



Fourth Session - Thirty-Fifth Legislature

of the

**Legislative Assembly of Manitoba**

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**DEBATES  
and  
PROCEEDINGS  
(HANSARD)**

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42 Elizabeth II

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Fifth Legislature**

**Members, Constituencies and Political Affiliation**

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

## LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, July 9, 1993

The House met at 10 a.m.

### PRAYERS

#### ROUTINE PROCEEDINGS

#### PRESENTING PETITIONS

**Mr. George Hickes (Point Douglas):** Mr. Speaker, I beg to present the petition of Bonnie DePauw, Craig Spencer, Kelly Lounsbury and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

**Mr. Cliff Evans (Interlake):** Mr. Speaker, I beg to present the petition of Lorna Temple, Murray Lee, Melba Stewart and others requesting the Minister of Health (Mr. Orchard) consider restoring the Children's Dental Program to the level it was prior to the 1993-94 budget.

#### READING AND RECEIVING PETITIONS

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

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

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

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

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

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

WHEREAS the provincial government did not consult the users of the program or the providers before announcing plans to eliminate 44 of the 49

dentists, nurses and assistants providing this service; and

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

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

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

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

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

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

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

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

WHEREAS the provincial government did not consult the users of the program or the providers before announcing plans to eliminate 44 of the 49 dentists, nurses and assistants providing this service; and

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

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

**PRESENTING REPORTS BY  
STANDING AND SPECIAL COMMITTEES**

**Mr. Marcel Laurendeau (Acting Chairperson of the Standing Committee on Law Amendments):** Mr. Speaker, I beg to present the Fifth Report of the Standing Committee on Law Amendments.

**Mr. Clerk (William Remnant):** Your Standing Committee on Law Amendments presents the following as its Fifth Report.

Your committee met on Wednesday, July 7, 1993, at 7 p.m. in Room 255 of the Legislative Building to consider bills referred.

Your committee heard representation on the bill as follows:

Bill 3—The Oil and Gas and Consequential Amendments Act; Loi concernant le pétrole et le gaz naturel et apportant des modifications corrélatives à d'autres lois

Written Submission:

Samuel Doyle - Association of Manitoba Land Surveyors

Your committee has considered:

Bill 3—The Oil and Gas and Consequential Amendments Act; Loi concernant le pétrole et le gaz naturel et apportant des modifications corrélatives à d'autres lois

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

**MOTION:**

THAT section 6 be amended by striking out "June 30" and substituting "December 15".

**MOTION:**

THAT subsection 24(3) be amended by striking out "and thereafter until the appointment is revoked and a successor is appointed".

**MOTION:**

THAT section 49 be amended by adding "and dispose of" after "remove".

**MOTION:**

THAT subsection 53(5) be amended by striking out ", in accordance with the regulations,".

**MOTION:**

THAT section 57 be amended by striking out "is not renewed under subsection 52(3) or".

**MOTION:**

THAT subsection 59(1) be struck out and the following substituted:

**Requirement for survey**

**59(1)** Where the director considers it necessary or advisable to have a survey made of a reservation area or lease area to settle a dispute respecting the position of the area, or where no plan of survey exists for a reservation area or lease area or any part of it, the director shall require the applicant for, or the holder of, a disposition in respect of the area to obtain a survey of the area or any part of it, as the director may determine, in accordance with The Surveys Act.

**MOTION:**

THAT clause 70(1)(c) be amended by adding "or the transfer document is executed by a person who has authority to execute it on behalf of the corporation" after "document".

**MOTION:**

THAT subsection 70(2) be amended by adding "of the disposition" after "a duplicate copy".

**MOTION:**

THAT subsection 74(2) be amended by striking out "a caveat or other" and substituting "an".

**MOTION:**

THAT subsection 79(1) be amended by striking out "this Act" and substituting "section 91".

**MOTION:**

THAT subsection 79(2) be amended by striking out "this Act" and substituting "section 91".

**MOTION:**

THAT section 125 be amended by adding "and The Surface Rights Act" after "the regulations".

**MOTION:**

THAT subsection 151(2) be amended

(a) in the part preceding clause (a), by adding "or relocation" after "construction"; and

(b) in clause (a), by adding "or relocated" after "constructed".

**MOTION:**

THAT clause 168(1)(d) be amended by adding "property or" after "impact on".

**MOTION:**

THAT the English version of subsection 169(2) be amended in the part preceding clause (a) by striking out "license" and substituting "licence".

**MOTION:**

THAT subsection 171(1) be amended by striking out "The holder of a license or permit issued in respect of a well or oil and gas facility that is abandoned" and substituting "Where a licence or permit issued in respect of a well or oil and gas facility is cancelled, or the well or oil and gas facility is abandoned, the holder of the licence or permit".

**MOTION:**

THAT subsection 171(4) be amended

(a) in the part preceding clause (a), by striking out "rehabilitation required, within five years" and substituting "repair or rehabilitation required, within six years".

(b) in clause (b), by adding "or property damaged" after "contaminated".

**MOTION:**

THAT subsection 172(3) be amended by adding ", and interest earned on those amounts," after "184(7)".

**MOTION:**

THAT subsection 172(4) be amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following after clause (c):

(d) make an expenditure from the Abandonment Fund Reserve Account to defray costs arising in relation to any adverse impact on property or the environment resulting or that might result, in the opinion of the minister, from a well, oil and gas facility, or geophysical operation.

**MOTION:**

THAT subsection 172(6) be struck out and the following substituted:

**Recovery of expenditure from reserve account 172(6)** An expenditure made from the Abandonment Fund Reserve Account in respect of a geophysical operation, well or oil and gas facility

(a) is a debt due to the Crown by the holder of the licence or permit, as the case may be, issued in respect of the geophysical operation, well or oil and gas facility; and

(b) is recoverable under Part 17.

**MOTION:**

THAT subsection 192(1) be amended by adding "under this Act or The Oil and Gas Production Tax Act" after "by a person".

**MOTION:**

THAT section 208 be amended by striking out "or" at the end of clause (a), by adding "or" at the end of clause (b), and by adding the following after clause (b):

(c) makes application to be registered, or is registered, as an oil and gas lease agent;

**MOTION:**

THAT section 242 of the French version be amended by striking out "constituent" and substituting "constitue".

Your committee has also considered:

Bill 20—The Social Allowances Regulation Validation Act; Loi validant un règlement d'application de la Loi sur l'aide sociale

and has agreed to report the same without amendment.

All of which is respectfully submitted.

**Mr. Laurendeau:** Mr. Speaker, I move, seconded by the honourable member for Niakwa (Mr. Reimer), that the report of the committee be received.

**Motion agreed to.**

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**Mr. Marcel Laurendeau (Chairperson of the Standing Committee on Public Utilities and Natural Resources):** Mr. Speaker, I beg to present the Seventh Report of the Standing Committee on Public Utilities and Natural Resources.

**Mr. Clerk:** Your Standing Committee on Public Utilities and Natural Resources presents the following as its Seventh Report.

Your committee met on Wednesday, July 7, 1993, at 5 p.m. in Room 254 of the Legislative Building to consider the Annual Report of the Manitoba Liquor Control Commission for the year ended March 31, 1992.

Mr. Derek Smith, president and chief executive officer, provided such information as was requested with respect to the annual report and business of the Manitoba Liquor Control Commission.

Your committee has considered the annual report of the Manitoba Liquor Control Commission for the year ended March 31, 1992, and has adopted the same as presented.

All of which is respectfully submitted.

**Mr. Laurendeau:** Mr. Speaker, I move, seconded by the honourable member for Niakwa (Mr. Reimer), that the report of the committee be received.

**Motion agreed to.**

\* (1005)

## ORAL QUESTION PERIOD

### Unemployment Rate Provincial Comparisons

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, my question is to the First Minister.

Mr. Speaker, Canada's unemployment rate dropped slightly this month, but unfortunately Manitoba's unemployment rate went up. In fact, only three provinces had an increase in their unemployment rate—Manitoba, Quebec and Newfoundland—but by far, Manitoba had the highest increase in their unemployment in the June statistics.

Mr. Speaker, every time we raise questions about jobs and unemployment the Premier says, next year things will be great, next year we will be first out of the chute, next year we will have the best economic performance in the country, next year we will be this, next year we will be that.

Canada's unemployment rate is going down. Manitoba's rate is going up.

I would like to ask the Premier: Why are we going in a different direction than the rest of the country in terms of jobs and unemployment?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the member opposite always twists the figures to meet his particular political need, which is always to be negative.

When we have been running at the lowest or second lowest unemployment rate in the country, he has said it is because people are not attempting to re-enter the workforce, that nobody is coming back to try and re-enter the workforce. This month what we did have was 3,000 additional people employed, and what we did have was 7,000 more people come back and register because they see some optimism in getting back into the workforce.

Then he turns that into a negative, turns around the position he has been taking for the last four months and says, well, something is wrong with it.

The fact of the matter is, those people who have not been seeing any optimism, who have not been registering to try and find employment are now there because they see some optimism, and that is, more people registered to try and find work, and the numbers are there. He should be happy about that, Mr. Speaker.

Our numbers of employed people are up. We continue to be in the lowest half or fourth lowest in the country, and more people are seeking employment in this province and have been for a while. We think that is a positive thing, Mr. Speaker.

**Mr. Doer:** Mr. Speaker, there are always more people who join the labour force in June. The Premier knows that. We have never had 55,000 people unemployed in June in Manitoba since 1966, except last year, again, when the Tories were in office.

Mr. Speaker, we are now for the first time ever since we have maintained statistics in last place in unemployment in western Canada. The labour force is increasing in British Columbia. The labour force is increasing in Alberta. We are behind British Columbia, Alberta, Saskatchewan. We are in last place in western Canada.

Winnipeg is in last place of all cities in western Canada, in spite of much greater population increases and much greater increases in the labour force in those provinces, and that is before we have calculated the layoffs that took place and job reductions that have taken place at Hydro last month, in mining last month, at Cortelco last month, at Great-West Life last month.

I would like to ask the Premier: Why is this the first time ever? Why are we in last place in western Canada?

**Mr. Filmon:** Mr. Speaker, as I said earlier, the member opposite takes great delight in being as negative as he can possibly be. He is the king of gloom and doom.

The fact of the matter is, Mr. Speaker, this—[interjection] The member opposite does not want to hear the answer.

\* (1010)

**Mr. Doer:** Mr. Speaker, I have asked the Premier why—

**An Honourable Member:** Stop trying to shout me down, you fool.

**Mr. Doer:** When the Premier grows up, I will proceed with my question. [interjection]

Well, if the members opposite do not think it is a serious problem when Canada is reducing its unemployment rate and Manitoba is increasing its unemployment rate much higher than any other province in Canada, if they do not think it is serious, a lot of people outside of this building think it is very serious. They are starting to lose touch with reality, Mr. Speaker.

### **Employment Creation Strategy Federal Assistance**

**Mr. Gary Doer (Leader of the Opposition):** Mr. Speaker, the Premier has invested \$7,000 of taxpayers' money in meeting with Kim Campbell for the swearing-in ceremony. Federal-provincial relations are very important to Manitobans.

When can we expect some of the job dividends in the relationship with the Premier and the new Prime Minister?

**Hon. Gary Filmon (Premier):** Mr. Speaker, the member opposite talks about the comparison between Canada and Manitoba. Manitoba continues to have a lower unemployment rate than Canada as a whole, than all of the provinces to the east of us. That is the question the member opposite will not face.

The reality is, we continue to be better than the country as a whole. We continue to be better than all of the provinces to the east of us.

### **Economic Growth Employment Creation Strategy**

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, I have a question for either the Premier or the Minister of Finance.

The fact is, we compare Manitoba usually with the western provinces. Even Saskatchewan is far better off than Manitoba in terms of unemployment, and if we look at the figures, this figure we have for this month is the highest level of unemployment ever realized in the province of Manitoba in the month of June—the highest ever. So there is something very structurally wrong in this province.

My question, therefore: The economy is in rough shape. We compare very poorly with the rest of western Canada in most major cities. Will this government now recognize that the No. 1 problem facing this province is unemployment and the lack of economic growth, and will this government now finally begin to stimulate the economy and make it the No. 1 priority so Manitobans can get back to work?

