisfaction of all the people in that particular part of the area, as well as the other routes that will be taking place.

Mr. Speaker: The Honourable Member for Lakeside (Mr. Enns), with a final supplementary question.

Brookside Boulevard

Mr. Harry Enns (Lakeside): Mr. Speaker, I urgently request the Minister of Urban Affairs to use his own immediate past experience on City Council, that of the Premier's past experience on City Council, that of the Minister of Tourism and Small Business Development on City Council, and the former Deputy Mayor of the City of Winnipeg, collectively use all that former of City of Winnipeg Council experience to bring about the improvement of the road now known as Brookside Boulevard.

Hon. Gerald Ducharme (Minister of Urban Affairs): I am happy to recognize the fact that our Member has recognized that there are a lot of attributes to this side of the House. We have experience in dealing with city matters.

I can assure you that the councillors that I have spoken to in the last week alone—there were five committee members, and I can assure you, we have a good relationship. We will not probably demand that monies be put forward like they did on one particular project for the sake of \$10 million by the previous Government. We will not make those kind of demands. It will be a good relationship. I am sure the Member for Lakeside (Mr. Enns) will appreciate and I am sure he will like the projects that we will be bringing forward.

Mr. Speaker: You really know how to make my day.

* (1400)

Day Care Training Facilities

Mrs. Iva Yeo (Sturgeon Creek): Manitobans are confused, Mr. Speaker. My question is to the Minister of Education (Mr. Derkach). Yesterday the Minister of Community Services (Mrs. Oleson), in presenting her change of policy with regard to subsidies for private day care, was uncertain whether or not new spaces would be available for children. What is the Minister of Education implementing for new education seats in facilities that train child care workers?

Hon. Leonard Derkach (Minister of Education): At the present time, the situation is such that we have a waiting list of about 190 students waiting to take child care training. We are going to be undertaking a task force review of day care in the training centres and the programs that are being offered at the present time.

I had indicated to the Member before that there was some problem in having the universities recognize some of the programs that were being offered by the community colleges. All of this will take a little bit of time to sort out and to implement a program which is going to be effective and is going to provide more trained child care workers in this province in the future.

RRCC Program Availability

Mrs. Iva Yeo (Sturgeon Creek): To the same Minister, was there an increase in spaces at Red River Community College in the course that began yesterday, or were the numbers admitted left at 60 seats as in the past?

Hon. Leonard Derkach (Minister of Education): I am not quite certain as to the specific numbers, but I will take that question as notice and get back to the Member regarding that information.

Task Force

Mrs. Iva Yeo (Sturgeon Creek): What is the Minister of Education planning immediately in light of the fact that there is a shortfall currently of 200 trained child care workers in the Province of Manitoba?

Hon. Leonard Derkach (Minister of Education): I think I gave the answer to the Member in my first response to her question, in that we do have a task force on day care which is going to be undertaking a study, not only of day care but also of the training programs. I think it will be premature to embark on any kind of programs before that task force report is handed down to us as Government.

Foster Care Telephone Survey

Hon. Charlotte Oleson (Minister of Community Services): I would like to address a question raised in this House last week regarding foster parents. It is

my pleasure to table in the House today a letter from the Manitoba Foster Parents' Association, Inc. confirming their acceptance of the agreement reached on foster parent rates last week.

The association has accepted a 12.4 percent increase rate in this fiscal year, as well as an additional three-year plan to reach the level set by the agreement between the foster parents, the agencies and the department last year in that committee. The agreement recognizes the association as the official voice of Manitoba's foster parents, as well as addressing other issues of concern.

Now that the agreement is confirmed, I would also like to table the questionnaire used in the survey conducted by Western Opinion Research, Inc. on behalf of the Government on Saturday, August 27, and as well the letter of agreement between Western Opinion Research and the Government of Manitoba.

Mr. Speaker, the results speak for themselves. We have reached an agreement, a fair agreement, a responsible agreement. We have corrected an unfortunate record of neglect towards the foster parents of Manitoba and, most importantly, toward the foster children in their care. We have acted in a financially responsible manner. The Opposition may debate the process, but Manitobans will judge us by our results.

I am proud that we have reacted responsibly and I am pleased that we fulfilled our obligation to act in the best interests of the children of Manitoba and their foster parents.

Some Honourable Members: Hear, hear!

Mr. Reg Alcock (Opposition House Leader): Mr. Speaker, I did say last week in this House that I would be first on my feet to congratulate the Minister when this agreement was finalized. I would like to ask in future though, if the Minister plans to make a ministerial statement, that we be given an opportunity and that take place outside the Question Period.

I would also like to suggest that in future if they are going to negotiate with outside groups, and I would include the child care association in this, that they choose a different method than they have in the past.

Community Programs Funding Cuts

Mr. Reg Alcock (Osborne): I do have a question for the Minister of Finance (Mr. Manness). In light of his statements during Interim Supply that there would be no further cuts in Community Services, that they had all been announced to that point, how does he explain the \$157,000 cut in the prevention grants and a further \$153,000 cut in child maintenance to Winnipeg South and \$145,000 cut overall in child maintenance?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, I will allow the Minister of Community Services (Mrs. Oleson) to give the detailed response to it.

In the time of Interim Supply, my answer was very much directed towards specific outside agencies. It was

given in the terms by the Leader of the third Party, dealing specifically with the Main Street Project. Secondly, the other group was another specific outside group, and the general statement made was to specific groupings such as that. As far as agencies, I never made a claim specifically across the board of Community Services.

Mr. Alcock: To the Minister of Finance, one more time before I go to the Minister of Community Services (Mrs. Oleson), I am afraid that his statements in the House differ with the record. I would ask the Minister to explain why we now have cuts when he stated very clearly in this House that there would be no further cuts in child welfare funding, Community Services funding.

Mr. Manness: Mr. Speaker, I indicated that most of the agencies were receiving a 3 percent increase, and that is the policy of the Government. I am led to believe that is specifically what the Government has provided to all of the outside agencies, other than the ones that I have mentioned for two weeks, the announcement made by the Minister of Community Services (Mrs. Oleson) dealing with a specific outside agency.

My other comments were dealing specifically with the question posed by the Leader of the NDP (Mr. Doer) dealing with the Main Street project, and I cannot quite remember the other one.

Child Welfare Agencies Staff Reductions

Mr. Reg Alcock (Osborne): Mr. Speaker, the Minister of Finance (Mr. Manness) should speak to his colleague in Community Services because we are approaching .5 million in cuts in that department, and some very important community programs are being destroyed as a result of the actions of this Government. However, I do have a question for the Minister of Community Services (Mrs. Oleson).

I was pleased to note her statement that there would be no staff reductions in child welfare, and she announced the increase in three staff in the northwest Child and Family Services Agency. I trust, given her statement in this House, that means that there will not be three staff cut from central Manitoba.

Hon. Charlotte Oleson (Minister of Community Services): No, I am not aware of any staff cuts in central Manitoba.

Port of Churchill Shipping Season

Mr. Jay Cowan (Churchill): My question is to the Minister of Highways and Transportation (Mr. Driedger). Mr. Speaker, I have been contacted within the last day or so by a number of constituents from Churchill where there are very strong rumours that a ship has been scheduled for commencement of the shipping season out of Churchill in early October. Given the serious social problems that have resulted from the ongoing uncertainty as to whether or not there would be a

shipping season in Churchill this year, would the Minister of Highways and Transportation provide to the House any information that he has with respect to this long-awaited start of the shipping season at the Port of Churchill this year.

Hon. Albert Driedger (Minister of Highways and Transportation): First of all, I would like to take this opportunity to thank the all-Party committee that has been meeting on a regular basis with the various components that are involved in trying to get grain moving through the Port of Churchill.

I think the committee has met with all the players in the game. We met on 4hree different occasions, I believe, with the chairman of the Wheat Board and we have lobbied extensively. Unfortunately, I cannot make a definitive statement as to the fact that grain will be moving through the Port of Churchill, but I am very hopeful that there probably will be some kind of indication being given in the next couple of days.

* (1410)

Safe Passage Guarantees

Mr. Jay Cowan (Churchill): My supplementary to the Minister then involves the lateness of the season if it were to start in early October and then announcements were to be made in the next couple of days. Given the desire on the part of all Members of this House to turn this crisis into an opportunity, I would ask the Minister if he is prepared to both formally and forcibly call upon the federal Government to put into position in the Hudson Bay ice breakers that will guarantee safe passage for grain ships so that the season this year, if it does start in early October, can be extended as long as is possible. Perhaps we can use this potential crisis as an opportunity to prove that the Port of Churchill does have a shipping season that can extend beyond mid-November.

Hon. Albert Driedger (Minister of Highways and Transportation): Last Friday, the committee met with various federal members including the federal Minister of Health, the Honourable Jake Epp, the Honourable Charlie Mayer, and at that time the committee raised the concerns with our federal counterparts about the possibility of having icebreakers available, if a shipping season did develop and if it happened to be later on, to assure the safety of grain movement out of the Port of Churchill.

So, Mr. Speaker, the concern has been raised with them. I will follow the advice or suggestion made and will try and confirm that with our federal counterparts to assure that, if we do have an announcement and the grain is going to start moving through the Port of Churchill, we can assure the safety of the ships taking it out.

Mr. Cowan: In keeping with the desire in all persons to build upon any momentum that may be generated by a ship coming to Churchill in early October, I would hope that the Minister would forcefully call upon the federal Government to formally indicate that they will have those icebreakers in place.

Wednesday, September 7, 1988

The committee has met and, Mr. Speaker, as you are probably aware, tomorrow evening there will be a meeting of the all-Party delegation to lobby on behalf of Churchill in this building, which will include representatives of organizations from across this province and indeed other provinces.

I would ask the Minister of Highways and Transportation (Mr. Driedger) if he can indicate what federal officials will be available to meet with that committee tomorrow evening, so that the people of Manitoba who are represented through those different organizations can put forward very forcefully their concerns and their encouragement to the federal Government to ensure that the icebreakers are in place, that the season does start in early October at the very latest, and that it is extended for as long as possible.

Mr. Albert Driedger: I would like to confirm the fact there is a meeting that has been arranged for tomorrow night.

Incidentally, it happens to be the 31st anniversary of my wife and myself and—

Some Honourable Members: Oh, oh!

Mr. Albert Driedger: Business before pleasure, I will sacrifice that evening.

As the chairman of that committee, I want to indicate that we have extended 28 invitations. All the federal Members for Manitoba have been invited to participate in that meeting, as well as various organizations. I cannot give an indication how many will be attending, but I would hope that there is going to be good representation. Hopefully, at that time, we can maybe even make a definitive statement in terms of moving out grain through the Port of Churchill.

Correction Facility Headingley Violence

Mr. Paul Edwards (St. James): Mr. Speaker, my question is for the Attorney-General (Mr. McCrae). Headingley Correctional Institution has had some security problems over these last few months, and I am sorry to report to this House that it appears that there have been some serious administrative errors as well, at least one it appears.

Earlier this year, a guard at Headingley suffered a broken nose and a serious cut requiring 26 stitches at the hands of an inmate who was housed at that time in low security. It appears now that the assessment officer who assessed this inmate assessed him as extremely violent and recommended high security. It appears, therefore, that there was a very serious administrative error, resulting in this injury to this inmate (sic).

My question to the Attorney-General is this: is he aware of this apparent error and, if so, what, if anything, has been done about it?

Hon. James McCrae (Attorney-General): As the Honourable Member will recognize, correctional

facilities do seem to lend themselves to incidents from time to time. I can assure the Honourable Member that I get occurrence reports every time there is an occurrence of any of the type of thing that the Honourable Member is talking about. So if the Honourable Member can give me the date of that occurrence, I will get back to him.

Mr. Edwards: I will be happy to furnish that to the Attorney-General (Mr. McCrae).

Further for him, a supplementary question, the guard who was seriously injured in this case would certainly appreciate an investigation. If the Attorney-General (Mr. McCrae) has received the documents and the notice that he says he does, I am sure he is aware of this very serious incident at Headingley.

Will the Attorney-General undertake to do an investigation and make an apology to the inmate and his family, if in fact - (Interjection) - the guard, if in fact there has been a serious administrative error at Headingley institution, and the assessment officer's report not followed?

Mr. McCrae: As I say, Mr. Speaker, I am given incident reports and there have been occasions where staff at Headingley have responded very well indeed to incidents that have come along. I have made it my practice to try to be in touch with those staff to commend them or to congratulate them for the quick action and the presence of mind that they display in certain incidents. I would like to get together with the Honourable Member and we can discuss the details of this particular case.

Victim Impact Report

Mr. Paul Edwards (St. James): A final supplementary, and if Mr. Speaker will allow, slightly off the subject of the first two, the Victim Impact Statement Project stopped operating in October of '87, and an evaluation report apparently has been completed as at June of this year.

My question to the Attorney-General (Mr. McCrae) is this: has he studied this report and is he prepared to table it at this time, and what are his intentions with respect to the reinstatement of this very important and, I think, very successful project?

Hon. James McCrae (Attorney-General): As a Government, the new Government of Manitoba is very pleased to be able to put forward and to express a commitment toward the plight that victims find themselves in and to assist victims. Indeed we have a Victims' Assistance Committee which is doing some very good work in funding various groups which are doing valuable work on behalf of victims.

I will review the report. I have seen reports of the type the Honourable Member is talking about, and I have had discussions with my deputy and others in the department. There have been concerns expressed by members of the judiciary, certainly one that I know of, and the issue is very much part of the considerations in my department.

Day Care Remote Training Facilities

Mr. Speaker: The Honourable Member for Flin Flon (Mr. Storie) has time for one final question.

Mr. Jerry Storie (Flin Flon): My one carefully constructed question is to the Minister of Education (Mr. Derkach). Some week-and-a-half ago, I had the chance to meet with the Manitoba Child Care Association who indicated their grave concern about the situation with respect to the training of both directors and day care staff personnel, and indicated that there was a significant shortfall in terms of the trained personnel available for our day cares. Given that The Community Day Care Standards Act requires that there be a certain percentage of trained personnel and all directors be trained, I find it astounding that the Minister of Education has not, in consultation with his colleague, done any preparation for the training of these people.

My question is to the Minister of Education. He indicated that some 60 spaces may be available for students wishing to enter day care training in Winnipeg. Could the Minister indicate what is available to support the day care activities and the aspirations of day care workers in northern Manitoba, in rural Manitoba? Could he indicate whether there in fact are any training places available in the North?

Hon. Leonard Derkach (Minister of Education): That is quite an interesting question because, after four months in Government, the Member who was formerly the Minister of Education expects that we will have corrected all the mistakes and all the shortfalls that they had created while they were Government. That is not possible.

I have to tell you that this Government is going to address that issue. Because we took Government in May, at a time when it was impossible to change a lot of the programs that they had implemented, I have to say that the courses will continue as they had started. But there will be an address of that issue, and we will not do it in the way that former Government had done in neglecting their responsibility with regard to providing programs in northern Manitoba.

Mr. Speaker: The time for oral questions has expired.

* (1420)

ORDERS OF THE DAY ADJOURNED DEBATE ON SECOND READING

Hon. James McCrae (Government House Leader): Mr. Speaker, would you be so kind as to call the Bills as listed on today's Order Paper, not including Bill No. 21.

Mr. Speaker: Debate on second reading, Bill No. 4, on the proposed motion of the Honourable Attorney-General (Mr. McCrae), The Re-enacted Statutes of

Manitoba, 1988, Act; Loi sur les Lois réadoptées du Manitoba de 1988, standing in the name of the Honourable Member for the Interlake (Mr. Uruski).

Mr. Bill Uruski (Interlake): I beg the indulgence of the House to have this matter stand for today and we will be ready to proceed with it the next time it is called. (Agreed)

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 5, The Statute Re-enactment Act, 1988; Loi de 1988 sur la réadoption de lois, standing in the name of the Honourable Member for Flin Flon (Mr. Storie). (Stand)

BILL NO. 6—THE FIRES PREVENTION AMENDMENT ACT

Mr. Speaker: On the proposed motion of the Honourable Minister of the Environment (Mr. Connery), Bill No. 6, The Fires Prevention Amendment Act; Loi modifiant la Loi sur la prévention des incendies, standing in the name of the Honourable Member for Thompson (Mr. Ashton).

The Honourable Member for Thompson has 22 minutes remaining.

Mr. Steve Ashton (Thompson): I welcome the opportunity to once again debate this Bill. I know many Members of the House were in attendance when I first began my speech on this item of legislation and some of my comments will be summarizing some of the positions that I discussed at that time, so what I am talking about may be somewhat familiar to them; but I notice there are other Members who did not have the benefit of my particular comments when this Bill was being debated, or the comments of the Member for Flin Flon (Mr. Storie). I think it is important that all Members of the House do look at this Bill in terms of his promise and some of the comments and concerns that the New Democratic Party has about this particular item of legislation.

When I spoke last time, Mr. Speaker, I said that this particular Bill would probably be categorized by some people as being a minor Bill. I have heard other terms used for Bills of this nature. "Housekeeping" is the one term that I have heard used. The Member for Elmwood (Mr. Maloway) has heard that term used as well.

The problem, though, I have found in the time I have been in the Legislature—nearly seven years now, I guess—is that sometimes the more simple Bills are the Bills that can have the most unexpected ramifications. If I have the time, I could run through a number of those that I remember that I was assured, as a Member of the Government caucus at the time, they were minor. I can remember other Members of caucus being assured that those Bills were minor, and I can remember finding that after the Second Reading at committee that other Members of the Legislature or outside organizations identified some very serious problems with those Bills.

That is why we do have the process that we do have in the parliamentary system of the three readings, and

I believe probably the most important stage actually in Manitoba is at the committee stage. Fairly soon, following the debate on this particular Bill, probably over the next couple of months, as we deal with this and other items, this Bill will be going to a committee. It is at that particular stage that we do have to look very carefully at the ramifications of this particular item of legislation. This is exactly in the spirit that the Member for Flin Flon (Mr. Storie) spoke when this matter was last before the House. He pointed out that there may be unexpected complications in this particular Bill that the Minister responsible for the Bill, the Minister of Labour (Mr. Connery), did not realize could be the case.

I am sure, when the Minister was given this possibility of bringing in this legislation by his department, that he probably asked a few questions and basically assumed that it was a minor item that was there for clarification of the existing Bill—and yes, it is. But did he consider the comments made by the Member for Flin Flon—the possibility that at some time in the future the tuition and charges that are being talked about in this Bill could be applied not just to out-of-province participants at the fire training colleges that we have in Manitoba, but to Manitobans? Did the Minister consider that?

Mr. Jim Maloway (Elmwood): Probably not.

Mr. Ashton: The Member for Elmwood says, "Probably not." Whether he considered it or not, we are faced with a situation now that that could be the possibility in this particular Bill—the possible interpretation of the amendment that is being proposed by Bill No. 6.

Let us remember, Mr. Speaker, that we have many court cases involving Bills that have been passed by Legislatures in this country, by the House of Commons and, more importantly, by this particular Legislature. What have the judicial rulings been in regard to Bills that have been passed? The rulings, basically, have been clear. If you want something to occur as a result of a Bill, you have to state it specifically. It is not sufficient to not mean any negative consequences, to mean other consequences. The intent of the Bill is not something that is taken into account. Judges will not look at the speech that the Minister who introduced this Bill made when he brought in the Bill. Judges will not look at my comments or the comments of the Member for Flin Flon (Mr. Storie). They will look at what this Legislature passes through third reading, what is approved by the Lieutenant-Governor and what actually appears as statute law for the Province of Manitoba. That is why we have the process that we do. That is why the Member for Flin Flon has made some particular concerns aware to Members of this House. That is why, I think, when we get to committee, we are going to have to look at a subamendment, because this is actually a Bill that brings in an amendment to the Act, that will make sure that the people that the Member for Flin Flon is talking about are not charged tuitions.

