

## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 11 April, 1985.

Time — 2:00 p.m.

### OPENING PRAYER by Mr. Speaker.

**MR. SPEAKER, Hon. J. Walding:** Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

### INTRODUCTION OF GUESTS

**MR. SPEAKER:** Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have 15 students of Grade 5 standing from the St. Francis Xavier School under the direction of Miss Proese. This school is in the constituency of the Honourable Member for Lakeside.

There are 29 students of Grade 11 standing from the Sisler High School under the direction of Miss Thompson and Miss Miller, and they are from the constituency of the Honourable Member for Inkster.

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

Also prior to Oral Questions, I have a statement for the House.

### SPEAKER'S STATEMENT

**MR. SPEAKER:** On Wednesday, April 9th, a member of this Assembly used the word "scurrilous" in reply to a question.

In referring to Beauchesne's 5th Edition, the word appears on Page 110 in the list of unparliamentary expressions.

Further referral to the Concise Oxford Dictionary gives a definition of 'scurrilous' as, "grossly or obscenely abusive; given to or expressed with low buffoonery."

Since the word is clearly inappropriate for use in the Assembly, I must rule it unparliamentary and caution all members against its use.

### ORAL QUESTIONS

#### Rent increases by landlords

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, my question is for the Honourable Minister of Housing and it follows upon information contained in the Interim Report on the Core Area Initiatives that landlords who were given forgivable and low-interest loans, then having improved their property, increased the rent on those properties by an average of 27.7 percent in one year.

My question to the Minister is why would these landlords, having been allowed the use of public money at low interest and forgivable loans be then allowed to increase beyond the normal guidelines of rent controls?

**MR. SPEAKER:** The Honourable Minister of Housing.

**HON. J. BUCKLASCHUK:** Yes, Mr. Speaker, I'm aware of the newspaper article. I have not yet received a copy of that report to follow upon that. Certainly, when we have had a chance to do so, I will be in a position to answer that question.

**MR. G. FILMON:** Mr. Speaker, I wonder if the Minister could indicate whether, to his knowledge, the guidelines of these programs are silent on the matter of whether or not the landlords using public money at favourable rates can then go beyond rent control increases. Is there nothing, to his knowledge, within the guidelines that would prevent it?

**HON. J. BUCKLASCHUK:** Mr. Speaker, I'll take that question as notice.

**MR. G. FILMON:** Mr. Speaker, I wonder if the Minister could indicate whether he supports this type of situation taking place, whether he believes that it is reasonable for a landlord to get public money at favourable rates and then increase well beyond the guidelines of his department for rent controls.

**MR. SPEAKER:** Order please. Is the question asked for an opinion? Perhaps the honourable member would wish to rephrase his question.

**MR. G. FILMON:** I wonder, Mr. Speaker, if the Minister would be prepared to change the guidelines to prevent landlords from raising rents beyond the normal level of rent controls, the normal guidelines, if they have received public money.

**HON. J. BUCKLASCHUK:** Mr. Speaker, I will be reviewing that whole matter. As I indicated, I have not seen that report; I'm not aware of the specific situation where this may have happened, although I am aware that under certain circumstances where landlords qualify for a RAP Grant, which is a federal grant, that some of those buildings may be exempted from rent regulations or rent control. However, I'll examine that and certainly report back to the House.

#### MACC - renting of properties

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I have a question for the Acting Minister of Agriculture.

Mr. Speaker, there are numerous Manitoba agricultural properties being offered for lease this coming year. Is it the policy of the Manitoba Agricultural Credit Corporation to lease those properties out to the highest bidder?

**MR. SPEAKER:** The Honourable Minister of Housing.

**HON. J. BUCKLASCHUK:** On behalf of the Minister of Agriculture, I'll take that question as notice.

**MR. J. DOWNEY:** Mr. Speaker, as well, will the Minister provide the Assembly and the farm community with all copies of bids presented to MACC and the successful bidders, and who are not the successful bidders, will he provide that information as well?

**HON. J. BUCKLASCHUK:** I think that request would be better put in the form of an Order for Return.

**MR. J. DOWNEY:** Mr. Speaker, there is some urgency. I was at a meeting in his constituency last night where there were some farmers concerned about the policy and the fact that they were not getting land and felt possibly that there were people who had bid lower than them were getting property.

### Livestock inspection - Drought areas

**MR. J. DOWNEY:** Mr. Speaker, I'll finalize my questions by asking the Minister if he could catch up to the Minister of Agriculture at some point and answer the question I asked some week ago as to whether or not farmers who had their drought payments - if they didn't have enough livestock, would they have to pay back their drought payments? I'm still waiting on that answer as well, so I would like some of the answers sometime before harvest time.

### Boissevain Land Titles Office Closing of

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I have a question for the Attorney-General. The First Minister indicated some time ago, and confirmed it again approximately two weeks ago, that his government is reconsidering an earlier decision to close the Land Titles Office in Boissevain.

Since there is considerable uncertainty about the alleged cost savings and the impact on the community has not been assessed, I wonder if the Attorney-General would be prepared to consider postponing that closure for a year while the details of the alleged cost savings are studied and while the impact upon the community is examined.

**MR. G. MERCIER:** Until we can become elected.

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** The Member for St. Norbert says from his seat, until they can become elected. That would be far too long to postpone a decision of that kind. I will be discussing the matter with the Premier tomorrow, as it happens, and will report further to the House following that discussion.

Finally, Mr. Speaker, in terms of the way in which the question is phrased, the Member for Turtle Mountain

refers to alleged cost savings. In my view the cost savings upon which the decision, in part, was predicated - but only in part - are far from being alleged. They're very very real indeed and I would be prepared to document them in full when my Estimates are reviewed in a few weeks time, if indeed that is required.

**MR. B. RANSOM:** Mr. Speaker, since the target date for the closure of the Land Titles Office in Boissevain is April 26th, and we're unlikely to be reviewing the Attorney-General's Estimates for some weeks to come, is he prepared to provide us immediately with all of the detailed information, justifying the closure of the Land Titles Offices, especially since, to the best of my knowledge, there is no Annual Report filed by the Attorney-General's Department which would cover the operations of the Land Titles Office.

**HON. R. PENNER:** Yes, I'd be happy to take that as notice and give the Member for Turtle Mountain, or any other member opposite, all of the data upon which, as I say, in part the decision was based, because there other considerations relating to the long-term computerization of the Land Titles system.

### Policing costs change - Emerson, Manitoba

**MR. SPEAKER:** The Honourable Member for Emerson.

**MR. A. DRIEDGER:** Thank you, Mr. Speaker. My question is to the Minister of Municipal Affairs. The Attorney-General and Minister of Municipal affairs have been maligning and threatening the Mayor and Council from the Town of Emerson and the press and radio and on TV for the past two weeks.

Can the Minister indicate whether he or any of his staff have made any contact with the Mayor or Council from the Town of Emerson in the last two weeks?

**MR. SPEAKER:** The Honourable Minister of Municipal Affairs.

**HON. A. ANSTETT:** Mr. Speaker, I categorically reject the suggestion that anyone on my staff or I, myself - and the member can review the record, both in Hansard in this House and any statements I've made with the media outside this House - that would imply the use of the word "malign." That's absolutely incorrect.

I have said very clearly that I'm in disagreement with the Council of the Town of Emerson in the position they've taken. I've said that I believe it is wrong-headed, but I have certainly not maligned either the Mayor or the Council, and I am sure none of my staff would have done so.

Mr. Speaker, with regard to the question as to whether or not I or my staff have met or had any discussions with the Mayor, the Council or the secretary-treasurer of the town, I have not had any meetings, discussions or conversations. I do not know, and will take as notice, the question of contact with my staff.

**MR. A. DRIEDGER:** To the same Minister, Mr. Speaker. Will the Minister then abandon his conceited and arrogant posturing and try to fulfill his responsibility

as Minister of Municipal Affairs and try and make contact with the Mayor or his Council to resolve the concerns that they have before this issue has to go to court?

**HON. A. ANSTETT:** Mr. Speaker, I find it rather peculiar that the Member for Emerson would suggest that a Minister of the Crown is posturing when that Minister is requiring that the laws of the province be obeyed. I am surprised. I now appreciate the label the Attorney-General placed upon the Member for Emerson a week or so ago. — (Interjection) — No, I am not an anarchist. I expect the laws of this province to be obeyed and I hope the Member for Emerson will also come to his senses.

**MR. SPEAKER:** Order please, order please.  
The Honourable Member for Emerson.

**MR. A. DRIEDGER:** Thank you, Mr. Speaker.

All I ask from the Minister of Municipal Affairs is whether he will quit trying to negotiate through the media with the Mayor of Emerson and try and meet with him to resolve this problem?

**HON. A. ANSTETT:** Mr. Speaker, the Mayor and Council of Emerson have an obligation to provide police services. They have categorically refused to enter into an extension contract with the Attorney-General. Staff of the Attorney-General have raised the question of the extension contract with the Town of Emerson; they know the details of that contract; they know the cost of that contract — (Interjection) — Mr. Speaker, I have not suggested that they have the contract. They obviously don't want the contract — (Interjection) — Mr. Speaker, if the Member for Pembina will keep quiet, the Member for Emerson will get the answer to his question.

I did not say that the Town of Emerson had a copy of the contract; I said they know the details of the contract, and they know the cost of the contract. Now, they also know they have a choice to either provide for policing by extension contract or to provide for policing protection by some other means as some other towns and villages do. Those arrangements are made with the Attorney-General's Department and they know that and they know what the administrative procedure is.

With regard to the question of the municipality's budget, that communication takes the form of the submission of the budget after it has received first reading in the budget by-law. There has been no change, to my knowledge, in the Town of Emerson's position. If they want to enter into discussions, they are the ones who are having difficulty with the law, with the budgetary requirements; if they wish to enter into discussions with the Attorney-General's Department about how they can provide police protection, I'm sure the Attorney-General's staff would welcome those discussions; if they wish to enter into discussions with my staff about how they can meet their budgetary obligations, I'm sure my staff would welcome that.

Mr. Speaker, I don't go out looking to mediate a situation when the position of the other party is complete intransigence and has been so for over a year.

### Speaking engagements - ethnic groups

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I'd like to direct a question to the Minister of Cultural Affairs and ask him whether he is scheduled to attend a function or ceremony that recognizes Kalistan, the independent Sikh state in the Punjab?

**MR. SPEAKER:** The Honourable Minister of Culture.

**HON. E. KOSTYRA:** No, Mr. Speaker.

**MR. R. DOERN:** Mr. Speaker, given that it is widely trumpeted that the Minister is expected to attend this, could he indicate whether his office accepted an invitation on his behalf?

**HON. E. KOSTYRA:** Mr. Speaker, what I did accept to do was to attend on behalf of the Minister of Employment Services and Economic Security a function at one of the Sikh Temples in Winnipeg, at which time at the end of a religious ceremony there was to be a presentation of some recognition to volunteers who worked on the translation of the Newcomers Guide into the Punjab language and I was to present the awards on behalf of the Minister of Employment Services and Economic Security.

Apparently one individual, for whatever partisan political purposes, has suggested that due to the fact that a representative of the government was going to be at this function, somehow it's being interpreted as the government endorsing a situation in another country, which is totally not true, Mr. Speaker.

**MR. R. DOERN:** Mr. Speaker, could the Minister indicate whether he is prepared to accept an invitation from any ethnic, racial or linguistic group that invites him, or does he have a system or procedure to check out some of the more sensitive problems associated with that action before lending government support?

**MR. SPEAKER:** Order please.

The question is somewhat hypothetical and argumentative. Would the honourable member wish to rephrase his question to seek information?

**MR. R. DOERN:** Well, Mr. Speaker, I guess in short my question is, does the Minister accept any invitation from any group or does he have some sort of basis upon which to determine which are acceptable to the government and which aren't?

**HON. E. KOSTYRA:** Yes, I do review any invitation that comes to my request whether directly on my behalf as a member of executive council or on behalf of other Ministers and there dealt with on the nature of the request and the availability of my time.

### Flyer Industries - Projected losses

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** I direct my question to the Minister responsible for Flyer Industries and would ask him since the loss of 12.3 million in 1983 by Flyer Industries and the announcement now that the loss for 1984 will well exceed 13 million, could the Minister now inform the House as to whether or not he has been advised by Flyer Industries in the last three years - in other words, '83-'84 and the projections for '85 - that the company will lose over \$40 million?

**MR. SPEAKER:** The Honourable Minister of Culture.

**HON. E. KOSTYRA:** Thank you, Mr. Speaker.

No, I can't confirm that with respect to the loss figures for the last fiscal year. They will be made available in the usual fashion with respect to the reports that are provided to this House through Committee.

### Flyer Industries - sale of

**MR. R. BANMAN:** Mr. Speaker, to the same Minister. Since the loss figures now exceed the amount of payroll being paid out, is the Minister developing a short list of possible buyers or possible companies that would joint venture and has the Minister set a deadline for the sale or the joint venturing of Flyer Industries?

**HON. E. KOSTYRA:** I have indicated in the past that the government is extremely concerned with the respect to the situation that has developed. It has been developed for a long period of time with respect to Flyer Industries. The province is concerned and the government is concerned with respect to the fact that a great deal of government money, taxpayers' money has gone in to attempt to keep that industry viable here in the Province of Manitoba.

The government is also concerned with the impact that company, the jobs, and the spin-off that it has to the Manitoba economy and we are working to bring about a final resolution to the problems with respect to Flyer Industries as has been indicated before to look at the options with respect to minimizing any further drain on the taxpayers of this province, at the same time trying to ensure that there is some continuance of an urban bus industry in the Province of Manitoba and a protection of some, if not all, of the jobs. So, we will be continuing on that course and I would expect before this summer to have final decisions to present to executive council with respect to Flyer Industries.

**MR. R. BANMAN:** Mr. Speaker, since the last year, '83 and '84, have shown dramatic increases in losses at that company and since we're looking at excess of \$40 million in three years, I wonder if the Minister could inform the House whether or not he has received the report from the shop stewards from Flyer who went to visit a Canadian-owned bus manufacturer in Ontario.

**HON. E. KOSTYRA:** I have not received any direct reports of the meeting the member refers to. I do know that there were some discussions that have been ongoing with various companies with respect to entering into arrangements with Flyer Industries, but I cannot respond to the specific question in terms of what transpired as a result of those meetings.

### Casinos - hours of operation

**HON. E. KOSTYRA:** While I'm on my feet, Mr. Speaker, I also want to clarify an answer that I gave yesterday in the House in response to questions that I'd taken as notice from the same member.

I had answered questions in regard to the hours of operation of casinos and I regrettably had indicated that the hours had changed from 11:30 a.m. to 1:30 p.m., as reported on Page 738 of Hansard. I apologize to the House. What I had meant to say was 1:30 a.m.

### Flyer Industries - Visit to Ontario bus mfr.

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker. Since it is reported that several shop stewards from the union at Flyer went to visit a Canadian-owned Ontario bus manufacturer and are in the process of preparing a report for the government, could the Minister inform the House whether or not the individuals went down at their own expense, at the government's expense or Flyer's expense?

**MR. SPEAKER:** The Honourable Minister of Culture.

**HON. E. KOSTYRA:** I'll take that question as notice and provide the information in due course to the member.

### Accounts, outstanding - Subcontractors, Swan River

**MR. SPEAKER:** The Honourable Member for Swan River.

**MR. D. GOURLAY:** Thank you, Mr. Speaker. I direct a question to the Minister of Government Services.

I understand the government constructed a Highways garage and snowplow shed in Swan River in 1984. I ask the Minister this question: Why did he authorize the release of holdback money when he knew there were outstanding accounts owed to subcontractors?

**MR. SPEAKER:** The Honourable Minister of Highways.

**HON. J. PLOHMAN:** Mr. Speaker, I will take that question as notice and provide the honourable member with the details. I don't have them with me at this time.

**MR. D. GOURLAY:** A further question to the same Minister. What assurances can the Minister give to those subcontractors that have been left with outstanding bills? What assurance can he give that they will be receiving their money in due course?

**HON. J. PLOHMAN:** Mr. Speaker, I would hope that all of the subcontractors would be paid. However, I have to investigate the details of the particular situation that resulted in some holdback and get back to the House, as I've indicated earlier.

### Day care centres - Subsidized and non-subsidized spaces

**MR. SPEAKER:** The Honourable Member for Rhineland.

**MR. A. BROWN:** Thank you, Mr. Speaker. My question is to the Minister of Community Services and Corrections.

A few weeks ago I drew to the Minister's attention the problems encountered by the Learning Tree Day Nursery and the Worlds of Fun Nursery. Both centres care for 40 children each and are located in the same building. Has the Minister met with these two organizations since I posed these questions - and as she promised to do - to try to resolve their problem of where they were told that they would have to operate separately and independently?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. M. SMITH:** Mr. Speaker, I haven't met with them personally. The staff have been working with them. As I said, the basic issue was whether a centre could, in a sense, double its size without having an approved number of spaces and then presume to operate twice as large a size and expect the same proportion of public funding as a half-size centre would do.

Mr. Speaker, although that might seem to meet the need in a local community and be very reasonable, from the point of view of all the other centres who have been on the waiting list and waiting to expand when they receive the go ahead in terms of number of spaces and ability of the public to fund, it would not be fair, Mr. Speaker.

**MR. A. BROWN:** My question is to the same Minister. Because the Worlds of Fun Nursery is experiencing great difficulty at the present time, because they cannot share the staff and the equipment that is being used by the Learning Tree, can the Minister tell me when she expects this decision to be made?