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I do not know if it is because the member for Brandon East is with us again today, but this is the first question we have had on the economy, I believe, in three weeks, so I think that speaks volumes. The absence of those questions speaks volumes as to the interest of the NDP party in the economy.

Let it be said that employment and unemployment is a big issue with governments throughout the country and, indeed, governments around the world. As a matter of fact, I know, for instance, that having talked this issue over with former Minister of Finance Mazankowski at the G-7 meetings, indeed most of the time was directed toward the unemployment question across the western world. It is the big issue. It is not interest rates. It is not necessarily levels of debt or deficits. It is the level of employment.

It is the big issue everywhere. So the members across the way do not have to stand on the pretext that it is only an issue with them, but if the member is going to be selective with his statistics, why does he not indicate that much of Manitoba's recent job growth has been in full-time employment?

For the first six months of '93, there were 388,000 Manitobans working full time, 8,000 more than the same period last year. That is a gain of 2.1 percent, four times the national growth rate in full-time jobs of half of 1 percent. Why does he not select those statistics?

\* (1015)

### **Economic Growth Infrastructure Renewal**

**Mr. Leonard Evans (Brandon East):** Mr. Speaker, the key figure is the rate of unemployment, and we do very, very poorly in terms of unemployment in this province.

I want to ask the Minister of Finance, because we have asked him this months back, weeks back, but

we are going to ask him again in view of the seriousness of this. I would trust the government would recognize this is a serious problem and not try to push it under the mat by selecting their particular figures that particularly suit their purposes.

Mr. Speaker, will this government establish a joint municipal-provincial infrastructure program to stimulate our economy? It is recognized that the rate of economic growth is related to the development of basic infrastructure and even, I might add, the G-7 leaders are now recognizing that job creation has to be a priority in our economies.

I would simply ask this Minister of Finance (Mr. Manness): When will we get some action? When are we going to get some action in creating jobs and developing infrastructure?

**Hon. Gary Filmon (Premier):** It is interesting that the member opposite should make that point now that he has lost his other points, Mr. Speaker, because the fact of the matter is, last week, as we had the discussion with the First Ministers in Vancouver, I pointed out to them—[interjection] No, it was last Sunday. Your memory is failing you. You better be careful.

Mr. Speaker, as we talked about the comparisons of approach and investment in long-term infrastructure and job creation through that vehicle, I pointed out to them that on average, across the country in all of their budgets, they had reduced their capital spending by over 18 percent, all of these provinces on average.

Manitoba's was the lowest. We had reduced our capital spending by 5 percent year over year, and that was the first time in five budgets. We had done everything possible to keep that capital spending up, but they had all gone down, particularly New Democratic administrations, who had slashed highways and capital spending by close to 20 percent.

This New Democrat does not understand that in office, his New Democratic colleagues are not following that policy, Mr. Speaker.

### **Social Assistance Employment Creation Strategy**

**Mr. Leonard Evans (Brandon East):** A supplementary, Mr. Speaker: Obviously, if we have 4,000 more people unemployed in Manitoba

today than a year ago, the economic policies of this government are failing. There is no action plan. There is no plan to put people to work in this province.

I have a question, a very specific question, for the Minister of Urban Affairs (Mr. Ernst). Because we have 16,000 cases of people on welfare in the city of Winnipeg, people who want to work, has the Minister of Urban Affairs made any progress in developing a job program for welfare recipients in the city?

We want it in other cities too—Brandon, Portage and so on—but there is this one particular initiative taken by the city, and I note that Winnipeg has the highest level of unemployment in western Canada, 11.8 percent unemployment.

When will this minister come to an agreement with the city and start putting some people to work?

\* (1020)

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, as the First Minister (Mr. Filmon) has indicated, we take some pride in having maintained our level of capital spending at the highest levels basically in relative terms across Canada, certainly in the course of the last number of years.

Mr. Speaker, if stimulating the economy means you spend more than you take in, I can tell the—[interjection] Well, there, that is the number I was going to use. See, the members show the number, \$862 million last year. That means, in essence, we stimulated the economy by using their numbers, \$862 million. That was not enough. This year, in this budget, we are going to stimulate the economy, again, by the definition, spending more than you are taking in, by \$367 million. That obviously is not enough for the members.

How much more do they want to stimulate the economy, how many hundreds of millions of dollars more because, Mr. Speaker, when I table the unaudited Fourth Quarter Report of last year, when ultimately the final numbers as to the deficit are brought in, and I will be tabling that in the course of the next couple of weeks, the members opposite will notice that the greatest increase over budget in a department was in the Department of Finance service costs and, indeed, those service costs when they increase, they do not employ one more Manitoban.

So how many fewer Manitobans does the member want employed as a result of service costs



going up because of a higher deficit? He cannot have it both ways, Mr. Speaker.

### **Student Social Allowances Program Reinstatement**

**Mr. Paul Edwards (Leader of the Second Opposition):** Mr. Speaker, the Premier (Mr. Filmon) of this province has on a number of occasions said that the best social program is a job. I agree with him wholeheartedly. I have said that before, and I will say it again.

But, Mr. Speaker, last night, I sat on a committee looking at Bill 32, The Social Allowances Amendment Act, which eradicates, eliminates, the ability of the very needy children in our community to continue to go to school. We heard very clearly, we heard from every expert who came, who worked in this field, it is going to send them down the street to the welfare office to regular welfare, which they cannot go to school on. It is a bill which is dedicated to making it harder for these children to get an education, which is their only hope of getting a job.

Mr. Speaker, my question is to the minister. Will he reconsider this act? Will he understand and explain why we are going to make it harder for young adults to get educated in our society? Why are we doing that?

**Hon. Harold Gillieshammer (Minister of Family Services):** Mr. Speaker, it is obvious, even though the member sat through part of the hearings on this yesterday, he does not understand that this has nothing to do with children. Children are educated in the public school system. We have programs for children in the public school system and in the child welfare system.

The bill which we have been discussing and which was passed at committee last night is dealing with adults who want to return to the high school system to pursue their education.

I indicated to the member last night that this government has put forward numerous reforms in the whole social allowance system. I told him last night, and I will reiterate it again, this is a very dynamic area now.

The Province of Ontario made some major, major changes, announced some major changes yesterday. Governments all over North America are looking at new ways to provide income for

people without jobs, whether they are in the United States or Canada.

There are dramatic changes taking place here, and I indicated to the member we are involved in many discussions to look at ways in which we can put programs in place for people to receive an education but also to avail themselves of that basic safety net that is required for some of them.

**Mr. Edwards:** Mr. Speaker, if I used the word "children" inadvertently, I apologize. I also used the words "young adults", and I understand that this deals with young adults. I do not want this issue skewed by that distinction.

The reality is, the people told us last night—who work with these people, who teach them, who deal with them, who have never been in this building before but came last night without a political axe to grind to tell us that this is a very, very bad mistake, because it makes it more difficult for people to get educated, and it makes it more easy for them to continue to get welfare dollars without being educated. In fact, they cannot be educated when they go on the other system.

Mr. Speaker, this does not save the province money. It pushes it down the line, but it does not save us money, either in the short term or the long term.

The minister talks about a dynamic system, about discussions. What can he tell us today that we can pass on to these people as a hope for them to continue their education, to keep going to school to give them the only chance, the only hope they are going to have to have a job in our society?

\* (1025)

**Mr. Gillieshammer:** Mr. Speaker, I accept the member's apology and certainly his admission that he does not fully understand the system.

I think the member should also recognize that there were a number of opinions expressed there yesterday. Some of the lack of understanding that he shows was also part of some of the presentations that were made, that there was not an understanding of Workforce 2000. There were some who, as the member, thought this referred to 16- and 17-year-olds.

I have gone through the number of reforms we have brought to the social allowance system on a number of occasions, and I would simply say to the

member that there are discussions going on to look at ways of enhancing the system.

**Mr. Edwards:** Mr. Speaker, what we heard last night was that people who are on welfare between 18 and 24 months generally do not come off. That is what we heard. We also heard that the vast majority of these people, and this is coming from people who work with them, who are on this program will end up on the regular welfare system, which pays them more, and they cannot go to school.

Now, Mr. Speaker, I want to ask the minister: Can he produce a study, can he produce anything which substantiates his view that these people are somehow going to stay in school and be as well off or better off? Can he produce anything which suggests that what the experts told us last night was wrong? That is the nub of this.

These people are not going to be able to go to school. They are going to cost us more. They are going to cost us more for the rest of their lives, and the human cost is going to be immeasurable. What has he got to show us, to defend this action in his role as a minister of this government, supposedly acting in the interests—

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

**Mr. Gillieshammer:** Mr. Speaker, certainly, some of the experts, members of the public who spoke, spoke on both sides of the issue. There is no question that people across this country who are on social allowances are staying on for a longer period of time. You have a province like Ontario with 2 million people on the social allowance system.

We are constantly looking at ways to reduce our caseload. In fact, Manitoba has the third-lowest incidence of social allowances across this country.

I want to assure the member, though, that we are in discussions with the municipal government in looking at ways to address the issues he has raised.

### Home Care Program Reinstatement

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, the Minister of Health has not been forthcoming in his description of the devastating cutbacks to the Home Care budget. He would not reveal the criteria for those cutbacks, and he did not tell us

that the Home Care budget in the city of Winnipeg will be less this year than last year.

Mr. Speaker, I am asking the Premier (Mr. Filmon) to step in and ask this Minister of Health to put these Home Care cutbacks on hold and reinstate the program as it existed prior to this budget.

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, over the course of Estimates, Question Period, for the last five years, Manitobans have been subjected in Question Period to this accusation of cutbacks in the Home Care Program, and all the while, the program has increased, increased, increased, with the exception of one area.

That one area, Sir, is in domestic services as provided by home support workers, such as laundry and housekeeping. Those services started to decrease in the Home Care Program in 1985 by a policy put forward by the NDP.

My honourable friend says, put a halt on it. Is my honourable friend not speaking to his Leader, who sat at a cabinet table that put that policy in place, that started to work in 1985 by removing government and taxpayer paid-for housecleaning services, including laundry, and investing the money into personal care services?

Mr. Speaker, we have continued with that program, and that is why today in this year's budget, we are going to buy almost 4 percent more services from Victorian Order of Nurses, almost 10 percent more hours of registered nursing services, almost—well, not almost—11 percent more hours of home care assistance workers, which helps with the personal care needs of Manitobans trying to maintain an independent living style in their homes.

That is hardly a cutback, Sir.

\* (1030)

### Budget Reduction

**Mr. Dave Chomlak (Kildonan):** Mr. Speaker, I will ask the Premier (Mr. Filmon) again. Perhaps he knows.

Will he confirm that there is a \$3-million cutback in Home Care homekeeping services and that the budget for the city of Winnipeg home care, which constitutes about half of the home care in the entire province, is reduced from \$31 million last year to \$29 million this year?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, the Home Care budget at the end of this year will reflect an increased spending of over \$1 million in needed service provision.

Now, part of the 4 percent increase, almost, of VON service will be in the city of Winnipeg. Part of the 9.5 percent increase in registered nursing services will be in Winnipeg. Part of the 11 percent increase in personal services provided, such as helping an elderly citizen dress in the morning and bathe, with personal care needs, will be in Winnipeg.

Mr. Speaker, there will be in Winnipeg, as I announced in the budget April 7, in subsequent questions, in the Estimates process which my honourable friend has before him, that in terms of domestic services of housekeeping and laundry, there will be a decrease in that service, primarily in Winnipeg, as has happened throughout all of rural Manitoba, Brandon and the north end of Winnipeg, but needed personal care health needs will increase in Winnipeg.

### Housekeeping Services Criteria

**Mr. Dave Chomiak (Kildonan):** Mr. Speaker, the minister, to my mind, has confirmed that there will be a decrease in the overall Home Care budget in Winnipeg from \$31 million to \$29 million.

My final supplementary to the minister: Will the minister at least outline the new criteria which indicate amongst other things, Mr. Speaker, that if you are incontinent once a day, you will get laundry service to clean up the mess, but if you are only incontinent two or three times a week, you will no longer get the laundry or homemaking services?

Will he confirm this is part of the new criteria, and will he put it on hold?

**Hon. Donald Orchard (Minister of Health):** No, Mr. Speaker, I will not confirm that because that is part of the fabricated information my honourable friend tries to put out.