He talked in his speech, for example, about the northern communities in our province and how, I am sure, that no one would intend that the people from northern communities attending the fire college in Thompson or in Winnipeg or in Brandon will be charged

tuition fees to attend those particular courses, because let us not forget that the courses that are being offered are being offered as part of the educational component, the fire prevention component of this Act. This Act empowers the department for which the Minister is responsible to do a number of things: to establish standards; it empowers inspectors to check in terms of fire safety; to carry out inspections; but it also includes, as a major component, sections that deal with education both of firefighters and also of the general public of this province.

That was a particular concern that the Member for Flin Flon addressed; and that is that this may be intended to ensure that tuitions are charged to out-of-province residents so that revenue can be put towards improvements in fire safety here in Manitoba. That is fair enough. If we can use revenue from out-of-province participants to provide more training for the kind of people that the Member for Flin Flon was talking about in northern communities, in rural communities, in Winnipeg, I have no disagreement with that. But if we apply that here in Manitoba, that will be to the detriment of providing that training, because many communities cannot afford to provide the type of tuition that would be necessary to cover even a small percentage of the costs of fire prevention in this province.

* (1430)

I am particularly concerned about the Northern Affairs communities. These are communities that have very little, if any, tax base, and the Minister responsible for Northern Affairs (Mr. Downey), I am sure, must be aware of their situation. I look forward to his support at committee stage for the type of amendment that the Member for Flin Flon (Mr. Storie) has pointed to, because the intention is not to apply tuitions to Northern Affairs communities.

As much as I sometimes question the intentions of the current Government, I am sure in this particular case there was no ulterior motive, no hidden agenda. I will give them that on this particular issue. On some other issues I might question their agenda, but on this issue I am sure that what has happened is that the Minister has taken the word of his department, has not really asked the kind of questions that the Member for Flin Flon (Mr. Storie) has asked in this Legislature and has brought forward a Bill that, while minor at first appearance, has ramifications that could be far more serious.

We will be talking to the Minister, we will be raising this issue at the committee stage, and we will also be talking about what I mentioned in my comments when I first started the speech last week, and that is the overall Fires Prevention Act itself. I mean, let us not forget that what we are dealing with here is an amendment to an existing Act, a fairly comprehensive Act that deals with fire prevention in Manitoba.

In my speech last time I spoke, in the first part of my comments, I pointed to what I see as some of the needs in the area of fire prevention. I mentioned some specific items, and then I encouraged Members of the Legislature at that particular time to go and talk to

their constituents about fire prevention, about whether they feel that their local municipality and the provincial Government and the federal Government, with their various confusing jurisdictions, whether they are doing the job, whether, because perhaps of confused jurisdictions, we are finding a patchwork of standards in this province and other provinces, whereby some residents of some communities have better fire protection available to them, have better fire protection standards than in other areas of the province and other areas of the country.

I mentioned in my speech last time about how I attended, along with the then Minister responsible for this department, the late Mary Beth Dolin, the first meeting of the Ministers responsible for fire prevention in Canada, and how one of the concerns that came across from Conservative Ministers—I do not believe there were any Liberal Ministers at the time—but from the New Democratic Party Ministers and from the P.Q. at the time—I guess they represented Quebec—and the Socreds in British Columbia, the concern was similar, regardless of political stripe, and the concern was the confused jurisdictions and the balkanized standards that we find existing in Canada.

I used one example to indicate my particular concern about that, and that is the application of some of the newer technology that is available, and I hate to even call it technology, it was such a simple concept, such a simple mechanism that it really is not even a new technology. It has been around for a number of years.

What I said at the time was basically that it is important for all Members of the Legislature to address these sorts of issues, and I am going to do it. In fact, in the remaining few minutes—Mr. Speaker, I was wondering if you could indicate how many minutes I have left, so I do not neglect to mention any of my comments.

Mr. Speaker: The Honourable Member will have 11 minutes remaining.

Mr. Ashton: Eleven minutes. Thank you, Mr. Speaker.

What I suggested to Members at that particular time was they look at what happens, because of the Byzantine regulations that we have and the different jurisdictions, in regard to one small item that could save, I believe, many lives in Manitoba, one small item, not a costly item, but that is the case of smoke detectors.

I think probably most Members of the House have those smoke detectors in their homes at the present. I certainly do. It is certainly something that more and more people are being required to do, actually, as part of their insurance requirement. Many older apartment blocks do not have those sorts of detectors, not only in the suites, but also in the apartments themselves.

I have been concerned when I have looked at the situation that I have seen in my own constituency, where I have seen apartment fires that have taken place that I feel could have been prevented if smoke detectors had been in place. Now I know what the objection would be. The objection would be that landlords would have

to add these after the time of construction, there would be a cost element involved to that addition. I have heard the concern that there might be vandalism, that those smoke detectors might be removed, but my response to that is, yes, some of them would be vandalized, some of them would be removed. Yes, there would be a cost to the landlord, but what would the cost be in comparison to the benefit of preventing fires from killing people, from causing all sorts of property damage? What is the cost and what is the benefit?

To society, I would say that the cost is minor compared to the benefit. But what takes place is, because of this concern that exists from landlords I know, they are just not in place in all the buildings. They are not required and they are not put in place. I have had people in my area, my constituency, who have said that they would be willing to pay the extra amount to have those smoke detectors put in the apartments if it was only possible to do so. I was talking to a constituent about a year-and-a-half ago, was going through his apartment block, checking with people if they had concerns, and this is what he said. He said, I do not mind paying \$1 or \$5 or \$10 for the smoke detectors, but I think that there should be a requirement that is in place to require the landlords to do it, and people like myself, we will pay that additional cost.

I mention this as an example, and it is an important one, but an example of the type of thing that I think exists in that we have a problem with the fire prevention system that we have in place, one that I think leads me to question whether we do not need a complete overhaul of the entire fire prevention system in Manitoba. That is why I am making those comments in addressing this speech. We have a minor amendment that may have some unexpected complications in terms of the impact on fire prevention, the impact on the fire colleges in Manitoba, but perhaps instead of looking strictly at that sort of amendment, perhaps we should be looking at a complete review of The Fires Prevention Act.

Let us go through it clause by clause. Let us look at what is in place now in terms of standards, in terms of enforcement of those standards. Let us look at what is in place right now in terms of fire prevention and protection, both in terms of educating firefighters, providing support services to fire departments. Let us look at what is in place in terms of public education, in terms of preventing fires because certainly that is what it is all about. That is the name of this particular Act, fire prevention. Let us look at the bottom line of trying to come up with a better system, one that does not have responsibility split across the various jurisdictions, as is the case at the present time, one that basically has a more codified approach to fire prevention, one that does not end up as you well know, Mr. Speaker, with the current situation being the case.

I know many people who are confused as to where they should turn. I have had people contact me and ask whether they should contact the local fire department, or the provincial fire commissioner's office in regard to matters related to fire safety. It is difficult to respond because there are overlapping jurisdictions, overlapping jurisdictions that are partly constitutionally

based, but also result from, I think, some confusion that exists because of this particular Act.

So I am suggesting we look at that confusion, perhaps we can even redraft the entire Act, and I hope in fact the Minister has the opportunity to go through my comments and the comments of the many other people I know will be speaking on this issue, because I am sure the Member for The Pas (Mr. Harapiak), the Member for Rupertsland (Mr. Harper) will be talking in terms of the northern situation. I know the Member for Logan (Ms. Hemphill) will probably have comments in terms for the City of Winnipeg, and I think really if the Minister looks at this, this may be a golden opportunity.

They may have brought in what he thinks is a minor Act, an Act that is not as minor as he thought initially, but now that he has opened the box on this, the Pandora's box of fire prevention, now that he was perhaps willing to listen to the concerns that were expressed and willing to look at the entire Act, perhaps this mistake on the part of the Minister will turn out to be an opportunity for all of us.

* (1440)

I look forward, as a Member of the Legislature, to listening to the comments from other Members on fire safety, fire protection; listening to the comments for example of the Liberal critic in this particular area. I am afraid I am not sure exactly who the critic is, but I am sure—ok, the Member for Radisson (Mr. Patterson) will be addressing those concerns, I guess in his role as the parallel critic in terms of labour and the Fire Commissioner's office.

I hope the Minister in his closing comments—because let us not forget that the Minister may make comments to close debate on second reading when we do conclude debate on this Bill, probably over the next two, three or four months that we are here—I hope that when he does make—okay I am sorry, Mr. Speaker, five or six months for the Members opposite—whenever we do reach the finalization of second reading on this particular Bill I would hope that the Minister would take the opportunity at that particular time to address not only the concerns myself and the Member for Flin Flon (Mr. Storie) have spoken already, not only the concerns I know of the Member for Radisson (Mr. Patterson) who I am sure will be speaking for his particular Party's concerns, but the concerns of many other Members of the Legislature who I hope will be participating in this debate.

I know certainly our caucus will be quite active in talking on this and many other Bills because it is through this process of discussion and debate that we can achieve improvements to Acts such as this particular one, even if there has been an error on the part of the Minister. As I said, that error may become an opportunity.

In closing, I would be very pleased to add some very brief remarks on a very important area. I would urge Members of the Legislature to look at this Bill, look at the comments of the Member for Flin Flon (Mr. Storie) in terms of the specific problems this Bill might create. I would urge Members of the Legislature to look at the

Bill as a whole, the whole concept of fire prevention, and let us not see on this issue, which surely is the closest thing that we could ever get to a non-partisan issue. I mean what politics is there in fire prevention, in a partisan sense? Surely we can join together, put our 57 heads together and come up with an improved Bill, an improved system for fire prevention in the Province of Manitoba. Let us use this opportunity now. Thank you, Mr. Speaker.

Mr. Bill Uruski (Interlake): Mr. Speaker, I too would like to participate in the debate on this Bill and I do so recognizing that most rural municipalities in the province have a fire brigade of sorts made up of volunteer members throughout many of the small towns, villages and rural municipalities, and do have shared agreements between some of the villages and rural areas for the services.

I also would like to address, as some of my colleagues have addressed, areas in the province which can be described as fledgling municipal areas and those are the Northern Affairs community committees where there are communities throughout this province who over the last, I would think, decade have just begun to exercise their desires in providing local government for themselves and their people, but along with the responsibilities of local government, the provision of services such as fire protection.

For example, in my own area the communities of Fisher Bay, Dallas, Red Rose, the Harwill community committee, the area dealing in the Gypsumville area of Peonan Point, Davis Point, all those areas are in fact newly-created municipal districts under the Northern Affairs Act, although their tax base, Mr. Speaker, is very marginal to say the least. They require the continued support of the people of this province to be able to have at least a segment or a portion, a small portion, of the services that many of us in rural and urban Manitoba enjoy and have enjoyed over the last 10 or 20 years.

I know, for example, in some of those communities that I have mentioned a number of years ago, the only type of fire protection that there was, was a hand pumper on a trailer. In fact, along with it there were some backpacks for fire protection. There is no way that a house fire could be even held or let alone put out with that kind of equipment. In fact, the moment that a trailer would be pulled out of the garage, you would drive down within a mile or two in 20-below weather, all the lines and the little pumping equipment that was there would be frozen solid. I imagine there are stories as well in southern Manitoba that one could relate to where water pumps themselves on firetrucks have frozen before the fire engine has reached a rural fire or an alarm that was either a livestock facility or someone's residence.

Mr. Speaker, the concern that the Member for Flin Flon (Mr. Storie) raised on behalf of Members, I am sure even Members on the Government side, and I believe this, they may not have caught this what I would call a "nuance" in the legislation. It may have been an oversight on behalf of the department and the Minister. That is the question of the tuition fees that can be

prescribed. We do not argue at all of the rights and the need to charge fees for training that is provided for corporations and other agencies which want to train their employees. However, it does not clearly indicate that fees for fledgling communities and many rural communities who are, in fact, facing declined revenues especially during this drought period, rural municipalities who wish to train their volunteers, would not have to, and we would not want to provide tuition to be paid or fees to be paid by these community-based institutions, which have a hard enough time maintaining some of the equipment that they do now have as a result of support from senior Governments, those of the federal Government and the province.

So, Mr. Speaker, the whole question of fire prevention is one that I think the Member for Thompson (Mr. Ashton) said it very succinctly, one that is very, I am sure, non-partisan in nature, does deserve the full consideration and support of all Members of this Assembly and recognizing that communities in many rural points and of course the Northern Affairs community, the reserve communities, who are now attempting to build up some fire protection. Even as for some communities—I know in my own constituency right now there is a debate going on between some of the reserve communities where fire equipment is virtually non-existent—they have attempted to gain the support of services provided by the local government district, the neighbouring local government district, and of course funding in the Native communities being squeezed nationally in the various programs. The resource base in those communities is, to put it quite bluntly, virtually non-existent. Therefore, they are totally dependent on senior levels of government for the provision of funding to pay for any contract compliance in effect with their neighbouring municipal districts.

For some communities, they have not been able to meet their obligations. As a result, they have been served notice that no longer will these services be provided. I think the Minister should be aware. I speak of the communities in the reserves of Lake St. Martin, Little Saskatchewan and the neighbouring municipal district of the Local Government District of Grahamdale, which virtually, in terms of boundaries, surrounds the Native communities.

I would hope that the passage of this legislation and the amendments that have been proposed will in fact be entertained by the Minister and the Government so that these communities can take part and not be subjected to fees in terms of trying to upgrade the volunteer support that they totally, virtually totally, depend upon in maintaining a firefighting capability within their communities.

So I say to the Minister of Northern Affairs (Mr. Downey) and I ask him to make sure that he speaks with his colleague, the Minister of Labour (Mr. Connery), the sponsor of this legislation, to make sure that the communities in the Northern Affairs area, the reserve communities in the province—and some of the rural municipalities who are on a financial base—that whatever formula for funding and fees is established that it be clearly put into the Act that the communities who are less affluent in this province are not subjected

to any fees, because they are just coming into their own in terms of upgrading in a modest sense of having some firefighting capability.

So I ask the Minister of Northern Affairs (Mr. Downey) to make sure that he makes his views known to his colleague and the amendments suggested by my colleague, the Member for Flin Flon (Mr. Storie), be seriously considered when this Bill is in committee. Thank you very much, Mr. Speaker.

An Honourable Member: Hear, hear!

Mr. Harry Harapiak (The Pas): I, too, would like to take the opportunity to make a few comments in the House on Bill No. 6, The Fires Prevention Amendment Act. I know, as a resident of northern Manitoba, the importance of having a good fire prevention group in place, because of the fact that many of these places are in real isolated areas where there is not a neighbouring community to come to their rescue when they are faced with a crisis.

I know that in some of the communities in The Pas that fall under the responsibilities of Northern Affairs, during my term as Minister responsible for Northern Affairs, there was an improvement in many of the facilities that these communities have. Under the Northern Development Agreement and the Province of Manitoba, there were fire halls put in practically every larger community in northern Manitoba. I know that there are fire halls in Cormorant, Moose Lake, Easterville, Pelican Rapids, and although the community of Wanless is not under the Northern Affairs, we, as a Government, under the Community Places project, gave that community an assistance to start to build a fire hall as well. That community took the initiative and had many fund raising events to make sure that they had some capacity to stop the fires in the event that they were started in the community. They had many fund raising events and we felt, with the effort they were making, that there should certainly be some support from us as a Government when they were coming forward with a suggestion that they have their own fire hall. We felt that it was necessary so we gave them some assistance. They went to the community of Churchill, who had a fire truck that was no longer needed in that area, and they were given the fire truck and some equipment which assisted volunteer firemen to start some training and provide some of the protection that the people in that community required.

* (1450)

It is throughout those communities that the fire protection is provided by volunteers. There is no permanent firefighting force in those communities, so we are dependent on the volunteers to come forward and provide the protection that those communities require. I was living in the community of The Pas when I attempted to become a member of the firefighting department, but unfortunately at that time my desire to become a member of the fire department, I was working in an occupation which took me out town on many occasions. I was working with the CNR in the Transportation Department so I was not available for

duty often enough so it did not make sense for me to become a member of the firefighting department. I regret that because it is something that I had an ambition for, to become a member of the firefighting department for many years, but I did not have the opportunity.

I believe that the whole area of volunteer fire training is extremely critical because more and more we are faced with fires that are extremely complex in their make-up. Now there are many chemical fires, many petroleum fires which the fire department members must have some knowledge of the possible fumes that are coming off these fires, that are being created by the fires, so that they are not injured on their own or asphyxiated when they are in the process of protecting the property of their community.

There are several Northern Affairs communities that take great pride in the firefighting department they have, and I know there is an annual event that is usually held in Waterhen that the members of the firefighting departments of all the northern communities get together and have a competition, and the community of Norway House, which has had several female members, have won the competition over the last couple of years.

I am pleased at the amount of professionalism that these volunteer fire departments have put in place over the last several years as the training has improved. The Department of Northern Affairs was very responsible in providing the resources that are necessary to coordinate some of the equipment that is necessary, and as some of the communities grew and became more proficient in their firefighting, the equipment that was there no longer was large enough to serve it, so they got some improved equipment so that as they did not need the equipment anymore, it was passed on to some smaller communities who did not have the same capacity or did not require the same capacity of firefighting equipment to serve their community.

I think there has been a real coordinating role played by the Department of Northern Affairs and they should be proud of the job that they did carry out. I know that because of the leadership provided by the Department of Northern Affairs, there are many communities now that are much safer than they were in previous years. I know that in my home community of The Pas, there is a volunteer fire department and they are a very efficient group.

This amendment that requires the members of the private sector to come and pay a tuition fee if they are taking training in fire prevention, that is the intent of the amendment, but I think if it goes that one step that it is much easier to take the next step and start charging the members of the Northern Affairs communities to also start charging a tuition fee to those communities.

I know that most of the funding for the Department of Northern Affairs communities is funded by the Government so they would just be taking money from one pocket and then shelling it out to the other pocket, so it really would not make much sense to go in that direction. I guess I have some of the same concerns

that the Member for Flin Flon (Mr. Storie) has when he put his comments on the record about his concerns about amendments in The Fires Prevention Act.

The community of The Pas has a tremendous firefighting department. As I mentioned earlier, they are a volunteer department as well and they go out on many training sessions. As a matter of fact, they have worked in cooperation with the Emergency Measures Organization to be prepared in the event of a major disaster occurring in that community, and there is potential for it because the community of The Pas is a major transportation centre where many dangerous commodities are moved by the railway and also by the highway transportation as well.

The way the highway is located in the town of The Pas, it goes right through the middle of the town, and in order for the communities of Flin Flon, Snow Lake and many communities along the North to get served, they must come through the town of The Pas. So if there are some dangerous commodities that will be moved by truck or by train, there is always the possibility of a disaster occurring, because when you are transporting dangerous commodities, I know there can be a simple accident, a vehicle accident or in the event of a railroad there is always the possibility of a derailment being caused which would cause the cars handling the dangerous commodities to be derailed and cause a fire.