**HON. M. SMITH:** Mr. Speaker, one of the centres was operating under a licence and with funding on an agreement from the province. The other was operating with a licence, but with no agreement to fund, and from our point of view that policy is the same policy that we're applying fairly right across the province.

Now one of our expectations is that centres will have a mixture of subsidized children and non-subsidized so that we don't, in fact, have a segregated system. It's our expectation that that will be clarified and as for what the non-subsidized centre chooses to do, that's really its prerogative. So long as they meet the basic standards which the act empowers the government to enforce, there's no problem, but if there comes to be a difficulty in either centre with not meeting the standards, then obviously we have to look into it.

Now at the moment I guess the issue is whether they will choose to treat the administration of the two centres in a separate way, because they really have been approved in a separate way, or whether they will persist in seeing them as one large unified centre. I repeat,

we cannot go along with their request to operate as one large centre without being completely unfair to all the other centres in the province.

Now there are more spaces available for next year and they will be allocated on a priority rating in terms of where the greatest need is and their case will be looked at in that context, Mr. Speaker.

### Hong Kong Office - Industry, Trade and Technology

**MR. SPEAKER:** The Honourable Member for Roblin-Russell.

**MR. W. MCKENZIE:** Thank you, Mr. Speaker.

Mr. Speaker, I have a question for the Minister of Industry, Trade and Technology. Last fall the Minister and Premier, while in Asia, announced the opening of an office in Hong Kong for investment capital from the east to come into this province and see if we can develop the potash industry in western Manitoba.

Mr. Speaker, the front page of the papers says "Staff delays province opening the office." Can the Minister advise the reason or the reasons the office is not open and if in fact they've given up on that source of capital for developing potash in the province?

**MR. SPEAKER:** The Honourable Minister of Culture.

**HON. E. KOSTYRA:** Thank you, Mr. Speaker.

There seems to be some confusion in the member's mind with respect to the opening of the Hong Kong Office and the activities by the Minister of Energy and Mines with respect to the development of a potash mine in the Province of Manitoba. They are not connected, Mr. Speaker.

The purpose of the Hong Kong initiative was to attract entrepreneurial capital into the province from Hong Kong and was not connected to the development of potash mines in western Manitoba.

In terms of the office, it was our intention as a result of initial success with attracting capital from Hong Kong to open an office. The office arrangements have been made with Richardson Greenshields in Hong Kong and an individual from Hong Kong was to be hired to staff that office, effective the middle of December. That individual decided not to accept the offer and as a result we've gone through a significant process of looking for other individuals to staff that office. I would expect in the near future to have that office staffed and functioning.

However the involvement by staff of the department from here has continued and other Ministers have been involved with the Hong Kong initiative. In fact the Minister of Finance has recently been in Hong Kong meeting with individuals that are interested in the Province of Manitoba.

**MR. W. MCKENZIE:** Mr. Speaker, maybe I was misinformed. I was led to believe that this office and the Premier's visit to the area was to encourage and hope that the Chinese market would open up for potash in industry. So therefore this office had nothing to do with potash at all?

**HON. E. KOSTYRA:** Hong Kong and China, Mr. Speaker, are two different countries and I think I

explained that the initiative in Hong Kong was to look at smaller size business development in the province through Hong Kong entrepreneurs.

The development with respect to the potash mine is something that's being handled by the Minister of Energy and Mines, with direct discussions with the people in China and in India.

### **Manitoba Fisheries - Tabling of report**

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I have a question for the Minister of Natural Resources. Section 31 of The Fisheries Act requires that the Minister of Natural Resources prepare a report with respect to the status of Manitoba Fisheries by the end of December, 1984 and to table that report in the Legislature within 15 days of the opening of the Session.

Can the Minister advise the House when we might have that report?

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. S. USKIW:** Mr. Speaker, I understand that all of the reports requiring tabling have been tabled. I believe there was a consolidation of two or three in the one report, which may be different from years past, but it's my understanding, in accordance with advice from the staff that we have tabled all of our reports for this Session.

However, I will take the matter under advisement.

### **Life insurance & pension mgmt. study - Government entry into**

**MR. B. RANSOM:** Mr. Speaker, I take it from the last part of the Minister's answer that he will take that question as notice.

I also have a question for the Minister responsible for the Manitoba Public Insurance Corporation. Can the Minister advise the House whether he or his staff have met with the well-known critic of the insurance industry, Mr. J.J. Brown, for the purpose of seeking advice as to how the government might enter into the insurance industry?

**MR. SPEAKER:** The Honourable Minister of Housing.

**HON. J. BUCKLASCHUK:** Mr. Speaker, I have certainly not met with that individual, nor am I aware that staff at MPIC have, however I'll take that as notice and report back to the House.

### **Motor Vehicle Branch Annual Report - alleged altering of figures**

**MR. SPEAKER:** The Honourable Member for Morris.

**MR. C. MANNES:** Thank you very much, Mr. Speaker. Yesterday a constituent of mine, John Martens of Sanford, brought into the House a public document

which I had him deliver to the Minister of Highways. In this report Mr. Martens alleges that certain figures within the Manitoba Motor Vehicle Annual Reports may have been changed in the years 1982 and 1983, previous to the compulsory seat belt enactment.

I would ask the Minister - whichever Minister is responsible - whether in fact they would be prepared to peruse his statement and react publicly to some of the allegations that may be within that report?

**HON. A. ANSTETT:** A point of order, Mr. Speaker.

**MR. SPEAKER:** The Honourable Government House Leader on a point of order.

**HON. A. ANSTETT:** Yes, Mr. Speaker, I believe we have addressed the question of the order of questions in this House a number of times. I believe that members on both side of the House are aware that before they bring allegations to the House, they have to have ascertained the veracity of those allegations, and when members bring . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**HON. A. ANSTETT:** Mr. Speaker, a member has provided to the House allegations of impropriety, without being prepared I take it, unless he is, to attest to the veracity of those allegations and there is a provision in our rules that members have an obligation not to bring allegations to the House on that basis.

Mr. Speaker, I am sure the Minister would appreciate an opportunity to respond to those allegations but I'm not sure, Sir, that it is appropriate to set the precedent of allowing untested allegations to be brought to the House on that basis.

Mr. Speaker, I expect the Opposition House Leader wishes to address the point of order. I am prepared to find the Citation while he does so.

**MR. SPEAKER:** The Honourable Opposition House Leader.

**MR. H. ENNS:** Mr. Speaker, I expect hardly a day goes by that this government, particularly this government, doesn't receive from individuals or from different groups of individuals representing a particular special interest, some kind of a brief, some kind of a petition requesting some kind of action or response from this government. Whether or not the allegations made in these briefs in fact stand up to full scrutiny and are factual, that surely is not the kind of rule that my friend, the Government House Leader, now is seeking to impose to prevent citizens of this province from addressing their government.

**MR. SPEAKER:** The Honourable Member for Morris to the same point.

**MR. C. MANNES:** To the same point of order, Mr. Speaker, just three days ago, or last week, I brought in a public report, asked the Minister of Education to consider the same contents and to bring forward an

answer to this House if she would so consider. The Government House Leader did not rise in his place to argue at that time, and I wonder why he does so now.

**MR. SPEAKER:** Order please.

The Honourable Opposition House Leader on the same point.

**MR. H. ENNS:** I'm sure I want to make it perfectly clear, and on behalf of my colleague, the Member for Morris, these are not allegations that he is making, he simply is asking whether or not a report, a brief, presented to a Minister of this government on a subject matter that this particular individual, as many of us know, has spent a considerable amount of time and done a considerable amount of personal research, and we're simply asking for a response by this government from that report.

They are not allegations being made by the opposition and certainly not by the Member for Morris who asked the question.

**MR. SPEAKER:** The Honourable Government House Leader to the same point.

**HON. A. ANSTETT:** Yes, Mr. Speaker, I think on examination, members would agree that the report tabled last week on education policy is a substantively different question than allegations of tampering with statistical data. I refer you, Sir, to Citation 362, which reads, in part, "It is not good parliamentary practice to communicate written allegations to the House and then ask Ministers either to confirm or deny them. It is the Member's duty to ascertain the truth of any statement he brings to the attention of Parliament."

Mr. Speaker, I find this whole practice not only an infraction of our rules but an abuse of our practice in this House.

**MR. SPEAKER:** Would the Honourable Member for Morris wish to rephrase his question to seek information and not to make allegation by himself or by someone outside of the House?

### Human Rights Act - Proposed amendments to

**MR. SPEAKER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, I have a question for the Attorney-General. I believe all members have received a copy of a questionnaire from Mr. Rick North in which the Attorney-General, prior to the election of 1981, indicated that he supported amendments to The Manitoba Human Rights Act so that homosexually-oriented men and women are protected from discrimination and indicated that he would act to move the amendment proposed.

Could the Attorney-General indicate whether he intends to introduce such amendments to The Manitoba Human Rights Act at this fourth and last Session of the New Democratic Party Government, or does he intend to defer such legislation, hoping to win the next election?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** There appears to be four questions wrapped up in the one. For example, whether or not this is the fourth and last Session of this Legislature - that is in the hands of a power higher than I am, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Howard, Howard, Howard.

**HON. R. PENNER:** Higher than anyone in this House. Indeed, Mr. Speaker, given the way in which fate orders all of our lives, it may be in the hands of an even higher power than they dream of in their philosophy.

Secondly, with respect to the intentions of the government in terms of legislation, I would refer the member to the Speech from the Throne and to statements of mine which I have made in which I have said that there are no current plans to bring in amendments to The Human Rights Act.

**MR. G. MERCIER:** Mr. Speaker, there's one part of the question that the Attorney-General perhaps inadvertently didn't address. Is the Attorney-General indicating that he wishes to defer such amendments until after the next election?

**HON. R. PENNER:** I didn't indicate any intentions one way or another.

### Motor Vehicle Branch Annual Report - Alleged altering of figures

**MR. SPEAKER:** Oral Questions.  
The Honourable Member for Morris.

**MR. C. MANNES:** Thank you very much, Mr. Speaker. My question is to the Minister of Highways. Is it his intention to respond to a constituent of mine who made certain allegations?

**MR. SPEAKER:** The Honourable Minister of Highways.

**HON. J. PLOHMAN:** Mr. Speaker, I would appreciate it if the Member for Morris would quit grandstanding on something like this. I respond, Mr. Speaker, to all inquiries that come forward. As soon as I have received the information that the member is discussing - he said he asked the individual who handed it to him to deliver a copy to my office, I haven't seen the copy, I will ask the staff to look into it. When I have a report I will supply the individual with a reply, as I would do with any correspondence.

**MR. C. MANNES:** Mr. Speaker, can the Minister advise as to whether there has been any change in the method by which statistics have been kept that deal with, first of all, particularly injuries and secondly, death statistics as reported in the Motor Vehicle Annual Report.

**HON. J. PLOHMAN:** Mr. Speaker, not to my knowledge.

### Sandy Lake - cleanup, dead fish

**MR. SPEAKER:** The Honourable Member for Minnedosa.

**MR. D. BLAKE:** Thank you, Mr. Speaker. My question is directed to the Honourable Minister responsible for Natural Resources. In view of the low water conditions this past year - in the Sandy Lake area they've experienced low water conditions - and it appears that all of the fish have been killed in that lake. I just wonder if the Minister has had a request from that community to help clean up when the ice leaves the lake this spring, if he's had a request to clean up the dead fish.

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. S. USKIW:** Mr. Speaker, this is a problem that arises often, depending on winter conditions, thickness of ice and oxygen content below the ice surface on some of our small lakes. We've got that problem in several lakes in Manitoba, perhaps hundreds of lakes, I'm not sure. In particular, I don't know about that specific one, but I do know that the department is aware of the problem generally, but I'll take that question as notice, Mr. Speaker.

**MR. SPEAKER:** The time for Oral Questions has expired.

### ORDERS OF THE DAY

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

Mr. Speaker, it is my intention to move that the House resolve itself into a Committee of Supply. Before I do so, Sir, I believe there may be a predisposition to grant leave to dispense with Private Members' Hour today. If that is the case, Sir, I would include that in the motion.

**MR. SPEAKER:** Is there leave to dispense with Private Members' Hour this day? Unanimous consent has not been given.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

Mr. Speaker, I beg to move, seconded by the Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

**MOTION presented and carried** and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for River East in the Chair for the Department of Health and the Honourable Member for Burrows in the Chair for the Department of Highways and Transportation.

### CONCURRENT COMMITTEES OF SUPPLY SUPPLY - HIGHWAYS AND TRANSPORTATION

**MR. CHAIRMAN, C. Santos:** We are considering Item No. 3.(a)(1) Planning and Design and Land Surveys,

Planning and Design, Salaries and Wages; 3.(a)(2) Other Expenditures - the Member for St. Norbert.

**MR. G. MERCIER:** Mr. Chairman, I raised a matter in question period with regard to an accident that occurred one week ago from this Monday on the overpass at the Perimeter Highway and Highway 75, Pembina Highway within the City of Winnipeg. The oil tanker burned as we all know and fortunately there was no loss of life, although it was a very dangerous situation.

My purpose in raising the question was, I believe, that overpass was the first overpass constructed by the Provincial Department of Highways. I wonder if the Minister could indicate, first, when that overpass was constructed?

**MR. CHAIRMAN:** Mr. Minister.

**HON. J. PLOHMAN:** Mr. Chairman, the best information I have at this time is that it was constructed in the late '50s to early '60s, so it was the first interchange and by today's standards is not designed in the same way, or up to standard as the ones would be constructed at the present time. Although, it is, I am advised, adequate for the speeds that are posted for that particular interchange.

There have been 16 accidents there between '80 and '83, during that period of time - three at the location where the ramp enters Pembina. These were all rear enders. This is the same location where the truck overturned recently, but the City hasn't got up-to-date statistics for '84.

The accident experience - I'm advised that this intersection is not unusual considering the traffic volumes. In other words, in proportion to the traffic volumes at this location it is not unusual, although, as I said earlier the design standard is not up to what it would be if it was designed and constructed today.

We are looking at posting advisory speed signs on the external ramps at the entrance to Pembina. The exits are already signed coming off the Perimeter. We will review the geometric design to determine whether improvements can be made on the existing intersection and overpass there.

**MR. G. MERCIER:** Mr. Chairman, because that particular location is within my constituency and I travel it quite often, I have noticed over the years other instances in which large trailer trucks have overturned. Would the accident records indicate that type of situation normally?

**HON. J. PLOHMAN:** Yes, Mr. Chairman, it apparently would indicate that kind of information, but we've received this time, without going into further detail, just the numbers of accidents. We did not get details as to the nature of the particular accidents, although the information I did have was that three on that ramp were rear-enders. That's the information I have, not getting into any other detail though as to the nature of the accidents.

**MR. G. MERCIER:** To make it clear, I'm not trying to fault anyone in asking this question but, as the Minister



has indicated, there's been a change in designs of overpasses since this one was installed. I wonder if the Minister could indicate, generally, the change in design standards that has occurred since the initial construction of this overpass.

**HON. J. PLOHMAN:** Basically, Mr. Chairman, the modern design standards call for meeting higher speeds in exiting on the ramp so that therefore they're not as tight, they're larger loops in the design so that they can accommodate higher speeds than they originally were; that's the basic difference, larger loops and they're built for higher speeds in exiting and entering.

**MR. G. MERCIER:** Mr. Chairman, one last question. I appreciate what the Minister has just said because the turns are awfully tight on that overpass and I know that from driving it myself.

The Minister has indicated some additional warning signs may be posted. I wonder if he could indicate that a little more clearly and whether there'll be any additional signs or safety measures taken to warn motorists that those corners have to be handled at very slow speeds.

**HON. J. PLOHMAN:** Mr. Chairman, that is what will be happening by posting additional signs to warn motorists of advisory speeds that they should be taking in exiting off and entering on those ramps.

**MR. G. MERCIER:** I thank the Minister for those answers.

**HON. J. PLOHMAN:** Mr. Chairman, I just want to reply to another question that was raised yesterday by the Member for Emerson, asking about the Rat River bridge on PTH No. 23.

I want to advise his colleagues here today that the survey work has been completed and design is in progress for the bridge. It is estimated that the detour construction will be done in May, followed by the tendering of the project in mid-June, with completion scheduled for late September, which is along the lines that we were discussing yesterday, that I informed the member, but this is somewhat more specific.

In addition, there was a question by the Member for Arthur with regard to the removal of Manitoba entrance signs on PTH 83 at the USA border and PTH No. 3 at the Saskatchewan border. I'm informed that these signs were removed very late in the fall of 1983 because of their poor condition.

The district at Boissevain took the signs to the Dauphin sign shop for refacing or replacement if necessary. Attempts were made to have Tourism fund the cost of the work in '84 but that has not met with success to this point, but that confirms what I said yesterday, that very often this kind of thing is discussed and arranged for between the two departments.

Replacement of the signs instead of refacing was necessary and requisitions for replacement have been made by the department. It is anticipated that these signs will be manufactured and ready for installation this summer and we will be working with Tourism for some funding for those signs.

**MR. CHAIRMAN:** 3.(a)(1) - the Member for Virden.

**MR. H. GRAHAM:** Thank you, Mr. Chairman. The Minister kindly gave us the Highway Construction Program the other day and I notice there's 30 pages of it. I notice there is some difference from previous years, this year they put the staple in the right hand corner instead of the left hand corner and I think that's an improvement. Maybe that's part of the Planning and Design we're talking about.

Mr. Chairman, I notice there are a lot of projects. As I go through this, I notice there are quite a number of projects that are in my constituency, but I went back through last year's and the previous year's and the year before that and the year before that. For instance, I'll give you an example on Provincial Trunk Highway 41. In 1982, it appeared in the Estimate program as a previously planned project and it was in the book or in this program for acquisition of right-of-way.