Let me understand what my honourable friend is saying. Do you realize that in the Home Care Program, the maximum, the most frequent provision of housecleaning and laundry service is once every two weeks to a maximum of two hours? That is to assist people who are not incontinent. That is to assist people with modest housecleaning and laundry needs who have those services as part of their service delivery menu or in isolation.

Incontinent individuals, Mr. Speaker, will not have their laundry services reduced if that is required to maintain their independent living. What we are talking about are individuals who once every two weeks have been provided with a two-hour laundry and housecleaning service; in other words, four hours per month at an average cost to other Manitobans who, since 1985, have been purchasing this service on a policy put in place by Howard Pawley and the NDP at a cost of some \$24 to \$36 per month.

### Home Care Program Employee Gag Order

**Ms. Judy Wasylycia-Lels (St. Johns):** Yesterday in this Chamber, I gave the Minister of Health a letter with information about a constituent who had been told she would be cut off health care.

Since then, we have learned about the difficult situation staff are facing, the gag order they are under, the fact they were ordered not to tell clients anything about the changes unless they were asked by a client, the fact they cannot put anything in writing to clients and the fact they have to wait for the nod from on high before they can actually communicate to clients these changes that are underway.

I would like assurances from the minister today that the workers involved with the client whose name I gave to the minister yesterday will not be sought out, singled out or face any consequences for trying to carry out the government's orders.

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I simply want to point out that in the rhetorical flourish of the NDP yesterday, they talked about hundreds of people. Now the member for Kildonan (Mr. Chomiak) says thousands of people complaining. My honourable friend had a list of pink phone slips which she could have given to the Clerk to have photostated and delivered to me immediately, but I received one name—one name.

Mr. Speaker, I take the circumstances of that one individual very seriously, and my staff are investigating the circumstances. I will provide my honourable friend with a report as quickly as I have it.

Mr. Speaker, again, I can simply close my eyes and go back to four years ago when the New Democrats, as the second opposition party in 1989, made the same accusations about cutbacks in

Home Care while the program was increasing, when the Leader of the opposition party, the New Democrats of the day, sent me a ticked-off survey name that he sent out to constituents, presumably of his, who had no Home Care services at all but were concerned about it. When we investigated it, we found that they did not even have the service.

**Ms. Wasylycia-Lels:** Mr. Speaker, the minister himself said at least 2,000 people would be affected, so we are talking about a significant number of people who are going to be cut off home care.

I would like to ask the minister, before we give him more names and information about clients affected by these changes, if he will give us absolute assurances that the workers involved with those clients will not be singled out, will not face punitive actions and will not see their jobs placed in jeopardy.

**Mr. Orchard:** Mr. Speaker, maybe my honourable friend is reflecting on the good old days when she was in cabinet and had that kind of an attitude toward civil servants, but that is not the attitude today.

My honourable friend keeps raising these fears that she cannot identify an individual who phones her because the individual is afraid to make the complaint to government. Well, that is phony. That is absolutely phony.

We have investigated every single name that has been delivered to us by the NDP in six years, and that totals about 15 so far in five years, not the thousands the member for Kildonan (Mr. Chomiak) talks about from his seat or the hundreds that were promised yesterday, but the single name we got. Now we are investigating that.

As I have said all along, if the professional assessors in the Home Care department or in my division of Home Care have erred in the assessment or in communication with the individual, and the service needs to be reinstated or otherwise altered, that has happened.

Mr. Speaker, I would say in roughly 20 percent of the individual complaints that have come in, we have made adjustments. In the other 80 percent, the assessment by the professionals has been accurate, but we have still investigated the complaint without compromising anyone.

### Impact of Service Reduction

**Ms. Judy Wasylycia-Lels (St. Johns):** I am only reflecting on the fear and paranoia in his department and on the rampant concern among Home Care clients.

Mr. Speaker, will the minister then provide some very specific information to the House today and tell us the exact number of clients affected? He said 2,000 yesterday outside the Chamber.

Will he tell this House what the number is we are dealing with? Will he tell us the specific criteria and table that information?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, it was not only yesterday outside the House. It was in the House, June 21, 1993, page 4499, where I give that complete detailed information to the member for Kildonan (Mr. Chomiak), and now he says, well, no, you did not.

Obviously, my honourable friend a) cannot hear and b) more importantly, cannot read, because it is here, and it has been here ever since we dealt with this issue in Estimates.

Mr. Speaker, my honourable friend knows, as I indicated in the figures I gave to my honourable friends in Estimates, that those are our estimates. Those are the best estimates we can come up with. We will not have the final figures until the professional assessment is done, as has been the case since 1985.

We expect the decision on domestic services of vacuuming, housecleaning and laundry, two hours per week every two weeks, will affect upwards of 2,000 clients per month. That is a projection made on the experience that has happened since 1985 in rural Manitoba, in Brandon and in the north end of Winnipeg.

That is the best estimate we have, Sir, given to us by the professionals who make the program work.

\* (1040)

### Social Assistance City of Winnipeg Discussions

**Mr. Paul Edwards (Leader of the Second Opposition):** Mr. Speaker, I am going to return to the subject area of my first question, because I think it is very important today. I do not accept the answers of the minister that sometime down the

line we are going to have some answers for these people.

Last night at the committee, we had a councillor from the City of Winnipeg who came before us who was the chairperson of the appropriate committee at the City of Winnipeg. He was there at the unanimous request of the committee members, which included people from all political persuasions who had unanimously told him to come to our committee.

He said last night in response to questions from me that he would meet with the minister, and the minister said nothing in response to this, to find dollar for dollar the same savings for the Province of Manitoba within the welfare system, within some other relationship between this government and the city. He would work toward finding dollar for dollar the same savings if this government would withdraw this bill and sit down with him and the members of the city. He also indicated he spoke for the mayor.

Why will the minister not take the city up on that and find a different way, a better way, a more humane way to save the dollars which are the genesis behind this bill?

**Hon. Harold Gillehammer (Minister of Family Services):** Mr. Speaker, indeed, we did have a city councillor at committee last night. I have met with city councillors on a regular basis. They also meet with the Minister of Urban Affairs (Mr. Ernst) to discuss issues within the city.

I know the councillor speaking last night is well aware of the financial difficulties and economic problems that governments have. They very publicly go through their budget exercise every year, and he announced last night they are starting on their next year's budget. Certainly, we listen to him and meet with him, and I look forward to meeting him in the near future.

We know they have difficulties keeping libraries open yet are able to find money for other initiatives they want to lobby government on. I do not pretend to want to give advice to the City of Winnipeg on how they are going to resolve their financial difficulties and work on their budget but, certainly, I accept the councillor's invitation to meet, and I expect we will be meeting in the near future.

**Mr. Edwards:** Mr. Speaker, he indicated he made that offer months ago. It is interesting to me that the minister today says he is willing to meet.

Mr. Speaker, the other thing he indicated on behalf of the city was—

**Mr. Speaker:** Order, please. The honourable Leader of the second opposition party, with his question.

**Mr. Edwards:** Mr. Speaker, the indication from him was that he had proposed to the province at least 12 options for dealing with the welfare system in this province to make it more efficient, more cost-effective. He said he had proposed 12.

I would like to have from the minister, because he did not say anything at the committee last night—can he indicate whether or not that is accurate? Can he produce those options? Can he tell us what options he has canvassed, as opposed to—

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

**Mr. Gillehammer:** Mr. Speaker, the member indicates that requests for a meeting occurred months ago, and I do not want the member to leave the impression on the record that I have not met with him. I would suspect that it was about six weeks ago that the councillor and I met over a number of issues.

He currently has brought before government a proposal for infrastructure renewal that is being considered by government, that has been sent back to council to look at a number of portions of that proposal that we find not acceptable. It also involves getting the third level of government, the federal government, involved as well.

I would say the city is well aware of that.

**Mr. Edwards:** The minister has indicated in his former answers that he would have some answers. He would be dealing with this issue. It was a dynamic system. He has now told us he is willing to meet with the city to work toward a solution.

My question for the minister is: Why are we taking this precipitous action now? Why are we doing this now to cut people off of education, to cut people who need—

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

### Point of Order

**Mr. Speaker:** The honourable Leader of the second opposition party will take his bench now.

Order, please. I will remind the House that when the Speaker is standing the members will take their benches.

Order, please. There seems to be some growing concern here that even though the Speaker is standing, members can carry on, keep putting their questions or keep putting their answers.

Now, let us get this straight right here and now. When the Speaker is standing, the members will take their bench.

\* \* \*

**Mr. Speaker:** Now, the honourable Minister of Family Services, to answer.

**Mr. Gilleshammer:** Mr. Speaker, the Department of Family Services was in Estimates this year for some 30 hours and a multitude of critics came in. I am sorry that the new Leader of the Liberal Party failed to appear there, because it is difficult for him to understand these complex issues at this late hour.

I would remind him of numerous reforms we have brought into the system, and I would be pleased not only to meet with the councillor but also the Leader of the Liberal Party to give him a better understanding of these complex issues.

### **Wine Boutiques Government Advertisements**

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, yesterday in committee, the president of the Manitoba Liquor Commission confirmed that the commission had spent hundreds of thousands of dollars creating wine boutiques in Manitoba Liquor Commission stores across the province, confirmed that the commission has spent thousands and thousands of dollars training staff in those boutiques.

Mr. Speaker, can the Minister responsible for the Manitoba Liquor Commission then explain why in the Free Press the government has been advertising for the creation of private wine stores, private wine boutiques, given the fact the commission has spent hundreds of thousands of taxpayers' dollars creating this in their own operations?

**Hon. Linda McIntosh (Minister charged with the administration of The Liquor Control Act):** Mr. Speaker, the member seems to have become very interested in this topic and wants to debate it

everywhere except in committee, which is where I wish he would send the bill, because I am patiently waiting for them to do second reading, send it to committee, so we can discuss all these details about the rationale for the establishment of private wine boutiques and all of that detail.

I trust that someday we eventually will get in committee and do that.

As to the answer to his specific question, that answer was given to him in the Liquor Control annual report, the amount of upgrading we have done to try to provide better customer service to those Manitobans who frequent the MLCC stores.

Does the member not wish us to provide that kind of good customer service? I do not understand the intent behind the question. Certainly, the addition of the private wine stores, Sir, will be an enhancement and an addition to that which we are already doing.

**Mr. Storie:** Mr. Speaker, given the fact that cabinet is going to hand out four or five of these plums, can the minister explain why there is a minimum \$250,000 liquid—I hope there is no pun intended—assets which are going to be required before someone gets one of these plums?

Can the minister explain which Tory friend she is going to give these plums to?

**Mrs. McIntosh:** Mr. Speaker, as I indicated in my first answer, if the member would cease stalling on this and give second reading and let us get to committee, we can go into all of those details.

Certainly, we have already had numerous, numerous inquiries. We are now asking for people to specifically let us know if they wish to receive an application; \$250,000 in liquid assets—and there is no pun intended—is the minimum requirement. I think if the member investigated what it would cost to set up these stores, he would find you have to purchase inventory and do a number of other things.

As to the accusations of patronage, well, we know what they are trying to do there, and it is not appreciated and not accurate.

**Mr. Speaker:** Time for Oral Questions has expired.

**ORDERS OF THE DAY****House Business**

**Hon. Clayton Manness (Government House Leader):** Mr. Speaker, firstly, on House business.

The Standing Committee on Law Amendments will sit today at 1:30 to consider clause by clause, Bill 29.

The other committee that is called for next week is Law Amendments, sitting Tuesday, 9 a.m., to consider Bills 25 and 34.

I believe, Mr. Speaker, that is the only business that the standing committees have at this time.

Mr. Speaker, would you call the bills in the following order: Bills 37, 31, 36, 45, 49 and 33.

**DEBATE ON SECOND READINGS****Bill 37—The Manitoba Public Insurance Corporation Amendment and Consequential Amendments Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister responsible for the Manitoba Public Insurance Corporation, Bill 37, The Manitoba Public Insurance Corporation Amendment and Consequential Amendments Act; Loi modifiant la Loi sur la Société d'assurance publique du Manitoba et apportant des modifications corrélatives à d'autres lois, standing in the name of the honourable member for Transcona (Mr. Reid).