I guess, as a member of the transportation union, I was present at one time when there was a fire at Turnberry. We had left the town of Hudson Bay and were travelling to The Pas and there was a derailment of some propane cars. One of the propane cars ruptured and there was a tremendous fire and the heat that was given off from those cars was just unbearable. There was no way that anybody could go very near the fire, so one of the trainmen went back and made a cut as closely as he could to the fire. We took the remainder of the train into the Town of The Pas. They tried several ways of stopping it and finally they had to call in Red Adair who is world renowned for his expertise in stopping fires, and he was able to stop that propane tank from going on.

* (1500)

Mr. Speaker, I know that the amendment is meant to make the opportunity to charge a tuition to people, corporations like the CPR, who would be sending their people to the fire prevention centre, to make sure that their people are further educated in the possibilities of handling fires of many different components that could be disastrous to members of the community. It is laudable that they would go in this direction.

But I am concerned that if we do not move and start charging, the communities, to Northern Affairs because they are not in a position to pay for the training that may be required. I guess the fire prevention is something that is very much in the minds of citizens of the country. I guess when you see a disaster, as occurred in Quebec, at the potential of a PCB fire starting up and causing such a great disaster, I know that it can be caused in any larger community because there are PCBs stored

in many parts of Manitoba. I know there are some in Flin Flon, Thompson, The Pas, Brandon and certainly in major centres of Winnipeg in many areas. There was a disaster in Quebec, and there is always that opportunity for a disaster in this province as well.

But I guess when people think of fire they always think of the major fires that are really the ones that we need to be concerned about. I think that there could be more education done on what to do in your home to prevent fires. There should be some amendments put in here that would require all public buildings to have the tools to—I guess there are many homes that have these fire prevention kits in them which will alert someone if there is a fire starting. But I think it should be a requirement that every public building would have it.

I think that there should be some greater education carried on in the public, that the homes would also have these fire alarms located in their homes. I know that I have fire alarms in my homes. I was able to get some information on them, and I felt that for the safety of my family that it was a very small investment to make, to have more peace of mind by having fire alarms installed in my homes. I think that every home should be encouraged to have a fire alarm system in their home because I think it is always a danger that there could be a smoldering fire that we may not be aware of or until it is too late for the people to get out of the home.

So I would encourage that the government would take on some greater effort to educate, not only the people in their private homes, but I think it should be a requirement that every public building would have fire alarms located in their homes.

Mr. Speaker, I know that there are many other points that should be put on the record. I guess I have been the critic for the Environment, I have a concern for many of the forest fires that happen throughout Northern Manitoba and anywhere there is any forest, and I guess the Department of Natural Resources have a fire attack unit which is extremely well trained and they are always in a position to get to a forest fire when it first starts out, and they are responsible for stopping many fires before they have an opportunity to become a size where they cannot—where they have to get the extra equipment in and water bombers, and it becomes a major fire.

So I know this fire attack unit has done a tremendous job in Northern Manitoba and I hope that they continue to get the high quality people that they have been able to attract to this occupation because I know that they do a very worthwhile service.

Mr. Speaker, those are the comments that I wanted to make. So with those few comments I look forward to the Minister bringing in an amendment as our Member for Flin Flon has suggested, and I look forward to supporting the bill when he brings that amendment forward. Thank you, Mr. Speaker.

Mr. Elijah Harper (Rupert's Land): I would like to put a few comments on this Fires Prevention Amendment Act.

I would like to talk about the issue of tuition fees respecting the Northern communities, Northern Affairs communities including the reserves in the North.

Many of the communities in the North are isolated, they are remote. They do not have access to roads as many of the rural communities in the south. And it is very difficult to, I guess, very difficult to have that kind of service made available to many of the communities.

Many of the forests, not forests, but many of the fires on reserves and Northern Affairs communities have taken many of the lives, and many of the lives were children. As a matter of fact, this winter, just before Christmas, we had a very tragic incident in Red Sucker Lake, where two of the children were burnt in a house fire and a loss of a human being, a child, is very tragic and it affects the whole community.

As a matter of fact, my son, Marcel, was almost caught in the house fire in that incident. Because what he did was, he happened to be around the vicinity of the house when this house caught fire and there were two children screaming inside and he went in through the window into the house, and at that time the house was full of heat and smoke, and he was able to feel his way into the bedroom where he felt one of the children. He just managed to throw the child out through the window and the next thing he knew, he said, it was as if he was being thrown out from the house.

* (1510)

To me, that—you know, I could have lost a son. He managed to throw the small boy out but the boy did not survive as a result of the heat, smoke and inhalation. The boy did not survive. The other little girl did not survive that house fire. If we had some proper training, some fire prevention, and also even a good quality house built on that reserve or any other community, none of them—maybe many of the lives of the children, even adults, maybe today these people might be still alive.

So it is The Fires Prevention Amendment Act which causes concern in terms of tuition I guess, because people in those communities cannot afford to pay for the fees if the Government decides to charge the fees to those Northern Affairs communities. The fire colleges are funded by premiums and are able to train firemen from all over Manitoba. Many of the communities have sent in people from the community to be trained. I know in the North there is some training that has been done, and also some fire prevention work, training is being done in the North through the Northern Development Agreement.

I know that many of the homes were equipped with fire detectors or smoke alarms so that the homes would be protected, so that the people in those homes would be warned in advance if a fire was breaking out.

But I must say that many of the reserves do not have any kind of funding for fire protection or to purchase fire equipment because I know, I can speak from experience. When I was Chief of the Red Sucker Lake Band we did not have any funding for any kind of municipal-type services. We were just given token

amounts of money for road maintenance—not even any for sanitation collection. We did not have any money for sanitation collection. We were given—for policing, constable-type service for the band, but the funding was very inadequate.

I at that time started doing some research and analyzing, trying to compare some of these municipal-type services that are provided in the City of Winnipeg versus my home reserve, Red Sucker Lake. The policing per capita costs of funding that was provided and policing services were maybe 10 times higher than what was granted to the Indian bands.

Many of the Indian bands do not even have a water and sewer system in the reserve. They do not even have fire trucks or any kind of equipment to fight housing fires or even forest fires in the area.

As a matter of fact, many of the reserves which are situated along the side of a Northern Affairs community, I find that Northern Affairs communities are better equipped to fight fires in their communities. Many times the Northern Affairs community assists the reserves in putting out these fires or responding to an emergency, because the bands do not have the equipment and the two communities are able to work together.

I know, last winter, too, when I was in Gods Narrows, one of the houses burned down and the community did not have proper equipment. They had sort of a tractor with a trailer, with a water tank on top of it, and then the tractor did not work at that particular time because of the wintertime. It was slipping and did not actually provide the service that it was supposed to.

We need to look at the whole area of fire protection and fire prevention in many of those communities. I know that this amendment is not trying to restrict the access to fire training or anything, but rather I would ask the Government, through the Minister of Northern Affairs (Mr. Downey), to ensure that at some point—the tuition fees—comes the question that the Northern Affairs communities should not have to pay for the training that is required.

Many of the services, the volunteer services, are done as a community—community involvement. As a matter of fact, as mentioned previously by my colleagues, these people, Northern Affairs communities, usually get together and have these rodeos, contests, and have fun in the summertime to demonstrate their techniques, you know, for putting out a fire or pulling out the hose and those kind of activities. It provides some encouragement and pride in many of these communities because of the volunteer work they have done, the skills that they have developed.

Also, many of the Northern Affairs, the reserve communities lack modern-day equipment to fight the house fires in many of the homes, and also they need to be trained in areas of the kind of fires that they will have to fight against, whether it be just an ordinary fire or a chemical type fire, and they would have to be trained how to put it out.

I know, in my reserve, Red Sucker Lake, we had a close call this summer, where we had the forest fires

surrounding the community, and many of the residents felt insecure because they did not have any kind of protection or equipment to protect themselves. There was some cause for concern—because some people had ailments, had asthma and some breathing problems—whether they should be evacuated.

* (1520)

One weekend when I was home, I thought there was a fog in the community. It was hard to see because of the forest fires that were burning around the community of Red Sucker Lake. I realize that this summer was a particularly hot summer and there were many forest fires that occurred throughout the entire Province of Manitoba. One of the questions that was raised to me in terms of responsibility about whose jurisdiction it is in respect to the Indian reserves, are forest fires that are really adjacent or close to the reserve, whether they should go out and put out the fire. Because a lot of times they do it on voluntary work, but yet they incur expenses to go out and put the forest fires out.

This is one area that we need to clarify with the Government. Who would be paying those expenses? It costs a lot of money to go out, say, across the lake. It might cost you maybe 10 bucks just to go across the lake and the time and equipment to go across. I know we had one incident at one point here, a member of the Indian Band Council asking for reimbursement for forest fires that were not necessarily being spent on reserves but outside. That area has to be clarified because they spent a considerable amount of money to put out the forest fire. They cannot phone to a centre where the conservation head office might be because a lot of times communities that do not have conservation officers around, they would have to phone in sometimes. The conservation officer would have to check the situation out before he warrants any kind of expenditures or whether the forest fire should be left alone. Many of the reserves want to assure themselves of security and want to deal with the problem right away, and they go ahead and put the fire out.

That is where the question of jurisdiction comes in. Who actually is responsible for the expenditures of the monies? That is one area that I always get questioned on and I would ask for clarification from I guess the Minister of Natural Resources who is responsible for protection of the resources, how that money should be spent or whether there are any monies available to assist many of the reserves who are firefighting, protecting the resources in the province.

In terms of the fires prevention Act, I just want to put a few things on record in regard to this amendment because it will cause some concern in many of the Northern Affairs communities. Reserves, if they are to be charged tuition fees for access to training which is made available by the fire colleges at the present time. I would ask the Minister of Northern Affairs (Mr. Downey) to look into this matter and make sure that the interests of the northern communities are protected. With that, I would like to say thank you for granting me this opportunity.

Mr. Helmut Pankratz (La Verendrye): I move, seconded by the Member for Arthur (Mr. Downey), that debate be adjourned.

MOTION presented and carried

**BILL NO. 8—THE COURT OF QUEEN'S
BENCH SMALL CLAIMS PRACTICES
AMENDMENT ACT**

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 8, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the Honourable Member for Transcona (Mr. Kozak).

Mr. Richard Kozak (Transcona): The Official Opposition supports this Bill in principle, although we reserve the right to introduce amendments during committee consideration. Having said that, I adjourned debate on this Bill on behalf of the Honourable Member for Seven Oaks (Mr. Minenko). I ask that he now be recognized.

Hon. James Downey (Minister of Northern Affairs): I liked your speech far better than I am sure

Mr. Mark Minenko (Seven Oaks): I appreciate the confidence in my remarks expressed by the Honourable Member for Arthur (Mr. Downey)

I would like to take this opportunity to congratulate the Attorney-General (Mr. McCrae) for introducing this matter before the House in this first Session of this Legislature, in that I certainly think this is a matter of grave importance to many Members of all of the communities which we represent. However, I would like to comment on some of his remarks, and certainly his comments with respect to the expense of the whole legal procedure and process is in fact correct and true and accurate. He certainly seems to suggest that perhaps lawyers are many of the reasons for this expense. Although many would agree that legal services are expensive, I believe that all lawyers do in fact work very hard at their profession and certainly provide assistance to many people across this province in dealing with problems and so on that they may not have otherwise considered or even dealt with.

The real question is, lawyers work with the law and the regulations as provided and presented to them by the Legislatures and by the courts across this land. They do not make laws themselves. They do not make regulations themselves, which we are all governed by. As a result, the expense is directly resulting from the laws which we are here today considering. As a result, I think it incumbent upon law legislators, not only in the Manitoba Legislature but in every House across this land, to consider this in their deliberations and our deliberations and to consider this factor when we make changes to laws, when we introduce new laws and new regulations.

Small Claims Court is used for many reasons and many different claims, claims dealing with matters of contract and also claims dealing with Autopac. As I am sure the Minister responsible for the Manitoba Public Insurance Corporation (Mr. Cummings) has considered, the fact that many of the claims appearing before the adjudicators and the clerks and magistrates in the Small

Claims Court arise out of disputes with respect to deductibles and who is at fault, in fact, in various accidents.

* (1530)

I think the Government would do well to again consider some of the Official Oppositions' campaign promises and planks, specifically dealing with this aspect. The Liberal Party in this last election suggested that there be an impartial non-political appeal process built into the adjudication processes we presently see.

I and many other counsel across Manitoba and perhaps throughout Canada have represented clients dealing with a \$50 deductible, stemming from what they considered a fault of the adjuster in determining liability. Now, although \$50 in itself and, with the increases, \$250 and so on, although the apparent amount is relatively small, I think what we have to consider is the fact that it certainly affects the possible surcharges that arise from accidents as they happen, especially with the changes to the regulations extending the period from 12 months to three years. Now, the effect again is not that initial deductible, but the potential surcharges that will have to be applied to one's licence, as well as potential other surcharges to your insurance. So as a result, we see that, although the small claim starts initially as a small claim, it affects many different aspects of an individual's privileges and responsibilities with his driving record.

Another matter to consider in this whole aspect in Small Claims Court is that, yes, it is indeed used as a forum for people with small claims to present their case in perhaps a less threatening environment than a more superior court. As a result, I think the atmosphere has to be created in the Small Claims Court to allow for these people to feel comfortable with the surroundings and proceedings. I think one of the most important aspects of feeling comfortable about the proceedings of a court before which you appear is that the decision of that court is in fact a decision made in compliance with the general laws of the province or of the land.

This is where perhaps the amendments of this Government did not quite go far enough. For example, many lawyers across this province have represented clients in a small claims forum, have presented the evidence, have cross-examined any witnesses by the other side, and then they come to legal argument. Legal argument is an opportunity for counsel and the judge or magistrate sitting in on any case to review the facts of that particular case within a legal context, within a body of law that has developed over time with foundations in England and throughout other Commonwealth countries, and specifically in Canada.

One of the greatest difficulties encountered by many claimants, plaintiffs and defendants in our Small Claims Court is that decisions are oftentimes made, sometimes truly in a position different than what the accepted principles of the law set out.

For example, the whole aspect of corporate veil, that argument, even though when presented with decisions of the Manitoba Court of Appeal, the highest court in

this province, oftentimes magistrates have ruled against the particular individual before the court for whatever reason and saying that reasons do not have to be issued out of a Small Claims Court. There are no bases from which you can understand that particular decision. As a result, what is really only left to that particular individual and claimant is to appeal that decision, taking it out of the realm of the Small Claims Court and into the realm, a much more expensive realm may I add, of the Queen's Bench.

As a result, the various court procedures, pre-court procedures and trial procedures come into play with of course the resultant increase in costs. As a result, many provinces have identified this as a problem and ensured that the individuals hearing the case in Small Claims Court are legally trained, are either part-time judges, lawyers in the community who are appointed to sit on small claims matters, or in fact full-time judges, again legally trained.

I think this is the important aspect in this whole debate about Small Claims Court that, yes, people with claims that appear to be small, although I may add that these claims are in fact serious enough for each individual claimant, these Small Claims Courts then become simply a forum to review the facts from which you can then expect an appeal. That is the unfortunate aspect in this whole matter.

This unfortunately has not been addressed in the amendments as proposed in this Bill and I would hope that, after the debate on the second reading, perhaps the Attorney-General (Mr. McCrae) and his department can review that, as well as again considering the recommendations as presented by the Law Reform Commission Report dated, I believe, 1983 in this matter, where again they support the assurance that these magistrates are in fact legally trained, if not full-time judges.

The Attorney-General (Mr. McCrae) in his opening remarks with respect to this Bill cited that the Small Claims Court will be improved in three ways. The increase to the limit to \$5,000 is in fact moving in the right direction. An increase in this amount allows again individuals to perhaps by-pass some of the expenses involved in the Queen's Bench process for the claims. But, as pointed out very aptly by the Minister of Industry, Trade and Tourism (Mr. Ernst), the whole problem in the whole court system is how they in fact collect. You may in fact get judgment against someone, but how do you collect?

I am sure the Attorney-General (Mr. McCrae) and his staff are reviewing this area and perhaps we will see some proposals because it is not enough. It is all well and good that you may go to Small Claims Court and get your judgment, but as many people have said, it is only worth the value of the paper on which it is printed on. This is the other important aspect which I am sure the Attorney-General will be addressing in the future and certainly as emphasized by his colleague, the Minister of Industry, Trade and Tourism (Mr. Ernst).

The other aspect that the Attorney-General (Mr. McCrae) introduces in this Bill is to introduce the default judgment proceedings. It is in fact an interesting

development in this area to introduce this default judgment which is in fact truly an extraordinary provision in our law which certainly puts a greater onus upon the defendant to appear.

Very often defendants being sued for various amounts, at whatever level of court, often disregard the statements of claim, allow them to lapse and as a result perhaps show that they do not feel that they are touched by the authority of the court. I certainly think this is perhaps an appropriate area to expand the Small Claims Court jurisdiction, but I think it should be weighed with the effect of having people who are indeed legally trained considering these cases.

As my colleague, the Member for St. James (Mr. Edwards), has pointed out in his earlier comments, I think an important aspect of default judgment that has been missed and perhaps can be addressed by the Attorney-General (Mr. McCrae) is the aspect of having to still prove your case, that perhaps it should not be good enough for a plaintiff to simply prove to the court that in fact the documents have been served. I think, as again the Member from St. James has pointed out, that the plaintiff should go one step further and prove his case to show that in fact he does have a valid claim against that particular defendant.

I have simply proposed this not to increase any court cost, because if a particular defendant is not prepared to attend in court and if a particular plaintiff has chosen a particular methodology of introducing his claim into the court system, I do not think an extra few minutes of court time to show that he in fact is owed some money, to show that it in fact was not his fault, or to set out the circumstances, adding the appearance that justice was indeed done, not simply that this was a situation or circumstance where decisions were made in a dark room, I think that is an important aspect.

Again, perhaps, the Attorney-General (Mr. McCrae) will give this matter some serious thought and consideration and include it in some amendments to this particular Bill, because our objective here is to ensure that matters before any court in this province are done in a fashion that everyone can see as fair, as equitable, and justifiable in any situation.

There is reference in the Attorney-General's opening remarks on this Bill with respect to what he referred to, and affectionately known in the legal community, as "bumping up" a particular claim through the present filing of a Notice of Objection. If, for example, a defendant feels that he would prefer that a legally trained person should review the case, should hear the case, then that defendant has the right to file this Notice of Objection and the case would automatically be heard at the Superior Court.

* (1540)

Again, as we have heard in this Chamber, on many opportunities this clause is used by many defendants to either prolong or to prevent a quick solution to a particular aspect or a particular claim against them. However, I would suggest to this Chamber that one of the other principal reasons for defendants using this particular privilege, this particular rule, in our court

system is that they may well have serious doubts. They may well have considered what has happened before in a Small Claims Court and would prefer that a legally trained person review this.

Again, Mr. Speaker, we are going back to the initial suggestions from Members from this side who have said that a legally trained person should, in fact, consider these matters. The clerks and magistrates who have completed a laudable job to now, I do not believe should be placed in a position where they have to consider not only divergent views as to the facts but also perhaps many fine distinctions in law; and, as a result, I think we would be much better served if this be introduced into this Bill as well.

May I say in conclusion that—I see that the Honourable Member for Arthur (Mr. Downey) has in fact enjoyed my comments this afternoon and perhaps I can continue on then if he has in fact enjoyed them. Perhaps Mr. Speaker could advise the House how much time I have remaining.

Mr. Speaker: The Honourable Member has 20 minutes remaining.