In 1983-84, it appeared in the program again as acquisition of right-of-way. In 1984-85, it appears in the Estimate for acquisition of right-of-way, but I notice there's a change this year. The same section appears - originally it was 2.7 miles from south of PR 545, west to the Assiniboine River. This year it appears for acquisition of right-of-way but it has now been lengthened to three miles. I would like to ask the Minister if there is a change of location that would extend the mileage or is that just a typographical error?

**MR. CHAIRMAN:** Mr. Minister.

**HON. J. PLOHMAN:** Mr. Chairman, I'm aware that there has been a change in that. There's 1.8 miles requiring relocation to avoid a slide area on the west side of the Assiniboine River Valley and the remaining 1.2 miles is to be rebuilt on existing alignment and location. So, that explains the difference there.

I understand that the right-of-way acquisition is almost completed. There's one property owner involved that we require expropriation from.

**MR. H. GRAHAM:** Mr. Chairman, this road which is the road that is commonly referred to as the South Assiniboine Hill at St. Lazare has been on the highway programming not to the last three or four or five years, it's been there for, I'm sure, 15 years at least. It has been staked and restaked - I don't know how many times the road has been staked. I would suggest that if the department had collected the number of stakes that have been placed in that road over the last 15 years, there would be sufficient staking to last for quite some time.

I would like to ask the Minister now while it is still in the Estimates for the coming year only for acquisition of right-of-way, what are the plans of the department, when are they going to start the actual construction on that particular piece of road?

The community - to say they're patient would be stretching the point a bit. The community is very concerned. It has been promised for many many years and all they see is more stakes.

So, I would like to ask the Minister what the department's plan is and when we could possibly foresee the period of construction beginning, or is timed to be coincidental with the election?

**HON. J. PLOHMAN:** No, Mr. Chairman, that is not the case. It was considered. The department is prepared

to go forward with the actual construction. It's rather an expensive section of road estimated in the neighbourhood of \$1.5 million for the three-mile section, so it is a very expensive section per mile of road for grade and gravel there and for pavement, almost another \$1 million in addition to that that would follow later, so it's an expensive project.

We will consider it again for construction. As I've indicated, the expropriation has not been completed with regard to the remaining property. The section was first looked at through the valley area and then an extension, because the community wanted to see an additional piece done as part of the same project through the community, so that's why it was added and St. Lazare has been in communication with us and with the department asking for consideration of this so we're aware of their request and concerns in that area.

**MR. H. GRAHAM:** Mr. Chairman, the second point I wanted to raise is PR 254, 1.8 miles from PTH No. 1 to north of the Assiniboine River at Oak Lake.

In 1981, this project appeared for location study, survey and design and for acquisition of right-of-way. In '82 it appeared in the program for acquisition of right-of-way, but in 1983-84, the project disappeared from the program completely, and now we see, in '85-86, it's back in the program but it's still there just for acquisition of right-of-way.

Now, Mr. Chairman, that's approximately 5 to 6 years just for the acquisition of right-of-way. Can the Minister indicate whether the province has acquired the right-of-way for that 1.8 miles?

**HON. J. PLOHMAN:** The right-of-way acquisition, which was first approved in 1980, has not started. The location plan is being discussed with the landowners, I understand, because there's a proposal to overcome alignment problems and provide proper alignment for a new bridge and to have a better alignment to connect with the Trans-Canada Highway-Oak Lake bypass; so there's some difficulty there, some change in plans in midstream - let's put it that way - and concerns expressed by local landowners and local communities so that is why it has not proceeded up to this point. Even though it was in the program and listed for acquisition, the department could not begin acquisition because of those difficulties.

**MR. H. GRAHAM:** Can the Minister indicate in the foreseeable future when the final decisions will be made on the alignment and when the province will commence their acquisition of right-of-way?

**HON. J. PLOHMAN:** The matter, as I said, is under discussion with the local landowners and once there's a report from them and some indication of agreement there, the acquisition could commence. It would involve a location one mile west of the present location so therefore there are a number of new landowners that the department is discussing this with and it then would go to expropriation under the new procedures, which do take a period of some six months to nine months so that would mean that if we can get the consensus in that area we could begin this year and have it completed before the next fiscal year.

I can't predict exactly, and staff is not exactly aware of when that report would be coming in.

**MR. H. GRAHAM:** Perhaps, Mr. Chairman, this might be a good time to stop and discuss the expropriation procedures. Because if what the Minister told me is correct, it appears that there is no attempt at acquisition of right-of-way any longer that the only avenue being used is expropriation, is that correct?

**HON. J. PLOHMAN:** No, it's in conjunction with the negotiations, but a legal plan or legal survey is prepared in advance for multiple owner land requirements, so that the land value is set at the time that the expropriation proceedings are initiated, at the time the project is initiated, instead of as it was under the previous system when expropriation only began when the problems arose somewhere down the tube as far as the process is concerned, and that meant that those landowners who settled earlier on were sometimes penalized because the values that were set, at least when land was tending to increase from year to year, it resulted in landowners who held out, so to speak, and were expropriated receiving a greater amount for their land than those who settled early.

So, this sets the land value for all of them at the same time, but negotiations still take place and if there's an agreement, the landowners are paid the agreed price and there's no difficulty. But we do have to prepare a legal plan, a legal survey and send out notices of expropriation at the outset now as opposed to later on in the process, and then inquiries can be waived as well, depending on the nature of the objections, if any, from individuals.

**MR. H. GRAHAM:** I would like to ask the Minister a question, and it may be hypothetical, because I don't know his own personal background. I would ask the Minister if you were a landowner and the province required some land for the building of a road and they filed expropriation proceedings against your property before they even came and talked to you about discussing acquisition, would you be annoyed? Because this is what is happening at the present time, Mr. Minister.

**HON. J. PLOHMAN:** Mr. Chairman, the Member for Virten is not relating it as it is happening in fact. The appraisal officers and the district supervisors do go out and talk to the individual landowners to talk to them about the proposed project and to get their reaction and to determine whether there are any objections to tell them what will be required in a general way before the notices are sent out. So, there is that initial contact and they are made aware that the province is contemplating some work in a particular area, so it doesn't happen the way the member said.

There is an opportunity before those notices are sent for the landowners to discuss the project with the highways and land appraisal people.

**MR. H. GRAHAM:** Mr. Chairman, I would ask the Minister if those procedures are followed equally in all areas of the province.

**HON. J. PLOHMAN:** Yes, Mr. Chairman, an instruction was issued by the department to all districts for all

new projects after the implementation of the new program for expropriation proceedings. I believe that was any project initiated after April 1, 1984. So all those projects coming under that section, after April 1, 1984, are handled in the same way.

**MR. H. GRAHAM:** Well, Mr. Chairman, I have not been personally involved because the province has already expropriated a considerable portion of my land for a highway - that was quite some number of years ago. But I have had numerous landowners come to me, very concerned, that the expropriation order is filed before any attempt is made at trying to purchase land. If that is the case, I would suggest, Mr. Minister, that the province seriously consider reviewing their program because I don't think that indicates negotiation in good faith at all.

**HON. J. PLOHMAN:** Mr. Chairman, as I've outlined, the instruction is clear, that both the acquisition officers and the engineering staff from the district are required to have preliminary discussions with landowners who will be potentially affected by a proposed program of the department. They, at that time, are advised of any difficulties that might be arising from the discussion they had with the landowners and they will then attempt to work out those difficulties, perhaps look at some options that would be more satisfactory. So that is the initial step before expropriation notices are filed.

If there are specific situations where this isn't happening as it relates to the new expropriation procedures, I will be pleased to get those details from the member and look into those situations, because I feel very strongly that this is an important part of the process, that this initial contact is made, as I'm sure the member would agree. We feel that because of the instruction that that is taking place, but if there are variations, we would want to know about them.

**MR. H. GRAHAM:** When that initial contact is made have they the authority to purchase at that time?

**HON. J. PLOHMAN:** Mr. Chairman, no, they do not. They still have to file. Those are informal discussions at the very outset of the project.

**MR. H. GRAHAM:** So the point that I have made is indeed the correct one, that expropriation notice is filed before any attempt is made to purchase the land.

**HON. J. PLOHMAN:** Yes, that is essentially correct. The notices are sent out, and an offer at the same time; then the negotiations commence. If there can be an agreed upon price then of course no further developments are necessary. If there isn't, then of course the expropriation proceedings are carried out to their conclusion.

**MR. H. GRAHAM:** Mr. Chairman, I would ask the Minister, would he consider that bargaining in good faith, or is that bargaining with a gun to your head?

**HON. J. PLOHMAN:** Mr. Chairman, everyone is dealt with in the same way. The compensation has never been deemed a reason to hold an inquiry -

compensation matters. If there is a dispute over the nature of the project, that's another question; but if it's a matter of compensation, that has never been looked on as a reason for an enquiry. In those circumstances the expropriation is deemed a fair way to arrive at a price if they cannot be negotiated at a price. So the initial offer that is made, I don't believe is the final offer in any event. It doesn't have to be; it could be a nominal sum and then negotiate. If no agreement results, then a final amount is determined by the Land Value Appraisal Commission.

**MR. H. GRAHAM:** Well, Mr. Chairman, when the Minister says that everyone is treated the same way, that makes me even more concerned, because it now appears that it is the policy throughout this province, that before you even attempt to negotiate in good faith for the purchase of any property by the government, expropriation notices are filed. And, Sir, that does cause me a great deal of concern because I believe - and I know that 95 percent of the people of Manitoba would agree with me - that this is not bargaining in good faith.

**HON. J. PLOHMAN:** Mr. Chairman, I don't agree. I think there's a lot of room for negotiations there and that there is a final method of settling land disputes when it involves the government requiring land for public use, for the good of society - projects that are required, programs that are required - and that's the nature of it. Expropriation is never a pleasant situation for those affected, but is one of the facts of life in our society and it has been for many years.

Obviously the member did not pay close attention to the release. It was released in detail, information made available to the public, announced at least two years ago that this new procedure was being put in place, but I never heard any comments from the member of the opposition at that particular time.

**MR. H. GRAHAM:** Mr. Chairman, whether it was released two years ago or five months ago, it doesn't really matter. The intent of government is very clear and if it was released two years ago, then I would suggest that the government seriously reconsider their position, because I believe - and I strongly believe - that the government is not treating people fairly; that if you want to bargain in good faith, you make every effort to do so before you attempt expropriation proceedings. The government always has that threat of expropriation . . .

**HON. J. PLOHMAN:** That's right.

**MR. H. GRAHAM:** . . . as a last resort. I do not believe that it should be the first step in the proceedings. Obviously, there's a difference of opinion here between the Minister and myself, but I think that government has to show that they have a concern for people, not a concern for people's possessions. It appears that the No. 1 concern of this government is for people's possessions rather than concern for treating people fairly.

**HON. J. PLOHMAN:** Mr. Chairman, just in reaction to that - that is the furthest thing from the fact. The fact

is, as the member admitted, the expropriation process has always been there as a lever, if you want, in terms of the final process. I mean it's been there as a legitimate part of the acquiring of private property for public use, when required. That's always been the case. We have come to the conclusion that it is fairer to evaluate that property all at the same time, so that there is no unfair advantage to any particular landowner involved as has been the case in the past. The member has chosen not to comment on that aspect of it, but that is one very important consideration that we have to consider in that, in the past, there was not a fairness applied with regard to the price of the land because some settled some years later than others and therefore gained economic or monetary advantage from doing that.

**MR. H. GRAHAM:** Mr. Chairman, if there were people that gained from expropriation proceedings or from delaying, then that would seem to indicate that the offer of government in the first place was an unfair offer. Mr. Chairman, I realize there is a serious difference of opinion here and I am prepared to leave it at this point and go on with other subjects that come under your Planning Division.

**HON. J. PLOHMAN:** Could I just make one comment? That is that there is an appeal process. Of course, there's the Land Value Appraisal Commission to set the values and if the landowner does not agree with that, he can appeal to the courts with regard to that suggested, that derived or designated value from the Land Value Appraisal Commission, so that process is there for the landowner. It is not there for the government; it cannot object; only the landowner can.

**MR. CHAIRMAN:** 3.(a)(1) - the Member for Virden.

**MR. H. GRAHAM:** Mr. Chairman, I don't want to prolong these discussions too long, but I have indicated to the Minister two projects that are in this program that he gave us at the first of the week for the '85-86 program. I have gone through the area, or through my constituency, and I found 13 projects that are listed in that program. I'll run through them very quickly to identify them.

The third one was PR 254 - 7.8 miles from PTH 16 to the north boundary of the Rural Municipality of Birtle, has appeared in the program for the last five years as grade and gravel. I don't know how many times you build it, but it's been in the program five years for grade and gravel.

The next one is PR 355 - 11.2 miles from east of Cardale to the south junction of 470, appeared for four years for acquisition of right-of-way and it now, or it did appear as a grade and gravel project in '84-85; but it also appeared as a previously planned project for grade and gravel, but it does not appear as an '85-86 project. Does that mean that the project has been completed - 355 from east of Cardale to the south junction of 470?

**HON. J. PLOHMAN:** Mr. Chairman, first of all, the first one that the member mentioned, on 254, is 70 percent complete insofar as grading and it will be completed this year, so I don't expect that . . .

**MR. H. GRAHAM:** I'm glad there is progress.

**HON. J. PLOHMAN:** . . . it will be in carryover in that way in the future, so we have moved on that and there may have been some specific situations involved there as to why that didn't go ahead before.

Insofar as 355, I will just get that information for the honourable member. I understand that project is pretty well complete and there is just a small amount of dollars to flow, a very small proportion, about \$50,000 in that project.

**MR. H. GRAHAM:** Mr. Chairman, another project was 13.2 miles from Willen to McAuley on PR 256. It was in the program for two or three years and it's now disappeared out of the program. Has the province abandoned plans to build that project?

**HON. J. PLOHMAN:** That's 256 and it was in the program previously for what?

**MR. H. GRAHAM:** For acquisition of right-of-way only, but it has now disappeared. I was just wondering if the province has abandoned any further plans for the building of that road.

**HON. J. PLOHMAN:** I'm just checking, Mr. Chairman, as to whether that acquisition has been completed and it would then be a decision as to whether to go ahead with the grading this year and that decision may not have been taken.

**MR. H. GRAHAM:** It disappeared in '83-84.

**HON. J. PLOHMAN:** It has been completed for acquisition. Acquisition has been completed and it is ready to go for grading.

**MR. H. GRAHAM:** But it doesn't appear in this year's program.

**HON. J. PLOHMAN:** That's right.

**MR. H. GRAHAM:** 354 from PTH 21 north - five miles. It appeared in '81 as a previously planned project for acquisition of right-of-way. In '83-84 it appeared as a new project for two bridges and approaches on the Oak River. It reappeared as the same in '84-85, but in '85-86 there's no mention of any work on that at all. I just wondered if it was only the bridges and approaches that have been done or has the entire five miles been done.

**HON. J. PLOHMAN:** Mr. Chairman, the bridges and the approaches will have been completed and the remainder of the project has not been undertaken.

**MR. H. GRAHAM:** The next one is PR 355 - 7.1 miles from PR 474 to PTH 83 for acquisition of right-of-way. It appeared in '81 for acquisition. It's still in there for acquisition. Has there been no further progress made on that?

**HON. J. PLOHMAN:** Mr. Chairman, there's been significant progress on the right-of-way acquisition, but

there's still an amount required there and therefore it's budgeted for this coming year.

**MR. H. GRAHAM:** The eighth one I have listed is PR 467 - 12.2 miles from PTH 83 to Willen. It appeared for acquisition of right-of-way in '81 and it's still in there, '85-'86, for acquisition of right-of-way.

**HON. J. PLOHMAN:** The Member for Virden is highlighting one of the reasons why it was desirable to change the procedures with regard to acquisition. What he's seeing is a situation where there was difficulty in reaching agreements and procrastinated negotiations taking place for years and years. The new process, with the filing of expropriation immediately, will certainly speed that up and ensure that land is acquired within a certain specified period of time as opposed to dragging on for years.

**MR. H. GRAHAM:** The ninth one I have listed is PR 474 8.2 miles from the northeast corner of 36-15-16 west to south of PR 355. It appeared in '81 for acquisition of right-of-way and it has appeared every year since for acquisition of right-of-way, except that this year it's a new project. Instead of 8.2 miles, it's 8.4 miles. Is that a typographical error?

**HON. J. PLOHMAN:** I'm advised that it could be in this particular case, it's just the utility moves that are required because that's part of the acquisition and would account for the remaining amount that is outstanding on that. Utility moves are part of the acquisition process.

**MR. H. GRAHAM:** The 10th one I have listed is PR 474, 8.5 miles from PTH No. 24 to the northeast corner of 31-14-25 west for acquisition of right-of-way in '81. In '85-'86, it looks as though we've got progress. It appears this year for grade and gravel, but it's been shortened to 7.7 miles.

**HON. J. PLOHMAN:** Yes, I'm not sure whether that's just a typographical error with regard to the distance, but there's just a small amount of that grade-and-gravel contract to flow for this coming year - \$11,000 - so it's minor.

**MR. H. GRAHAM:** The 11th one I have listed is PR 568, 4.3 miles from PTH 83 to the Birdtail River. It was in in '81 for acquisition of right-of-way; in '86 it's still in there for acquisition of right-of-way. Is there any progress being made?

**HON. J. PLOHMAN:** Again, there's just a small amount left in the acquisition and could involve a very small number of property owners or else the utilities again in that project.