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that the matter remain standing? [agreed]

\* (1050)

**Committee Change**

**Mr. Speaker:** Order, please. The honourable member for St. Boniface wants to make a committee change at this time.

**Mr. Nell Gaudry (St. Boniface):** Mr. Speaker, I move, seconded by the member for Crescentwood (Ms. Gray), that the composition of the Standing Committee on Law Amendments be amended as follows: Osborne (Mr. Alcock) for St. Boniface (Mr. Gaudry).

**Motion agreed to.**

**Bill 31—The Health Services Insurance Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Health (Mr. Orchard), Bill 31, The Health Services Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-maladie, standing in the name of the honourable member for Wellington. Stand?

**An Honourable Member:** No.

**Ms. Becky Barrett (Wellington):** Mr. Speaker, I rise today to speak on Bill 31, The Health Services Insurance Amendment Act, an act brought in by the Minister of Health (Mr. Orchard) in response to a Court of Appeal ruling I believe in March. The court ruled that the province must immediately pay for therapeutic abortions performed in free-standing clinics. The court also ruled that these procedures are as safe as and more cost effective than those performed in hospitals.

Mr. Speaker, the Court of Appeal ruling was fairly clear in this regard. It also stated that the Department of Health, by regulation, did not have the authority to determine where medical services can be provided. In other words, the Court of Appeal ruled that the government legislation could not be changed simply by changing regulations and that the government was required, by its own legislation, to provide for these services in a clinic, that the services were efficient, effective and particularly cost effective.

Bill 31 is this government's response to that appeal court ruling. It, in effect, is an attempt to amend The Health Services Act to allow the province to have the authority to determine where medical services can be provided.

Mr. Speaker, this is an interesting piece of legislation, because it is clear, and everyone who has an interest and a concern in this piece of legislation knows, that the only reason the bill was brought in was to enable the government not to fund the services that the Court of Appeal said should be funded and must be funded, and that the government did not have the authority not to fund, i.e., those medical services provided by the Morgentaler Clinic. Everyone knows that this bill was brought in specifically to enable the government not to fund those services. So we are disappointed that the government would respond in this manner to the Court of Appeal ruling.

(Mr. Bob Rose, Acting Speaker, in the Chair)

On the other hand, Mr. Acting Speaker, there is potential here that I hope the government, should this bill pass, will take advantage of. That is, this bill does allow the government to determine where medical services shall be provided, medical services that will be paid for by the Manitoba Health Services Commission.

We would hope that the government will use this piece of legislation in its broadest context, Mr. Acting Speaker, and not simply implement it and then stop paying for services or continue to not pay for services provided out of the Morgentaler Clinic. We hope that the government will use this piece of legislation to, for example, staff midwifery clinics.

If I may be allowed a very minimal detour here, we are waiting—I believe the minister said that this month the midwifery report would be prepared and would be given by, I believe, the deputy minister to the minister. There are many people in this province who are anxiously awaiting the results of that report.

I would hope that the midwifery report would suggest and recommend to the minister that midwifery clinics be established in this province for a broad range of reasons, and I will not go into them because they are not particularly germane to this bill. But this is the kind of clinic, the kind of medical supervision, the kind of medical health service that could be undertaken by the government using the authority granted to the government under Bill 31.

We hope that the government will take advantage of this piece of legislation to do that kind of progressive, forward-thinking, proactive kind of medical service provision. We hope that it is not, as I stated earlier, simply a situation that the government found itself in and that it is a knee-jerk response to a particular case, to a particular type of medical procedure, to a very specific clinic in this province, Mr. Acting Speaker.

It can allow on the other side—I have given an example of where Bill 31 could allow for the proactive provision of services. On the other hand, I assume, and I am not up on the legalities of implementation of legislation, that this legislation could give the government the authority not to fund as it is obviously going to not fund services provided by Morgentaler. It could also be used to say we will not fund other services provided by other people who were attempting to provide health services.

Situations where we are concerned in this on this side of the House, as are most Manitobans, with the privatization and the Americanization of our health care system as a whole, with the fact that waiting lists are extremely long. We have a proliferation of walk-in clinics. We have huge demands placed on our entire health care system.

The government has not in any way, shape or form instituted any health reform. They brought in their paper in May of last year, a paper which on the surface appeared to be very positive and had some excellent ideas in it.

But, as we have seen as we alerted the public to the clay the quality health care document was tabled in this House that this government was not interested in true health care reform, that they were interested in cost cutting and that alone.

Not only are they interested in cost cutting, but I would suggest that in their heart of hearts this government really does think that the best kind of health care system is the health care system similar to the United States system which is, if you can afford it, you can have it; if you cannot afford it, too bad.

This is the way this government has been reacting in the social services area. It is the way the government has been reacting in many other areas: their lack of job creation programs, their lack of understanding about the need for education and training as evidenced in the government's callous implementation of the student social allowances bill last night in committee.

This bill has a potential for that happening as well, and we are worried that the government will use this piece of legislation in a narrow and reactive and regressive manner rather than in a positive way that we think potentially could be the outcome of a piece of legislation such as this.

Bill 31 is an example of the power that legislation has. It is a very small bill with enormous potential implications and ramifications. We want to put on record that while we understand and totally disagree with the genesis of this piece of legislation, that it is a reactive piece of legislation dealing with a very narrow situation and concern, and one that the minister was unable or felt that he could not follow the legal requirements of the Court of Appeal—and made this legislation retroactive, I might add, so that the actions of this government, from the time of the appeal court ruling to the time



of this bill's passage, should it pass, would be legitimized. We are on record in general opposing retroactive legislation, and we have had several examples of that kind of behaviour and that kind of legislation today in this session.

(Mr. Speaker in the Chair)

We abhor the reason for the government bringing this piece of legislation in; however, we also see some positive potential implications of this legislation should it be acted upon in a progressive manner. We look forward to the public hearing process and to any concerns that are raised by groups and individuals in our community. We wish that this government had not brought this piece of legislation in as a cowardly kind of response to a Court of Appeal ruling and look forward to its being taken to a committee and the public response to it. Thank you, Mr. Speaker.

**Ms. Avis Gray (Crescentwood):** Mr. Speaker, I am pleased to put comments on the record in regard to Bill 31, The Health Services Insurance Amendment Act. We, as a caucus, are quite prepared to have this bill go to committee so that members of the public will have an opportunity to express their concerns and comments about Bill 31.

\* (1100)

Mr. Speaker, this is a very interesting bill, because the potential for this supposedly benign change in regulations certainly has great implications as to what kinds of services can be provided, and also the authority and the ability of the Minister of Health (Mr. Orchard) to make decisions in regard to community clinics and community services. So there is a positive potential of this particular bill, and of course there may be negative potential as well.

It is certainly no secret that in the province of Manitoba that this particular change in regulation—and I do not think the Minister of Health would disagree with this—that this particular regulation was brought in specifically to ensure that the abortion services which are currently carried out at one particular clinic, the Morgentaler Clinic, that this regulation would allow the minister to not pay fees for the performing of those particular services.

Now, Mr. Speaker, the Court of Appeal has determined that abortion services are legal and that regardless of what one personally believes about the issue of abortion, that they are safe, they are

legal, and if that is the case, this bill will and can limit abortion services.

As I say, it has already been determined that they are legal. It has already been determined that they are safe, and those kinds of services could be provided in a community setting. This particular bill will allow the Minister of Health (Mr. Orchard), which I am sure he will do, to basically limit women's ability of access to these particular clinics.

I think that is wrong. I think that if this minister and this government have difficulties with the issue of abortion and whether in fact there should be those types of services provided, they should deal with that issue directly. They should deal with that issue aboveboard and bring the debate out into the public.

This particular bill, this particular amendment, actually is a backdoor way of changing a regulation so that they can decide to not allow access of women to the clinic, because in fact there will not be any payment of fees for this particular clinic. So it is really a very backdoor way of doing things, Mr. Speaker. I would have preferred that the Minister of Health (Mr. Orchard) and his government and his colleagues would have decided to deal with the issue of abortion, because that is I believe what they are trying to do in this regulation. Deal with it aboveboard and talk about the issue, have a debate in the public.

Now there is potential for this bill, as well, for some very positive impacts in regard to community clinics. I know that the minister in his remarks talks about a new facility proposed by the Canadian Red Cross and that he will use that type of facility to—it will be covered in this type of amendment. So there is certainly the potential for very positive impacts of this particular type of regulation.

The question will be, how will the Minister of Health decide that he is going to use this regulation in regard to any type of expansion of community clinics, of facilities in the community. That will be the question, Mr. Speaker, which we will judge the minister on.

We have heard about the minister's health reform document. Certainly, as one goes through the principles of the health reform document and looks at the foundations that are laid out in that action plan, the discussion of community-based services, community-based care is mentioned throughout that particular document. Again, this

particular regulation change in Bill 31 can allow an increase of community-based clinics, and we would like to see that. We would like to actually see where in fact the Minister of Health (Mr. Orchard) will start to look at more community-based clinics, because in fact you oftentimes can provide a service—if it can be provided safely—more economically, it can be more accessible if it is provided in the community.

Again, Mr. Speaker, I will keep my remarks short. We would like to see this bill go to committee so that the public, interested citizens, will have an opportunity to debate this particular bill. Again, we see positives of this bill in terms of potential expansion of community services and community clinics. On the other hand, we are quite aware of what the minister plans to do with this regulation in regard, in specific, to the Morgentaler Clinic, and we have difficulties with his backdoor approach to the issue of abortion.

With those few comments, I will leave it at that, and we will certainly be having more discussions about this at the committee stage. Thank you very much.

**Mr. Speaker:** The honourable Minister of Health will be closing debate, as understood.

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I appreciate that this bill will proceed to committee. However, I do have to take some modest exceptions with some of the comments, particularly by the last speaker.

Mr. Speaker, the last speaker to this legislation indicated that this amendment could be used, for instance, to restrict access to services of therapeutic abortion for women. That is not factually correct. My honourable friend the previous speaker appeared to base her statement, in which she made that conclusion, on the basis of the Court of Appeal decision. In fact, the Court of Appeal, on majority decision, found that the provisions of therapeutic abortions in the province of Manitoba were in no way in contravention of the Canada Health Act or the Canadian Charter of Rights and Freedoms.

My honourable friend the member for Crescentwood (Ms. Gray) ought to read the judgment, because the statement she made that this amendment, if imposed on the Morgentaler Clinic would restrict women's access to therapeutic abortion, in fact is not an accurate statement. Of

course, if my honourable friend chose to accurately relate the Court of Appeal decision, she would have to change her position that she presented this morning.

I accept my honourable friend's concerns, but as I indicated in bringing in this legislation, this allows the formalization of a process that governments, not only ours but the previous New Democrat administrations and previous Conservative administrations, have used since we have provided insurance health care services in the province of Manitoba to determine where services can be safely and economically provided within the budget framework that Manitobans have put at their disposal through taxation and borrowing to provide needed health care services in Manitoba.

This amendment we believe will alleviate the concern expressed by minority opinion on the Court of Appeal that we did not have the regulatory authority as crafted in legislation to make those determinations by regulation.

This will give us that authority which has been used, Sir, for 25 years by governments of a number of political affiliations and not narrowed as my honourable friend the member for Crescentwood (Ms. Gray), the member for Wellington (Ms. Barrett), would indicate as being an amendment solely on therapeutic abortions which is factually inaccurate. Thank you.

**Mr. Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 31, The Health Services Insurance Amendment Act; Loi modifiant la Loi sur l'assurance-maladie. Is it the pleasure of the House to adopt the motion? [agreed]

### Committee Changes

**Mr. Edward Helwer (Gimli):** Mr. Speaker, I move, seconded by the member for St. Vital (Mrs. Render) that the composition of the Standing Committee on Law Amendments be amended as follows: The member for Lac du Bonnet (Mr. Praznik) for the member for Roblin-Russell (Mr. Derkach); the member for Emerson (Mr. Penner) for the member for Minnedosa (Mr. Gilleshammer); the member for Gimli (Mr. Helwer) for the member for Sturgeon Creek (Mr. McAlpine); the member for Niakwa (Mr. Reimer) for the member for St. Vital (Mrs. Render); and the member for Morris (Mr. Manness) for the member for Arthur-Virden (Mr. Downey).