Mr. Minenko: In that case, Mr. Speaker—

An Honourable Member: We are going to get him another pail of water.

Mr. Minenko: That pail of water referred to may well be used to douse the Members on the other side.

Mr. Speaker, though, in conclusion, I would like to add my remarks to the previous Members from this side in congratulating the Attorney-General (Mr. McCrae) for introducing these amendments to the Small Claims Court because they are amendments that are geared towards expanding the use of our Small Claims Court system by many people across this province.

I think it is important that the legal process be available to anyone who wants to use that and should not be simply set aside for those who are either in a position to afford the costs or those who fall within the Legal Aid system. Here we have another example of the people in the middle who have been taxed by the previous Government, the people who are the first to suffer under all forms of taxation both at the federal and the provincial level, the people who cannot perhaps afford many of those things that people at either end of the scales can use. This certainly applies in the legal system. It would be indeed unfortunate if anything was done to take this process away from what is largely defined as the middle-income group.

I would hope that the Attorney-General through his deliberations with his staff, who have in fact gone through the processes instead of being an observer from the court reporter's position, will be able to advise him that it is important to include some of the provisions that I have recommended and that the Honourable Member for St. James (Mr. Edwards) had recommended. Our objectives here are to ensure that the legal process is available and affordable to all. Thank you very much, Mr. Speaker.

Mr. Bill Uruski (Interlake): Mr. Speaker, on behalf of our Party, I wish to make a few comments dealing with the amendments to the Court of Queen's Bench, dealing with the small claims provisions of the legislation and the likelihood, unless there are other Members who wish to speak, it can proceed to committee.

The proposals contained in the legislation are similar to those proposals that were brought forward by my colleague, the former Member for Rossmere, the Honourable Vic Schroeder, who was Attorney-General prior to the election in April, and those amendments are very similar in nature. Although we had discussions, and I should point out to you and Members of the House, Mr. Speaker, within caucus about this legislation, I want to indicate to all Members that there are a number of concerns and questions that I will be raising that I hope the Attorney-General (Mr. McCrae) will take into account when he closes debate or will bring the information to committee.

I want to indicate, first of all, that this legislation, the Small Claims Court provisions, were brought in while I was a new Member in this Assembly approximately, if my memory serves me correctly, 15 years ago or thereabouts. That was an innovative provision because anyone who did have claim against another party for debts owed, whether it be in an insurance liability claim for deductible or whether it be debts owed for a repair bill of sorts or whatever, a retail purchase or whatever the amount would be, it was deemed the provisions of the day were in fact cumbersome and, to say the least, costly. In many instances, I am sure there were thousands of cases at the time that went uncontested. Basically, people said, look, I am not going to pay the costs of the litigation that is involved in this instance and basically wrote off the amount that was owed. Those were the situations that were faced by many creditors who were seeking reimbursement for monies owed by debtors who make purchases or whatever.

* (1550)

We brought in the original Act in the early Seventies. I believe that the amount at that time, \$200 or \$300, was the initial ceiling by which claims over that amount have to be litigated. Clearly, this legislation increases the amount now up to \$3,000, or claims of \$3,000 or less, which do not have to be litigated, virtually a tenfold increase in about 15 years.—(Interjection)—The Minister of Northern Affairs (Mr. Downey) indicates to me from his seat inflation has certainly taken its toll in the area of litigation.

I believe that the increase should follow its course and with the cost of doing business and the like that changes on an annual basis or semi-annual basis should be made to the Claims Court provisions. They have allowed greater and greater access to the courts by people who normally (a) could not afford the services of legal counsel; or (b) the amount that is owed would not warrant the expense of hiring legal counsel, and/or the need to hire legal counsel in some cases. That access to a simplified procedure for a very nominal fee has allowed to have these cases proceeded very expeditiously over the years.

There are some concerns, I believe, that should be raised. I believe that—the Attorney-General can correct

me if I am wrong—the greatest users of the system of the present provisions of this Small Claims Court provisions are, in fact, larger institutions, basically bill collecting firms, like utilities, retail stores and financial institutions who use the provisions of the Small Claims Court provisions the most frequently.

I believe that these users and the use of the Small Claims Court provisions should be monitored in this sense, Mr. Speaker, that if in fact there is an overzealousness of use of the Small Claims Court procedure in terms of the delinquency of payments and the institution, what I would call basically jumps the gun and right away starts going to Small Claims Court procedure, then there should be a monitoring of the use.

However, I want to as well say that for those who are involved on the other side in the Small Claims Court procedure and who just use that procedure to delay and delay payments that if they contest the judgment that is being placed against them through the Small Claims Court procedure, there should not be any long-term delays given those individuals to say, well, now I want to go to the higher court and have my case heard, so give me some more time. There should be some fairly strict guidelines provided that basically that form of justice is carried on expeditiously or more expeditiously, since I believe that Small Claims Court procedure was set up to lessen the load on higher courts. In fact, by lessening that higher load, the contested cases should be able to be heard much more expeditiously. So I would suggest to the Attorney-General that he consider looking at the procedures now, especially in the areas of contested cases.

I know that this legislation in the amendments are basically housekeeping, but updating in nature. I want to ask the Attorney-General, specifically, whether there may be some constitutional concerns or impediments as a result of these amendments that he is proposing. If he has sought legal opinion on this legislation, whether there may be some constitutional questions and to report back to the House on the advice that he has received from his department, if any, whether they have sought legal opinions. If they have, I would like to be, and I think Members of this House would like to be aware whether or not increasing of the amount and the procedures that are contained in this Bill whether there may be some constitutional problems.

In allowing this Bill on behalf of Members of our caucus to proceed to committee, I am hopeful that the Attorney-General will in fact consider some of the suggestions that I have made. I understand, Mr. Speaker, that there probably will be others who will wish to speak on these amendments, on this legislation, and indicate that while we have some questions, we are prepared to support this legislation and send it to committee and will await the comments of the Attorney-General and his staff on constitutional matters and some of the suggestions that we have made.

Mr. Jim Maloway (Elmwood): I move, seconded by the Member for The Pas (Mr. Harapiak), that debate be adjourned.

MOTION presented and carried.

BILL NO. 9—STATUTE LAW AMENDMENT (RE-ENACTED STATUTES) ACT

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 9, Statute Law Amendment (Re-enacted Statutes) Act; Loi modifiant diverses dispositions législatives (Lois réadoptées), standing in the name of the Honourable Member for St. James (Mr. Edwards).

The Honourable Member for St. James.

Mr. Paul Edwards (St. James): This Government Bill, it is our understanding, is simply a continuation of the process started by Government Bills Nos. 4 and 5, in that it attempts to complete the process of re-enacting the statutes of Manitoba in accordance with the Supreme Court of Canada decision, all of which has to be done within a specified period of time and a very stringent set of time limitations. I made fairly lengthy comments on Government Bill No. 4 -(Interjection)- Yes, and I hear the word "incredible." I thank the Honourable Member for that compliment.

* (1600)

It is my intention at this time to simply reiterate those comments and direct this House to those comments in respect of this Bill as well, and to indicate that this side of the House is pleased to see that these re-enactment statutes are early on the docket of the Government. We whole-heartedly support the moves to have our statutes put back into the form that, as we all know now, they should have been for nigh on 100 years. Thank you.

Hon. James Downey (Minister of Northern Affairs): Mr. Speaker, if no one else cares to speak, I would recommend that this Bill go to committee.

Mr. Speaker: Is the House ready for the question?

The Honourable Member for the Interlake.

Mr. Bill Uruski (Interlake): Mr. Speaker, I would like to move, seconded by the Honourable Member for The Pas (Mr. Harapiak), that debate be adjourned.

MOTION presented and carried.

Mr. Speaker: On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 11, The Child Custody Enforcement Amendment Act; Loi modifiant la Loi sur l'exécution des ordonnances de garde, standing in the name of the Honourable Member for St. James (Mr. Edwards). (Stand)

On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 14, The Regulations Act; Loi sur les textes réglementaires, standing in the name of the Honourable Member for St. James (Mr. Edwards). (Stand)

On the proposed motion of the Honourable Attorney-General (Mr. McCrae), Bill No. 15, The Cooperative Promotion Trust Act; Loi sur le fonds en fiducie de promotion de la coopération, standing in the name of

the Honourable Member for Brandon East (Mr. Leonard Evans). (Stand)

Hon. James Downey (Minister of Northern Affairs): In view of the fact that we have proceeded through the Bills, I would like to move that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty, seconded by the Minister of Municipal Affairs (Mr. Cummings).

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for Minnedosa (Mr. Gilleshammer) in the Chair for the Department of Community Services; and the Honourable Member for Seven Oaks (Mr. Minenko) in the Chair for the Department of Industry, Trade and Tourism.

* (1610)

CONCURRENT COMMITTEES OF SUPPLY SUPPLY—COMMUNITY SERVICES

Mr. Chairman, Harold Gilleshammer: We are in the Department of Community Services. We are on item 1.(c)(1) Salaries, \$752,000.00. Shall the item pass?

The Member for St. Johns (Ms. Wasylcyia-Leis).

Ms. Judy Wasylcyia-Leis (St. Johns): Yesterday we left off talking about the day care issue. I would like to ask a few more questions on that very pressing, important matter.

Pursuant to the questions I asked in the House and my opinion that the Minister did not answer those questions directly, could I ask the Minister, in the event that a subsidy going with the parent, as outlined by the Minister in her recent announcement of yesterday, was able to go the direction of—let me get it straight. If a parent meeting that particular program was able to find a space in a private profit centre, who would make up the difference?

Mrs. Gerrie Hammond (Kirkfield Park): On a point of order, Mr. Chairman.

Mr. Chairman: A point of order.

Mrs. Hammond: Does this come under Research and Planning, or would this be better where it comes under Child Day Care, under the lines under day care? I would go along with what the Chairman says, but I do feel that there are a number of lines for Child Day Care, and we might be better served if we had the staff in who cover day care.

Mr. Chairman: The Member does not have a point of order, but I would remind all Members that speeches in the committee should be strictly relevant to the item or clause under discussion.

Ms. Wasylcyia-Leis: I have no intentions of making any speeches. I have been trying to get information on

a number of issues. We have not had much success. They are issues that clearly fall in the purview of Research and Planning, and they relate to work that has been done by her department to back up decisions made to provide policy advice to determine directions that this Government will take us in.

Yesterday, I asked the question on what research this announcement was made, what planning was done, what comparative analysis was done to give us some evidence that this system would actually work, and some reason for this major new direction being taken at this time while other issues are left to this task force. Now, I would hope and expect that this department has some backup for its policies. I would assume that some of that work, I would think some of that work is done by her Research and Planning Branch, and so I am going to ask those questions again.

We would like to know very much, since we are talking about a major use of public funds going in a particular direction that has been untried and untested with no verification from the Minister, no proof, no analysis, no studies to indicate how it will work, and how it will translate into what spaces, who will pay the difference between the subsidy and the rates being charged by private day care centre, how current centres, non-profit centres will manage without any increase in their maintenance and salary enhancement grants. The list goes on and on.

Let me start with those basic questions and that request for information, and if the Minister—all we can assume from this refusal by the Minister to answer the question is that decisions are being made outside of the department in some other part of the Government. Based on what has been forwarded to us today on the foster parents issue, we assume that the Premier's Office is making all the decisions, and the Minister is not at all informed about what policy directions she is taking, and receiving no statistical, empirical, theoretical backup to any of her policy decisions.

Hon. Charlotte Oleson (Minister of Community Services): The Member can make all the assumptions she wants, but this Minister is in charge of the day care department in the Department of Community Services.

There was no research done under Research and Planning with regard to day care. If the Member wishes to discuss day care, she should wait until the day care line of the Estimates.

Ms. Wasylcyia-Leis: Could I ask then why the Supplementary Estimates refers to the Research and Planning Branch of her department as a branch that provides advice and research and background information on all aspects of the department, on all policy matters? Related to that, what does this branch do, if it has not to date provided policy advice on any single issue that has come before the public, any serious policy issue that is being debated, that the Minister keeps raising, by virtue of announcements and statements and new directions?

Mrs. Oleson: The Research and Planning Branch of this department is a small branch. They do assignments

on research and planning, as they are assigned to do. They have not been assigned to do any in the day care area because we have a day care branch which looks after that.

If the Member wishes to have the information on what the Research and Planning Branch does, I could give that to her. Their specific responsibilities include: coordination of departmental and interdepartmental cost-sharing negotiations with Canada; interdepartmental, intergovernmental liaison re program and policy development; administration of the department's contractual research with external agencies; departmental coordination of Native policy development and tripartite negotiations; coordination of legislation development and amendments; coordination of the Decade of the Disabled persons initiatives, which we discussed the other day; assessing and assisting with the development of policy and operational options on behalf of the department.

I repeat, we have a day care branch which does—any policy and planning on day care, that branch is responsible for.

* (1620)

Hon. James Downey (Minister of Northern Affairs): Just to try and be helpful to expedite the activities of the committee, probably the way it should be is for the committee to pass this issue so they can get to day care. That is really the way in which it normally would work, or else have the committee stick to the relevant items or questions dealing with the item that is there, rather than to advance to day care, which is down the list to some degree.

I think there certainly will be ample opportunity to debate the whole question of day care. It is just a matter of doing it in the order which is appropriate. I would suggest the way of getting there is to pass the items that you are dealing with, Research and Planning.

Ms. Wasylycia-Leis: If the Member for Arthur (Mr. Downey) had been here for the number of hours we have been here trying to get some information that quite normally and naturally one would expect to be able to determine and get from an item like Research and Planning, then he would understand the frustrations of this committee and why we are still on this line, why we are still trying to get answers. We have gone from the issues of—

Mrs. Oleson: Free trade, all kinds of things.

Ms. Wasylycia-Leis: Yes, the Minister mentions free trade. Now, in any other department, in any other normal circumstance, one would expect a Research and Planning Branch to be familiar with and have researched an issue like trade. We are now today on the issue of child care. We have been on the issue of foster parents. We are on the issue of a whole number of facets of her department consistent with the description of the Research and Planning Branch to provide policy advice on all of those areas.

So I go back to the Minister and ask for—if she says this branch has not done any work at all on day care,

let me ask the Minister if there have been any studies done anywhere in her department, any research undertaken, anything that she can refer to now that will provide backup to her announcement of yesterday, give us some indication on what basis this decision, to date fairly illogical—I have used the harshest word, the word that describes it best for me—illogical concept until we get further information of this so-called floating subsidy.

Are there any studies? Have they done any studies? Has she done any research on this? Is she prepared to table at some point background information on this new policy direction? Given that she was not prepared to wait for the task force on this issue but is prepared to wait for it on every other pressing issue in the day care field, is she prepared to indicate that there was some basis for making this decision, other than just ideological blindness or determination or whatever?

Mrs. Oleson: Mr. Chairman, the information with regard to day care is collected by the day care branch, not by the Research and Planning Branch. I think probably this Member and I could argue for a considerable length of time on the ideology of day care. Our Party has chosen to go the route we did with day care and we will stand by our actions. Any convoluted attempts the Member has to distort the issue and change it into something that she believes in and some ideology is just not acceptable.

This is the line where we are discussing research and planning within the department. There is a day care branch which advises and collects information on day care. There are many provinces in this country that give subsidies to private day care. I do not see why the Member is getting so exercised because Manitoba wants to offer that sort of flexibility to our children.

Hon. Clayton Manness (Minister of Finance): Mr. Chairman, I think the Member for St. Johns (Ms. Wasylycia-Leis) does a disservice to the committee on what its objectives and intentions are.

Mr. Reg Alcock (Osborne): On a point of order, Mr. Chairman.

Mr. Chairman: A point of order, the Member for Osborne.

Mr. Alcock: Perhaps the Chairman could clarify the order of questioning. Are we going one question per Member now? Has there been a change in the routine from before?

Mr. Manness: I was not on a point of order, Mr. Chairman.

Mr. Alcock: I am.

Mr. Manness: Yes, you are, I was not.

Mr. Chairman: The Member does not have a point of order.

Mr. Alcock: Thank you.

Mr. Manness: Mr. Chairman, as I was saying, I think the Member for St. Johns (Ms. Wasylcia-Leis) does a disservice to the objectives and intents of this committee. The other day when I sat here, I found that we were in a wide-ranging debate on free trade. Today the Minister is being asked whether or not her planning and policy branch has directly gone into some certain numbers of areas. Let me state for the record, as the Member for St. Johns, I know, knows, the policy branches within certain departments work on directives that take some period of time. The former Minister probably had a number of areas that were being discussed or a number of areas that she had researched. There are not large staffs there so consequently, after a period of two or three months, it would not be normal for the whole direction in all of the policy development to have been moved very quickly into other areas. That is No. 1.

No. 2, the Minister has indicated again and again that the policy area within her department had not specifically looked and was not mandated, either by the previous Government or indeed by the new Minister, to look specifically at day care issues. That is a matter of record, Mr. Chairman, and I think if we are going to function well, and I can see how the House Leader of the Liberal Party (Mr. Alcock) is becoming quite exercised because of some of the things that are going on within this committee, we move to the matters at hand so that all Members can ask very direct questions of the Minister.

Ms. Wasylcia-Leis: I think if we had fewer of those interjections, we might be able to progress a little more rapidly through Estimates and get on with the real issues.

Again, the newcomers to this committee, the Member for Arthur (Mr. Downey) and the Member for Morris (Mr. Manness) and others will forget, will not be aware of the fact that we have—it is not simply on the day care issues that we have tried to get some information about research, what research has been done, what planning had been done, but it has been on the issue of the foster care issue, it has been on the issues of Child and Family Services, it has been on the issue of community living, been on the issues of free trade. All we are getting from the Minister is stonewalling and constant and continual refusal to answer any questions on any of these matters.

I obviously am not going to get anywhere with the Minister in terms of day care. She has basically admitted that no research and no planning was done prior to the announcement made yesterday. There has been no explanation for the fact that this new policy direction has been taken well in advance of the task force even being struck, let alone reporting. I think her answers speak for themselves and Manitobans have a great deal to be concerned about in terms of use of their taxpayers' money. Let me go on to an issue that has been raised before in this committee.

* (1630)

Again, we have tried on a number of occasions to get information from the Minister about what role her

department and her Research and Planning Branch had in terms of the foster care issue, in terms of the negotiations, and in terms of the survey that came very close to bringing all negotiations to a halt.

Today in the House the Minister, although she refused to answer a single question in this committee such as who was involved in the contract, what the questions were, what the contract involved, who the contract was with and on and on, today found that she was in a position to table some of that information. Now one could of course ask the question why it took that long when the information was readily available.

Today I would like to ask some questions related to the tabling of that information. The first I would like to ask is —(Interjection)— Mr. Chairperson, in the information tabled today there is a letter signed by a Mr. Greg Lyle of the Premier's Office on Executive Council letterhead outlining arrangements with the firm hired to do the research, the Western Opinion Research company, basically outlining the terms of reference of the contract, stipulating the conditions under which this contract would take place. Included in that list of conditions and arrangements is a reference to the Government of Manitoba providing phone lists of foster parents to Western Opinion Research and refers to information provided to or collected by the research company, the exclusive property of the Government of Manitoba. The list goes on. I could refer in much more detail to that letter.

My question to the Minister of Community Services is, and I hope that you will think about this question seriously because it is a very serious matter, if she could indicate to us whether or not she has sought legal counsel about any breach to The Child and Family Services Act as a result of this approach to the search for information and research, and whether or not she is aware of any breach to Section 76(3) of The Child and Family Services Act? If she could please indicate to us today whether that information was sought and what outcome resulted from it and what she plans to do about the situation?