**MR. H. GRAHAM:** The 12th one I have listed is PR 252, 13.2 miles from PR 255 to PTH No. 1; 1982-'83, it was a new project for survey and design. I see no further entry in any of the following years. Has the survey and design been complete and when do they expect to start acquisition of right-of-way?

**HON. J. PLOHMAN:** I'm not sure whether - but I can find out - the survey and design has been complete,

but in some cases, of course, the project may not continue on into the acquisition stage. That's entirely possible. They're all separate projects, separate entities. The survey and design stage being one, the acquisition stage being another, upgrading or construction and grading of the road being a third phase. So, they're all separate projects and it's possible that this one was completed and then the acquisition not commenced this year.

**MR. H. GRAHAM:** The next one, No. 13, is PR 441, 8.6 miles from Elkhorn East for acquisition of right-of-way. In '81, it's still there for acquisition of right-of-way five years later. Is there any further progress on that particular project?

**HON. J. PLOHMAN:** Well, I understand that it's 80 percent completed, the right-of-way acquisition in that particular section. Hopefully, it'll be completed this year. As the members indicated, it was approved in 1982 and again a number of years have taken place there in the acquisition.

**MR. H. GRAHAM:** Well, Mr. Chairman, the reason I have itemized these is I think that what is fairly obvious to members now, that we have had two bridges and approaches on the Oak River; we have had one 7.7 miles of grade and gravel and there have been other projects mainly town projects - there has been work done over the years - but there has been no construction of any kind other than that one I mentioned in the Virden constituency. Yet if a person were to pick up this program and look at it, you'd think there was a tremendous amount of activity in that area.

So, I want to bring it to the Minister's attention that the people of Virden have been led to believe that there is a lot of activity in the area. I listed some 13 projects, one of which is almost completed, and the other one we have had two bridges and approaches on. I would hope that the Minister would give a little more attention to the constituency, because there are a large number of projects there that for all intents and purposes are just window dressing, they're lying in his program schedule, but really nothing is happening.

**HON. J. PLOHMAN:** I can say, Mr. Chairman, that there was a significant effort made this past year to reduce the carry-over program and we succeeded in doing that significantly and actually completing the number of carry-over projects in comparison to previous years. So, I think that is a move in the right direction, and we'd like to continue to move to clean up those projects that have been started over a number of years and are not completed.

**MR. H. GRAHAM:** I want to thank the Minister for the time and the answers he has given me. I apologize to the Committee for taking a fair bit of their time, but I think it had to be done in order to point out the service that the Virden constituency has received from this government in the past four years.

**MR. CHAIRMAN:** The Member for Morris.

**MR. C. MANNES:** Mr. Chairman, I'd like to ask some general questions of the Minister, specifically to the

Bridge Program. I notice that in the section previous, roughly 1.2 has been allocated to bridges. Producing the Hansard from the day at which time that appropriation was discussed, it seems the Minister indicated there were some 2,800 bridges that the department was responsible for. My numbers may be wrong.

I suppose what I'm wanting to hear from the Minister is an answer to a couple of general questions. Those being; firstly, how many bridges are there on the provincial road network - not the major trunk highways - but on the provincial PR road system and what are their varying capacities and how many of them really should be upgraded over the next number of years?

I know within my constituency I see a very large number of 14 ton bridges and I agree with the Minister's answer from a year ago that no government can change and rebuild bridges all within a couple of years, so that they can be upgraded to a point where we can carry all our heavier trucks.

I'd like to know specifically what the long-term plans are for the upgrading and rebuilding of the whole bridge system. I'm wondering if the Minister can just tell me what long-range plan is in place and how many years will it take to upgrade specifically those bridges within the PR system that service gravel roads?

**HON. J. PLOHMAN:** Well, Mr. Chairman, I haven't got the breakdown between PRs and provincial trunk highways right in front of me at this time.

As I indicated earlier, there are about 2,800 bridges in the whole system and the majority of them would be on the PR system, so we can look at that. There would be at least 1,400, perhaps as many as 2,000 of them on the PR system. We have succeeded, under this section, the bridge section, in completing about 30 to 40 new bridges construction annually, so I think that is evidence of a long-range program. There is significant emphasis being placed on bridge replacement and we do look at those that are load-limited in terms of the priorities for traffic and economic benefits in a particular area. If there's a large grain haul, for example, that is considered as a higher priority and we attempt to replace as many of those structures in the highest priority areas because of the impact they have on an area each year. These are major structures that I'm talking about - 30 to 40.

In 1984-85, from the information I have, approximately 57 bridges were completed or upgraded. So there's work done on bridges, not in the total replacement of them, but in upgrading of them to a higher capacity when they are load-limited. So those 57 were completed in 1984-85.

I would assume a similar number in this coming year as well. We certainly haven't placed any less priority on bridges - as a matter of fact, more. As the member would indicate and suggest, I would think there are more bridges coming under load restrictions and therefore there is more pressure to replace them as the years go by. But we're having the same difficulties as the municipalities are having in many areas in replacing their bridges.

**MR. C. MANNES:** I thank the Minister for the answer. I suppose my greater concern is the road network that's

servicing much of the grain growing area and everywhere I travel through the province, I detect a significant number of 14-ton bridges. And I suppose a general question I would ask the Minister is, how many years within the long-range plan will it take to retire all of these bridges at the rate of replacement that's in place right now? Is there any idea how long it might take to replace all of these bridges in the future?

**HON. J. PLOHMAN:** It's difficult to project exactly when we would complete the reconstruction of every bridge that will need reconstruction. It's almost a vicious circle. By the time that occurred, it would be time to replace some of the ones that were being replaced now, so it's an ongoing process and one that I don't think, at the present rate, we will ever completely accomplish.

**MR. C. MANNES:** Mr. Chairman, I understand the Minister's argument. Naturally it's an ongoing process, but my question was a little bit more specific than that. Today we're not replacing 14-ton bridges with 14-ton bridges. Specifically, how long would it take to remove - and I'm not saying to the year - but are we talking about 5, 10, or 15 or 20 years forward before we have all the 14-ton bridges upgraded to various capacities in excess of that?

**HON. J. PLOHMAN:** Mr. Chairman, I would have to get that kind of information and see if those projections have been made by the bridge division. I assume that they probably have and I could supply the member with that information, but I do not have those projections at the present time.

**MR. C. MANNES:** I accept that answer from the Minister and I will be looking forward to that information when he can provide it.

Mr. Chairman, I have a series of questions with respect to Highway 75. I'm wondering if the Minister can indicate whether a plan for the routing of that highway through the Town of Morris has been brought into any firmer conceptualized stage than it might have been a year ago?

**HON. J. PLOHMAN:** Mr. Chairman, there would have been no additional progress made with regard to defining a route, whether it be through Morris or around, than there was a year ago.

**MR. C. MANNES:** Can I ask the Minister what the problem is? Why is it taking so long to decide how to take the twinning of 75 through the Town of Morris? I'm not asking the Minister or the department to build a highway today or tomorrow or next year through that town, but I'm wondering what is taking so long with respect to telling the people of that community and district how the road ultimately will come through.

**HON. J. PLOHMAN:** First of all, it has not been programmed that far down at the present time. As the member can see in the construction program the work is progressing in terms of the grading and paving in the first sections and provision for a land acquisition up to, I believe Aubigny - between Ste. Agathe and Aubigny. So there is that in the program, but we have

not considered further, in terms of the program, the next step. Obviously it's a long-term project and perhaps one that will cost, over a 10-year period, close to \$100 million to complete that whole stretch. It's a rather large undertaking and one that we can progress on in relatively small steps.

**MR. C. MANNES:** Well, I'm cognizant of the tremendous cost of the twinning of Highway 75, Mr. Chairman, but as the Minister knows, residents of that community - and specifically those people who act on either development corporations or on the Chamber of Commerce - have for some time asked the government to be as definitive as possible with respect to the routing of that highway through that town. As the Minister is well aware, that town has a dike around it, and that there is land in certain sections that could be developed for industrial usage, but not until somebody within the department, within the government, makes some decision as to how that highway is to lead through that town.

Since I've been a member, that community has requested of the government some decision one way or the other, so it could do a better job of attracting businesses and industry to that town. I guess my question is more an appeal to the Minister to have his department either come up with some solution, some decision; or failing that, at least tell the townspeople that for certain no decision will be made until some point in time. I think some point in time has to be given to the residents of that community.

**HON. J. PLOHMAN:** I don't think, Mr. Chairman, there's any doubt that the highway would be taken into Morris, but the question then is whether there should be provision made for going around Morris with a connection on either side and the difficulties associated with the many railway crossings and so on. I would be certainly interested in getting some advice in that regard and some opinions of the Member for Morris in that regard if he has some feelings about it, at this time or at a subsequent time. It's an area that is very difficult and obviously going to involve a substantial amount of expense and one that, I'm sure, the town would like to have clarified for development purposes. That's understandable, but it is some time certainly down the road before that could be accomplished.

**MR. C. MANNES:** Well, Mr. Chairman, I'm not here to plead that it move that quickly through that town. I guess I'm here to appeal to the Minister and if, indeed, he's challenging me to help him and his department work towards some type of decision, I'll gladly accept that challenge and starting tomorrow or once his Estimates are done, I'll gladly act as a go-between for the community and his department or if it needs to be — (Interjection) — or if he needs to set up a meeting, if he wants direct input from me that has come from that community, I'll gladly offer it to him. I don't know what he's requesting of me, but anything to help that decision be made a little bit more quickly. Bearing in mind that I think everybody understands that the twinning of Highway 75 may not reach Morris for some years in the future.

Mr. Chairman, moving on. Has the design department at all reached any decision as to how Highway 75 is

going to go over the La Salle River in St. Norbert? In other words, that portion immediately north of the four-lane completed part of the project.

**HON. J. PLOHMAN:** Mr. Chairman, we have not firmed up designs on that section because it is within the city limits and is within their jurisdiction therefore, and is a matter of some discussion with the city as to exactly what the responsibilities of the province should be versus the city in that area, and whether there should be some contribution by either the province or the city and what proportion and whether there should be some tradeoffs of other roads to undertake work in that section. So, it is under discussion with the city and is a matter that is rather complicated at this present time.

**MR. C. MANNES:** I understand the complexity of taking a highway through there, but how actively are the various governments working towards some type of a determination or a solution for that particular problem? Is there some goal in mind, some objective time-wise to reach a conclusion?

**HON. J. PLOHMAN:** Mr. Chairman, there has been active discussion between officials of the city than the department, a couple of formal meetings and other discussions over the phone between the Deputy Minister and counterparts in the city as well, and proposals made by the province for tradeoffs in that area to the city and they have not, at this time, responded definitively to those proposals. So there is active discussion going on. I just want to mention, of course, as the member is aware, because of the way the La Salle River cuts back in that area and the railroad track in proximity, it's very difficult to arrive at a suitable location in that area once the design work is under way. At the present time, it's limited to discussions though between the two levels to determine the responsibilities of each.

**MR. C. MANNES:** Well, the Minister is certainly correct. I'm going to be intrigued to see how the first design looks to go through there. I wonder at times how it could possibly be done, but I guess there is a way.

In conjunction with that, Mr. Chairman, I asked . . .

**HON. J. PLOHMAN:** A skyhook on that section.

**MR. C. MANNES:** Good, good. In conjunction with that, I'm wondering if the Deputy Minister in his discussions with the City of Winnipeg is ever mindful of the request of the Municipality of McDonald, with respect to the, from their perspective, the increased flows of the La Salle River that would have hopefully passed under any new configuration that is brought into place.

**HON. J. PLOHMAN:** Yes, that certainly is being considered in the discussions, that there will be a requirement for greater capacity in the structure and hydraulic capacities as well at that area. The Deputy Minister informs me that is one of the considerations in that area; certainly, one of the major ones.

**MR. C. MANNES:** Well, I'm certainly pleased to hear that answer.

Moving on to Highway 75, Mr. Chairman, I'm wondering if the Minister can tell me what provision is being made at the moment, or have plans developed to the point where the government can indicate how the constriction at Union Point, where the present highway seems to be very close to the railway tracks, how that problem is going to be relieved.

**HON. J. PLOHMAN:** My understanding of it is that the department, the planners would be leaning more there to bringing the four lanes together closer with the reduced median width at that point to try to accommodate all four lanes through that narrow area. So, that seems to be the preference at this time.

**MR. C. MANNESS:** The Minister is then indicating that the planners are going to try and move through that restricted area without appealing to the railway to change its location?

**HON. J. PLOHMAN:** Hopefully, Mr. Chairman, that won't be necessary because of the costs of moving the tracks. That's a possibility, though, if it can't be accommodated in the existing width, but the attempts will be made to avoid having to do that to reduce the costs.

**MR. C. MANNESS:** Changing the subject away from Highway 75, Mr. Chairman, I'm wondering if the Minister could indicate what design is being considered for the replacement of the weigh scale at Oak Bluff, intersections Provincial Trunk Highways 2 at No. 3.

**HON. J. PLOHMAN:** It's a rather complicated area again in terms of the planning in that area with regard to Highway 2 and 3 and the connection onto the Perimeter Highway. We have had a number of discussions about that area and will be firming up the plans for that area and then we would be in a position to make a decision as to where that scale should be relocated, depending on where the routes will enter onto the Perimeter. That hasn't been finalized as yet. It's in progress at the present time.

**MR. C. MANNESS:** I'm wondering if the Minister can tell me to what time frame that his department would be working with respect to the replacement of that weigh scale, and secondly, whether there will be an opportunity for local input or review of any tentative plan that the department may have such that, particularly the local municipality, may have an opportunity to offer some judgment of the considered plan.

**HON. J. PLOHMAN:** We are in the process of engaging a consultant to look at a number of problems with regard to the south Perimeter and will ask them to undertake studies as to the requirements for various interchanges that may be required in the future and which land is actually required to be protected.

One of them is the intersection of Highway 2 and the Perimeter. When those studies are conducted and reports are received, obviously there will be an opportunity for local input into them, and we will consider the concerns and views of individuals and groups in that area.

**MR. C. MANNESS:** I take it then, by the Minister's answer, that nothing will be done to the temporary weigh station until some government decision is made after the release and completion of these reports. I take it then, that temporary weigh station will remain in effect until that time. Am I correct?

**HON. J. PLOHMAN:** Certainly, we would like to have the overall plan completed before making any decision as to permanent location for that scale. It may mean that the replacement goes much ahead of the overall plan, but at least as long as we have the plan we know where we're going to be going, we know where to relocate it, so it will await the completion of the study but will not await the overall completion of the work in that area.

**MR. C. MANNESS:** I'm glad to hear that. The Minister seems to be saying then that no final decision and no permanent location will be set until the final decision is made with respect to the whole area.

Mr. Chairman, my last series of questions are with respect to Highway 240, that portion which is within the constituency of Morris immediately south of the Assiniboine River, immediately south of the Town of Portage. Can the Minister indicate - because I know he had a meeting with a group of individuals with respect to Highway 240 some few weeks ago - where specifically planning at this point in time is showing a potential new bridge over the Assiniboine River to accommodate traffic from the south.

**HON. J. PLOHMAN:** I believe, Mr. Chairman, the member is actually referring to that portion of 240 which is in District 6, as opposed to his constituency. The bridge may be located out of the constituency. In any event, we had some discussion about this with the Member for Portage la Prairie the other day and that actual location is still under survey and location study section phase.

Further south we have included, as the member knows, provision for acquisition of right-of-way so there's no serious difficulty with that particular section; but closer in, there's been no final decision made as to where the bridge should be located, because as the member has rightly stated, we have recently met with the group there and they would like to see a completely different approach taken with the result being more of a westerly access into Portage. This is quite different from what the Member for Portage favours, from the discussions here, from his indications here, and I say that with all respect. I believe that was his position that he couldn't see that kind of approach being taken, but we want to look at that and other options in the area.

**MR. C. MANNESS:** How quickly is the government anticipating making a decision with respect to the final location of that bridge? Will the study period take some time or is it something that's relatively imminent?

**HON. J. PLOHMAN:** With the location study that is under way and the numerous options and alternatives available, the department feels that it will take them at least a year to finalize that location.

**MR. C. MANNESS:** I'm glad to hear that, Mr. Chairman, because quite obviously there'll be a new Minister in



place by that time from our party and, of course, we would I suppose trust our own to decide.

Mr. Chairman, the acquisition of right-of-way shown on 240 south of there - when will there be plans available to citizens along there to review? Is the planning that far along right now? The government must have some specific course in mind and I'm wondering if that is public or indeed it may have been public for some time. Could the Minister could share his comments with respect to that section?

**HON. J. PLOHMAN:** Mr. Chairman, I would just ask clarification. Exactly what section is the member referring to in his question? There are a number of sections in for acquisition of right-of-way, as the member knows, so it's not a matter of location study and survey work. It's a matter of acquiring the right-of-way and that, in other words, has been firmed up.

**MR. C. MANNES:** Mr. Chairman, I see now. What the Minister is saying is that the 13.1 miles represents a number of different locations along that route.

I have never seen an engineered plan of that route and one may have existed and been public for some period of time; I just haven't seen it, and I'm wondering if the Minister could provide the same to me.

**HON. J. PLOHMAN:** It certainly exists and they have visited all of the affected landowners with the plans so that they're aware, during the survey and design stage. Now we're into the acquisition stage and as I've indicated there's that section, 13.1 miles in as a new program for acquisition. There's also the continuing acquisition for the two other sections further south, 8 miles in there, as well as another section, 9.3 miles. The description is in the booklet that the member has under "Projects Previously Programmed," Page 22 of the yellow program. That whole section has been mapped out in terms of survey and design, the plan is there and has been shown to the affected landowners.