**Motion agreed to.**

\* (1110)

### **Bill 36—The Highway Traffic Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger), Bill 36, The Highway Traffic Amendment Act; Loi modifiant le Code de la route, standing in the name of the honourable member for Transcona (Mr. Reid).

**Some Honourable Members:** Stand.

**Mr. Speaker:** Stand. Is there leave that that matter remain standing? [agreed]

**Mr. Paul Edwards (Leader of the Second Opposition):** Mr. Speaker, I am pleased to rise today to speak to Bill 36, The Highway Traffic Amendment Act. This bill in principle brings in mandatory safety inspections for all motor vehicles upon the change of ownership, and the extension of the legislation programs which are currently in place to deal with vehicles sold by motor dealers and the periodic inspection of commercial vehicles. Now in that sense it replaces the random inspection system that we now have in the province.

Mr. Speaker, this is, in principle, an idea and an approach that our party has been on record as supporting and recommending and asking for, for a long time. I know that, the member for St. Norbert (Mr. Laurendeau), it has been a large issue for him. It is one that I believe firmly in.

I have one overriding concern with this bill—not the principle behind it but the way that it is done, and I look forward to a discussion at committee about that. I do not intend to hold up the legislation at this point based on that concern, but I will look forward to some discussion at committee about that, and that is, I want to ensure—and others have stated that it is a concern of theirs—that the same restrictions that apply to private vendors and purchasers of motor vehicles also apply in the same way, no lesser, to the commercial dealers.

I want to ensure and make sure of that at the committee stage, because I understand that commercial vendors, used car dealers in the city, in the province, will most often sell vehicles which are much less likely, perhaps, to be dangerous, but the same safety requirements, the same protocol, and the same necessity for proof should be applied.

Mr. Speaker, I see the members opposite saying that is in there. It may well be. I have looked at the bill; I have not been convinced as yet that it is abundantly clear, but I will wait for the committees to clarify that point.

Mr. Speaker, I also want to discuss how it is going to be administered and how it is going to be done. As we all know, there is a lot of trade in used vehicles. The purchaser is not intending the vehicle to be driven ever. It is simply being bought for parts. It is being bought for some other purpose.

In my view, the way it should be done is that it is the obligation of the purchaser to ensure that the safety inspection is done, because then the purchaser decides, do I want to license it? If so, then I have to get the safety inspection. If not, then I do not have to worry about it, and maybe I have bought this vehicle for parts. So, if that is the case, if that is the way this is to be administered, then I am in agreement. I think it is an appropriate bill.

In reality, I know from spending some of my life in the province of Ontario, the way it works is, in fact, and it works quite well I think, is that—unless the NDP have changed it since they got into power, but knowing the things they have done, they may have screwed that system up since I left. But, when I was there under a good Liberal regime, for part of the time I was there, the system worked very well.

The way it worked was that in the used car market the purchaser knew that this would be required and, if he or she was intending to license the vehicle, would simply demand from the vendor that it was sold with a safety certificate. So, in fact, it became the obligation of the vendor in reality in the marketplace.

But in law it stays the obligation of the purchaser, because then the purchaser has the option of licensing it, in which case you get the safety certificate, or perhaps not licensing it, using the vehicle for other purposes, for parts of some other purpose. So that is the system which I think makes sense and works.

One of the problems with the random selection is that—as one who had a number of vehicles through high school and university, as I think a lot of people do, none of which lasted very long, and not because of my driving habits, but they were just vehicles which I paid very little for and lasted a very short time.

I know that there is a market there in vehicles which in all likelihood should not be on the road. That puts at risk not just the people who purchase that vehicle; it puts everybody at risk, because it is a vehicle that the brakes could go, or the lights could go, or the steering shaft could go. I mean it could be very dangerous. So it serves us all to have this.

There will be additional costs borne by the vendors to have these safety certificates, but I think it is worth it. I think it is worth it to know that there is a minimum standard of safety on the vehicles on the road. Driving a vehicle that is unsafe, driving a vehicle where the driver is impaired, is like having someone walking around with a loaded gun. There is no other analogy that is more appropriate, because it is something waiting to happen, whether it is a pedestrian, another driver, children in another vehicle, children in that vehicle—these are tragedies waiting to happen. So I certainly support in principle, albeit with some of the concerns I have expressed, and our party supports in principle, moving to a system in which we are going to better ensure that vehicles are, in fact, road worthy.

Now the other concern, Mr. Speaker, that I will simply mention is one that we would like to discuss and confirm at committee: there still remains the random system for vehicles that have not been sold for a certain period of time. If you rely entirely on the turnover of the vehicle, it may well be that a vehicle is owned by one owner for many, many years and becomes unsafe. So we have to still maintain a random system of check, I would suggest, based on the age of the vehicle and narrowing out those vehicles which have not changed hands.

We certainly do not need to send out random selections to vehicles which are changing hands on a regular basis, because they are being checked every time they changed hands under this system, but those that are not being turned over, are not changing hands, if we do not maintain some random selection for them, never will be checked. So we do have to have a balance between the two systems, but I think this is the way to go. I think it is important and makes sense to have a system whereby vehicles are checked regularly, and I think that the additional cost that will be borne by potential vendors is well worth it and is acceptable to Manitoba motorists. Thank you, Mr. Speaker.

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

#### **Bill 45—The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mrs. Mitchelson), Bill 45, The Coat of Arms, Emblems and the Manitoba Tartan Amendment Act; Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba, standing in the name of the honourable Leader of the Opposition (Mr. Doer).

**An Honourable Member:** Stand.

**Mr. Speaker:** Is there leave that that matter remain standing? [agreed]

**Mr. Paul Edwards (Leader of the Second Opposition):** Mr. Speaker, I do not intend to make lengthy comments about this bill, but do want to indicate that I do not like the new coat of arms. With all due respect to the artist, to the people involved—I have every confidence that they did their best—they should be sent back to the drawing board, because I am a little embarrassed by that coat of arms. I think that it just tries too much by half, and the result is that it just does not send a clear message.

I am not one who pretends or purports to be any kind of an art expert or have any sophistication about art. I know what I like and I know what I do not like, but I do not pretend to have a sophisticated idea of what is great art, but this emblem, I do not see it so much as an artistic piece. It speaks for the province. It has to represent. People in this province have to be able to relate to it in some way. It is not perhaps a major issue, but it is something which is going to be used around the province, perhaps in all kinds of ways. I just do not think it does the trick. With some regret, because I recognize the expense of producing it out in the foyer here, I recognize the time and effort and expense of coming up with it, but I do not like it. I have canvassed with the caucus members in our party. They do not like it. Again, with regret, we oppose this bill.

\* (1120)

**Mr. Speaker,** I want to reiterate that I appreciate the efforts made, and I understand that people may be hurt or offended by that judgment on this, but we

do have a responsibility to look at it in the context of what our constituents are likely to think about it. They are the residents of this province and I just do not think they are going to like it, and I do not. I think we are going to have to send them back to the drawing board. I am not sure what is wrong with the old one and maybe that could be explained. Maybe I have not listened intently enough on that point but I am not completely clear why we are doing away with the old one. Perhaps that could be clarified, and if need be, we will go back and try again, but this one to me just does not cut it.

**Mr. Speaker:** As previously agreed, this matter will remain standing in the name of the honourable Leader of the Opposition.

### **Bill 49—The Summary Convictions Amendment and Consequential Amendments Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 49, The Summary Convictions Amendment and Consequential Amendments Act; Loi modifiant la Loi sur les poursuites sommaires et apportant des modifications corrélatives à une autre loi, standing in the name of the honourable member for Wellington (Ms. Barrett).

**An Honourable Member:** Stand.

**Mr. Speaker:** Stand? Is there leave that this matter remain standing? [agreed]

**Mr. Paul Edwards (Leader of the Second Opposition):** Mr. Speaker, this bill, The Summary Convictions Amendment and Consequential Amendments Act, is a bill that I oppose and that our party will oppose.

The reason for that, Mr. Speaker, is that it takes away the fine option program for parking and highway traffic offences. Now, it may be stated, and I know the minister has said that it will save a lot of money, \$250,000 annually he says. He says it will remove jail as a penalty for nonpayment of parking tickets which I agree with and that is a part of the bill that I do support. He indicates the time to pay can be granted for those with low incomes.

What he fails to mention is that the fine option program is not a program in which people pay in dollars. It is a program in which they pay in time. It would be fine if we allowed people to pay over time and required that they pay cash, pay money, if they had jobs, if they had money, if they had any

disposable income. But, Mr. Speaker, we have 36,000 people unemployed in this city. There just are not jobs. The people who come before the courts and qualify for the fine option program do not have money. That is why they opt for the fine option program.

If the minister is saying that Highway Traffic Act offences are not that serious, Highway Traffic Act offences can result in hundreds and hundreds of dollars of fines. So the fine option program is a very, very important part of the sentencing regime, sentencing options available to judges. I have had the experience and I have had the opportunity on many occasions to recommend the fine option program to a client and have it approved by a judge because it works and it is necessary in those circumstances. The fact is that it also makes available to community clubs, community organizations, nonprofit organizations, makes available people to do work and work off their fines. What is wrong with that? The organizations get the labour, the work. The individual involved gets the experience of doing the work, which is often a very good thing, especially for young people, to know that they have to work to pay off their fine.

Thirdly, it sends the message to the individual, to the young person, obviously a lot of young people use this program, that for the crime, for the act, there is a consequence. You may not have the financial resources to pay a fine, but there is a consequence. It is real, and it is going to mean that on weekends, Saturdays, you have to go to the community club, you have to put in the hours, you have to do the work. What is wrong with that? I think it is a great system.

I do not understand, Mr. Speaker, why we would do anything to undercut, to do away with that system. The fine option program is a good program. What is going to happen? What is going to happen with young offenders and others who now do not have that program? I know what will happen. They do not have the money to pay. Their parents will pay. Someone else will pay, or they will not be able to pay at all, but they do not get the message. It is not a bad message for people to hear and stand up in front of a judge to tell them that there is a consequence to this. You are not going to be let off the hook. Damage occurred, there is a fine that is necessary, and as a result, in your community you are going to have to do free work. I do not think that is a bad system.

Mr. Speaker, my view would be that the bill has to be opposed. I do not know why we are scrapping this sentencing option, which has at its root that goal which is to send a message, a sentencing message in a real way to people who, for whatever reason, cannot afford it. We do not want to simply be able to go to their parents or otherwise and get the money, so it does have that great advantage. It is used every day in our courts. I can tell you from experience. It is used every day. The judges value it and use it in appropriate circumstances as an appropriate sentence.

Mr. Speaker, I am very unhappy to see that the minister is proposing to delete it, to get rid of it. I also, however, have to say that it is not a surprise, because I do not think the minister understands the correction system sufficiently to understand the importance of this program.

There are many other areas of the justice system that give me grave concern, most notably the other two acts before this House, which I have discussed, dealing with the Criminal Injuries Compensation Board and the Victims Assistance Fund. We are seeing a politicization of those monies. We are seeing a reduction in benefits that will be available to the victims of crime, all the while assault, robbery and sexual assault are rising dramatically in our city. So the victims of crime, grievous crime, are increasing, and now those who are the victims of crime and cannot work are having their benefits cut.

The minister stood up yesterday in this House and said: You should be happy we have a criminal injuries compensation scheme at all; so it is being cut; you should be happy that we have it at all.

Well, Mr. Speaker, I have not checked, but I have been in other provinces. They all have criminal injuries compensation schemes to my knowledge. I would stand to be corrected on that, but certainly many of them do, if not most, if not all. I do not think the minister should say it is some great blessing for our society to have this. It makes sense, if you are the innocent victim of a crime, that we have some scheme that is going to compensate you. We have the same scheme if you are in a car accident, not by your fault or something else. If crime happens to someone, then they should not be thrown out on the street and put out of a job and not have any income. It is not as if they are getting thousands and thousands and millions of dollars for

superficial purposes. If they get anything, it is income replacement and income replacement only.

It is administered by the Workers Compensation Board, so people are not getting rich on this. They are getting compensated when they have been the victim of an assault or a personal crime that results in them not being able to continue to work.