Mrs. Oleson: The question was so long and there were so many facets to it that I will take a few minutes to get it all together here.

First of all, the Member stated that no research, no information was gathered, nothing was done with regard to the day care decision. What I said was that no research was done in this section of the department. The day care branch looks after the subject of day care in this department. We do not wander all over the department, every department gathering snippets of information and not coordinating them. We do it all in a coordinated fashion in the line that it belongs in.

Now, with respect to the survey, the Member seems to insinuate there is something sinister about me not tabling the survey questions until today. The obvious answer to that, if the Member would think about it, is that today I received a letter from the Foster Parents' Association ratifying the agreement. Any tabling of documents before that would not have been a good idea. I received a letter from them today. I had word

yesterday that they were going to ratify the agreement but I received the letter today, in which the Member should be very pleased and should be the first to be congratulating this Government on reaching an agreement and having it ratified in that way, and that we are not faced with a moratorium on foster care in this province.

I think the Member does a disservice to the whole subject by wandering off into these tangents and not getting down to the actual meat of the whole thing which was that this Government was faced, this province was faced, with a moratorium on child care. That is the important issue in this whole thing. I will remind the Member again that this area that we are discussing is Research and Planning. It is a small department that does assignments on research for the department. The questionnaire was not something that they were assigned to do.

Ms. Wasylycia-Leis: I regret that the Minister has chosen to ignore a very serious issue and to go off on a tangent herself with respect to the agreement that has been reached by the foster parents of this province with the Government of Manitoba, an agreement which we have indicated previously and which we indicated now we are all pleased has been reached.

The matter I have raised is quite a separate matter from that final agreement as a result of serious negotiations. The issue I am raising now is related to one we have tried to pursue previously in these Estimates under this line. Previously, we have asked the question: Did the Minister or any of her staff, either in this branch or any other part of her department, have anything to do with the survey, with the phone campaign that was conducted of foster parents in the Province of Manitoba? We received absolutely no answer from the Minister on that. There was no confirmation, no affirmation or denial of those questions.

In the House and in Supplementary Estimates, in response to a similar question, the Minister of Finance (Mr. Manness) had suggested that perhaps political staff were involved in either the writing, I believe he said the writing of the questionnaire. Today, we have had tabled the details of the questionnaire as well as a copy of a letter between the Government of Manitoba and Western Opinion Research, outlining the details of the contract. Those details and those conditions are on Executive Council letterhead. They are signed by the Principal Secretary to the Premier (Mr. Filmon). They involve areas of confidential records, of seeking of information, of material related to provisions that are outlined in The Child and Family Services Act. I have asked the Minister if she had sought legal counsel to determine if her Government was in keeping with this Act.

I am referring specifically to Section 76(3) of that Act, entitled "Records are Confidential" which states: "Subject to this section, a record made under this Act is confidential and no person shall disclose or communicate information from the record in any form to any person except (a) where giving evidence in court; or (b) by order of a court; or (c) to the director or an agency; or (d) to a person employed, retained or

consulted by the director or an agency; or (e) by the director or an agency to another agency including entities out of the province, which perform substantially the same functions as an agency where reasonably required by that agency or entity," further breaking that down to provide service to the person who is the subject of the record or to protect the child or finally to a student placed with the director or an agency by contract or agreement with an educational institution.

Mr. Chairperson, my questions are very serious this afternoon. We have, on the basis of what was tabled in the House today, the first real indication and evidence that, pursuant to the Minister's inability to answer the questions or consistent with her inability to answer questions placed previously, it appears that in fact this whole survey and contract arrangements were conducted between the Premier's Office and the company.

My question to the Minister is: Has she perused the Act? Is she aware of any breach of the Act by the Government of Manitoba? Has she sought any legal opinion about the legality of the Principal Secretary to the Premier providing a membership list of the Manitoba Foster Parents' Association to Western Opinion Research Limited of Winnipeg?

* (1640)

Mrs. Oleson: Yes, I neglected to address that part of the question. I do apologize to the Member but, as I said before, the question was so long that I tended to miss some of it.

We have had a legal opinion that there is no breach of the Act. As the Minister, I sought the information, the lists and phone numbers from the directors of the agencies and, under my direction, a survey was undertaken. There had been no breach of the Act.

Ms. Wasylycia-Leis: Would the Minister be prepared to table today as soon as possible a copy of her legal opinion?

Mrs. Oleson: The legal opinion was with consultation. It is an internal matter, but I am sure that there was no breach of the Act.

Ms. Wasylycia-Leis: Again, I would ask that the Minister treat this matter with great seriousness. Her comments have given us no feeling of confidence that the Act was not breached, that there is anything to rule out the possibility of the Premier's Office and the Principal Secretary to the Premier (Mr. Filmon) providing confidential records to the Western Opinion Research Ltd. of Winnipeg which, by our interpretation of the Act, would appear to be a contravention of the Act.

Could she please address the question of the letter tabled today and how that is not a contravention of the Act in her opinion, and how it is not a contravention of the Act in the opinion of her legal advice or legal opinion?

Mrs. Oleson: As I repeat, there was no contravention of the Act and there was no confidential material given

to the research company. They had a list of names, addresses and telephone numbers. If you want to look up telephone numbers, you can find them in any telephone book. There were no confidential files given to this company. The agencies provided the list of names and that is all. If you ask the agencies, they would be able to tell you that. There was nothing of a confidential nature that was provided to my department and, in turn, provided to the research company.

Ms. Avis Gray (Ellice): Mr. Chairperson, in regard to questions about the survey, the Minister of Community Services (Mrs. Oleson) has indicated that the important thing is that an agreement was reached with the Foster Parents' Association, and certainly nobody would negate that, in fact, we are pleased that an agreement was reached in spite of the lack of good-faith negotiations by this Government and their bungling.

What we seem to have here in regard to dealings with Foster Parents' Association, the concern has been raised about the process and does the means justify the ends. We have some very serious concerns about the process as to how negotiations, consultation and openness go on with community agencies.

I raised the issue of the Manitoba Child Care Association. We have not got a definite answer from the Minister today as to whether they will be part of the seven-member committee, the main Child Care Task Force. We have concerns about why an association such as the Manitoba Child Care Association has not been consulted, is not being allowed to continue on with regular quarterly meetings with the Manitoba day care office. Why has that been suspended?

The Manitoba Child Care Association, for the record in case the Minister is not aware, represents many, many day cares across the Province of Manitoba. This afternoon alone, I have received over 23 calls from various day cares in the City of Winnipeg and outside of Winnipeg, who expressed support for the Manitoba Child Care Association and who have expressed grave concerns about the Minister's announcements and policies on day care, concerns which we have raised in the House regarding why there are no increases in salary enhancement and maintenance grants, concerns about opening up child care spaces to the profit organizations, concerns about where the accountability is going to be built in.

We trust that the Minister of Community Services (Mrs. Oleson) will certainly take a look at the process that has occurred over the past four months with the Foster Parents' Association, and realize that in fact there are many community groups out there such as the Manitoba Child Care Association who want to provide input, who want to work along with Government, who feel it is important that their views and issues be represented. They are asking for some degree of good faith and some assurances by this Government that in fact their views will be taken into consideration. We hope that in fact there will not be solicitation and surveys of day cares as to what their feelings are on the Manitoba Child Care Association, or the Family Day Care Association. There are community groups out there.

We are very, very concerned about the attitude that this particular department seems to be taking regarding community groups and social programming in general. We have a situation where various Child and Family Service Agencies across Manitoba have been told that outreach funding will be cut, and that some positions will be lost. We question whether the Minister of Community Services (Mrs. Oleson), whether in fact her Research and Planning group have met with Child and Family Services Agencies. Has there been a follow-up study and review done on the advantages and the improvements within the child welfare system, because of the division of the agencies into six in Winnipeg and the agencies in rural Manitoba as well?

We are concerned by this Government's apparent attitude and a need to start controlling what happens out there in the community and not necessarily listening to what is going on in the community, not listening to Child and Family Services Agencies. We have a lot of concerns that control now is going to be centred back within the department.

I have problems when the Minister of Community Services (Mrs. Oleson) tries to downplay the process in regard to what happened with the Foster Parents' Association, where the Minister tries to downplay the fact of the survey. We have very serious concerns about what is happening in the Department of Community Services. We have a group of parents out there who have mentally handicapped in community residences who have been writing letters to the Minister, who have been expressing concerns, who are starting to form groups and may even decide to come to the Legislature because they want to have their concerns voiced to the Minister of Community Services and feel that letter writing and phone calls are not enough so, therefore, they must resort to this.

My question to the Minister of Community Services (Mrs. Oleson), and specifically relating to the Child and Family Services Agencies, could the Minister tell us if the Research and Planning Branch was involved in the initial decision to move the Child and Family Services Agencies into six, and have there been any follow-up reviews and/or evaluation as to the results of that movement into six agencies, specifically within the City of Winnipeg?

* (1650)

Mrs. Oleson: I think the Member, she has got a lot of questions into one lengthy speech there, and so it is difficult to address them all. Of course, when we get right down to it, if she addressed them under the lines which are provided in the Estimates Book, it would be much easier. The way we are going with these Estimates, we should next year probably—and I will take that up with the Minister of Finance (Mr. Manness). I think we will just have one line on a page in an overall Estimates Book, Community Services, period, and then the allocation and then we will just debate it like that.

Now that is what we are having, but the Child and Family Services agencies, the Children's Aid Society divided into six agencies, happened some time ago and I was not involved at the time, I was not the Minister.

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I was a Member of the Opposition, I was not the critic. If there was research done, I have not read it and it is really counterproductive to go back and talk about research being done a few years ago.

What we are having is a discussion on Research and Planning, undertakings of the present Government under the Estimates of this year.

Ms. Gray: My question was in relation to—and I can appreciate that the Minister was not Government when the initial division of the agencies occurred.

But then the second part to my question was: Has the Research and Planning Branch done any follow-up studies or evaluations as to how in fact the Child and Family Services agencies, how you are finding the functioning and the performance of these agencies now that they have moved into six? Is it working? What studies, what reviews have been done? What are the recommendations? What is the status as far as Research and Planning regarding the viability of the six Child and Family Services agencies in Winnipeg?

Mrs. Oleson: There have been evaluations done, not under this line, with regard to Child and Family Services agencies. They were done in the Child and Family Services portion of the department.

I am sure the Member is aware of the Reid Sigurdson Report, and there was a review done by—is it Doctor or Mr. Reid, Grant Reid?—and there have been various reviews done within the Child and Family Services part of the department and studies done of the way that the different Child and Family Services agencies have evolved, and how they are operating. Those are all internal reviews which will be taken into consideration from time to time, particularly at Budget time, for instance, when we are planning how we fund all these agencies, and these are very useful reviews. I'm finding that I am better able to understand the structure of the agencies and the structure of the department because of these reviews.

Ms. Gray: Mr. Chairperson, the Minister has mentioned these evaluations and reviews and the usefulness of them. Could she perhaps indicate to us whether in fact there is agreement from these reviews and studies that the performance and the service delivery and the operations of the Child and Family Services agencies has improved since the move into the six separate agencies?

Mrs. Oleson: Mr. Chairman, the reviews that have been done have been done at different times. They reflect problems that had been identified and, in some cases, resolved by one means or another. They identify problems that are still ongoing and that will have to be addressed. Some of them, of course, in the study and review of anything that identifies problems, it identifies some problems are much easier to solve than others. There is a review of Central agency that is ongoing and we have not received a report on that.

But all these things identify the agencies at the time the review was taken and, of course, some of them have been in existence for a year or so. The changes

have been made since that and, no doubt, other changes will be made. That is part of the devolution of any agency or department, that from time to time things change, and most hopefully for the better.

Ms. Gray: Could the Minister indicate to us whether there have been any problems identified in regard to how these particular Child and Family Services agencies have used their outreach grants, used their funding? Have there been any concerns identified in this area?

Mrs. Oleson: One of the problems that I quickly identified was that it was not available to all the agencies in the province. It was only available to the six Winnipeg agencies, and that was a concern of mine. The other agencies when I met with them, which I have from time to time, expressed the interest in acquiring some of these funds also.

Also for the Member's information, the Community Outreach grants were not always all taken up. They were, I guess, put in the bank as surplus in some cases. We feel that, by changing the way in which those grants are allocated, we will have a better handle on the use of the money. We will be able to focus the money more particularly on the avoidance of taking children into care. We want to be sure that those funds are used as of the original intent, I believe, of the outreach grants. In order to be sure that they are being used to the best possible way, we feel that, by individual applications, this can be done better and also make it available to the entire province.

Mr. Gary Doer (Concordia): Following up on the questions from the Member for St. Johns (Ms. Wasylycia-Leis), I was interested to hear the Minister's answers dealing with: "We only gave them name, addresses and phone numbers." In the letter to Mr. Owen from the Western Opinion Research there was also provided the fact that the people whose names were provided to the polling company were indeed foster parents.

I would like to know whether the Minister feels that the designation of foster parents, with the name, address and phone number, is indeed a contravention of the Act that the Member for St. Johns (Ms. Wasylycia-Leis) has stated in terms of records or confidential information.

Mrs. Oleson: No, there was no contravention of the Act. Foster parents' names are classed as confidential material but, under the Act, they are allowed to be given in a confidential manner to a survey company.

Mr. Doer: Where in the Act does it allow—I see where information can be given to the court, to a director of an agency, to a person employed by the director of the agency, but where does it allow the Premier's Office to send designations of foster parents, which are confidential information, to an outside polling company, indeed a polling company that would hire individuals, perhaps 15 or 20, to do the questionnaire, could be even neighbours of the foster parents. They could even be next-door neighbours in terms of the foster parents, not aware that the child who is in their neighbour's home is indeed a foster child.

I believe that there were serious questions in terms of these records being confidential and the ability of a Government, through the Premier's Office, to give confidential information to an outside polling company. Does the Minister have a written legal opinion that she can table, dealing with this very important issue?

Mrs. Oleson: Under 76(3)(d) of the Act, it allows “. . . a person employed, retained or consulted by the director of an agency,” and that includes the Minister. The director of the agency is under the direction of the Minister and under that authority there is no contravention of the Act.

Mr. Doer: The Act does not say—and I cannot read where the Act would provide the ability of the Executive Council to take that information which is confidential. It may contain the information of neighbours from the polling company staff and hand that over in, quite frankly, a big-brother way to an outside polling company for purposes of basically questions dealing with the Foster Parents' Association. I think, if we are to be honest, there is only one question dealing with the contingency of a moratorium, the 13th question.

I am very concerned that there is no legal opinion to support the Minister, that the Premier's Office indeed has the right to take confidential information and give it to a polling company with foster parents' designation on it, which obviously means that some of the children in the family are foster children, which I believe is confidential. I certainly would not want that information bandied around my neighbourhood. Where in the Act does the Minister get the right to have Executive Council send that information out to an outside polling company? Where is the written legal opinion to support her position?

* (1700)

Mrs. Oleson: Mr. Chairman, we can provide the Member with the legal opinion. Under the direction of the Minister—

Mr. Doer: Where does it say that?

Mrs. Oleson: —this polling took place, I directed it to be done. If you are looking for ghosts or something behind trees, I am sorry, you are out of luck. It was legitimately done to get information and under the direction of the Minister, which is perfectly legal.

Mr. Chairman: Item 1.(c) Research and Planning: (1) Salaries \$752,000.00. Shall the item pass?

Some Honourable Members: No, no.

Mr. Chairman: The hour being 5 p.m., it is time for Private Members' Hour.

Committee rise.

* (1610)

SUPPLY—INDUSTRY, TRADE AND TOURISM

The Acting Chairman, Ed Helwer: This committee come to order. We are dealing with Industry and Trade Division, No. 2.

The Honourable Member for Dauphin.

Mr. John Plohman (Dauphin): Minister of Highways and Transportation one year ago. Mr. Chairman, it is only a year since I was moved from there to Natural Resources, and a lot of things have happened since then.

I just wanted to ask the Minister, following on my colleague's, the Member for Flin Flon's (Mr. Storie), questions yesterday, whether he had an opportunity to gather the information that was requested yesterday with regard to studies on the impact that the trade agreement would have on various sectors of the Manitoba economy. The Minister had indicated that he had a number of studies that he would be prepared to table in the House. We had asked that be done before the Estimates had been completed. Of course, we are not anywhere close to doing that but, at the same time, that could expedite procedures somewhat.

I would ask the Minister whether he can give us an indication whether he, first of all, has that information today or when he will have it.

Hon. Jim Ernst (Minister of Industry, Trade and Tourism): Mr. Chairman, I must apologize to the Members of the committee. I have not had an opportunity yet to pull together that information. I will attempt to do that. Not anticipating, firstly, Estimates to occur today, plus the fact that I was engaged in a Cabinet meeting all morning, it made it difficult for me to pull that information together. I will attempt to do that as quickly as I can. I do not want to undertake a specific time because, if I cannot deliver, then it will be difficult so I will undertake to do it as quickly as I can.

Mr. Plohman: I want to thank the Minister for that undertaking. That information is very important to us in the New Democratic Party Opposition, at least, and it is very important for our consideration of the Estimates that we have it as quickly as possible.

In the meantime, we want to continue some discussions on the issue of free trade. My colleague, the Member for the Interlake (Mr. Uruski), has some questions of the Minister with regard to free trade and agriculture.

Mr. Bill Uruski (Interlake): Yesterday, the Minister indicated that he has yet to meet with a number of groups dealing with the free trade issue, I am assuming, although he did indicate that he met with the Canadian Manufacturers' Association and they did not raise the free trade matter with him.

I want to ask him whether he has met with any of the agricultural groups affected by the agreement, which the agreement will impact on both in some instances

negatively and positively. Which of those groups has he met with, and what can he report?

Mr. Ernst: I, as I indicated yesterday, will be embarking on a discussion on a sector-by-sector basis across the economy dealing with the adjustment aspects of potential for free trade. Once the Free Trade Agreement comes in, no one is really sure at this point what kind of impacts will be involved with regard to that on a sector-by-sector basis, and I intend to meet with each of those sectors on an ongoing basis.

To be fair to the Canadian Manufacturers' Association, I did meet with them yesterday. It was on a specific topic—it was not related to free trade—and it was their intention and my intention to discuss the question of internal trade barriers only at that meeting. To be fair to them, it should be noted that was the reason for that particular meeting. Further meetings, I am sure, will take place from time to time on a variety of other issues that we will be discussing with them.

Mr. Chairman, with regard specifically to the agriculture groups that the Member referred to, I specifically have not met with any agricultural groups. My colleague, the Minister of Agriculture (Mr. Findlay), I understand, has met with virtually all of them, if not very close to all of those particular groups with respect to the matters relating to free trade. He has looked at that sector of Manitoba's economy, principally because it relates primarily to his department and he has a much more intimate knowledge of agriculture and its related problems than I do certainly, or can be expected to learn in a matter of two or three or fourth months. So, Mr. Chairman, it made eminent good sense for him to deal with those groups in order to discuss problems relating to agriculture and the Free Trade Agreement, in particular, and a variety of other issues in general. My colleague, the Honourable Minister of Agriculture (Mr. Findlay), is anticipated momentarily, if there are further questions directly related to the agricultural sector.

Mr. Uruski: I would like to ask the Minister whether his department has made some assessments on the various sectors within the agricultural component and can he provide myself or Members on this side of the House with that information? Would he have some of that information handy?