**MR. C. MANNES:** Mr. Chairman, I'm wondering if the Minister could provide a copy of that survey design to me?

**HON. J. PLOHMAN:** Mr. Chairman, if the member would like to drop in at the office, he could certainly take a look at it.

**MR. C. MANNES:** Mr. Chairman, I'm wondering if the Minister has driven that road and whether the new design removes virtually all of the jogs in question? I mean I could wait to see the design, but I'm wondering if he could tell me at this time?

**HON. J. PLOHMAN:** I haven't personally driven that section, although I have received numerous reports on the current situation with all of the jogs in it. The new design will eliminate virtually all of them.

**MR. C. MANNES:** I'm glad to hear that, Mr. Chairman. A final question with respect to Highway 240. There was always a drainage concern with respect to a new highway going through, some people wishing one form of drainage and some other people wishing a different

- I believe it was the Department of Agriculture not wishing what some of the local farmers were wanting. I'm wondering if this has all been taken into account; has this all been decided; and is this part of the engineered survey?

**HON. J. PLOHMAN:** Mr. Chairman, what the member is referring to is much more detailed design in terms of the drainage requirements. The design work and survey work as to the general route has been completed, as I've indicated, and the acquisition is taking place, but we still have to work with the Department of Agriculture and Water Resources - particularly Water Resources - as to the exact requirements for drainage. That information will be made available by them as soon as the construction work is to begin, hopefully prior to that, as soon as they're able to give it to us.

**MR. C. MANNES:** Mr. Chairman, I've completed my questions in this area and I thank the Minister for his candid answers.

**MR. CHAIRMAN:** The Honourable Member for Assiniboia.

**MR. R. NORDMAN:** Thank you, Mr. Chairman.

Through you to the Minister, being an urban member, we don't have the highways to worry about that you rural people have, but there is a short stretch of highway within my constituency that does give me a certain amount of concern, and that is the area of No. 1 Highway, west from the Perimeter, west to Headingley.

If I might refresh your memories - memory maybe as far back as four or five Ministers - a group of people in the Headingley area became very concerned over the number of fatalities that had happened on that particular stretch. They came to the Minister of the Day and through the City and the Member for Assiniboia at that time, and the Minister detailed a survey of it and did hire a group of engineers to make plans for by-passing that particular area.

Once the people of the Headingley area saw the plan of development, I think they ended up feeling they were more satisfied with the problem than they were with the cure. What my question is, where are we with that development at this point in time?

**HON. J. PLOHMAN:** Mr. Chairman, the member is correct, that the plans are in progress. With the reduction of the speed limit in that area, the problems have been vastly reduced in terms of accidents and injuries, so the urgency of actually undertaking major expenditure in that area has been reduced because of that. However, those plans have not been rejected as far as their appropriateness at some future time. They have been developed to the stage where a public consultation could take place to determine the input from the residents and the community involved. That is a matter of scheduling. It's ready to go at that stage.

**MR. R. NORDMAN:** Mr. Chairman, again to the Minister, has there been any land-banking done? I know last year about this time we did talk about it. I think there was one piece of property where a family was prepared to build a home on it and I'm not sure whether that

Thursday, 11 April, 1985

became part of an acquisition in land-banking towards the further development.

**HON. J. PLOHMAN:** Mr. Chairman, I'm advised that one has been purchased in the general area that the by-pass would be located, and another is currently under negotiations.

**MR. R. NORDMAN:** Is that so?

**HON. J. PLOHMAN:** Yes.

**MR. R. NORDMAN:** So, Mr. Chairman, in effect, the plan is still in the works and will stay in the works until such time as you feel that it is an absolute necessity to complete it?

**HON. J. PLOHMAN:** Yes, Mr. Chairman, that's correct and that's why the land is being protected in that area. The details of a massive acquisition program would be subsequent to a public meeting to gain some input as to the exact location for various sections of that by-pass. There is some flexibility there, but in terms of the general location, some of the land is being protected at this time.

**MR. R. NORDMAN:** In the event, Mr. Chairman, that this meeting with the constituents is held and they — (Interjection) — Yes, I know it's hypothetical. But I know right now, Mr. Chairman, that if you held that meeting today or tomorrow or next week, you would find that the people of the area would be in opposition to it. Like I said before, they are more satisfied with the problem than they are with the cure. So what would you do then?

**HON. J. PLOHMAN:** Well, we'd take their views into consideration.

**MR. D. BLAKE:** And hope to be transferred back to Resources and let the new guy worry about it.

**HON. J. PLOHMAN:** At this time I think that's a general feeling, because of the urgency having been diminished in that area, that certainly residents do not feel that it is as urgent as it once was.

**MR. R. NORDMAN:** Mr. Chairman, the Minister did mention the fact that the speed limit - that was only part of it - was reduced. The most questionable areas or the most strategic areas were lighted - and I don't mean by stop lights, I mean by street lamps - and in other areas where there was a problem, the entrance into the Blumberg Golf Course where they paved the shoulders, and that has been a boon to the highway. I still feel myself that that highway, if it was lit all the way out - the poles are there, all they have to do is string them. I don't know what the cost would be, but that has been my suggestion for about eight years now that it be lit all the way out.

One other thing. I know, from being on city council, that there are roads within my constituency that both come under city jurisdiction and provincial jurisdiction.

For instance, Saskatchewan Avenue, when it comes up to the Perimeter on the east side of the Perimeter

it comes under city jurisdiction. From the Perimeter west to Highway - I think it's PT 234 - it is under provincial jurisdiction. Then, for about one mile of mud road to the St. Francis Xavier constituency, it becomes again under city jurisdiction.

There has been talk many times. One of the things talked about in was exchanging land, maybe even for the Highway 75, the properties within the bounds of the City of Winnipeg to get them all under the jurisdiction of the city and so on. You've got a couple of minutes here.

**HON. J. PLOHMAN:** Mr. Chairman, just on that, we've just related that that was the case in some previous discussion with the Member for Morris, and those are being considered for some trades and as part of the negotiations regarding 75, that is correct.

**MR. R. NORDMAN:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** The Member for Morris.

**MR. C. MANNES:** Mr. Chairman, I forgot to ask the Minister one question with respect to PR 422 which is indicated in the project scheduled for '85-86 acquisition of right-of-way. There were three 14-ton bridges along that route, Mr. Minister, one of them was replaced this year and for some reason it took all winter and it wasn't in completed fashion during spring breakup. What is the intention with respect to the other two 14-ton bridges along that route and how quickly will they be replaced?

**HON. J. PLOHMAN:** I will take that under advisement and look into it, Mr. Chairman. They are not as part of the major construction program but they may be in the minor bridge program which is for smaller bridges in the neighbourhood of \$75,000 to \$100,000 to \$150,000 range. So, if they can fit into that category and they have been prioritized - I can't say at this time if they have. They may be. There may still be a chance that they are and we will undertake to let you know.

**MR. CHAIRMAN:** The Member for Minnedosa.

**MR. D. BLAKE:** This evening, I think most of my colleagues have had their whack at the Minister now, and we can maybe try and move this a little quicker.

Tonight, Mr. Minister, if you might have some information on the cost of the surveys that were done around the City of Brandon on the eastern access and the northern access route - the study that was done there - it might be helpful.

I want to bring up a matter for the Member for Turtle Mountain. It's in connection with Highway 23, but we won't have time to get into it because it's 4:30. We'll maybe leave that till this evening and if he's here, he can do it.

**MR. CHAIRMAN:** The hour being 4:30 p.m., the Chair is interrupting the proceeding of this committee for Private Members' Hour.

The committee plans to resume its deliberations about 8:00 p.m. this evening.

**SUPPLY - HEALTH**

**MR. CHAIRMAN, P. EYLER:** Committee, come to order. We are considering the Estimates of the Department of Health, Item 2.(c)(1) Maternal and Child Health: Salaries.

The Member for Arthur.

**MR. J. DOWNEY:** Mr. Chairman, I've been watching some of the activities of the Department of Health and the Minister of Health in the last few days and I have some serious concerns about the Minister's release of expenditures by the Department of Health dealing with citizens of the province, a principle which I think he should clearly state and clear up.

I heard him yesterday indicate to this Assembly that he would be prepared to do the same over again if the situation arose, and I would wonder if the Minister of Health would not reconsider - or maybe he has reconsidered - the kind of statement that he made yesterday that, in fact, the citizens of Manitoba can be assured that if they raise concerns, if they bring forward issues, or if we as members of this Assembly bring forward issues, that they aren't going to be subjected to the same kind of treatment that the Minister of Health has put forward in the last couple of days.

I ask the Minister directly, will he reconsider what he said or is he going to let the people of Manitoba live with the threat that if they do come forward with concerns about their medical situation that he in fact will make it public in the Legislative Assembly?

**MR. CHAIRMAN:** Item 2.(c)(1) - the Member for Arthur.

**MR. J. DOWNEY:** Mr. Chairman, the Minister of Health is not prepared to answer a question on policy, on a matter of principle that I think the people of Manitoba want to know - I want to know; I'm sure some of my colleagues want to know - whether in fact they're going to be treated in a manner in which he has treated a citizen recently.

**A MEMBER:** Read Hansard; it's all in there.

**MR. J. DOWNEY:** Mr. Chairman, the answer is in Hansard. He said that he was going to do the same thing over again and I'm not satisfied with that answer and I'm asking him if that sticks. Is he going to leave on the record and leave the impression with the people of Manitoba and my constituency that if they have a problem that's brought forward, either through their MLA or through his office, that they're going to be held with the actions of the Minister as he has performed the last couple of days, that he is prepared to lay the medical costs out in the public forum? Is that his policy and will he continue to carry out that kind of activity?

I think, Mr. Chairman, it's incumbent upon the Minister of Health to provide that kind of information or is he prepared to say that he is not going to provide that information, just at his will and wish. Will he answer the question or is he going to ignore the question, Mr. Chairman?

**MR. CHAIRMAN:** The Minister of Health.

**HON. L. DESJARDINS:** Mr. Chairman, I was only trying to co-operate with the honourable member and do him

a favour. Obviously, he is filling time while his colleague is going to get his paper or something, as happens once in a while and that's understandable.

My answer was given two, three, four times. If he really wants to know exactly the way I feel, not the story that he's going to try to build up, let him read Hansard and he will see that if somebody asks me for public answers with public names and makes an accusation on certain things, I don't intend to reveal any medical history; but on the question of people making an accusation against a colleague of mine and making an accusation against myself and the department that we're cutting down, that we're taking things away from them when it's the opposite, I'll do exactly the same thing.

There's one very easy way. If my honourable friend wants to come to me - and he knows that, it's happened many times - if anybody wants any kind of information, they can talk to me. When it concerns individuals that they don't want to name, they don't have to. They can get the information from me and I'll give them the information. If they're not satisfied with the information then they can make their accusations, but if they come in with the knowledge of a patient and the name of the patient and make an accusation and say that this patient has made an accusation, of course, we're going to defend ourselves; we're going to tell it the way it is.

**MR. J. DOWNEY:** Mr. Chairman, I resent what the Minister just answered, that I'm putting in time waiting for my colleagues to bring papers into the Assembly. I am not putting in time; I am seriously concerned about the activities of this Minister and this government and the way in which they've handled the Health portfolio. That's what my concerns are.

What did you say?

**HON. W. PARASIUK:** I said you're full of hot air.

**MR. J. DOWNEY:** Mr. Chairman, if the Minister of Mines and Energy had enough internal, intestinal fortitude, he would stand up and get into the debate.

I asked the Minister of Health if it's his policy to carry out the same activity that he did. It wasn't my colleague, the Member for Pembina, that asked about a specific person. He voluntarily put that on the record.

**MR. CHAIRMAN:** Order please.

The Minister of Health on a point of order.

**HON. L. DESJARDINS:** Mr. Chairman, on a point of order. The Rules Committee of this House made certain rules to guide us during the Estimates.

I think that I have shown that I will go to any lengths to co-operate with the members. Ever since I started my Estimates three days ago we've covered the waterfront and I don't think that's quite fair. My honourable friend, the critic of the official opposition wasn't quite finished in his opening remarks. I suggest that maybe he should continue to help and get it on record, that he should continue on the Research and Planning. That was done. Then, at the request of the Leader of the Opposition yesterday to reopen the thing because of a question that he'd asked me, that was

open also; but now, sir, we're on Maternal and Child Care, a debate.

I mean if it's something that was forgotten - this was covered yesterday. They'll still have a chance to discuss this again under other areas, but I'm not interested in just spending weeks and days of covering the whole thing. We have staff here; we're trying to give the proper information; we must follow the thing and, Sir, I'd remind you that we've allowed - at the request, as I say, of the Leader of the Opposition - to clarify his question, although it could have been done in another area and I suggest that we get on with Maternal and Child Health at this time.

**MR. CHAIRMAN:** The item under consideration is Item 2.(c)(1) Maternal and Child Health: Salaries.

The Member for Arthur.

**MR. J. DOWNEY:** Mr. Chairman, I am not satisfied with the answer the Minister is providing. If he wants to defer it to another time, I guess that's up to him and I will just say that that will come forward again.

I want to know, on behalf of my constituents, what his policy is. Are they going to be subjected to having their medical records, the cost of their medical services provided publicly if they speak out in any way that is not favourable to this Minister? That's the thing that concerns me and I'm sure it concerns the majority of Manitobans.

It is not the system which we're normally accustomed to, Mr. Chairman, and we don't want to become accustomed to that kind of handling by a Minister with that kind of policy and principles - and my colleague from Pembina did not make reference to any particular individual that would force you to put that information on the record. You should check your Hansard so you would in fact know where you're coming from.

Mr. Chairman, I'll take my opportunity at another time if that's what the Minister wants me to do and I will spend some time on it with him.

**MR. CHAIRMAN:** Item 2.(c)(1) - Mr. Minister.

**HON. L. DESJARDINS:** I'm talking about the opportunity this thing. This should not be discussed again — (Interjection) — I answered it three times . . .

**MR. J. DOWNEY:** Is that right? Too bad about it.

**HON. L. DESJARDINS:** Just keep quiet a minute. Punchy, just keep quiet about it. Mr. Chairman, I answered that three times yesterday. Today he said he was entitled to know if I'd changed my mind. I told him, no. He's not going to ask me every day or he'll just talk to himself and the four walls.

**MR. J. DOWNEY:** Is that right? I'll ask you as many times as I want.

**MR. CHAIRMAN:** Order please.

Item 2.(c)(1) Maternal and Child Health: Salaries - the Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, the Minister, in terms of discussing the PHIN number, indicating to us that

when he had the information we could discuss the issue. Yesterday afternoon the Minister chose - and it was perfectly within the rules and his right to do so - to run the clock out till 4:30, when other members wanted to contribute and make comments on the PHIN number — (Interjection) — Mr. Chairman, he says from his seat, I did the same thing. I did not do the same thing. I sat and listened for half an hour.

**MR. CHAIRMAN:** The Minister of Health on a point of order.

**HON. L. DESJARDINS:** Mr. Chairman, we've asked for co-operation. The Leader of the Opposition asked for the answer to be given because he'd asked us during the question period. I've repeatedly stated that I'll have the proper staff here when we deal with the Commission. This is something that has nothing to do with Maternal and Child Health. It has nothing to do with Planning and Research. It is an administration thing of the Manitoba Health Services Commission and that could be covered again at that time if there's more information, but I haven't got the proper staff here. I suggest to the honourable member that we should get busy on the line-by-line.

**MR. CHAIRMAN:** The Minister of Health has a point of order. He has given certain latitude to the Opposition Health Critic for discussing other items which were not included in specific line-by-line in the Estimates Book. If the Minister now prefers to go line-by-line and restrict the subject matter to those particular items in the Estimates, then the Chair will have to enforce that rule.

The Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, it was not my suggestion that said we could bring up and discuss the PHIN number when the Minister had the information; it was him. He was asked if we passed - and I think Hansard will show, and I haven't got time to go back to it, but I think Hansard will show that when we were discussing the research . . .

**MR. CHAIRMAN:** Order please, order please. It is not clear to me whether or not the Member for Pembina is reflecting on the ruling of the Chair. I would specifically recommend to him once again, our Rule 64(2) "Speeches in a Committee of the Whole House must be strictly relevant to the item or clause under discussion."

The Member for Pembina.

**MR. D. ORCHARD:** On a point of order, Mr. Chairman.

**MR. CHAIRMAN:** The Member for Pembina on a point of order.

**MR. D. ORCHARD:** Thank you, Mr. Chairman.

Mr. Chairman, yesterday afternoon, the Minister provided the information on the PHIN number. About two nights ago we had agreement with the Minister that we would pass sections under which the question was posed, on the condition that when he got the information, as requested by my Leader, that we could go back and he wouldn't restrict debate on it. That

was the Minister's own agreement; that's what he agreed to when we passed portions of the Estimates two nights ago.

Yesterday - and I don't fault the Minister for it, it's perfectly within his right - he ran the clock till 4:30 p.m., when other members wished to contribute to the discussion, to the debate, to pose questions on the PHIN number system.

Today that is what we would like to do, because the Minister has introduced and provided the information that we requested yesterday, and we'd like to be able to carry on with the Minister's own agreement that we could discuss this when he provides the information.

Now, Mr. Chairman, the Minister now can break his agreement with us and insist on going line-by-line if he so desires, but I think if Hansard were to be researched, we could find - and you could peruse it for yourself, Mr. Chairman and you could see that that agreement was made.