\* (1130)

So the justice system generally, Mr. Speaker, under this minister's guidance, I think is being eroded and on the Victims Assistance Fund just outright being politicized. The money is now being taken out of the hands of the Victims Assistance Committee and given to the government. That is basically it.

They are politicizing those funds, and they will bring them into the fold and bring them into the government general revenues. That has been the agenda for a number of years, and it is culminating in Bill 53 which is before this House currently. They are moving away from community involvement in that decision making, from involvement of the experts in a nonpolitical way in deciding how to fund victims.

They are moving away from that. They are moving more and more and more and bringing those monies into the minister's office to be directed as he sees fit. It is fundamentally as a result of a disrespect and a dislike, I think, of consulting the public and of allowing nonpartisan people to have any real control over any government funds.

The interesting thing about the Victims Assistance Fund, it is not taxpayers' dollars. It is not revenue generated in the normal tax system. The Victims Assistance Fund is as a result of tariffs on fines. If people are given fines federally or provincially, they pay an additional percentage of top-up which goes into the Victims Assistance Fund. So it is not as a result of income tax or corporate tax or some such thing. It is put into the fund as a result of payments to people who have been convicted of crimes and pay a top-up on their fines.

So the politicization of those funds and bringing them into general revenues is regrettable indeed, in my view, Mr. Speaker, and this bill, which eradicates this option for the courts, is also very regrettable. I repeat that the provision that says that jail will not be made an option for in these

cases, I do not have a problem with, but the provisions which get rid of a sensing option for judges which helps the community, helps the person before the court know about this crime, deal with it in a way, they get experience doing the work, it is a good program.

Why is the minister getting rid of it? I do not see in his comments any real defence for what he is doing, and as a result, Mr. Speaker, believe that this is a bad piece of legislation. Thank you.

**Mr. Speaker:** As previously agreed, this matter will remain standing in the name of the honourable member for Wellington (Ms. Barrett).

### **Bill 33—The Provincial Railways and Consequential Amendments Act**

**Mr. Speaker:** On the proposed motion of the honourable Minister of Highways and Transportation (Mr. Driedger), Bill 33, The Provincial Railways and Consequential Amendments Act; Loi concernant les chemins de fer provinciaux et apportant des modifications corrélatives à d'autres lois, standing in the name of the honourable member for Swan River (Ms. Wowchuk). Stand? No, leave is denied. Okay.

**Mr. Jerry Storie (Filn Flon):** Mr. Speaker, we are prepared to let this bill go to committee, but I did want to—and much to the relief of the Government House Leader (Mr. Manness) perhaps, we are trying to work through these as quickly as we can. I think the Government House Leader understands that some of this legislation has not been around very long and some of it is very important.

Mr. Speaker, this is one of those bills that I think has the potential for both some good and some bad in terms of the rail transportation system in the province of Manitoba. As my colleague the member for Transcona (Mr. Reid) suggested, this is really an attempt by the government and perhaps an attempt by other governments across the country to make the best of a very bad and a very difficult situation. There are very few communities, if any communities in the province, who want to see their rail lines abandoned by our national railway companies. For many communities, one line or the other is the only means of access. Certainly the CN line that goes into northern Manitoba and up to Churchill is a good example of that. So the idea that over the next few years we are going to

continue to see rail lines abandoned is a legitimate reason for concern.

So, Mr. Speaker, we, I guess, are faced with the prospect of having to deal with Bill 33 because of the apparent willingness of the government, the apparent desire on the part of our national railways, to abandon and continue to abandon some of the thousands and thousands of miles of line that connect our province and bring people together, provide supply lines for our communities.

Mr. Speaker, I want to relate to the House one of the most frustrating experiences I have had in my almost 12 years in this Legislature, and it had to do with the use of our rail system. In 1981, after I was elected, one of the first—

**An Honourable Member:** Why did you leave a \$500-million deficit . . . ?

**Mr. Storie:** Well, Mr. Speaker, the member for Pembina (Mr. Orchard) is chirping about deficit again, and I guess representing a government that has the highest deficit in the province's history, he knows a lot about deficits. Perhaps—

**An Honourable Member:** Yes, but you said they were manageable, Jerry, so you should have . . .

**Mr. Storie:** Well, Mr. Speaker, the member said that I said a \$500-million debt was manageable. I suppose that means that his \$862 million is unmanageable. Well, of course, that would speak of bad management, incompetence on the part of the government, so perhaps the minister wants to get up and debate that at some point. I think that if a \$500-million deficit is not manageable, then it is pretty clear and pretty obvious that \$862 million is not manageable either.

In 1981, shortly after I was elected, I contacted the CNR and talked to the National Transportation Agency about the prospects of introducing a community-based rail service between the communities of Cranberry Portage, Sherridon and Pukatawagan. There are some 2,500 people approximately who are served by that rail line, and at that time it was their only access to the outside world. There was no road into Sherridon as there is currently, and there was no winter road system which operated between Pukatawagan and Sherridon and attached them to the provincial highway system.

Mr. Speaker, I did some research and found that, yes, there were in fact in other parts of Canada, in other parts of the world, short-line railways

operating. Some of them were operating for passenger service. Some of them were operating freight services, and it was certainly the opinion of the communities, Sherridon and Pukatawagan at least, that this community-based service on that line would be extremely valuable.

Mr. Speaker, at the time and to this day, CN ran trains on that line three times a week, so any given inch of that railway was used for about three seconds in a week. There were days when there was no traffic on the line at all. It was predictable when there would be traffic on the line, and so I felt that it was reasonable that CN would be willing to lease the line at virtually no cost to a small commuter railway company, lease time on the line to a community-based company. I then said, okay, let us see what kind of a service we could provide.

I went to the Greater Winnipeg water services railway system, and for members here who do not know that, Greater Winnipeg water services has operated a little commuter vehicle on the rail line that goes out to Shoal Lake, and they have done for many, many years. The vehicle that I test drove was, I believe, a 1980 Ford Econoline van that had been converted to use railway wheels, a conversion that cost, I was told at the time, some \$6,000.

**An Honourable Member:** A rail bus.

**Mr. Storle:** It was a rail bus, a rail van, actually, a rail Ford van. The conversion actually cost \$6,000 and that van on the line could travel approximately 40 miles an hour. At the end of the line it had a little mechanism on it that allowed the van to turn around and head back.

I said, there is the kind of model that we need to apply on the rail lines in northern Manitoba. You could simply form a co-operative. You could form a community-based corporation to operate that small commuter to bring freight into the community, to take passengers out. It could operate on the community schedule. It would have been a nonprofit community-owned service.

It seemed like such a rational solution given the fact that the people of Canada had invested millions and millions of dollars building that rail line and it was not being used. When it was being used, certainly for passenger service for Sherridon and Pukatwagan, it was being used inefficiently. It was not even a good service. It was not meeting

the communities' needs. It seemed like we should be able to find a way around that.

\* (1140)

Well, Mr. Speaker, as luck would have it, the federal government got involved, and as they often do, destroyed the concept. Therein lay the problem. The Honourable Lloyd Axworthy was then the federal Minister of Transport— [interjection] Well, I do not want to be critical of Mr. Axworthy because I think through his department—and I will not pin the blame or the credit on Mr. Axworthy—there was an agreement to attempt to resolve the problem. What happened was it went from a concept of having a small van on the line, a simple concept that would cost in total for the van and the modifications that were necessary, about \$20,000. All of a sudden, it became a million-dollar pilot project.

**Hon. Darren Praznik (Minister of Labour):** How?

**Mr. Storle:** Well, Mr. Speaker, the member for Lac du Bonnet quite rightly asked how did that happen? Only a government that had endless amounts of money to fritter away as the federal Liberal government did at that time would have turned a simple project that would have met the community needs into a pilot project that cost millions of dollars.

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

Not only did the federal government move the project from the line that was originally discussed, they created a project that was destined to fail. The federal government decided, in its wisdom, to have a demonstration project that connected the communities of Thicket Portage and Pikwitonei with Thompson. Madam Deputy Speaker, first of all, the service between those two communities was already much better than the service available in Sherridon and Pukatawagan. Secondly, what the federal government did is decide to buy a motor coach, a huge motor coac, which cost something like \$250,000. [interjection] The Minister of Highways (Mr. Driedger) may be correct that they actually bought it in England; however, they did buy a motor coach, and then, of course, it cost them a considerable amount to operate it. Then they insisted on operating it on a schedule which did not fit the needs of the community.

Instead of turning that vehicle over to the community and saying, here operate this, they tried



to operate it on a schedule, not understanding apparently and not listening when they were told that these communities wanted to have this vehicle to operate when they wanted to operate it. Then it would have been viable, because people would have paid when they wanted to go. They already had train service, a much better train service, certainly, than Pukatawagan.

Madam Deputy Speaker, not only that, there was not the same population base. The population base of those two communities was much smaller than the population base of the line that we originally suggested they should use. Anyway, the long and short of it—and some people want this to be shorter than longer—is that the project did not work. People did not use the service as much as we would have hoped. The line and the operating costs of operating that larger bus was significant.

Now, Madam Deputy Speaker, I did have a chance to ride on the bus on its inaugural run. I was at least pleased to see that the federal government, the provincial government, could get together on an idea and try and make it work, but unfortunately, as I said to the federal government at the time, this project was designed to fail. It was not designed to succeed.

So, Madam Deputy Speaker, we have to find a way to help Manitobans better use the infrastructure that is in place. There is no reason why the taxpayers of Canada should have put rail lines all over the province and then everyone be denied access regardless of how much sense it makes for the province to use that system.

So, Madam Deputy Speaker, if I may get back to the bill, that is why I say we are about to, I guess, make the best of a bad situation. What the government is now proposing to do, of course, is to privatize some of those lines. Now, I did not read the minister's remarks, in all fairness to the minister, but I hope that there is still the opportunity for nonprofit groups, for communities to get involved and use these lines. Even if these lines are transferred to private ownership, I think that there necessarily has to be a right of access to the communities and in fact the people who paid for the line in the first place.

The people of Canada paid their taxes and paid for the line. If the government, out of necessity—we will hope not out of perhaps ideology as well—wants to sell or privatize these lines, then the

least we can do is ensure that if we must privatize these lines to get some use out of them, if there is a better use than abandonment, that the community still have access, that we will not have the line run past the community and deny them access to it.

If we are going to privatize any section of Manitoba's rail infrastructure, then we have to make sure that it is better used than is currently allowed under the National Transportation Act. [interjection] Well, I have read the notes on the bill, and I certainly hope that if that is the intention of the minister, that it actually comes to pass, that it does not get bogged down, as our national railway system has, in regulations that make absolutely no sense, absolutely no sense.

Madam Deputy Speaker, the only other comments I have is that obviously we would prefer, I think, a national railway system that was operated in national interests. We would prefer to find a way to utilize these lines in a way that made economic sense. We would prefer to have our province develop to create economic opportunities, rather than have to be here discussing the need for finding a way to use rail lines that are abandoned. Unfortunately, in the last 10 years in Canada, we have had no commitment to national transportation systems really, no commitment really to our highway system, no commitment to our airline system, no commitment to our rail system, no commitment to our marine system either, our seaway.

So we are prepared to let this bill go to committee. I indicate we are willing to see where this takes us and what the people at committee have to say. We do this without any joy. We think that there was a better way, but on the other hand I commend the minister for at least looking for options. I know this minister, and I respect that he has the interests of the community at heart. I hope that ideology does not pervade what actually happens after this bill is implemented, if it should pass, and it becomes an ideological tool to simply privatize it without regard for the fact that Canadian taxpayers paid for this system and they deserve to have it serve their interests and not just some private individual's interest. Thank you, Madam Deputy Speaker.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 33, The Provincial Railways and Consequential Amendments Act (Loi

concernant les chemins de fer provinciaux et apportant des modifications corrélatives à d'autres lois). Is it the pleasure of the House to adopt the motion? [agreed]

### Committee Change

**Mr. Cliff Evans (Interlake):** Madam Deputy Speaker, I move, seconded by the member for Burrows (Mr. Martindale), that the composition of the Standing Committee on Law Amendments be amended as follows: St. Johns (Ms. Wasylycia-Leis) for Wolseley (Ms. Friesen).

**Motion agreed to.**

\* (1150)

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**Hon. Clayton Manness (Government House Leader):** Madam Deputy Speaker, will you call Bill 30 to be followed by Bill 41.