The area that I can start out with is the horticultural industry, which the Member spoke about yesterday about the Member for Portage, the Minister of Labour (Mr. Connery). I used the time frame of tariffs for 10 years. I am not sure whether I am wrong, whether it is less than 10 or whether it is in fact more than 10, whether the 20-year areas—and what assessment has the department made in terms of the communications that they are having with the industry and from the industry. What is their assessment?

Mr. Ernst: Yes, the department has made an assessment. Again, not anticipating to be in Estimates, I do not have, first of all, the staff here; and secondly, all of the information that we might like to have here as well. I can make arrangements to have that

information tabled again as quickly as I can which relates to that particular sector.

Mr. Uruski: Can the Minister indicate whether there are some concerns on behalf of the Manitoba Government, of which he is Minister, in the whole area of the impact on the horticultural industry, or is it as positive and rosy as he attempted to portray to us yesterday?

* (1620)

Mr. Ernst: With regard to the vegetable growers which, I think, the Member for Interlake (Mr. Uruski) is referring to, it deals with the vegetable growers' industry. I see my honourable friend, the Minister of Agriculture (Mr. Findlay), is here and he may wish to make additional comment on this sector.

It has been analyzed, there are some problems associated with the vegetable growing industry with regard to free trade. That information, as I indicated, I would be prepared to be able to provide tomorrow.

Mr. Uruski: Can I ask the Minister to advise me what the terms of the agreement are, specifically as it relates to the vegetable industry? Is there, by virtue of this agreement, sufficient latitude for the industry to in fact expand from its present form in terms of competition with the U.S.? How is the industry going to be treated under this agreement?

As the industry is now structured, there are provisions as I understand—and the Minister can correct me if I am wrong—to allow for seasonal tariffs if the U.S. market, say, is glutted in a particular vegetable, and to maintain the price protection for, say, Manitoba producers, let us say in cabbage or lettuce in terms of seasonal protection. If the market falls out in the U.S., there are the provisions under the present tariffs to allow for seasonal tariffs not to basically knock the bottom out of the Manitoba market and basically bankrupt Canadian or Manitoban producers by allowing a glut of U.S. vegetables to flow onto the Manitoba market.

Hon. Albert Driedger (Minister of Highways and Transportation): That is fearmongering.

Mr. Uruski: The Minister of Transportation (Mr. Driedger) says it is fear mongering. If he has other information that shows that I am not understanding the issue well, I am prepared to say, look, these are the circumstances as I understand them. If I am wrong, let the Minister—and it appears the Minister of Transportation knows all in this area—let him get up and say, look, here is the situation, you are not assessing this properly. What I have said, are there some major flaws in terms of the current situation, and how does he view the future in this area.

Mr. Ernst: Mr. Chairman, I think in negotiation of the Free Trade Agreement, there was a concern over the question of vegetables and flooding the Canadian market with U.S. vegetables, as the Member for Interlake (Mr. Uruski) indicated. Tariffs, therefore, under

this agreement will be phased down over a 10-year period. In addition to that, there will be a 20-year snap-back provision with regard to surplus quantities being dumped into the Canadian market. That 20-year snap-back provision will allow, on a one-time yearly basis, the opportunity to put back into place sufficient tariffs in order to protect the Canadian vegetable industry.

Mr. Uruski: How does the snap-back provision work? Let us say over the next 20-year period, on the agreement that was signed this year, over the next five or 10 years, there is an expansion of the production in Manitoba. Let us say it is lettuce. How will the snap-back provision work? Will it work on the expanded production or will the basis of the agreement be on the current acreage that is in production today?

Mr. Ernst: Mr. Chairman, I guess the simple answer is it is based on a static market as of today, either a static market of today and/or a declining market. Presumably, in an inflating market or an increasing market, the provisions of import vegetables they are being able to compete fairly with and as a result they are not being harmed.

I think what else I can say too is that the snap-back provision can be implemented on very short notice. I believe two days' notice is the amount of time necessary to implement that so that Governments can react quickly to the question of a flood of surplus vegetables coming into the country.

Mr. Uruski: Let me just say whether I understand the Minister correctly. The Minister indicates, and he can correct me if I am wrong, that the snap-back provisions in the agreement allow, on short notice of two days, seasonal tariffs to be put in place in the event that there is a hurt to the Canadian industry by virtue ostensibly of dumping of American product onto the Canadian market based on this year's acreage. So the norm will be today's acreage, generally speaking, or today's production, in effect, currently at the signing of the agreement, but yet the provisions will last over—is it 20 years?—20 years, okay.

Now let me just ask this question. So in the event—and here is, I guess, what I am getting to. Today our dollar is roughly—what?—82 cents of the American, 80, 81?—(Interjection)—Okay, 81 cents. So 10 years down the road we are getting closer to par, let us say we are at 90. What happens in the intervening time if the vegetable industry, because of the exchange—and that has been primarily the reason that Canadian producers have been able to ship into the U.S., whether it is hogs or many other products, has been as a result of the exchange rate. I mean our pork flow to the States, not because of their market, primarily; it has been because of the exchange, right? And the Minister of Agriculture (Mr. Findlay) is agreeing with me. Now that being the case—(Interjection)—Oh, no doubt, quality, but in terms of the price in the marketplace and the gain for Canadian producers has been the exchange rate. That is why we have been able to penetrate the U.S. market. Now in the event that the exchange rate narrows, does that not leave our producers in a less competitive position?

What happens in the event that our market, for the time being, does expand? What do producers do in terms of any future expansion that the Member for Lakeside (Mr. Enns) has talked about, saying marketing boards have been anti-expansion, and what does this deal do for our vegetable producers who has been heralded by his colleague, the Minister of Labour (Mr. Connery), as great for the industry? What does it do for any future expansions that may occur while we have the benefit of the increased dollar and yet, at the time the ability to put into seasonal tariffs, we are reduced back to the acreage or the production of today? Is that a concern of the Minister of Industry, Trade and Tourism (Mr. Ernst) or the Minister of Agriculture (Mr. Findlay), if he cares to answer, as to the state of the industry as it evolves?

Mr. Ernst: Production and volume is not geared or gauged on the basis of a specific day for the whole of the country. It is gauged on a three-year average and it is also gauged on a regional basis so that you are comparing Manitoba with Ontario or whatever. It is gauged on a regional basis. It is not specifically related to the entire country on a national basis.

* (1630)

Secondly, the question of exchange rates, it is a very valid concern because exchange rates have made our products that much more competitive in an export market. The problem is that exchange rates are not a function of the Free Trade Agreement. Exchange rates will happen regardless. They are happening today. That narrowing of the gap is occurring today without a Free Trade Agreement in place. So our products are going to face that dilemma, if it is a dilemma, regardless of whether there is a Free Trade Agreement or not. The function of exchange rates we have faced all across the world. As a matter of fact, in terms of our exporting to countries off of this continent, it has created problems for us too as time goes along and they will continue to create problems. We will continue to have to face those kinds of things.

There is not a great deal certainly that the Manitoba Government, no matter what its political stripe would be, can do to affect exchange rates across the world. That is the function of the world economy and something that we all have to face in terms of any export products leaving our country for sale in other parts of the world.

Mr. Uruski: Mr. Chairman, can I ask the Minister then: Do my comments that I made on production—and he said the production will be gauged on a regional basis. Does that make any difference to Manitoba producers in the final analysis in terms of the lessening of any snap-back provisions? Does it make any difference to Manitoba producers in the long run whether we are part of national production or regional production, in terms of this agreement?

Mr. Ernst: I suppose the simple answer to the Member's question is, yes, it does make a difference in Manitoba. If we have vegetable producers—let us use the example of lettuce. If we have 1,000 acres of lettuce, let us say as an example, produced in Manitoba on an average

over the last three years but that next year, after the Free Trade Agreement is in place, there are only 960 acres of lettuce planted, we are in a declining situation, snap-back provision. Therefore, based now on a regional basis even if, in Ontario, there is a 10 percent or 15 percent increase in lettuce production, we have the right to have the snap-back provision used in Manitoba on the basis of Manitoba's individual regional concern.

Mr. Uruski: Mr. Chairman, the Minister as well in his comments indicated that exchange rates will occur regardless of the Free Trade Agreement. I agree that, in fact, will occur. Then can the Minister tell me—because I believe that a trade agreement and we believe the trade agreement could in fact have been negotiated sector by sector. It was not done. It was done all-encompassing. Can the Minister tell me from his department what are the positive features, since I have not yet heard, or maybe there is, what are the positive features of this agreement there for the vegetable industry of Manitoba in terms of future expansion and future production that the Member for Lakeside (Mr. Enns) talked about yesterday, and I am sure the Minister of Agriculture (Mr. Findlay)? What is the positive side of the trade agreement to the vegetable industry of Manitoba?

Mr. Ernst: Mr. Chairman, under the analysis of the Free Trade Agreement, the vegetable sector is anticipated to remain about level, about where they are. There is not anticipated to be major gains made for the vegetable sector nor should there be major losses incurred by that same sector. It is anticipated that those people will likely remain in about a static position, give or take a few percentage points. Where there are some other benefits, however, is in the agricultural industry. The Minister of Agriculture (Mr. Findlay) may wish to comment further on those, but there are other major gainers in the agricultural industry as a result of the Free Trade Agreement.

I suppose in livestock, particularly, there are opportunities. Beef and pork and canola—not granola, as we heard earlier—but anyway there are some significant winners in the agriculture sector that will benefit. Had an agreement been negotiated on the basis of agriculture as a sector of the economy, any differential between livestock production, for instance, and vegetable growers likely would still be inherent in that kind of a situation, even based on a sectoral agreement.

However, that was not our option. We did not get the choice. The federal Government decided to negotiate a Free Trade Agreement based on as many things as they wanted to include in that agreement. We, in Manitoba, view in the overall scheme of things that free trade will mean benefits to Manitoba, will mean significant job increases, and will mean significant benefits for many, many sectors in our economy.

Mr. Uruski: We will get into the whole question of red meats shortly as well. I want to get into some of the specifics in those areas.

I want to ask the Minister his assessment that, given his acknowledgement that the industry will in fact remain

static in terms of production in this country—that is how it is viewed by his Government, I think that is fairly accurate—what does that hold in terms of future possible expansion in terms of food processing, some of which is here in Manitoba, and the like of any future capturing of any increasing in the Canadian market since, when the snap-back provisions are removed and given the competitive nature and the ability of U.S. producers clearly in terms of weather and a number of other circumstances, because we have had that occur to us, what impact will that have in terms of the future for our processing industries?

Hon. Glen Findlay (Minister of Agriculture): I would just like to comment briefly on what the Member for the Interlake (Mr. Uruski) is talking about. Certainly, the nature of his comments since I have been in the House would indicate that he is looking at the agreement as just a fait accompli exactly as written. That is where we are going to be. He takes a worst-case scenario with it, that our exchange rates may rise up from 81 cents. It was not long ago that they were down to 72 cents and certainly, if they move down, they are favourable to us.

But I think the Member is losing sight of the fact that, in the agreement, there are ways and means of working to improve the agreement as years go by. I refer him to Section 708:4, which clearly states that parties, meaning the two countries, shall have equal representation on working groups. Working groups will cover such areas in agriculture as animal health, plant health, meat and poultry inspection; and the fourth one is dairy, fruit, vegetable and egg inspection; fifth is veterinary; sixth is food, beverage and colour additives and so on. There is a seventh one on pesticides, and an eighth working group on packaging. Further to that, in Article 709, there will be semi-annual consultations.

So I would like to remind the Member that the agreement is structured to improve. No. 1, our access, because of the quality of the products we sell in the United States give us a 50-50 chance in a dispute-settling mechanism, and set in place working groups that can work with the irritants that will undoubtedly arise over the course of the period of time. Some of these irritants are naturally going to emerge and the Member knows it, the former Minister of Agriculture. Things do not flow. You cannot predict the future. Lucky if you predict tomorrow, let alone four or five years down the road.

* (1640)

The Member worries about our ability to expand and produce products and processing in the future. I look at McCain as the perfect example. They have processing in the United States, processing in Canada. They had processing in—was it Nova Scotia?—and they came and located a plant in Manitoba. The No. 1 reason, this was the highest-quality potatoes in North America. There was obviously a market for high-quality fries from these potatoes. They are selling from a plant in the United States and a plant in Canada, selling the Canadian product, exporting to Japan, competing quite well with the present 81-cent dollar and the previously 75-cent dollar and the previously 85-cent dollar. So

what has changed in this agreement? All of a sudden, we are into a big black box and we are going to lose.

I would like to remind the Member that we are very competitive with high-quality products—I do not care what agricultural product you talk about—in terms of our ability to produce it and the past ability to research and produce products that have the quality. We will carry on in all those areas and we will be very competitive. I think we have outstripped the United States in our competitiveness and we will continue to do it, particularly on the quality side. We have done well in the competition point of view in terms of selling into the world market. Our producers have met the challenge for 100 years in this country. Look where we were 100 years ago! There were buffalo running right here, 100 years ago, and now look what we have done!

I am not afraid of the next year or the next 10 years or the next 100 years. We have the people, we have the resources, we have the research capacity, we can do it. If we are going to close the doors and say we do not want to export to you because we are afraid of you, we are dead in the water. We are an exporting province; we are an exporting country.

Mr. James Carr (Fort Rouge): Mr. Chairman, I would just like to ask the Minister, if he could, to confirm the figure published by the Economic Council of Canada on the net growth in jobs under the FTA over 10 years. I have heard something over 11,000 over 10 years. Could the Minister confirm that number?

Mr. Ernst: Both on the basis of its original predictions and on its adjusted predictions, after certain amendments were made to the legislation, the Economic Council, I believe, indicated 11,900-and-some jobs.

Mr. Carr: I am no wizard at mathematics, but a quick calculation tells me that if we have 11,900 jobs nationwide over 10 years—

An Honourable Member: That is Manitoba.

Mr. Carr: Oh, that is Manitoba over 10 years. Okay, so that is about 1,000 jobs a year in Manitoba. Now that is a net figure. That would be a net gain in jobs to the province. How many gained and how many lost?

Mr. Ernst: It is my understanding that the Economic Council of Canada did not publish, along with their estimate of net jobs, a specific breakdown as between how many gained and how many lost.

There have been a couple of other studies, I understand at least from what my officials say, that have attempted to do that. If the Member wishes, we can attempt to dig up that information if he feels it is of value to him.

Mr. Carr: I do not want to send the Minister off on any wild goose chases, but I will tell him very simply what the point of my questions are. If we can determine what sectors will be hardest hit by the FTA and if we can come up with some ball-park figure on the number

of jobs to be lost in those sectors, then the Government is in a position to come up with some strategy to deal with short-term dislocation.

My question to the Minister would be: Is his department currently preparing a strategy to deal with the short-term dislocation in Manitoba created by the FTA, given the fact that there are a very few number of net jobs to be created over the next 10-year period? What policies and programs does the Minister and his officials have in place to look after any short-term dislocation that obviously will occur?

Mr. Ernst: Mr. Chairman, firstly, let me say to the Member for Fort Rouge (Mr. Carr) that, in all of the studies that our department has done, there has been no indication that there will be sector-wide dislocation in any industry in Manitoba. Dislocation that will occur, as far as our analyses can tell, will be firm specific. In other words, there may be some companies in a sector that would do well, some companies that will remain the same, and some that will not do very well under the Free Trade Agreement.

That will be, to a large degree, dependent upon how aggressively the management of the company takes on the question of exports and how they function in a normal business environment. I mean, that occurs regardless of whether there is free trade or not. Some companies do very well in a sector, some do moderately well, some do not do very well at all and some go bankrupt. So, in terms of our analysis today, we have not been able to determine that there is any sector-wide dislocation as far as the Free Trade Agreement is concerned.

With regard to adjustment, we say that firstly is a federal responsibility and an acknowledged federal responsibility. The federal Government has said, yes, we accept the responsibility under the Free Trade Agreement for labour adjustment and we will, in fact, carry out our responsibilities.

What has happened is they have invited representations from the provinces to sit on the Labour Adjustment Committee to look at those problems to see where they are going to occur, how they are going to occur and what might need to be done. The federal Government has acknowledged publicly that they will, in fact, accept their responsibilities in terms of funding under that agreement. We are there as a player to bring Manitobans' concerns before the Labour Adjustment Committee and we will be there also to make sure that the federal Government lives up to its commitments.

(Mr. Chairman, Mark Minenko, in the Chair.)

Mr. Carr: Mr. Chairman, I would like to move on to a different subject, if I could, for a question or two.

I can remember being astounded by some television footage three or four years ago when construction workers in the Province of Quebec, in the City of Montreal, were picking up cobblestones one by one and replacing them with other cobblestones because the original ones had been manufactured in Ontario. The Province of Quebec had a policy that cobblestones only produced in the Province of Quebec could be used on the streets of Montreal.

What I am getting at, of course, is an introduction to the subject of interprovincial trade barriers. At a time when we are negotiating a bilateral comprehensive trade agreement and more than that with the Americans, we have very serious barriers to interprovincial trade in Canada.

My first question to the Minister would be: What is Manitoba doing? What is the position of his Government, in terms of meetings between Ministers of Industry and Trade and on the agenda of First Ministers, to begin dislodging these barriers to interprovincial trade which are as much of an impediment to the free flow of goods and services across this country and any tariffs that still exist between the United States and Canada?

Mr. Ernst: I must say that the Member for Fort Rouge (Mr. Carr) has hit the nail right on the head. There is no question that internal trade barriers in Canada create significant economic problems for our businesses here in Manitoba. Let me say that our Government is firstly firmly committed to the reduction and elimination of internal trade barriers. That is a No. 1 priority. That is one that we are working very diligently toward on two fronts.

Firstly, we are meeting on a nation-wide basis. We have had one meeting in June. We will have another one next week—sorry, the week after next, the 19th of September—of Ministers responsible for internal trade. It is a long, slow process. Provincial jealousies, protectionism and so on are difficult to overcome because now they have a direct political impact on those provinces. By and large, Manitoba is not one of them. We are attempting, over this long, slow process, to look at two areas on a national basis: first of all, the Liquor Board marketing practices; and, secondly, Government procurement within certain limitations.

* (1650)

We think, we hope certainly and we will be working very diligently toward having some success in those areas so that we are able to at least say to ourselves, collectively as Governments across the country, that we made some progress in the area of internal trade barriers. To suggest that we can wipe them all out instantaneously, I think, is not something that is ever going to occur. It would be foolhardy, I think, for any of us to even try and attempt that. We have to take that first step. That is what we are working toward.

We hope, quite frankly, that on the 19th of September we will be able to come to that conclusion that we will be able to take that first step and recommend to the First Ministers' Conference in November that they sign an agreement to take that first step in terms of reducing internal trade barriers. Across the whole country, nationally, we want to see trade barriers reduced, and we do have certain goods and services that we sell into other provinces in this country.

We also said to ourselves that, in terms of western Canada, a very great percentage of what we export out of Manitoba is exported into the western Canadian market. We are in the process of meeting on a western

Canadian basis of Ministers dealing with internal trade with a much higher success ratio than we are having on a national basis. It is anticipated that we will be able to see some further success in terms of a western Canadian initiative. If and when we come up with a western Canadian initiative, that may serve also as a lever in terms of the rest of the country to say that, if western Canada can get together, we can act on a unified basis, then why cannot the the rest of the country? We hope for sort of a two-pronged approach, at least at this point anyway.