Now, if you wish to rule my colleagues out of order for posing questions on it, because the Minister now doesn't want to do as he agreed a couple of days ago, that's fine. We'll get on and we'll discuss it at a later date. The Minister wishes to have co-operation in the Estimates and we've provided him with that. We've provided him with an opportunity to come back with that information at a later date, under the condition that we could discuss it when he brought it forward.

Now if that's breaking some agreement on our behalf, because we wanted to continue with discussing it today when the Minister ran the clock out himself, then it's not us that's breaking the agreement, it's the Minister that's breaking the agreement.

**MR. CHAIRMAN:** The Minister of Health to the same point of order.

**HON. L. DESJARDINS:** I will concede that part of that is correct. The situation, if you remember, is that I was asked a question during the question period, not during the Estimates. It was a question of something that caught me completely by surprise and I told the Leader - the question was asked by the Leader of the Opposition, who understandably can't be here during this committee at all times or for the whole time - so therefore I told him, at that time, that I would give him the information the first chance I had during the Estimates. Maybe that was a mistake, but I thought I would have it on the day, and before my opening statement I would be able to give it to them; I didn't have it.

Now yesterday he asked me, reminded me that I had stated that and he asked me if we could go back. Well, first of all it was another member that asked to go back. I had no problem with that. That's the commitment I made, so don't panic. As long as we don't jump all over the place, there are some who think it goes a little too fast.

Now the situation was that yesterday the Leader of the Opposition asked me the question and reminded of that. I gave it to him as completely as I could. He was satisfied; he left. Now I'm saying to the people that I haven't got the staff. If they want to go in more depth than that - I'm not saying that we're not going to provide the information. I have suggested and I have asked

them, that we go back on the line-by-line to get a little bit of decorum, a little bit of order here. I would have to leave all the staff and bring the staff from the Commission here on these things, because I'm not that knowledgeable about this.

Now we've got the staff that have been sitting here for two days on Maternal and Child Health and I'm suggesting we go with them. There is no doubt that members of this committee will have a chance to go back to that. We've been flexible, we're trying to cooperate. Things were going well until yesterday. I'm suggesting that we go back to that, that we try to get back to line-by-line. There's all kinds of other opportunities. We haven't even started with the Commission and we're talking about the administration of something that is done strictly by the Commission and nobody else. It doesn't make much sense, Mr. Chairman.

I did say that I would give - we've done that before. There's question of the pass - although we're past that - there might be a question today on Maternal and Child Health that we'll have to take as notice and normally, if we have the answer tomorrow when we start, the first thing that when the committee is called - although by then we might be on Fitness or Sports - I would try to give that information and this is what I said.

Now the thing is we haven't got the staff. We'll have the chance to do that. Nobody is saying that we won't discuss it. I'm suggesting that we go back and try to take advantage of the staff that's here and get back on line-by-line. There will be all kinds of opportunity later to go back to that.

**MR. CHAIRMAN:** I thank both members for their contribution to their point of order.

There is clearly a difference of opinion between the two members as to their interpretation of the proceedings of the last several days regarding this issue, however a difference of opinion does not constitute a point of order. There will be, as the Minister has indicated, considerable opportunity to discuss this item at the proper line in the future in the Estimates; therefore I would rule that the discussion today should centre on the line-by-line progression, unless the Minister should agree on some specific cases to go backwards or forwards, as the case may arise.

Item 2.(c)(1) Maternal and Child Health, Salaries - the Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, are there any vacancies and any positions filled in an acting capacity in this Maternal and Child Health?

**HON. L. DESJARDINS:** There is in the directorate a part of the six-staff years, there's one vacant at this time, that has not been filled at this time.

**MR. D. ORCHARD:** I take from that answer that none of the positions are filled on an acting basis then.

Mr. Chairman, the monitoring that's mentioned - monitoring and diagnostic assessments that are mentioned within this division, what specifics are these? Surely, that is not the ultrasound-type monitoring and that sort of thing?

What monitoring services and diagnostic assessments are the responsibility of this group?

**HON. L. DESJARDINS:** Mr. Chairman, it's mostly home visiting and taking sampling of blood and so on, that has done the work of the Public Health Nurse.

I think that if you remember the reason why this department or this directorate was started, if you remember around '79, '80 or so, there was the Hall Committee that was set up by the former Minister to look at all the problems in this field and a report come in shortly after we took office. This is following that we set this thing up and try to build this up. It's monitoring also some of the things that were sadly lacking in the past. We're trying to beef up an area where an awful lot was left to be desired.

It might be the child health also at the Well Baby Clinic and so on, those kind of monitoring of the programs that we have under public health and prevention.

**MR. D. ORCHARD:** Mr. Chairman, as well, it indicates it provides access to reproductive health care information and services. Does this group - I'm looking for the right words to use - does this division do the research into, for instance, birth control, etc., and provide that kind of information? Is that the reproductive health care information?

**HON. L. DESJARDINS:** I don't think there would be too much research certainly in birth control and things like that; mostly education and promotion and so on between different groups and try to co-ordinate the efforts of the work that is done in certain clinics. For instance, groups such as family planning groups and so on.

If you remember the announcement that we made, at one time, that we would have the counselling and the education for the public to try and prevent as much as possible unwanted pregnancies in order that we would need less abortions. That is the main aim in that field. They're doing a lot of other things, of course, a lot of services for the maternal and child care, but as far as abortion is concerned and birth control they wouldn't do any research.

**MR. D. ORCHARD:** In terms of the issue of abortion services, would this group be providing information as to what hospital facilities, etc. and provide information to individuals who wish to seek out abortion information, is that available through this group?

**HON. L. DESJARDINS:** The staff in the region might when there is no one else, but mostly that work is done by the clinics. There has been some type of committee that have looked into educating and advertising with their limited fund to do that.

One of the main reasons for that is that, if you remember, we suggested that in a place like Manitoba with different groups, people of different beliefs that could accept different things, it would be impossible to have one place or a standard program of information. Certain people of certain religious groups, for instance, would not recognize abortion as an option at all for birth control or any other reason. Therefore, they could

not in conscience advertise and say if this is what you want, you go and see Clinic or something. Therefore, they're formed in their group.

The one side, the closest way I can describe them, let's say those that favour abortion or the freedom of choice would be together to give some kind of advertising of what they do and where these people that want this kind of advice could go and the other people would do the same thing also. We felt that this would be the safest way. It is a very delicate, touchy area to get in. As we know, there are people that are emotionally concerned with this on both sides that will not be changed and there are people that are, through a matter of conscience or principle, feel that this is very important to them probably on both sides. We felt that this would be the safest way possible and try to get as much as possible, the government out of it, on both sides, help them with the financing and say okay the services are there. The main thing is mostly the education and promotion of trying to prevent unwanted pregnancy. That is the main thing that we would like.

**MR. D. ORCHARD:** My earphone doesn't work so I apologize if I didn't hear the Minister correctly.

Did I understand from his answer that both sides, for instance, of the abortion question could receive funding presumably under Other Expenditures or External Agencies to basically promote their given position on the abortion issue? Do I correctly understand the Minister when he indicated that?

**HON. L. DESJARDINS:** Yes, that's exactly what I was saying. In other words, we have a service to render, as I announced in the House - can you hear better now?

The situation is that we are trying to render a service. We're trying to, first of all, on the question of counselling and education that everybody can accept, but the kind of education at times could be a problem. Some people would feel that the best way would be that you would have everybody would be able to say here are the options. But certain people, because of their religious beliefs, do not consider it an option so, therefore, can't promote it, can't encourage anybody to say here's the possibility. So, the choice is up to the people. The department, if anything, would ask them what they want and would say okay fine. Well, these are the different places that you can go as much as possible. I'm not saying it's perfect, but I think it's the best possible way, the fairest way that we can do.

In all fairness, I don't think any group is promoting abortion. I haven't heard anybody that they would much prefer to make sure that we would get rid of unwanted pregnancy instead of unwanted babies. I don't think there's any problem with that at all. So, therefore, the education is not just about abortion, but it does. In all fairness, it must come in at some time. The young people - or any age as far as that goes - that are pregnant and would want some advice. The same thing with the doctors. The doctors would know and the doctors, I would say, who has a patient that favours free choice and they favour free choice himself, he probably would say well fine he would advise but he might send them to see a certain clinic to see the Planned Parenthood. It might be if it's on the other

side, might want to send him to the Youville Clinic, the clinic that was founded to do exactly that, to give that kind of information. There, of course, the options are restricted. They will not talk about and many doctors also, if there's a question of abortion. They say I don't want to talk to you because I don't perform abortions. I don't believe in it. That depends on the providers of services. The administrators of different clinics and mostly, and more importantly, the people themselves that seek help.

**MR. D. ORCHARD:** Could the Minister indicate the level of funding then that's provided say to proponents of the pro-choice position and the level of support funding to proponents of the pro-life position on the abortion issue?

**HON. L. DESJARDINS:** I don't think that I can give the member, it's quite difficult to give him exactly a division between the two. It is roughly \$96,000, but then through the Commission there has been funding also of the Youville Clinic, which was - what is it now? — (Interjection) — I think it's between \$100,000 and \$150,000 for that clinic. Also it's not a clinic really in the true sense of the word. It doesn't provide all the services that most clinics do. That was the main reason why it was started. We would hope that eventually it will provide other services.

Then we looked actually - and that's one of the reasons why there was a delay is that it took us so long - we did not want to re-invent the wheel or to start duplicating things at the department themselves, so we looked - there were some of the clinics that were doing that. Well some of the clinics, some of the groups, for instance, Planned Parenthood, Serena was already there, Klinik, Mount Carmel Clinic and the Women's Health Clinic and some of these groups and they were being funded for a number of services. We tried to identify and separate that portion of it to work in our program and we co-ordinated that. We had a change in the director also, and it seems to be working quite well now.

Because it was a bit too one-sided, because there did not exist too many clinics for the people that were pro-life, I met - and I think that was mentioned in the House by the former leader, I think he heard about that - I met with certain people and suggested that they get together and fund this clinic and that's how the Youville Clinic was started to even things up.

**MR. D. ORCHARD:** When the Minister mentioned the \$96,000, that is presumably part of the External Agencies grants. Could the Minister give the organizations that are funded, as External Agencies by grant from this appropriation, and identify the group and the amount of funding from this appropriation?

**HON. L. DESJARDINS:** Mr. Chairman, it is a bit complicated, as I was saying, because we didn't start at zero. You had the Planned Parenthood who were receiving grants before. You had Klinik that were receiving grants, they were doing some of this work. Serena of Manitoba received some small grant and you had Mount Carmel and other groups.

Of course the group that I just mentioned will probably, I think it's fair to say, that they will give all

the options. You know it depends on the individual. They might be more promoting something but they assured me, all of them, that they are ready to accept all options. In fact they'd like the other side, the pro-life to do the same thing but the pro-life - and I certainly can understand - cannot do that because abortion is not an option. I mean to make sure that this is represented; that it's not one side, this is where - well Serena was the only group on that side that was getting anything and this is where we've got the Youville Clinic.

But the \$212,000, some of the funds were there already to promote other work. Now what we identify on that, the \$212.9 thousand is Planned Parenthood, \$59,900; Klinik, \$125,000; Serena, Manitoba, \$10,000; Reproductive Health Grants, \$18,000.00.

Now under 2.(c)(2) Other Expenditures, part of that, there's another 141 - the Outreach received \$27,000; Information Services, \$65,000; Training Services, \$48,000.00. You've noticed that I haven't mentioned Youville Clinic because that was moved over to the Commission - the whole shot, the whole thing - and it's over \$100,000 - comes from the Commission.

**MR. D. ORCHARD:** Mr. Chairman, I had difficulty keeping up to the Minister with the organization names and the funding. There was an \$18,000 figure mentioned for Reproductive Health Information Centre, is that correct? And then he mentioned, I believe, two or three additional ones after that. I wonder if he might be able to repeat those for me?

**HON. L. DESJARDINS:** That was the end under 2.(c)(3) - that was the \$212.9 thousand. Now the others are grants and that would come under Other Expenditures and there's another \$141.2 thousand. The Outreach was \$27,000; Information Services, \$65,000; and Training Services, \$48,500.00.

**MR. D. ORCHARD:** Could the Minister just clarify for me, the last three: the Outreach Program, the Information and - I can't even read my own writing - Training, something to do with training for \$48,000.00. Do I understand that these are external groups which provide information in terms of birth control methods, etc., etc.? Is that a correct assumption?

**HON. L. DESJARDINS:** Yes. I apologize for the bit of confusion. It was probably my fault that I confused the member. I should have stayed with the 2.(c)(3) with the Planned Parenthood in Manitoba, and so on. Now the other, the twenty-one 2.(c)(2) under Other Expenditures, the three that I mentioned that my honourable friend wants me to clarify for him, that is for the purpose of Outreach, \$27,000; Information Services, \$65.7 thousand; and Training Services, \$48.5 thousand, for a total of \$141.2 thousand and that is all done by the Planned Parenthood of Manitoba. But I must say that this is not something new, that the Planned Parenthood was always involved and was receiving grants before. We just tried to get everything together that was slightly related to this program, so we could present it as one.

**MR. D. ORCHARD:** Mr. Chairman, this may be an unfair criticism, and I'm not wanting to get into a dispute with the Minister over it right now, but my basic

understanding - I may be off base - there appears, from the grant structure and the support structure to the four organizations that are funded with Planned Parenthood receiving for Outreach, for Information Services and for Training, the bulk of the \$141,200 from Other Expenditures, it would seem to me that the financial support to groups offering information on birth control would appear to be fairly heavily weighted, away from the pro-life position, with Serena I think probably being the one group receiving \$10,000 out of what would be a total of almost \$350,000, I guess, that would be offering the pro-life point of view as a position on the abortion issue. Is my analysis fair that the other groups would certainly, in my understanding, provide birth control advice which would include the use of therapeutic abortion? Is that a fair comment?

**HON. L. DESJARDINS:** I didn't get the last sentence, but the whole general question is a fair comment. I want to explain that many of these things existed for a number of years. Planned Parenthood is not something new and the Klinik is not something new. After making the announcement to say all right, we have this problem with this abortionist, Morgentaler and so on, but the best thing that we can do is we'll improve the facilities for abortions here; but more than that we will also try to go ahead and educate the people and give the information and the care and tell them where to get the information and the proper care. We will do that. Everybody's together on this, and we will try to get rid of as many unwanted pregnancies as possible.

Now the Planned Parenthood and the Klinik and the Mount Carmel and so on will do that. The first thing on this advice, it's not just a big sign, abortion, abortion, abortion; but they will include that as an option. That's the difference. All right? So instead of starting all over saying this is the direction we want to go, we wanted to find out what was being done. Some of this was already being done but we got it together; we got a director that accepts the responsibility; we got these groups to agree with us when there was nobody else at all. In certain areas we had to use our regional people. If there's nobody in the rural area and so on, they will have to try to give the information as best they can, with the people that are there.

So having said that, the only one that was restrictive - and they are limited - they are limiting themselves because they say we don't believe that abortion has an option so therefore it doesn't exist. They will tell you many of the same things that the other group will tell you but they will exclude the abortion.

The only one that was in existence then was with a small grant that we increased. In fact last year, I'm not saying it's that much, but it was \$13,000, was Serena; but then these people, because of the announcement that we made, groups got together and they founded the Youville Clinic; and the Youville Clinic was founded for that to try to equalize the base also. Now nobody else has come to us and made a request to be there.

Of course you have to remember that it doesn't end there. You have to remember that in certain hospitals, you know that no advice at St. Boniface Hospital will cover abortions, for instance. In a way we're financing that; we're paying the hospital and the counselling that

they have there and then there are some doctors that do not believe - that are pro-life - so this is not the whole thing. But that was done in - I was going to say as a gesture - more than gesture, it's a real attempt to even things up a bit so the people would know where to go if they didn't want any part of that and the doctor could say, fine, we can send you somewhere and that was done; that's fairly new. We've just been at it two years and it's true and that's a little bit unfair. If you want to take all these groups and say they're all on one side and then the others are all on the other side.

There's one group that gives all the options. Of course the other side thinks they're giving all the options because the other one is not an option. So I think it might not be perfect but I think it is an attempt and I think they're satisfied all in all that progress has been made. At least there is a place for these people to go and then if there's any other application of that we'll be probably working on more community clinics pretty soon. We'll want to define, together with providers of service for getting that Maternal and Child Care Aid Clinic that would have to have a definition of a community clinic to be able to have certain programs anyway and it might be that in certain clinics these things will be requested.

**MR. D. ORCHARD:** Mr. Chairman, the observation I make is that it would appear as if the range of advice that's funded through this division - and I appreciate the Youville Clinic is under MHSC and has probably got a \$125,000 budget and certainly offers - I hate to categorize, but basically the pro-life point of view and I'm glad to see that has been funded, it is in place to provide a balanced view because certainly Manitobans are very much on both sides of the abortion issue.

If government has a responsibility, first off to uphold the law, but in terms of if any information is going to be provided and funded by government which recommends - or not recommends - but provides as a range of alternatives a therapeutic abortion in terms of unwanted pregnancy, then I think it is incumbent on the government to equally fund the other side of the argument which provides Manitobans with the good information that is available supporting the pro-life stand.

In that regard, Mr. Chairman, it would seem to me that - and I am somewhat familiar with Serena, Manitoba - now the general thrust and goal of this Maternal and Child Health as a policy goal is to prevent unwanted pregnancies and Serena is, even though they may be pro-life in their basic outlook, I understand their prime purpose is to provide birth control information. I'm not certain, but I don't believe they get into the abortion issue in their presentations.