### Bill 30—The Vulnerable Persons Living with a Mental Disability and Consequential Amendments Act

**Madam Deputy Speaker:** To resume debate on second reading of Bill 30 (The Vulnerable Persons Living with a Mental Disability and Consequential Amendments Act; Loi concernant les personnes vulnérables ayant une déficience mentale et apportant des modifications corrélatives à d'autres lois), on the proposed motion of the honourable Minister of Family Services (Mr. Gillshammer), standing in the name of the honourable member for Burrows.

**Mr. Doug Martindale (Burrows):** Madam Deputy Speaker, I plan to speak for a few minutes and then we will pass this bill to committee. I know there are people in the community who are anxious to make public presentations, and we are anxious to hear them.

This is a very important bill and a very long bill and one that has been in the making for a number of years. A great deal of consultation with the community who are affected has been undertaken. I would even like to commend the minister for his efforts in consulting the community. Not everybody agrees with everything in this bill, but I think that the government did make a good attempt to consult with as many people as possible.

Our society's attitudes have changed over the years with regard to people with mental disabilities.

In fact, just in my short lifetime, I think we have come full circle. I can remember that, when I was in elementary school, there was a student a year or two ahead of me who was in a regular classroom, whom now we would call mentally disabled. At that time, the teachers probably did not recognize the kind of student who was in the class and tried to deal with her as if she were like any other student in the class, and with really terrible consequences for that individual, because when she was unable to learn something, she was dealt with the same way that other students were, namely, she was given the strap repeatedly for not being able to learn. That was most unfortunate.

Then these students were taken out of the school system and put in special schools. They were segregated. Of course, over the years, many of these individuals have been in institutions. Now we have a swing that has come back, or we have gone full circle, and many of these individuals are being mainstreamed, to use the jargon. Many of these individuals are living in group homes or living in apartments or living in supportive living settings, and many of them are back in the regular school system. It is good to see that, wherever possible, people are reintegrated into our society and treated like everyone else. I guess that is the result of increased understanding on the part of our society.

Bill 30 brings about major changes, mainly having to do with conferring rights on these individuals. I suppose that is partly a result of lobbying that various groups have done. I suppose it is a result of things like the Charter of Rights and Freedoms whereby all people have rights, and it is only in exceptional circumstances that these rights can be taken away.

In fact, it is my understanding of the history of this legislation that, had this legislation not been forthcoming, there was a group that was prepared to go to court and challenge the existing legislation. So this is a bit of a tradeoff whereby that group did not go to court, and, instead, we have this legislation to replace it.

The government had a review committee, and we have their discussion paper on possible changes to legislation affecting Manitobans living with a mental disability which was—I guess this report is dated September 1991. It is a very interesting report and a very comprehensive report, and, of course, the people who had the greatest input into this were hoping that all of their

recommendations would be in the legislation. That is probably not the case.

In fact, that is probably the usual case when people are on a review committee, because the government is in the position of having to balance different interests. I appreciate how difficult a task that is to be in government because you have special interests lobbying you, and you also have groups that consider that they are speaking for everyone, putting forth a case as to what should result in legislation. The government has to strike some kind of balance, and, ultimately, it is the government that has to make those very difficult decisions in terms of what gets into the legislation and what it says.

I would also like to thank the Minister of Family Services (Mr. Gilleshammer) and his staff, particularly his staff, because the minister was not at the meeting, but his staff who briefed myself on this very lengthy and complicated bill. His staff also briefed the previous critics.

The government also put out a summary of this bill in more understandable language called A Statement of Government Policy Regarding Legislation for Vulnerable Persons Living with a Mental Disability, and it is dated May 1993. It is a very helpful little document to help understand this bill.

In their summary, they have summarized the guiding principles of the new legislation which are as follows: Vulnerable persons are presumed to be competent to make their own decisions, unless demonstrated otherwise; "vulnerable persons should be encouraged to make their own decisions"; "the vulnerable persons' support network should be encouraged to assist the vulnerable person in making decisions so as to enhance his or her independence and self-determination"; "any assistance with decision making that is provided to a vulnerable person should be provided in a manner which respects the privacy and dignity of the person and should be the least restrictive and least intrusive form of assistance that is appropriate in the circumstances"; "substitute decision making should be involved only as a last resort when a vulnerable person needs decisions to be made and is unable to make these decisions by himself or herself or with the involvement of members of his or her support network." We think these are good principles.

We have a problem with this bill in that I believe these principles show up in the preamble. They are in the form of WHEREASes. They read well. We agree with their content.

One concern I have about this bill is that it might make more sense to have the preamble as a part of a bill, to incorporate it in the actual bill itself rather than as a preamble. My understanding is that makes a difference if somebody should go to court under any section of this bill as to how a judge interprets the bill. I am advised that makes a difference, whether the principles are in the preamble or in the bill itself, as to how a judge would interpret the act. That is something that could be changed at the committee stage or by amendment, and I would like the minister to consider that.

The Vulnerable Persons' Commissioner is something that is new with this bill. It is an individual who will have a lot of responsibility and a lot of authority. In fact, I have already heard some interesting speculation about who it is that will be appointed to that position, and we will wait and see with great interest. I am sure the community will as well.

Because this individual will have considerable power, I think that also raises questions of accountability. Right now the Vulnerable Persons' Commissioner would report to the Minister of Family Services (Mr. Gilleshammer).

We have seen how that works in other situations, for example, the Children's Advocate. The opposition parties recommended that the Children's Advocate not report to the minister but report to the Legislative Assembly, as the Ombudsman does under The Ombudsman Act. This would be an alternative that this minister could consider that the Vulnerable Persons' Commissioner report to the Legislative Assembly. The minister would be correct in saying, well, why would you recommend that, why is it necessary?

Let me give an example from the Children's Advocate. We were in Estimates this spring and I asked the minister repeatedly if the Children's Advocate had made any recommendations. The minister talked in generalities. The minister skated all over the map. He talked about concerns and how, yes, he had meetings with the Children's Advocate and the Advocate raised concerns, but he would not use the word "recommendation."

The Children's Advocate had written a letter to people who belonged to the Foster Family Association. We received a copy of that letter. In it the Children's Advocate said he had made a recommendation to the minister. So we raised that in Question Period. We said, why did you not tell us in Estimates that the Advocate had indeed made a recommendation? I guess that was a judgment call that the minister made, a bad judgment call in our opinion. We are concerned that the same thing could happen in this case, that we have a Vulnerable Persons' Commissioner who has considerable power, considerable authority, and therefore we believe it would be better if this individual was accountable to the Legislative Assembly.

\* (1200)

Another concern that we have is with support services. Now support services are spelled out in the bill. There is a question of whether this is an entitlement or a right, and therefore an individual must get all of the support services which they require, or on the other hand, whether the government would say there are limits. We cannot provide all the services that an individual requires because the government would say, we need to take into consideration the fiscal capacity of the government or the ability of government to pay, and I guess there is a trade-off there; in the view of the government, I suppose it is a trade-off. I would say that this is a very legitimate concern which people in the community are raising. If you are going to say that people are entitled to support services, then you need to ensure that the services which people need are actually going to be there.

Next, I would like to talk briefly about different parts of this legislation but also government policy and the regulations. There is a concern that has been raised with me as to how policy and principles in the act and the regulations will fit together, and I think that is a legitimate concern. I suppose it is partly a matter of time, because eventually we will see the regulations, but we may not know very much detail about the government's policy till we see it in practice.

There is also the concern about the principles, whether they belong in the bill itself rather than in the preamble. People want to know which is more important and which will take precedent. Will the principles take precedent? Will the policy take precedent? Will the act take precedent? I am sure

the minister would say the act would take precedent, but then quite often regulations are very significant. Sometimes governments hide things in the regulations that they do not want in the act, because regulations are much easier to change. You just need an Order-in-Council. In court, which will take precedent, the principles, the act, the regulations or the policy?

We are also concerned about education. This is really a change in how governments and really how our society views disabled people, mentally disabled people, how we provide for them, and what their rights are. Although part of this bill is consequential amendments from many other statutes that had to be amended, and the total bill is 109 pages, the vast majority of this bill is still the bill itself on vulnerable persons which is 79 pages. So it is very complicated stuff. It is going to take a while to inform the public, and so we would like to know, what is the government's plan on educating the public? Because of the magnitude of these changes, there is going to have to be considerable education. There is a need to educate vulnerable persons. There is a need to educate professionals, and there is a need to educate the general public.

It is not easy to explain to people concepts like empowerment. In fact, we just have to read in the Free Press this morning about the community development people and church people working in the Langside district who were trying to empower people in their community to take more responsibility, take more control over their lives and show more concern and responsibility for their neighbourhood. So they engaged them in a process of naming their new community centre. What happened when the suggestion got to City Council? The councillors totally ignored it and said, well, we know what we want to call it. We have a name for it. Now the people in the community are very frustrated and saying, look, we tried to empower people and you did not listen to us.

Empowerment is a very difficult concept for a lot of people. A lot of people are not familiar with it, have not heard of it, and it is also difficult to give power to people who were previously without power and without rights. Now they will have some of both. Of course, this education will need to be done in very simple, plain language.

Finally, Madam Deputy Speaker, we are interested in knowing how the government plans to

review the implementation of The Vulnerable Persons Living with a Mental Disability and Consequential Amendments Act. Does the government have a plan in place whereby they are going to monitor and review the implementation, and will they be doing that over six months or a year, or two years, or do they have a five-year plan? What is their plan for reviewing this new legislation? Perhaps they need some sort of formal mechanism in place in advance to review all aspects of the act. Of course, if they are going to do that, which would be a good idea, then they probably need a public review committee so that they have input from the community as to how this legislation will be reviewed.

Madam Deputy Speaker, that finishes my remarks. I am looking forward to this bill going to committee so that we can hear presentations from the public and see what concerns people have. I already know that some people think this bill is just fine; other people are not willing to support it; and other people are very upset. We have people taking various different positions, and we will get a chance to hear all of them at the committee stage.

**Madam Deputy Speaker:** Is the House ready for the question? The question before the House is second reading of Bill 30, The Vulnerable Persons Living with a Mental Disability and Consequential Amendments Act. Is it the pleasure of the House to adopt the motion? [agreed]

### Committee Change

**Mr. Kevin Lamoureux (Inkster):** Madam Deputy Speaker, I move, seconded by the member for Osborne (Mr. Alcock), that the composition of the Standing Committee on Law Amendments be amended as follows: St. Boniface (Mr. Gaudry) for Osborne (Mr. Alcock).

**Motion agreed to.**

### Bill 41—The Provincial Parks and Consequential Amendments Act

**Madam Deputy Speaker:** To resume debate on second reading of Bill 41 (The Provincial Parks and Consequential Amendments Act; Loi concernant les parcs provinciaux et apportant des modifications corrélatives à d'autres lois), on the proposed motion of the honourable Minister of Natural Resources (Mr. Enns), standing in the name of the honourable member for Swan River

(Ms. Wowchuk). Is there leave to permit the bill to remain standing?

**Some Honourable Members:** No.

**Madam Deputy Speaker:** No? Leave has been denied.

### Point of Order

**Mr. Jerry Storle (Flin Flon):** Madam Deputy Speaker, on a point of order, traditionally in this House when another member is prepared to speak, we do not deny someone the right to speak unless it is their will to have that happen. The member for Swan River (Ms. Wowchuk), obviously, has important business to attend to in her constituency. There have been, as members of the House should know, some serious problems in Swan River. I do not think—

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

**Hon. Clayton Manness (Government House Leader):** Madam Deputy Speaker, on the same point of order, I acknowledge what the member has said. Certainly, we will recant on this side, but I will serve notice to the members opposite that, as of the passing of Estimates on Monday, Bill 41 will not be allowed to stand whatever excuse, and, indeed, most of the other bills will not be allowed to stand.

I am serving notice to the House that the government will not allow any standing of bills as of next week.

\* \* \*

**Madam Deputy Speaker:** Is it the pleasure of the House to revisit the previous question? Is there leave to permit Bill 41 standing in the name of the honourable member for Swan River (Ms. Wowchuk)?