I am certainly no expert on the questions of international or, for that matter, even internal trade, other than some pretty basic information that I have been able to glean in the four months that I have been in office, but the principle is there and the principle is what we are aiming at and the principle is ultimately what we hope to achieve. We hope to achieve it through a couple of mechanisms. Those mechanisms are in process. They have not yet failed. We do not anticipate that they will fail. We hope that, once there is a little lever, there is a little push to get us off the top of the hill and on that downward slope, the thing will gain momentum and we will ultimately reach that goal.

Let me also say that, during my first meeting as a Minister responsible for internal trade in Ottawa in June, I had some cause to speak with Daniel Johnson who happens to be the Minister responsible for internal trade in the Province of Quebec. He did not bring up the question of cobblestones in Montreal, but what he and I did discuss was buses in Montreal and buses in Quebec City and buses in Three Rivers (sic) and Sherbrooke and a number of other places that potentially could be manufactured in Manitoba. I must say that there was some interest in seeing Manitoba's ability to compete in those markets. That interest has to be pursued and I intend, over the next time, to pursue that so that we can see if Flyer Industries can be competitive in terms of the Province of Quebec and their transit bus operations.

In terms of the internal trade aspects, let me say that we are committed to the question and we are working diligently towards the end of reduction of internal trade barriers in this country, fully recognizing that, if we can have barrier-free trade with our neighbour to the south, certainly we can have it with our neighbours east and west.

Mr. Uruski: The Minister talked about internal barriers. The U.S. Government and other member states have continually referred to our supply-managed marketing board system as a trade . . . and a barrier. Does the Minister consider that system within our own country one of the barriers that they wish to break down?

Mr. Ernst: Mr. Chairman, a very cute question by the Member for Interlake (Mr. Uruski). Firstly let me say, in terms of the Free Trade Agreement, there is no question that the supply management agricultural industry is protected. Let me say that, in terms of internal trade barriers, I do not think any one of the 10 Ministers who met ever anticipated that the supply-managed agricultural industry would constitute an internal trade barrier.

Mr. Uruski: Mr. Chairman, I am pleased that the Minister indicates that supply management boards are not internal trade barriers within our own country.

I want to ask the Minister though, as I understand, Article 710 in the agreement recognizes supply management. However, Article 703 in the same agreement pledges that both Governments will work for the elimination or the reduction of import barriers. The Minister of Agriculture (Mr. Findlay), in his remarks, said there is a working committee. The committee will work for the elimination or reduction of import barriers. Since the U.S.—and the Minister agreed with me—consider our marketing board system as non-tariff barriers—(Interjection)—Pardon me?—(Interjection)—Then he is not agreeing.

Is he saying that the U.S. do not view our marketing boards—now he is going to change his mind that the U.S. do not view our marketing boards as non-tariff trade barriers. If he does not view, then let him say so that he has changed his mind from just a few minutes ago, because the Minister of Agriculture (Mr. Findlay) had all the faith in the world in his remarks earlier that this U.S.—Canadian committee will in fact deal with these barriers and be able to resolve their differences, when he does not want to acknowledge that the U.S. system has continually and will continually and does now continually hold our marketing board system as a non-tariff trade barrier. That being the case, is it not a fact that this agreement contradicts itself in the way that they view our marketing board system and that our marketing board system is in jeopardy under this trade agreement?

Mr. Ernst: Mr. Chairman, I will invite my colleague, the Minister of Agriculture (Mr. Findlay), to comment further on some of the specifics of it because he is the most familiar. But let me say this, that the Member for Interlake (Mr. Uruski) ought not to put words in people's mouths when he is standing here in the committee suggesting that I said or did not say certain things, because he is wrong. The Members of the committee here will know that he is wrong and he should not put it on the record for generations to come to read inaccurate statements.

Let me say this, that I made no comment with respect to whether the U.S. did or did not view our marketing boards as an unfair trade practice. I made no comment about that at all. What I did say was that the marketing boards are excluded under the Free Trade Agreement. That is what I said. So do not put words in my mouth and do not put inaccurate statements on the record.

I will invite my friend, the Honourable Minister of Agriculture (Mr. Findlay), to comment further.

Mr. Chairman: I am just wondering whether the Members would keep in mind Rule 64(2), that the items under discussion in this subcommittee should relate to the items or clauses under discussion and, as perhaps this has now entered the realm of the Department of Agriculture, perhaps the Member's question could be raised at that time in the Estimates of that department.

Mr. Ernst: The specifics of the Rules may lean in that direction. I have tried to be, as Minister in terms of these Estimates, as flexible as possible in order to accommodate a wide-ranging discussion relating to my department. I would hope ultimately that, once that wide-ranging discussion has wound down, we will deal expeditiously with all of the items within the department, rather than going through on again a singular line-by-line-by-line basis.

I think that understanding has been present with all Members of the committee who have been here up to this point and who have partaken in the discussion. I think it is perhaps inappropriate that we try and restrict discussion too much, that we try and deal with some of those broad-ranging issues. That makes it a little more difficult for me because I am only able to have certain staff available at certain times. But so far, it has worked reasonably well. I think it has been to the advantage of all Members of the House to have that opportunity. I suggest, Mr. Chairman, that we try and not be too restricted but that we allow as much flexibility as possible.

Mr. Richard Kozak (Transcona): On a point of order, it has become quite apparent that this particular discussion is dragging on to the point that some departments will not be properly considered in this Estimates debate. Therefore, we ask that the Rules be applied in a rigorous manner.

Mr. Chairman: The Member for Flin Flon (Mr. Storie), to the point of order.

Mr. Jerry Storie (Flin Flon): With all due respect to the Member for Transcona (Mr. Kozak) whose tenure in this House is quite short, precedent and practice in this Chamber has been for many years to allow the debate to continue without limiting the time for a particular item under discussion or limiting the flexibility of the Minister or the question. There is some latitude in terms of answering the questions. The Minister has indicated that he is prepared to entertain questions more broadly than the specific item, although I am not sure that is the case given that we are discussing Trade, and the Trade Agreement falls under the jurisdiction of the Minister in its entirety. I think that precedent dictates that we continue in the manner in which we have proceeded for many years.

Mr. Chairman: The Member for Lakeside (Mr. Enns), to the point of order.

Mr. Harry Enns (Lakeside): I find myself having to support the Member for Transcona (Mr. Kozak) in his interpretation of the Rules.

As new and as young a Member as he is, the tradition and the practice—and the Member for Flin Flon (Mr. Storie) knows full well that if we wish to have a wide-ranging debate, that takes place under the Minister's Salary. It is not necessary to tie up the staff and hold up the rest of the department for that. If we have been engaging in an ideological debate about marketing boards, about agriculture, about a lot of things, and they have asked specifically the Minister's attitude and

* (1700)

point of view, that is fair game but there is a section under the Estimates to do that. That is under the Minister's Salary. Once we are off that, then we are, as has been pointed out by the Member for Transcona and by you, Mr. Deputy Chairman, supposed to, by and large, stick to the items under consideration that are in fact before the committee.

Mr. Uruski: On the same point of order, I certainly accept the comments from the Member for Lakeside (Mr. Enns) in terms of the wide-ranging debate, the issue that we are debating now. I am raising specific questions with respect to the Trade Agreement that is under the Minister's purview. The Minister was absolutely correct in his statement that, once we get through the specific questions because his staff who deal with the Trade Agreement are here with us, once they are gone, there is no opportunity of any Member in raising specific questions with respect to the trade deal, although he has referred some comments of a general nature to his colleague, the Minister of Agriculture (Mr. Findlay), and that is his purview to do that. I certainly accept that. But with specific questions that we have been raising, we should not be tied totally to a very narrow interpretation. The Minister, I believe, was correct in his assertion earlier.

Mr. Chairman: I would like to thank all Honourable Members for—

Mr. Ernst: Let me offer some advice in assisting us to serve both interests, shall we say. If we pass items (c) and (d)—and perhaps at the next meeting now that the hour has expired—we will then be—or do it right now if you wish—on the item of Trade. We will be logically . . .

Mr. Chairman: Order, please.

Mr. Ernst: Do we have permission to pass items (b) and—

Mr. Chairman: Order, please. I would like to thank all Honourable Members for offering their advice to the Chair and would encourage all Members to perhaps endeavour to observe the spirit, if not necessarily the letter of the Rules.

The time now being five o'clock, it is time for Private Members' Hour.

Committee rise.

Call in the Speaker.

IN SESSION COMMITTEE REPORT

Mr. Mark Minenko (Chairman of the Committee of the Whole House): The Committee of Supply has considered certain resolutions and directs me to report progress and asks leave to sit again.

I move, seconded by the Honourable Member for Selkirk (Mrs. Charles), that the report of the committee be received.

MOTION presented and carried.

PRIVATE MEMBERS' BUSINESS

Mr. Speaker: The time being five o'clock, it is time for Private Members' Business on proposed resolutions.

PROPOSED RESOLUTIONS

RES. NO. 7—EARLY RETIREMENT PENSION BENEFITS

Mr. Jerry Storie (Flin Flon): I move, seconded by the Member for Thompson (Mr. Ashton), that:

WHEREAS many public sector and non-profit organizations have recognized the benefits of early retirement within their own sectors; and

WHEREAS since 1985, with the cooperation of the Manitoba Government, Manitoba teachers have been able to retire early without penalty; and

WHEREAS many Manitoba nurses and hospital employees have negotiated pension plans, entitling them to retire before age 60 with a reduced penalty; and

WHEREAS many other organizations have already negotiated or are considering negotiating pension plans providing for the reduction or elimination of penalties for early retirement; and

WHEREAS these organizations have worked to improve overall pension benefits for workers and to ensure that pension benefits are distributed fairly and without discrimination to women; and

WHEREAS these arrangements are only possible through the contributions of employers and employees; and

WHEREAS the federal Government has proposed amendments to the Federal Income Tax Act that would reduce the amount of early retirement pension by 3 percent for each year payments start before age 60 or before a retiree's age and service totals 80; and

WHEREAS these changes will hurt all employees and discriminate against women who have taken time out from the paid work force to raise families; and

WHEREAS these new rules would place restrictions on contributions to pension plans, restrictions on benefits upon death and would also negatively affect the right to reinstate previously funded service and the right to equitable indexing of deferred pensions; and

WHEREAS many organizations who would be affected by the proposed amendments have already urged the federal Minister of Finance not to implement the amendment.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba go on record as opposing the proposed changes to the federal Income Tax Act; and

BE IT FURTHER RESOLVED that this Assembly strongly urge the provincial Ministers of Education, Health, Labour and Seniors to meet with their provincial and federal colleagues at the earliest opportunity to ensure that pension benefits are not undermined by the proposed amendments to the Income Tax Act; and

BE IT FURTHER RESOLVED that this Assembly direct the Clerk to forward a copy of this resolution to the federal Minister of Finance.

MOTION presented.

* (1710)

Mr. Storie: I am, I was going to say, pleased to be able to introduce this resolution, but I think that would be incorrect. I am pleased to have the opportunity as a Member to voice my objections and the objections of thousands of Manitoba teachers, Manitoba nurses, Manitoba public employees, to voice my objection in concert with those on this particular resolution because of its importance to Manitobans and teachers, certainly teachers across this province.

I should say at the outset that I am aware, before I am reminded by Members opposite, that the federal Government has indicated, although not publicly at this point, that they will not be proceeding with the amendments that were of such particular concern to Manitoba teachers, to nurses and others at this time. The amendments that have raised the concerns of groups such as the Manitoba Teachers' Society and the Canadian Teachers' Federation were unfortunately buried in an amendment to the Income Tax Act of some 300 pages—typical of this particular federal Government.

There was no consultation with teachers, those whose pensions would be affected by these amendments. There was no consultation whatsoever, and that is in itself lamentable. It is also lamentable that such significant changes would be included in an Income Tax Act amendment which comprised hundreds and hundreds of changes in a very complex, detailed kind of Bill without appropriate notification going out to those who had some interest in those amendments.

Mr. Speaker, the resolution identifies a number of specific concerns that these amendments, if implemented, would have on individual retirees, commencing in the not too distant future. The fact is that, like many others across this country, Manitoba teachers have taken great pains over the past number of decades to improve and enhance the pension provisions under which they labour. They have had on many occasions, if not most occasions, the support of Government, Government agencies in their efforts to improve pension legislation and the prospects for improved pension benefits when they retire.

I think we have to stop a moment and reflect on the importance of a retirement with dignity before we proceed to amend and denigrate the pensions that individuals are eligible for. Retirement is an important milestone in an individual's life. I think that people across

this country look forward to retirement, and I think we are coming to understand the importance of a decent retirement income as our population ages and as we begin to come to grips with some of the problems of aging. What the teachers have done and what many other groups in Manitoba in particular have done is to begin to plan for the future through their pension plans. Some of them do it through individual negotiations; some of them improve the pension benefits that they are entitled to through negotiation; others have looked to the Government to either initiate or support their initiatives.

The Manitoba Teachers' Society is one example where the provincial Government has gone to great lengths to support the initiative. We did so because we believed in retirement with dignity, but we also did so because of the importance to the educational system to allow people to retire when they felt retirement was in their interest and in the interests of the educational system.

In Manitoba, since the introduction of the amendments to the teachers—I forget what the specific title of the Bill was, but the amendments which allowed teachers to retire at age 55 without penalty—we have seen a tremendous increase in the number of teachers who have retired from active classroom duty. This has allowed young graduating education students, young people with the appropriate qualifications, to enter the teaching profession, to keep our educational system active and alive, invigorated and developing because these people bring new skills to the profession. They bring new enthusiasm to the profession in the classroom activity, and it's something that's desired.

Mr. Speaker, it is also true that Manitoba teachers, through surpluses in their pension fund, were able to contribute a significant amount of money to ensure that this was possible for the Government of the Day.

It's interesting to note, Mr. Speaker, that some 11 Progressive Conservative Members voted against those particular pension amendments. They did so for their own reasons, but the Minister of Finance (Mr. Manness), the Minister of Health (Mr. Orchard), the Minister of Northern Affairs (Mr. Downey), all voted against the pension amendments, voted I think perhaps with their hearts and not with their heads, because the benefits of early retirement have been acknowledged by the Manitoba Association of School Trustees as well as the Teachers' Society, and I think people who understand the educational system in general.

So when the federal Government introduces amendments to the Income Tax Act, which look innocuous in the first instance but have ramifications, important ramifications, negative ramifications, I think it's important that we in this Legislature voice our opinion. We can unfortunately not direct the federal Government to act in this or that way, but we can indicate that (a) we support in principle the right of people to retire early, to retire with some sense of financial security, and I think we can support that the Manitoba Teachers' Society, in particular, and its members have worked quite diligently over the past decade, at least, to improve their pension circumstances. They have done so with some sacrifice to their own members as well. That should be duly noted in the record.

Mr. Speaker, we will certainly be watching with interest to see how Members opposite and the other Opposition approach this particular resolution, because it is one that is important to 12,000 teachers, 13,000 teachers, probably 8,000 or 10,000 nurses in the province, as well as thousands of other employees, many of whom may still be unaware of the implications of these proposed amendments.

The fact that the federal Government has deferred any changes should not dissuade us in the least from expressing our objection because—and I reiterate that they have made no public commitment to not introduce these amendments at some subsequent time. They have simply said that the amendments affecting the pension rights, the pension eligibility of individuals will not proceed at this time. So I think this Legislature should consider this resolution because of the potential danger that at some future date, and it may not be that far away, the federal Government will in fact decide that they want to proceed with these amendments.

* (1720)

Although there are many amendments to the Act, there are some specific details which I think we should note. One of the them, and perhaps the most critical from a certain perspective, is the impact that these amendments are going to have on part-time teachers, on teachers who have interrupted their career to be with their families, to assist in the raising of their families, to people who are interested in the concept of job sharing, people who work part time at the profession, or to people who are entering the profession at a later stage in their life. What these amendments, in effect, will do is they will penalize anyone whose time in the profession, whose years of service and age are less than 80.

In other words, if you retire at 55 and you have had less than 25 years of service, then you are going to experience some penalty, some reduction in what otherwise would be your disposable income at retirement. If in fact you are penalized to the full extent, some five years of penalty, it would mean a reduction in your pension income of approximately 15 percent—a 15 percent reduction, and I think that is unfair. It is certainly unfair if you understand that there has been no consultation, and there is apparently no understanding on the part of the federal Government of the very unique individual characteristics of the establishment of these pension plans, of the negotiations that have gone on over many years to change them, to improve them, to build upon them. We simply find it unacceptable for the federal Government to move unilaterally to change those.

It is interesting to note that I have been approached by Members opposite, including the Minister of Education (Mr. Derkach), asking whether I was going to withdraw my resolution. I know that they have some concerns, and their concerns are generally that the income tax provisions are quite generous with respect to pensions, and that there is a public cost to maintaining and improving pension. That is true not only of teachers. That is true of individuals. Self-employed people in this country, in this province are

entitled to reduce their income tax as they make plans for their own retirement, and I do not think that we can use or the federal Government can use the affordability question when it comes to retirement income.

I remind Members in this Chamber, I remind those who may oppose this resolution that this federal Government tried to de-index seniors' pensions. In other words, they tried to save money on the backs of seniors. Now, they appear to be ready to try and save money on the backs of teachers who are going to retire in the future. They have not consulted, they have not done any of the background consultation that is required to give those people an opportunity to present their case. We hear from the Member for Steinbach (sic), well, we will just borrow more money. I remind the Member for Steinbach that this federal Government had \$10 billion to buy submarines we do not need. This federal Government had \$1 billion to bail out banks. This federal Government had \$1 billion to bail out oil industries. This federal Government has just involved itself in a new oil project—

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please. If the Honourable Member is kind of wondering why I have not recognized him, it is because we will not recognize the Member unless he is in his place. The Honourable Member for Flin Flon (Mr. Storie).

Mr. Storie: I do not want to belabour this point. The fact of the matter is that these changes impact upon the pension rights and privileges of many people in Manitoba. They will certainly reduce the pension income of many people, as I have indicated, whose circumstances will not allow them to have at least a minimum of 25 years of service.

The rules that are being applied when it comes to past service contributions are unfair, and many of the administrative details in this Bill seem to be unworkable. Those are not my words; those are the words of the secretary-treasurer of the Teachers' Retirement Allowance Fund Board, who has studied these changes in depth and in detail.

So I believe this resolution has merit. I think it is timely. Given the federal Government's decision to delay or defer those changes, I think we need to press home the point at this time that the changes are not welcome. They are not going to be welcomed by this Legislature or the people of Manitoba or working people who want to retire with dignity.

Mrs. Iva Yeo (Sturgeon Creek): I rise in support of the resolution. I feel somewhat, as the Honourable Member for Flin Flon (Mr. Storie), like I am sorry that I have to speak to such a resolution because I too am vehemently opposed to the federal Government's even thinking about interfering with this particular early retirement benefit for the Manitoba teachers.

Being both a teacher and a nurse myself, I want to declare that I have no conflict and that I am not a member of the Manitoba Teachers' Society, nor am I

a member of the Manitoba Organization of Nurses Association. I would dearly love to receive a pension from one of the other of the organizations or both, but that is not fact.

I do not think that there is any doubt that there, in today's society, is a need for early retirement, perhaps more for politicians than for any other group. I think there are many Members opposite who have been in their seats for a long period of time

Some Honourable Members: Oh, oh!