Their information is good. I've attended one of their presentations and it is basically quite good information that they provide. It is also an organization that, if I understand correctly, has a lot of volunteers who put on the meetings at schools or through church organizations, at request, to provide their information on birth control methods.

if I could make a suggestion to the Minister and here I run the risk of being faulted for wanting the deficit to go up and I realize that will be a criticism that I'm opening myself to, but in view of the funding to a number



Thursday, 11 April, 1985

of other groups totalling - if my numbers are approximately correct - some \$350,000, I think it an excellent organization to receive if they need it and if their program demands it.

If the Minister could find more dollars to put towards the support of the Serena educational program he would indeed be very much furthering the goal, the policy direction and goal of prevention of unwanted pregnancies because that group can provide, I believe, very excellent information, and would kill two birds with one stone and provide what might appear to outside eyes, a more balanced funding of groups that are on both sides of the abortion issue. I would make that suggestion to the Minister.

The Minister wants to respond but I've got another question that I'd like to pose first off.

In terms of developing birth control information, is there a liaison between this group and the Department of Education? The Minister of Education of recent has been developing a health curriculum for the high schools. The Calgary-based program was brought in and ran into a considerable amount of resistance. Is this group liaised with the Department of Education for improvements to a health education or family life education curriculum in the school system?

**HON. L. DESJARDINS:** Mr. Chairman, I think the most important thing and I think I tend to forget, it seems my friend also tends to forget that the main thing - I'm going back now to the first question - is to try to prevent unwanted pregnancies. So we can't just judge everything and say, well, they're on this side of the abortion issue and they're on the other side and that's it.

Now, as I say, a lot of the services are performed. We all know what Mount Carmel does and what Klinik does, that there are suicide lines and all these things. These clinics were in existence. We found what they were doing and it was in there and we complemented the program where things were needed.

Now, on the other side, there is no clinic that was acting like a clinic, but on the other side of the abortion issue, I don't know of any. Serena was a different program. We went and saw them and asked them and the definition for Serena here is: "Provides information" - that's their own definition - "counselling to people who wish to develop a knowledge of fertility and natural family planning methods, participate in in-service training for departmental staff and enhances program activities beyond urban centres as well as developing promotional educational materials." We went and talked to them and they are a part of the program also.

Then, as I say, that's where the Youville Program came in. I'm not satisfied with Youville that it is the clinic that we would like to see. There are other services that should be rendered, but at least because of that, to have some kind of a place where you can say if we're starting this program we're going to balance it a bit, and that's why that was done. We would hope that we will now work with Klinik and it won't be just the one main thing that they — (Interjection) — will try to do.

On programs like that, especially at the invitation of the Department of Education, and we have a committee

that works together - by the way, this has nothing to do with this program at all. I don't think that you were suggesting the program of sex education has anything to do with this. — (Interjection) — Okay.

So on that, at their advice on the health side, we would assist especially if we were required. The policy and the delivery of the programs, everything is strictly the responsibility of the Department of Education. We're just more or less as resource people if we're needed.

**MR. CHAIRMAN:** The Member for Wolseley.

**MS. M. PHILLIPS:** Thank you, Mr. Chair.

I've been listening to this discussion and I wonder if the Minister can clarify a few things. I think when we're talking about these different agencies that are dealing with reproductive health, I guess I would like to stress that in all cases one of the major concerns is prevention of unwanted pregnancies versus getting rid of unwanted pregnancies which is the term that was used. I think that's dealing with unwanted pregnancies once they happen is another situation.

The situation that the Member for Pembina is talking about in terms of both sides, I would like to stress that agencies like Planned Parenthood who, as the Minister said, have been around for a long time are not agencies on the other side in that their only role is to advocate for abortion, whereas the other ones don't mention abortion.

I think that should be clarified that they also discuss a wide range of options and the difference is that the other ones do not discuss the latter option, and that the other agencies discuss all the other ones such as how do you organize to keep this child, or how do you organize if you decide the only alternative is adoption, and that it's not an either/or kind of situation.

Some agencies will not advocate or recommend to a person that they consider an abortion and the other ones only advocate that abortion is the only thing to be considered. It is an additional thing to put into the mix in terms of decision-making when someone is faced with an unwanted pregnancy in those circumstances. So it's not a question of government funding both sides, as it were, it's funding some that have a wider range of options that they discuss with women in those horrendous circumstances. I think it's very important to recognize that this total program is aimed, if anything, at prevention and education and working with young people or people who are finding themselves, both the male or the female, in a situation of finding that they are faced with an unwanted pregnancy and providing the kind of information that will help that young couple or the woman alone not to get back into that situation; again, to have the necessary information or the skills that have them cope with their own sexuality so that they don't end up in this most worrisome and traumatic situation in the future.

**HON. L. DESJARDINS:** Mr. Chairman, I have no problem with that. In fact, I don't know if the member came late or I did such a poor job. I thought I'd said much of the same thing, so anyway I think she's certainly welcome and she said it much better than I did and I agree.

**MR. CHAIRMAN:** The Member for Pembina.

Thursday, 11 April, 1985

**MR. D. ORCHARD:** Mr. Chairman, in terms of information that's provided, does this group have birth control information, etc., etc., pamphlets that they make available to the schools? Is that part of their mandate? The line we're talking about in the Estimates.

**HON. L. DESJARDINS:** Yes, I'm sure that would be part of the program, that they would have different pamphlets that would be available to the outside, but from some of these outside agencies that they would make available from that. I don't know about the schools — (Interjection) — Beg your pardon?

The agencies such as maybe Clinic and so on would have that information. That would be part of the information that's given to prevent unwanted pregnancy, birth control information.

**MR. D. ORCHARD:** Mr. Chairman, my question was whether this group or this division, if you will, of Maternal and Child Health does have an information base that they themselves maintain and send out on request to schools, to organizations, to groups?

**HON. L. DESJARDINS:** There existed for a number of years now that we've had that along with the Health Resource Centre. This was Mr. Barnett at the time, I think there's been some change. There is much of this information, that was always available on demand to people that requested it. They accepted the responsibility. It was a school also, but some of the best pamphlets that we could have. No matter where they came from, there was always a supply in films and so on, but the decision was only on demand. It was like a library and the people who wanted it could use it. That is a touchy thing; we certainly didn't try to impose it in areas. The outside agencies or the schools and so on that wanted that could get it. It was their responsibility.

I can see that again I'm not too successful. We've always had - always is a big word - but for years, even before this was started, we had in this Department of Health under former Ministers and so on a directorate or a department that was like a department's library. They would have films, they would have pamphlets, they would have all these things, whatever was available, I don't know. They might have had catalogues or people come and see it, and they could order some and we'd give it to them. It was their responsibility to do what they wanted with it. Of course, we try to give them the best. Some of it was pulled out, if people had been critical, we found that maybe they were offensive, but that information in those pamphlets and all that were always there for the public to have, including the schools.

The point I guess I'm trying to make is that we didn't distribute any of that. The people had to come to us and ask for it.

**MR. D. ORCHARD:** Mr. Chairman, that's basically what I was trying to determine, whether information requests funnelled through here they could provide whatever pamphlets, whatever films are available, that are in stock.

While I'm on the subject of film, one last question before we pass this section. Dr. Nathanson has currently

a film on his position on the abortion issue, called "Silent Scream." Is that film available through departmental library resources, to be provided upon request to any groups that may wish to have that film for a meeting or whatever?

**HON. L. DESJARDINS:** Mr. Chairman, no, that is not available in our library. It would create problems, I guess, because of its nature, but nevertheless the League for Life can provide that film to whoever wants it.

**MR. CHAIRMAN:** Item 2.(c)(1)—pass; 2.(c)(2) Other Expenditures—pass; 2.(c)(3) External Agencies—pass.

2.(d) Health Promotion: (1) Salaries - the Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, I wonder if the Minister could provide - I don't expect a complete rundown on what the Health Promotion group do - but what are some of the major undertakings that they're funding and promoting in terms of Health Promotion? They talk about prevention of lifestyle-related diseases and I notice, for instance, from the explanation notes on the staff year summary that there appears to be a new emphasis this year on the Diabetic Education Program - I want to discuss that with the Minister as we go through - but could he give just maybe a breakdown as to the areas that they're focusing in on in terms of Health Promotion?

**HON. L. DESJARDINS:** Mr. Chairman, I'll be very pleased to because this is rather a new grouping. I'll give the different groupings and then, upon request, I can go into more detail of what they do. I think some of them the member won't understand. The Home Ec is now part of this section; there is the fitness section that used to be in Fitness and Sports - we use it more for fitness than health - they seem to be very happy; they have more resources and more help in there and it's working well. The services to seniors is part of that also; and Health Education section. Now, I can give more details on that, but I'll let the member tell me what he wants.

**MR. D. ORCHARD:** What about the Diabetic Education?

**HON. L. DESJARDINS:** Diabetic education - yes, that would be in Health Education section. I'll read that: "The major priority for the Health Education Section" - we have different priorities in different years - "is cardiopulmonary disease prevention, disease risk factor to be addressed includes smoking, hypertension, cholesterol and diabetes," and our big push was the smoking. We kept on with this and also the diabetes at this time. Which reminds me, this is something that I prepared as a press release after announcing it here, so I'm pleased my honourable friend reminded me. It's not that long so the best way is to look at it.

There will be \$634,000 expended on this program of diabetes education that will be implemented this year. The funds will be used to promote prevention and to encourage people with diabetes and their families to assume an active role in their care.

The Manitoba Health is currently developing diabetes education resources in selected areas throughout the

province. Teams of nurse educators and dietitians will be working closely with positions in the development of a comprehensive community-based service.

Although diabetes is a chronic disease where the heredity is an important factor, studies have found that nutrition and environment are major factors which influence the disease. It is estimated that 80 percent, or that 30,000 people with diabetes in Manitoba have a type of the disease which could be controlled by lifestyle factors. They strongly suggest that diabetes prevention may be achieved through education and proper lifestyle habits. The potential benefits of an effective diabetes education program should be clearly reflected in reduced health care costs associated with the disease.

Health care problems related to diabetes include kidney and circulatory disease, blindness, lower limb amputation, damage to the nervous system and then, of course, in further information, we have the name of Dr. Sharon MacDonald. This is probably our big push this year.

**MR. D. ORCHARD:** Mr. Chairman, the Minister I think mentioned the figure of \$634,000, but yet the total budget is only \$1.7 million. Does that mean that there is going to be a Supplementary Supply to undertake that program?

**HON. L. DESJARDINS:** Yes, the figure is correct and 230.6 of that is in the department and there is 403 with the commission. This is a joint program that we want to work again with prevention, starting more and more to work in the communities with the institutions and the hospitals. This is one that we're developing with the St. Boniface Hospital, Youville Clinic, and I think the Health Sciences Centre and the Children's Hospital. In other words, some hospitals are working with us on that program. So that is why the funding is from two different areas, 406 is from the commission and the other one will be under this appropriation.

**MR. D. ORCHARD:** Okay, I'll get into some other questions later on. But, Mr. Chairman, I just want to ask the Minister, I've been somewhat involved, and I may have even talked to the lady that's in front of you on this program because I had a group at Morden that undertook a Diabetes Information Course, or offered a Diabetes Information Course, and it was highly successful. I'm not even sure what source of funding they used, but they patterned it off the program I believe that was at the Health Sciences Centre, but I'm not certain of the location.

It was an extremely successful program and because of the success, of course, the demand for classes for additional instruction and areas to take it into, they were concentrating first off on the Morden-Winkler communities, being close together and with a number of diabetic patients there.

I know they've been working with the department over the past six months, or eight months maybe even now - I think some \$30,000 or \$25,000 of funding they needed - to turn their program into a formalized delivery program for a bigger area than just simply Morden and Winkler because they were having requests from surrounding communities to expand their class, the information that they were offering.

I wonder if the Minister might be able to indicate if that type of a group, and in particular the group at Morden, would be receiving some funding under this expanded program for diabetic control.

**HON. L. DESJARDINS:** Yes, we're very pleased with the work that is being done in Morden and certain other areas. That's exactly what we are after. I think it gives the education for people to be able to help themselves and we feel that it can be done, although this program as far as Morden is concerned, is not finalized but it should be part of our program and funds should be available. This has been discussed with the public health nurse.

**MR. D. ORCHARD:** Well, Mr. Chairman, I'm pleased to hear that because there were many favourable reports of that, and even though it may have cost some departmental dollars today, the indication on that first course that they ran down there is that they probably paid for that course just in savings of hospital days to get diabetic patients levelled out again - I don't know the medical terminology - but it was excellent in reducing hospitalization demands of diabetic patients who benefited from the course or the education seminar that the nurses in Morden and Winkler put on. So I'm pleased to see that they have successfully discussed the advancement of that program with the department.

Mr. Chairman, the Minister mentioned that \$230,000 was from departmental funding. I presume that would have to be out of External Agencies funding of \$608,000.00. Am I correct there?

**HON. L. DESJARDINS:** It's under Other Expenditures. Most of that is Other Expenditures.

**MR. D. ORCHARD:** Now, do I understand further that this is a new level of funding this year?

**HON. L. DESJARDINS:** Yes, it's a new program.

**MR. D. ORCHARD:** Then that begs the question of what program is not being funded now? Like you've only got the \$243.9 thousand and if \$230 thousand of that is going to the Diabetic Program, what Other Expenditures were curtailed to bring this program in?

**HON. L. DESJARDINS:** Mr. Chairman, I understand that last year that money wasn't spent or very little of that money was spent. The big push last year was the smoking. We spent quite a bit of money on this "no smoking." I'm not satisfied with that answer either. I'll have to get staff to make sure to give you a satisfactory answer.

**MR. DEPUTY CHAIRMAN, P. Fox:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Chairman. Under Other Expenditures, I guess I've got the answer to my own question when I see the amount of money that's left over, so I won't bother posing it.

In terms of funding to External Agencies, what types of external agencies are funded here? Is it for instance the Heart Fund, those kinds of people, the Cancer

Society? What external agencies receive the \$608,000 funding? I don't want a detailed list; I want a representative idea of what agencies you're funding.

**HON. L. DESJARDINS:** Well I'll just name a few: the Age and Opportunity Centre; Mobile Food Services; the Hebrew Golden Age Centre; YMHA Stay-Young Program; Brandon Civic Senior Citizens; Gordon Howard Senior Citizens; Selkirk, Winkler and District Multi-purpose Senior Centre; other rural senior centres, Manitoba Society of Seniors; Canadian Diabetic Association; Canada Public Health Association; St. John's Ambulance Council for Manitoba.

**MR. DEPUTY CHAIRMAN:** 2.(d)(1) - the Honourable Minister.

**HON. L. DESJARDINS:** If I may understand the previous question - some of the money now has been reorganized I guess, some of the money would be with the staff in the regions - much of that money that we spent last year. We should be getting into that fairly soon.

The program that we had last year, now that money would show up, what we did - or the money that was covered in that 270 last year will now show up in additional funds in regional staff. We'll come to that a little later in Regional Services anyway.

**MR. D. ORCHARD:** Does that mean that last year the \$270,000 that was budgeted for Other Expenditures wasn't spent - some of it wasn't spent - and it has been transferred out of the Health Promotion Appropriation to elsewhere? Is that the assumption that one would make?

**HON. L. DESJARDINS:** Finally, I hope this time. The 243 is a mistake, I've just given the wrong information. That is also for the same program we had last year. Some of the money wasn't spent. That's why there's a reduction and the money for diabetes, although it is administered in this directorate here, the program comes from there. The financing is 400 from the Commission, and the other 200 is in the region. That would be where the money for Morden and places like that would be. Is that a little bit clearer?

**MR. D. ORCHARD:** When we get to 3.(b)(2), that would be the appropriate place to determine the breakout of communities and funding for the groups that have delivered the program. Would that be the appropriate place then? I'll make a little note of it.

**MR. DEPUTY CHAIRMAN:** (d)(1) - the Honourable Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, before we leave Health Promotion, could the Minister indicate whether he's had any staff problems with his lifestyle directive of no smoking in the offices of the Department of Health, unless the office happens to be one — (interjection) — I'm just wondering if you're having any problems with the enforcement of the new no-smoking policy in the Department of Health, except if you happen to be in an office that you occupy by yourself, then you can smoke. Is that working out, or is the staff accepting

it, or do you have a complaint box that is out there so everybody can offer their opinion?

**HON. L. DESJARDINS:** We have better than that. All we issued, and there was a misunderstanding, the information, the impression was wrong, what we have is a guideline. There was a co-ordinator or a person responsible in every office. They met together and the guidelines came from them; it was voluntary.

Now my office is not, as you know, in the Legislative Building and the situation is that we are guided - we feel that we must go with the by-laws of the City of Winnipeg if we're in a public building. It's not the Legislative Building. The by-law states that there should not be smoking in a waiting room, for instance. We have staff at the counter, right in the part that would be our waiting room and then the others right behind, and the smokers happen to be the people right at the front. The situation was not trying to have two levels of employees. People that were alone in their office were not bothering anybody and that's why they could smoke.

Others, we had a free office for awhile. That's no longer there so they find other ways, but then they used to go and have a cigarette there. It was voluntary. Now we had, in my office, for instance, two I think that quit smoking. Of course, there was a suggestion that maybe, yes, that was fine for me to give orders, but I could smoke in my office so all the ashtrays are out of there. I haven't smoked a cigarette in that office since that day, so it's helped a bit. I don't inhale as much; maybe it's not as hard for me as on other people.

I want to impress on you this was a guideline, it was voluntary. We were encouraging, we'll keep on, because we feel that if we can't start with the Department of Health, we can't start anywhere. We see changes that are really helping.