**An Honourable Member:** Leave.

**Madam Deputy Speaker:** Leave? Leave has been granted.

**Mr. Storle:** Madam Deputy Speaker, it is nice to know that common sense still prevails once in a while. It is really nice to know that. As usual, the common sense came from this side. The common sense came from the left side of the Chamber, and the intransigence came from the other side of the Chamber.

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

**Madam Deputy Speaker:** Order, please. I do believe the honourable member for Flin Flon would like the courtesy of being able to debate on Bill 41.

**Mr. Storie:** Madam Deputy Speaker, I appreciate that the Minister of Finance, the government House leader (Mr. Manness) has given notice that bills will not be able to stand, and that is certainly fair. I was a little surprised at the unwillingness to give leave, and I am pleased that common sense has prevailed and that we certainly will be prepared to speak on Bill 41 probably for a couple of months. For the government House leader, when he fills out his calendar, I think Bill 41 should pass some time in October. I think it is possible.

I did want to make a number of comments about this bill, and I want to say at the outset that I have mixed feelings about this piece of legislation, but the bottom line, I think, is that there are more flaws in this legislation than there are good points. I think that there are some serious, serious implications in this bill that need to be considered very carefully.

Madam Deputy Speaker, I wanted to begin by touching on the first part of this bill, and there are really two separate intentions in this piece of legislation. The first part of the legislation deals with really a re-establishment of a classification system for the province of Manitoba's parks. There is nothing wrong with that intent. I think every so often we need to review how our park systems are established and what their purposes are and how we are going to defend them. I think it is important that we pass legislation which does actually defend our park system.

\* (1210)

So when I began reading this bill and having listened to the Minister of Natural Resources' (Mr. Enns) remarks, I can only say that the one area of concern, I think, comes in the decision on the part of the government to include as a purpose of a park to provide economic opportunities in accordance with park classifications and land-use categories.

I know that that is intended to imply that all due consideration will be given to the classification system and the use to which individual parks are put, but in our society and understandably, many times, the need for jobs, the need for economic development, the pressure to consume our resources overtakes common sense and overtakes our need, as well, to preserve those parts of our ecology and our natural heritage.

So, Madam Deputy Speaker, for the first time, we now have, I guess, a recognition in legislation that we are using up our parks in many instances. I know that, and certainly I represent an area where there are tremendous pressures to utilize all of our natural resources regardless of whether they are in provincial parks or in other parts of our Crown lands system.

Madam Deputy Speaker, mining communities were and are and continue to be concerned about mineral exploration, the development of mines within provincial parks. When the Grass River Provincial Park plan was put together, the interests of mining communities and exploration communities was considered very carefully. Some individuals within the mining community were concerned about the limitations which appeared in the Grass River Provincial Park.

So, Madam Deputy Speaker, I am acutely aware of the fact that we have to balance the needs of our society, the needs to create wealth with our interest in protecting our provincial parks.

That leads me to wonder whether the government is actually committed to doing what it has often said it is committed to doing, and that is setting aside on a regular basis, on a continuing basis lands to preserve our natural heritage. [interjection] The Minister of Energy and Mines (Mr. Downey) from his seat talks about the lands they have set aside. As the minister knows, the commitment of the government of the day is to set aside some 12 percent over time. The minister says we are well on the way to that. Well, obviously, this bill changes everything.

**An Honourable Member:** Do you want to put all your miners out of work?

**Mr. Storie:** The minister will have his opportunity to speak. If he had been listening, he would have been aware of the fact that I have been very careful to say, I recognize the need to balance these objectives.

What I am saying is, the government, if they want to proceed to actually set aside the land that they claim they are prepared to, to protect our natural resources, then they should get on with that process and they should—[interjection] As the minister well knows, there are many different ecological areas that need to be preserved. The minister says, we have established one. Well, that is quite true. We have.

Madam Deputy Speaker, the bill also will allow the government to undermine the existing parks system. The power resides with the cabinet in this legislation.

**An Honourable Member:** A public decision-making process.

**Mr. Storie:** Well, the Minister of Environment (Mr. Cummings) says, well, we have consultation processes. Of course the Minister of Environment will say that there is going to be public consultation, but we saw what kind of public consultation the minister was really involved in when the government got to act on the Assiniboine diversion.

So, Madam Deputy Speaker, what we want to do is make sure that this process is a legitimate process, that we simply do not as a result of this legislation run over the existing consensus that is already in place in some of our parks. I recognize and the minister does as well, the Minister of Natural Resources and the Minister of Energy and Mines, that there are some contentious areas where in fact this debate and the public discussion around the implementation of this system are going to be very difficult, and we will be watching those discussions obviously with a great deal of care.

What we are concerned about again is the government's underlying philosophy and the actions that have shown their desire on many occasions to ignore the natural consequences of what the government is doing and what people in their effort to create opportunity are doing for the sake of economic opportunity. That is always going to be a difficult balance. But I am not sure the description that begins on page 3 of this bill under the "Purposes of provincial parks," is necessarily the best description that we could have.

But, Madam Deputy Speaker, I am going to leave that section. I know a couple of my colleagues also have concerns about this section. I certainly understand what the government is trying to do. I think that what the government in consequence will be doing is giving itself more flexibility and not less. I am assuming that is the government's intention.

When it comes to the protection of our natural resources, our natural heritage, I think that that is sometimes a mistake to give themselves too much flexibility, because, as I mentioned, whether it is at Pine Falls or whether it is in mining communities in northern Manitoba, the pressures to preserve the

economic circumstances are sometimes overwhelming. They can overwhelm governments, and they can overwhelm ministers.

So we will see where that goes. Obviously, we are going to listen with a great deal of interest to what some of those who have spent many, many years of their lives watching our parks system have to say about this. We are also going to want to see what the mining community and the forestry industry has to say about this, because obviously this bill will be of significant concern to them as well.

Madam Deputy Speaker, what I wanted to spend some time on, as well, was the second part of this bill which deals with the issue of service fees and the payment of taxes or levies in lieu of taxes that the government is proposing in this legislation. I just had delivered to me a copy of the people who have already indicated a wish to speak on Bill 41. I see a significant list of people, the total is approaching 200. Many, many, many of those people are cottage owners. Many of those people are recreational cottage owners or people who lease land in our provincial parks or in, in some cases, our unoccupied Crown lands, Crown subdivisions.

\* (1220)

I think that number of people indicates a genuine concern for the direction the government may be taking when it comes to fees that we charge people for, quote, service provided by the government to cottage owners and private landowners in our provincial parks.

Madam Deputy Speaker, this bill is, in essence, a complete user-pay system. It represents, in my estimation, probably a tripling or a quadrupling of the current fees that are being paid by cottage owners to the government of Manitoba. I know that the government, in attempting to assure people that this is reasonable and fair, has allowed in the bill for a review of the books, so to speak.

But, Madam Deputy Speaker, we all know and the government knows that the assigning of administrative costs in particular is a very arbitrary procedure—a very arbitrary procedure. Obviously, there are going to be people out there concerned about the prospects of paying for the fire suppression co-ordinator and the deputy minister's office, all of which can, from some perspective, be claimed to be part of the administrative cost. So I

think there is a concern there about where the government is going with the service fees.

Madam Deputy Speaker, the government is also going to introduce—and I should say, on the service fee issue, that the government makes it very clear what basis it will use in determining those fees. It says that it is going to include amounts required to operate and maintain services, and it goes on to list emergency services. Then it goes on to say capital expenditures and the administrative costs, and then it says that the government may use the fact that there is a surplus or a deficit to help determine costs as well.

We have the prospect of not only doubling or tripling or quadrupling the service fee, but also the prospect of that fee changing significantly from year to year, depending on whether this emergency service is required. Does that mean if there is a cottaging area in the Swan River area where there has been a serious flood, and there is major damage in a cottaging area, that these people would be required to pay for those emergency services, whatever they might be?

If there was a fire in Bakers Narrows cottaging area, and the Department of Natural Resources spent half a million dollars suppressing the fire, would those costs be attributed to the park district and therefore to the cottage owners in that area? So there are some unknowns in this which I think are going to cause people some concern.

Madam Deputy Speaker, I think that the more disconcerting part of this is the government's intention to impose a levy in lieu of taxes on these park residents, people who actually use their cottage as a permanent residence. I think the concern here is that the government is not obligated by legislation to relate that levy to anything concrete. It says, basically, the government can set the levy by regulation, and it "need not be related to the cost to the government providing services or defraying expenses." It can be an arbitrary levy. It does not have to relate to the normal tax levy that might be applied to municipal property only a few feet away, so that the government might have a different structure for its levy in lieu of taxes than the municipality adjacent to that cottaging area. I think that is of concern.

(Mr. Speaker in the Chair)

As well, the government is giving itself the right to, in effect, place a lien on the property, which is

new. Finally, I think the most damning part of the bill is a lack of any indication in the legislation that the levy, which is going to be really the taxes that these people may be forced to pay, is going into general revenue. This bill could very well do the Minister of Energy and Mines (Mr. Downey) in. There are approximately 450 cottagers in the Flin Flon area, and this government is going to take \$500 or \$600 out of their pockets, perhaps more—we do not know what the levy will be. [interjection]

Mr. Speaker, the minister may want to get into that debate, and we know why the people in Flin Flon are struggling. It is because this of this government's incompetence. I have explained that to the minister on many occasions.

Mr. Speaker, what is going to be, I think, disturbing not only—[interjection] Well, the minister will have his chance to put his words on the debate.

What is most annoying about this bill, I think, to a lot of municipal officials is that the impetus to introduce this legislation, to talk about a levy in lieu of taxes, was instigated by the municipalities themselves. The municipalities are now watching the government of Manitoba take—

**An Honourable Member:** Another grab.

**Mr. Storie:** —a tax grab from cottagers in the areas adjacent to our municipalities with no return to the municipalities. The original intention was to have that money transferred to the municipalities; and, if this government does nothing right in this session, it should make sure that happens, because that was the intention when this discussion started a decade ago. Now, Mr. Speaker, the government is turning this opportunity into another tax grab. So we are very concerned about some aspects of this legislation.

As I indicated, I certainly, as a representative of a mining community, want to be sensitive to the need for exploration and the need to establish an economic base. We want to make sure that does not mean that the government has a licence to undermine our parks system. There are some people in the province who believe that is the government's ultimate intention that they, despite the rhetoric, have no real interest in sustainable development, in recognizing the importance of our contribution to protecting the flora and fauna of our province as part of our country, as part of the universe.



Mr. Speaker, the 170-some people who have already lined up to speak, I am sure, are going to be sharing with the government many of the same concerns that I have expressed in my remarks, and I think the potential for significant amendments to this legislation is there. I think if the government is listening—for example, if the government will listen to the municipalities that are going to ask that the levy directly be transferred to the municipalities instead of going to general revenues, I think that they can improve this bill remarkably. If they are willing to listen, I think that in the end, if we are asked to pass this legislation, we may be able to improve it to the point where it is worthy of support.

Right now there are some shortcomings in the legislation which need to be addressed, and I think that is true on both sides of the legislation which is before us, both in terms of the park system and the classification system and the intention of the government as well as on the service fee side.

Mr. Speaker, in closing, the Minister of Energy and Mines (Mr. Downey) suggests that somehow this government has contributed \$55 million to the modernization effort in Flin Flon. The minister has had it explained to him many times that, had the government acted more expeditiously, many of the layoffs that are facing our communities right now, the community of Flin Flon and the community of

Snow Lake, may have been preventable. The Minister of Energy and Mines is going to have to carry that on his shoulders for a very long time. Certainly, he will be long remembered as one of the contributors to the problem and not one who is looking for solutions—

**Mr. Speaker:** Order, please. When this matter is again before the House, the honourable member for Flin Flon (Mr. Storie) will have 18 minutes remaining.

Is it the will of the House that the Speaker do not see the clock to allow the honourable government House leader to advise us of some committees? [agreed]

### House Business

**Mr. Manness:** Mr. Speaker, I would like to announce that the Standing Committee on Economic Development will sit Tuesday evening next to consider Bills 30, 31 and 33.

Also I would indicate that the Standing Committee on Law Amendments will also sit Tuesday evening next to consider Bills 25 and 34, if necessary.

**Mr. Speaker:** I would like to thank the honourable government House leader for that information.

The hour being 12:30, this House now adjourns and stands adjourned until 1:30 p.m. Monday.

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, July 9, 1993

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