Mr. Speaker: Order, please; order, please. I am sure we want to grant the Honourable Member for Sturgeon Creek (Mrs. Yeo) the courtesy of paying strict attention.

Mrs. Yeo: Thank you, Mr. Speaker. As I was saying, I think that, after Members have sat in the House for a period of time, they too would benefit from early retirement, maybe not an early retirement incentive plan but early retirement -(Interjection)- Next year would be fine.

I think, in the teaching profession, the term "stress" and the term "burnout" are sort of the in terms. I am not sure what definitions one would give to them but I do think that, in a day and age when there are additional opportunities for recreation, additional opportunities for hobbies, etc., there are many members of all professions who look forward to retiring prior to what was once the mandatory retirement age of 65.

I think, as in the House, there needs to be an influx of enthusiasm of the new. Many school divisions have actually implemented early retirement incentive plans to try and give some of their, I say, older teachers incentives that will help them along the way, so to speak. What was often found of course was that some of the teachers who benefitted from the ERIPs were often not the teachers that the school divisions were hoping would benefit, but that is beside the point.

Many young education graduates are finding it difficult to find employment. Granted there may be employment for them in the northern areas and the far rural areas, but there are a lot of young education grads who would like to work in the urban setting, and the school divisions with the declining enrollment that they are finding themselves in have not had as many positions available for the young grads. In fact, some of the school divisions are finding that there are teacher lay-offs, that they are having to look at their later teachers who have come on their staffs and are looking at them first to terminate their positions because they find themselves in a surplus position.

The teachers themselves have contributed, I understand, over \$3 million to the Provincial Teachers' Retirement Fund. It seems to me very wrong to penalize the teachers who have, over the past while, actually contributed. With the proposed change, there would be penalties to those who choose to retire before the age of 60, and I believe it is about 3 percent a year, or before, as the Honourable Member from Flin Flon (Mr. Storie) has said, before the retiree's age plus service equals 80.

* (1730)

I also believe that it is discriminatory for women who have taken time off to stay at home with families, to even work on some flexible teaching assignments, which by the way I am certainly in favour of. I think that the family gets the best of both worlds and so does the school, in many cases where the teacher who works maybe on a 0.5 is very enthusiastic about her teaching position, and will also have a little more enthusiasm perhaps on the home front. So a flexible teaching assignment, I'm certainly in favour of that.

Some of the information that I have received from Manitoba teachers have said that amendments to the Income Tax Act will further punish women for being care givers by reducing any income they would be entitled to in their retirement, and I cannot help but agree with that statement. I think there certainly is a discriminatory aspect to the federal Government's proposal. I believe very strongly that the new federal proposal would negatively affect the pensions of teachers and would deny individuals the benefits that teachers have negotiated for themselves over the years, and I think that would be a very, very regressive step indeed.

I think it seems incredible to me that the federal Government would even look towards this when superintendents, principals, teachers and, in fact, the Manitoba Association of School Trustees endorses the fact that teachers should be allowed to retire at the age of 55 without penalty if they so choose.

I also am aware that there are some 9,844 members of MONA, the Manitoba Organization of Nurses Association, who are violently opposed and have written with regard to the saving for retirement the income tax changes proposal of the federal Government. Even though a delay has been announced, I would like to reinforce the need to examine, on the part of the Minister of Labour (Mr. Connery), the Minister for Seniors (Mr. Neufeld), the Minister of Education (Mr. Derkach) and the Minister of Finance (Mr. Manness) to certainly request that the federal Government review their proposal and to encourage them to rethink their particular stand. Thank you.

Hon. Harold Neufeld (Minister responsible for Seniors): While I cannot disagree that pensions should be available for all, there should be good pensions available for all. We have to consider other aspects of any pension plan and the No. 1 aspect of any pension plan is cost.

I would like to start by laying down some of the facts that have not yet been laid down about the proposed changes to the Income Tax Act. First of all, let us define a defined pension, and defined pensions are the only ones that will be affected by the proposed legislation. A defined pension is one whose benefits are based on the years of service multiplied by a percentage and, in most instances where public sector or Government employees are concerned, it is 2 percent for each year of employment.

That factor is multiplied by usually the best three years of the last five years of employment which means

that the last five years, or the best years of salaried income, or best salaried years, will be the years used to determine the amount of pension that an individual will receive. Assuming that somebody has worked for 30 years and 2 percent being the year, and his average income over the last three years is his best income, he will receive 60 percent of his best income as a pension each year for the rest of his life, probably guaranteed for something like 10 or 15 years.

Let us consider also why public sector and Government employees are the ones who get the defined pensions. The reason that industrial employees do not get the same pension is because industry has to compete with not only other industries within the same country but with industries in other countries, and they simply cannot afford to enter into pension plans the likes of a defined pension plan that we have with most Government and public sector organizations.

This is a matter of equity, it is a matter of fairness. It is a matter of all pensionable people in Canada being able to retire with the same kind of pension. Everybody pays the cost of pensions and everybody should be entitled to the same kind of pension. Fairness should be for all.

Let us look again at what is left in the defined pension plan, what has not been changed under the proposed income tax changes. Anybody who has attained age 60 will not be affected. Anybody who has attained an age plus years of service which equals 80 will not be affected. Anybody who has achieved 30 years of service will not be affected.

I should say at this point that it is not a penalty that is imposed. It is an actuarial reduction, which is a calculation actuarially done in order to arrive at the pension that the person should be receiving in accordance with the contributions he or she has made.

As a matter of cost actuarially, it will cost 18 percent of a person's income each and every year of his employment to achieve an amount necessary to pay the pension of 2 percent per year times the number of years of service. That is based on a level interest rate. It is based on annual increases of an even nature, and it is based on inflation that is level rather than up and down as we have had it over the years.

Much has been said of the school teachers. It is not only the school teachers who are involved in the pension legislation. It is most public sector and Governmental employees who are involved. The school teachers, yes, they have a better lobby and have been able to put their case forward and to put it forward fairly well. It has been said that the school teachers have contributed \$3.5 million towards the funding of the plan. The \$3.5 million did not come out of the pockets of the school teachers. The \$3.5 million came out of a fund as a result of the interest glitch we had a few years ago when the interest rate went to 22 percent and they received additional monies. They had additional funds available in the fund which would have stayed in the fund in any event.

Mr. Speaker, if it costs 18 percent a year to fund the kind of pension without a reduction, without an actuarial

reduction, if the retirement is before age 60, if it costs 18 percent a year and the teachers are now paying 7 percent of those contributions, it means that in the end Government will pay 11 percent, and 11 percent from the employer is more than any employer can afford. I think that has to be recognized and that should be put on the record.

The federal Government has, in fact, deferred their timetable in bringing in this legislation, but it is not because they feel that there was anything wrong with the legislation. They have deferred it because of the complexity in the writing of the legislation. They felt that some time would give them a better time to write the legislation.

There are many people in the work force today who do not have the benefit of working for Government or public sector organizations and have the pension available to them that these people have. If you are self-employed—and the Members of the N.D. Party spoke at length with great emotion on the need for helping the small businessman. If you are a small businessman, you have to make all the contributions and you cannot afford to make the contribution that will give you the pension that the teachers demand or expect at this time.

* (1740)

I would like to emphasize again that this is not a penalty. This is an actuarial reduction. The purpose of the legislation is to ensure that everyone pays for the amount of benefits they will receive and not that the employer should be the payer at the end. The employee and the employer should pay equally. It is also part of the legislation that the organizations must file actuarial reports on a regular basis and that both employee and employer make similar contributions. That is the case with most public sector employees or, I should say, most private sector employees, and it is the case for the self-employed and for those who do not have access to pension plans.

I agree with the speakers who said that everybody deserves to retire with dignity. I cannot find any fault with that. But the people who have not got access to the public pension plans, who cannot retire with the kind of benefits that the public sector employees do retire with, still have to pay the cost of those retirement benefits. It is in this area, Mr. Speaker, that the unfairness exists and I think we should remember that. I thank you.

Ms. Maureen Hemphill (Logan): Mr. Speaker, I am pleased to rise in support of this resolution. I think it is important to mention that, while we are talking about this resolution in terms of the teachers' pension, we really are just using it as an example and as a symbol of showing the major defects of the suggested legislative changes and using the information we have about the education system and teachers to talk about the negative effect that could be felt by many other people and, indeed, could be felt by Governments, provincial Governments, who may find these very restrictive in terms of what they want to do with their own employees at a later date.

Certainly we have no concerns about tax reform or the federal Government bringing in tax reform, and badly needed tax reform, and there are many areas that are going to be of benefit, but the pension area is one that is not in that category. I think it is a retrogressive step not just for teachers in the education system, but we are moving in a society away from the time when people wanted and expected to work until they were 65.

More and more, people want and are interested in early retirement, and I think you are going to find - (Interjection)- Some do not want to work at all, but we are talking about the ones who do work and work as much as you do and pay into pension plans, but make conscious decisions that they want to retire early. I think it could be to our benefit in many cases to have that happen.

Certainly, the changes are untimely for a number of reasons, and one of them is the pending election. It is clear that, while they have been put on hold, Mr. Wilson's statement—it was not clear that they expect to make significant changes. It has just been put on hold. That needs to change.

I think that this is a very important element to the people of Canada, the question of how they are going to treat, through penalty, early retirement opportunities not just for teachers but for many other workers in our country. This should be a part of the platform, I think, the Party platform of all Parties going to the electorate, to say what it is they intend to do in terms of tax reform, and what they intend to do specifically in terms of penalizing or not penalizing early retirement opportunities. Now anything that they are going to do to put back in the pockets of families the \$1,300 per family that they took out through their other pension reform, we will be glad to see taken out, but not this one.

In terms of the education system, there are a lot of reasons why this was negotiated as a benefit with the teachers and not just—it was mentioned that they are a stronger group and a stronger lobby group, but this was something that everybody in the education system recognized as being a benefit to teachers, individual teachers perhaps, but also to the education system, to young teachers coming up in the system wanting jobs and to children and their opportunities for learning.

We are graduating something like 400 to 600 teachers from our universities every year, and where are they going to find jobs? You have got, as mentioned, declining enrollment. You have got people laying off in school divisions. One of the best benefits that came out of the early retirement package of teachers was that older teachers, many of them were burnt out. Teacher burnout is a reality in today's world, and people find that they may have been able to work those 30 or 40 years before, but the stress and the pressure of teaching in today's education system makes it very, very difficult. More and more of them are finding, not for their own purposes but for the well-being of the education system and the children, they have got to get out because they are burned out. They are tired, they are exhausted, they have no energy, they have no creative ideas. They are just putting in time. If there

was ever a system that showed that there may be times when a Government wants to negotiate early retirement benefits with public sector employees such as the education system to improve it, not just to give a perk to the employees, then this is a clear example.

I think that the federal Government, with these changes, is interfering with other jurisdictions. I think the Government opposite should be taking a very close look at this, because they could be forced into making changes in their own policies in their own areas because of the changes that are coming in through the federal legislation.

Teachers, hospitals and nurses were already mentioned. I think the City of Winnipeg, Hydro, Telephone, the police, all of these contracts, all of these public sector employees will have to be dealt with not in terms of the way the Government may want to deal with them, not in terms of what they may want to negotiate as a benefit in a package that will benefit the individuals, the public sector work that is being done and society, but it will be interfered with in terms of the federal Government saying you cannot do that, you cannot negotiate that or you cannot bring in those benefits because, if you do, the negative effect of the penalty is going to be so great that nobody is going to take it. So it, in effect, will remove the option of city level of Government, of provincial Governments, of negotiating with public sector employees and bringing in a benefit like this in lieu, in many cases, of significant salary increases.

In many cases, and with the teachers when they did the survey, this was one of the No. 1 issues. They wanted early retirement over a large increase in money, so that was one of the things that was considered. They wanted it so badly they were willing to look at the overall package and what they would get in terms of salary increases.

So I think we want those options. We want that freedom and we do not want the federal Government bringing in penalties and interfering with what we want to do in other jurisdictions. There was mention made of the complication, you know, the tax reform. One of the purposes was supposed to be simplicity. They were supposed to simplify the taxation system. They have brought in a package that is so complicated it is an administrative nightmare.

* (1750)

It is going to cause the most horrendous administrative problem for school divisions, for all employers, for provincial Governments. The amount of time and energy and money that is going to be spent trying to figure out what it means, trying to communicate that to the members, and trying to enforce it and administer it is going to be extraordinarily costly, and certainly flies in the face of one of the major principles they say they were undertaking which was simplification of the system.

There was mention made by my colleague that there was not adequate consultation on this. Now, there was consultation, but it appears to us from the information that we have that it was very selective, that it was with

perhaps more large eastern corporations and sectors. There was not an understanding or an attempt to find out what effect these changes would have in other areas of the country and with other sectors, with other fields, with other professions. There was no attempt to consult with them and get information back about how this would affect their field or their area.

There have been exceptions made by the federal Government. I think they negotiated with the auto industry a number of years ago and they brought in an exception to accommodate the uniqueness of the auto industry. They have carried those changes forward, which were designed specifically for what was happening in the auto industry. They have brought those forward in the new proposed legislation. So they were willing to recognize a unique situation in an industry like the big auto industry, but totally have blinders on in terms of being able to see the negative effects it may have in another field or another area of service or another profession like the education system, which is just one area that they should have a better understanding in terms of the effect.

So the consultation was too narrow, and they did not do enough research. They do not have enough information at present about how this is going to affect thousands and thousands, perhaps hundreds of thousands of workingpeople in our country. That should be done prior to any consideration being given, not just to delay it and bring it in at a later date, but to bring it in, in the form that it is in. That should not be done without major consultation right across the country with all sectors.

We want to make sure that everybody understands that we do not disagree with the principles. You know, the principles and the objectives of the reform, we are quite comfortable with. They want more equal access for pensions for people of Canada right across our country. We agree with that. They want more flexibility in terms of timing of making contributions. We think more flexibility being built into the pension plan is good. They want more uniformity in application of the rules to all taxpayers. But the solution in trying to create equity is not one to create other inequities or to close doors to flexibility and options that should be being built in to pension reform to meet the changing times and conditions of the employment and the and the workingpeople of our country, and also the lifestyle of people who have decided, many of them and many wanting to decide, that they do not want to work until they drop. They do not want to. They want to work and they want to work so that they have made their contribution to their community, to their family and to society, but they want to quit while they have a bit of health and a bit of life in them, and they want to enjoy some of that through early retirement.

When the teacher pension plan came in, I do not know how many people in other fields or other areas said, my God, I hope that is the way we go. I hope that they start giving that a priority in negotiations, as a benefit for our field, whether it is nurses or other areas. They are all feeling the same way.

When the teachers brought in their 10-year eligibility condition or procedure, they brought it in for a reason,

and one was to give protection to those people whose jobs were interrupted. There was mention made of the women who stopped their careers to raise a family or who worked part time or who, as in the Eighties when there was a teacher surplus, were the ones who were encouraged or told to take part-time teaching positions in order to accommodate the teaching surplus that existed in the education system. That was the solution. Get the women to go on part time and, since they did it and since many of them do it to accommodate the needs of their family, they should not be penalized.

What is it?—50 percent of our teaching force is women. One of the largest percentages of women in a profession is in the teaching force, and to have the discrimination that is built in through that penalty clause which says 50 percent of the teaching force is going to be penalized in terms of having adequate pensions, because they can never meet the 30 years. They will never build up the 30 years. They have never had an opportunity to. That is something that we want to discourage, I think, very seriously.

They put in the \$3 million. I think that shows how important it was. They put in their share and they put in the Government's share. They put in what it would cost the Government to implement that and, since that was money, I think that was good use of the pension money that they had. There was mention made it did not come out of their own pocket. Of course, it did not, it came out of the pension plan. If people can manage their pension plans well for the people for whom they manage them and they can make enough money to pay out the pensions and to be able to negotiate a pension benefit like this that their people want and that suits them and suits the system, the field and the service that they are working in, why close the door to that option?

What the federal Government is saying with this is that never mind your objectives. They are saying that to the provincial Government. I wish they would begin to understand that. They are saying that to school boards. Never mind your objectives, in terms of your employees and your work force and the profession and the field in which you are working. Unless you have 30 years of service, there are certain benefits you cannot get and the early retirement is one of the big ones.

Mention was made before of why this is important in the education system. I think that we have the oldest, we have an aging teaching force in Manitoba. Interestingly, the oldest teaching force in the country is in Manitoba, and that is a serious problem for the education system in every school board. They want to give these older -(Interjection)- No, older teachers are good teachers, but not all older teachers. Some older teachers -(Interjection)- No, no, some of the teachers themselves, and many who retired, said, "I should not be here any longer. It is a tough job. It is tougher than it was years ago, and I do not have the energy to be able to do the job that should be done for these children." The teachers themselves are often the first ones to say that.

We need a balance. Do we want the 500 young people who are going through our university system to have no jobs to go to? Do we not want the benefit that you

get out of young people, their enthusiasm, the creativity, the new things they have learned? I think we do too, so what we want is a balance, and we do not have the balance now.

Mr. Speaker: Order, please.

Ms. Hemphill: We have an over—

Mr. Speaker: Order, please.

Ms. Hemphill: —high proportion of aging teachers.

Mr. Speaker: Order, please. The Honourable Member's time has expired, just when you were on a roll.

Mr. Allan Patterson (Radisson): I will use my few minutes for the time being and carry on later.

Let me just say, Mr. Speaker, I feel eminently qualified to talk about pensions. Just yesterday in the mail, I received my first pension cheque from the University of Manitoba—

Some Honourable Members: Oh, oh!

Mr. Patterson: —having retired last Thursday, September 1.

I would like to add to the correction that the Member for Rossmere (Mr. Neufeld) made, that pensions—when people retire early it is an actuarial adjustment; it is not a penalty.

Pensions are calculated on the basis of a "normal retirement at age 65" and, with the life tables and life expectancies and so on, defined benefit plans or annuities with purchase plans are worked out. So if an individual decides, for whatever reasons, that he or she wants to retire some years earlier, it is entirely fair that there be some adjustment made.

If someone retires, let us say, at age 60, they have five years of drawing those extra benefits, take the 3

percent per year adjustment, that makes 85 percent of what they would normally get at age 65, but they are collecting that 85 percent for five years, so the flow of income or the discounted cash value or however you want to express it remains the same.

What I have problems coming to grips with, Mr. Speaker, and for this reason I think that the federal proposed legislation is not fair and equitable, is that through the Income Tax Act they seem to be interfering in the right of any particular pension plan, that is the trustees of that plan, to make suitable arrangements under the pension benefits legislation.

I might say that the uniform pension benefits legislation that has come in in about the last 10 to 15 years with the federal Government and the various provinces is a very, very good piece of legislation, a very desirable legislation. Through its vesting provisions, it gives protection that is needed to people who are looking forward to their retirement.

* (1800)

I might speak from personal experience. Some almost 25 years, ago a private employer that I left, one had to have 20 years of service to have the option of leaving your own contributions in, having them invested and draw whatever benefits that would entitle you to at age 65. With only 15 years service, I did not have that option. I had to take back just my own contributions with some modest amount of interest, about 3 percent or 4 percent, a grand total of about \$1,200 or \$1,300, kiss off and goodbye. We have made a great deal of progress since then, Mr. Speaker.

I think I will leave it. Call it six o'clock, and we will carry on further.

Mr. Speaker: When this matter is again before the House, the Honourable Member will have 10 minutes remaining.

The hour being six o'clock, this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).