There was a story at one time that at the Commission they weren't going along with that at all. The report came in - I think it was Barbara Ross or someone that had a story - that was later on corrected that there were directives, that there were more guidelines. As I say, they had people that worked on them and brought back not just a suggestion box but co-ordinators of the program in each office.

**MR. CHAIRMAN, P. EYLER:** Item 2.(d)(1)—pass; 2.(d)(2)—pass; 2.(d)(3)—pass.

Item 2.(e) Hearing Conservation: Salaries - the Member for Pembina.

**MR. D. ORCHARD:** Mr. Chairman, could the Minister indicate what external agencies are funded in Line 3 of this appropriation?

**HON. L. DESJARDINS:** There is only one. It's a grant to the Winnipeg School Division in support of audiological services. The department has provided the vision and support of the services provided by the Child Guidance Clinic. Well, I want to say a word or two on this.

I think the statement made yesterday that there was a commitment that we would work with the seniors for hearing aids and that, and that's true. I mean I don't think that the date was ever given. We are working in

that direction. We have made changes; we've done that gradually. We have set up now different centres. — (Interjection) — Where? In most regions, we have centres now and even in Winnipeg. I think there are three in Winnipeg; there is one at Seven Oaks, Deer Lodge and Victoria. We are working now and training.

Even if we had all the centres now, we couldn't go ahead because of the audiologists, and they are very very much in demand. We have been recruiting and training some, so that program is still in the book. It might be a little longer than we had thought of, but that is still something. It is in existence in areas, and I think up to a certain point, maybe not as universal as we want to see it.

I think that the Member for Swan River, I think he's discussed that with me. He's very pleased - his mother received help. He had given the information. He had to go to Brandon, mind you, but that service is there in some areas, but they will have only referrals mostly from people in the hospital or in that area, referrals from doctors in that area. So it's not, as I say, as universal as we would want, but we're going in that direction and there is much done. But the hearing aids, of course, would come only after that when you've got somebody to test ones on.

**MR. D. ORCHARD:** Mr. Chairman, I missed the Minister's answer to the external agencies again. Did you say where the grant to External Agencies goes, you indicated it was one grant to . . .

**HON. L. DESJARDINS:** The grants go to the Winnipeg School Board for the Child Guidance Clinic.

**MR. D. ORCHARD:** Now okay, the Winnipeg School Board, and that provides services to all school-age children in Winnipeg?

**HON. L. DESJARDINS:** Just in that area, just in Winnipeg No. 1 School Division.

**MR. D. ORCHARD:** Is it Winnipeg No. 1 that you're talking about?

**HON. L. DESJARDINS:** Yes, actually we're buying service from the Child Guidance Clinic, so we're paying them. They provide the service in Winnipeg No. 1. The others are services through, as I say, Deer Lodge and other areas like that. The next one will be in Concordia next year - Harry, Harry, Concordia next year - the next audiology . . .

**MR. D. ORCHARD:** Now, the Minister has indicated that they're moving along on their election commitment on basically Pharmacare-type of coverage for hearing aids. — (Interjection) — But I just wanted to make sure that I understood the Minister saying that when they made the commitment it wasn't necessarily to be done right away, it was one of those commitments that could be worked on and brought in — (Interjection) — at some point in time. Is that the Minister's general direction?

**HON. L. DESJARDINS:** Yes, I'm saying that from Day One my understanding, when I was made the Minister

of Health, that there are some commitments in there and that there were not, if any commitments are made, all made for the first year. On the idea that we had to choose and do it in an orderly fashion, we started with the eyeglasses, the concern we couldn't do it, we couldn't organize that fast, and the hearing aids. Then you had to set up the stations and get the audiologists before we could do this, and I'm saying that all the service anybody needs could be provided in these areas and only when we get all the audiologists set up are last. There's two or three centres to go in. Like I said, the next one is in Concordia; then we could proceed with the hearing aids, but that service and that counselling, that advice is now available in most places.

**MR. D. ORCHARD:** I appreciate the Minister's answer and no doubt over the course of the Estimates - the course of not these Estimates but the course of the Session - we probably won't be hearing any complaints about promises not kept by the Federal Government because they're only six months into their regime and their promises, likewise, will be instituted over a period of years.

Mr. Chairman, it says here, "Hearing Aid Evaluation and Testing." Can the Minister indicate, if I had a constituent who's hearing aid he believes faulty, can he bring it here and have it tested? Is that the nature of the testing or this evaluation of new product?

**HON. L. DESJARDINS:** The question is, do we test or repair hearing aids?

**MR. D. ORCHARD:** Just test.

**HON. L. DESJARDINS:** No, not the hearing aids, not yet, because they're issued by private dealers at this time. The next decision will be what happens, do we stock the hearing aids and so on or how do we work with private dealers and so on. That's a decision that'll have to be made.

**MR. D. ORCHARD:** Then what does the hearing aid evaluation mean? That's what I'm getting at.

**HON. L. DESJARDINS:** Actually what we're doing is an evaluation to see if the patient needs a hearing aid. When there's testing, they might say for instance to one individual, you have trouble with high notes. You might have a hearing aid but I didn't press any number, honest I didn't, and you could use a hearing aid but it'll probably confuse others. It might be more trouble than if you didn't have one. Other people, they'd say no, a hearing aid can't help you. That is the evaluation that they would give.

**MR. CHAIRMAN:** The Member for Kirkfield Park.

**MRS. G. HAMMOND:** I just caught the end of the Minister's answer, Mr. Chairman. Were you indicating that some people may or may not wear a hearing aid if they have a hearing loss and that's an evaluation?

I want to say something about that. I think hearing loss is probably one of the loneliest handicaps that there is and I found that when someone has a hearing loss, very often they'll hear something in a different

way. In other words, they're made to look almost stupid by the answer they give because of what they have heard and what actually is said. I think that one of the things that should be pushed with people with hearing losses, even if it's slight, that they do have some kind of a hearing aid even if it's something that can be visible, so that people know that there is a hearing loss.

I'm not talking off the top of my head. This is something I've been through personally and I want to say that it's an area I think should be encouraged, people should be encouraged to wear aids, and one doctor said, even if it was a dummy aid, to show people that there is a hearing loss because so many people misinterpret a low level of deafness.

I think when the department is looking at hearing and at where they're dealing with it, that this is something that should always be kept in mind, that it's not necessarily the loss, that it causes so many social problems with a slight loss, and I think this is one thing that some doctors don't push. I think it's something that should be recommended and I think a hearing aid should be encouraged when people have hearing losses where sometimes they don't want to wear them. But, socially, it just is so terribly important.

**HON. L. DESJARDINS:** I certainly understand what the honourable member is saying and I certainly sympathize with her in what she is saying, except that I don't think it's that easy. One of the biggest problem, people don't want to get their ears examined, for some reason or other there is the resistance to having a hearing aid. One of the problems as you say, is that they are made to look dumb. At times they're bluffing because they don't know what is being said, and they're answering something that doesn't make sense at all because they're embarrassed and I think you're right, it might be through education that we can do that, and maybe the medical profession can help also. They'd be surprised. I understand that a fairly well-known politician south of us also had that concern and so on, and until they had the hearing aid it caused problems. I'm worried about mentioning names here. — (Interjection) — President Reagan.

Mr. Chairman, would you make sure that the record would show that I revealed the medical information and that I was applauded by the members of the opposition.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**HON. L. DESJARDINS:** You mean you're going to have a liquid dinner and then you're going to get me.

Mr. Chairman, on this, I think there is so much improvement that has been made that now it's practically not detectable. They used to have all the wire and everything, and there is a lot less than that at this time, but there are still many people, I would say the majority - well, I don't know about the majority - but a good percentage of people are still not comfortable and don't like the idea of wearing one or admitting that they are deaf. It seems to be more than anything else.

What I was saying on the evaluation is that at times the doctor will tell you, fine, for your age you're okay, but you have trouble with high notes, and they will tell you that if you have a hearing aid one of these days

they might have something perfect for you, but now what is available, they give you a hearing aid. You could clear that sign, but then it'll give you problems somewhere else. I'm just repeating what doctors have said to people who have been examined. That's the point I was trying to make.

I think they're finding out that a lot of people now - and I'm not going to start knocking anybody at this time but through some of the facilities that we have now - are given hearing aids and when they're tested - not the hearing aid is tested, the person - but it's the feeling this group of people should not have a hearing aid. Now I'm just repeating what has been told to me by the medical profession.

**MRS. G. HAMMOND:** I know what the member is referring to because that's usually a nerve deafness which is the one that I am most familiar with and, although this is true that there are some sounds that are normal, bringing up the sound at the lower level is very important. I think this is a spot where even the doctors should be more educated and people in the field, because it is horrible because when you're working in a noise it does make a difference. But I think doctors should be encouraged to tell people with hearing losses, and especially where they have the nerve deafness and there are those high and low levels, that at least it brings up the low levels.

This is an area that maybe when the government is doing some of their health advertising that they could look at this area, that maybe they could make hearing aids into an attractive something that people should wear and something that is noticeable. I think that it is something that can be turned into something that people would want to wear because it makes a difference. There are some doctors that don't encourage it, I know that; but there are some that say you should wear it even if it's a dummy, and I really believe that.

**MR. CHAIRMAN:** Order please. The hour is 4:30, time for Private Members' Hour. I am suspending the committee until 8:00 p.m. tonight.

Call in the Speaker.

## IN SESSION

### PRIVATE MEMBERS' HOUR

**MR. SPEAKER:** Order please. The time being 4:30 in Private Members' Hour, proposed resolutions.

### RES. NO. 5 - RESTORATION OF CAPITAL PUNISHMENT

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I move, seconded by the Honourable Member for River Heights, that

WHEREAS a person who commits murder in the first degree deserves the death penalty; and

WHEREAS Manitobans overwhelmingly support the restoration of capital punishment;

THEREFORE BE IT RESOLVED that this House recommend to the Government of Canada that the Criminal Code be amended to provide capital punishment upon conviction of first degree murder.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Thank you, Mr. Speaker. The time has come to restore capital punishment in Canada. Mr. Speaker, MLAs in this Chamber in 1979 voted 25 - 15 in favour of that restoration, and many American states are now switching to capital punishment.

The people of Canada, I think for the last 7 or 8 years, whatever the exact length of time is that capital punishment was removed in the past 7 or 8 years, poll after poll after poll has shown that between 70 and 90 percent of Canadians are in favour of capital punishment.

Mr. Speaker, although I am only making my own estimate, I would assume that most of the people in favour happen to be members of the Conservative Party, but that even the New Democratic Party, whose leadership has always been overwhelmingly opposed to capital punishment, in my judgment, the overwhelming majority of New Democrats, rank and file New Democrats, are also in favour of the restoration of capital punishment.

Mr. Speaker, it was only by a narrow margin that capital punishment was done away with in Canada. So the question basically is why are people, average citizens in particular, so consistently in favour of capital punishment; and why has there been an even greater growing trend in that direction?

Well, obviously, Mr. Speaker, it has something to do with the fact that there have been a lot of murders of prison guards and policemen in recent times. But I also think that a lot of people are beginning to feel that there is a distinct need for the restoration of law and order in the country. It appears that the crime rate is rising.

We see, for example, people dancing in the streets who seem to be making a mockery of the law, and seem to be above the law, or seem to have no respect for the law. It comes to mind immediately Doctor Morgentaler, who seems to consider himself above the law, who seems to do whatever he thinks he wants to and has no concern about existing laws or statutes.

Thomas Soponow is a name that is current in Manitoba, a man who has twice been found guilty of murdering Barbara Stoppel, a beautiful young waitress who worked in the City of Winnipeg. Soponow apparently can get all the legal aid he wants, apparently can have all the trials that he wants, and apparently in the end, in the last analysis, after all the money that has been spent, public money, in his defence, three trials concerning him; after all that time, Mr. Speaker, he is looking at a 10-year prison sentence. That, Mr. Speaker, in my judgment, is a farce.

Mr. Speaker, people are looking at legal aid and wondering whether we haven't gone too far in providing legal aid to certain people. People look at bail and parole and it makes them sick because, as the old saying goes, no sooner does somebody get arrested and the police work on their reports, that person is out on the streets again drinking in a pub, cooking up another deal, and that is the kind of system that we have apparently in this country.

We have temporary absences for people who have been convicted of crimes. We have university courses,

Mr. Speaker, for people who have committed crimes. It wouldn't take much for somebody to deduce, in all seriousness, that the way to get ahead in Canadian society is to commit a serious crime and, as a result, you get a free university education, because there are people in our society who have, on one hand, done something terribly wrong and have wound up at the taxpayers' expense getting all sorts of special treatment and privileges and come out of university with an MA in psychology and then set up a practice.

I will give you the worst example - the Member for Inkster is very interested in this topic - I will give him the worst example that I can possibly think of, the death of Leonard Shakespeare.

Mr. Speaker, here was a young constable in St. James who, apparently in response to a call, ran across a parking lot and was gunned down in cold blood by somebody who was holding up a drugstore, or a bank, or whatever they were doing, shot in cold blood. This man, a young policeman, well-known in the community, left behind a wife and several small children. Well, what happened to the person who shot Leonard Shakespeare? Well, he went to jail, then he got released took courses, studied the law probably, took psychology to find out why he did those awful things, probably took sociology. I don't know what else he studied, Mr. Speaker. Then he got out and he went to the Federal Government and the feds decided to give him a grant to set up a business. I don't remember whether it was 150 or 200 or how many thousands of dollars; I remember it was a phenomenal amount. I remember a fuss being made in the paper. Now, that's what happened to him. He killed a policeman. He got a free university education and he got a grant which was cut off to set up a business.

What happened to Leonard Shakespeare, Mr. Speaker? He was shot dead. What happened to Mrs. Shakespeare and the kids? I'll tell you what happened to her. She was last heard of in northern Ontario driving a truck to support her family. Nobody gave her a free university education; nobody gave her a grant to start up a trucking business or buy a truck. I don't know what's happened to Mrs. Shakespeare. All I know is the person who committed the crime got the reward and vice versa.

Mr. Speaker, no concern about the victim; concern about the murderer, concern about the person committing the crime. Let's study this poor guy, let's study this poor woman, let's study this poor person and find out why they did this awful thing and maybe we'll persuade them not to do it again, but we'll give him another chance. Let them go, I'm sure they will see the error of their ways.

Mr. Speaker, I went into Elmwood a couple of months ago and took along a television crew because of a public affair show that I'm doing and I interviewed in a local restaurant 12 people taken at random, sitting around a lunch counter in the middle of the afternoon at Johnson and Henderson, a little restaurant in Elmwood. Mr. Speaker, I asked person after person after person the same question. Do you believe in capital punishment? Do you think it should be restored? The first 11 said, yes - every single one. The final person, a young guy, who looked sort of like a motorcycle type wearing a black leather jacket and earring and a beard — (Interjection) — well, it wasn't Mr. Scott. —

(Interjection) — He has a tweed windbreaker. He was the only one who said he was against it. So I said, well, what is your view? He said, "I believe that there should be life imprisonment." Now you know I'm willing to concede that that is a legitimate position. It isn't my position but I think it's a legitimate position.

Mr. Speaker, four of the women whom I interviewed - I don't remember if there were five or six women whom I interviewed on that particular occasion - said spontaneously - I didn't ask them whether they believed in this, I didn't raise this issue in passing or plant any seed in their mind accidentally or intentionally - that they should also bring back the lash. Mr. Speaker, I am not saying that, but I'm telling you that women in our society are also very concerned about their safety and their daughter's safety and the condition of law and order in Canadian society. A lot of people also said, Mr. Speaker, that they were concerned about cost.

Now I know to those liberal, broad-minded, progressive thinkers, many of whom are on the other side, Mr. Speaker, they will say, well, money is no object, and you know, the fellow came from a tough background and it's not a deterrent and all that stuff, so you got to let him go, give him another shot at it. But a lot of average people did say to me that they were very concerned about the cost. They don't like the idea of locking somebody up at \$30,000 a year to keep them in prison for 20, 30, 40 or 50 years. They think the money could be better spent.

Mr. Speaker, we also know that there are many guards who do our dirty work. We're not on the firing line; the MLAs aren't on the firing line; the average citizen isn't on the firing line; it's the guards in the prisons, they are on the firing line. I spoke to a couple of these guys a few months ago and I noticed this one young fellow had kind of a scar on his face. I just happened to observe it; I didn't ask him where he got it from. I didn't draw it to his attention. But as we were discussing the matter at one point, he said, "On one occasion I was working at Headingley and I got stabbed in the face." Try that sometime.

Mr. Speaker, the policemen are the ones who have to risk their lives and possibly ruin their families by being injured, by being beat up, by being shot and by being killed. They're on the firing line.

Mr. Speaker, we all know about some of these names that have come out in the media in the last 10 or 20 years. Some of them are I think imprinted on our minds in horror forever. I will never forget Charlie Manson from Los Angeles who went into a Hollywood home and butchered everybody in sight, including a pregnant woman named Sharon Tait, who was probably one of the most beautiful actresses of her time. Richard Speck, a young madman who went into a house in Chicago and murdered a dozen or so nurses as he saw fit; and Clifford Olson, our own Canadian Clifford Olson, who killed a dozen or more children in British Columbia. Mr. Speaker, I know somebody in the Vancouver Police Department and they told me, but not in detail, that not only did he kill these children but he tortured them for his own amusement before he murdered them. These are the kind of scum that I'm talking about, Mr. Speaker.

We also know that there are mass murderers. There was something in the paper not too long ago, a couple of guys killed 200 or 300 people. They don't know the

number but they killed hundreds, hundreds of people. We also know, Mr. Speaker, that there are professional killers who will bump somebody off for a price. So, Mr. Speaker, I say that this a sorry state of affairs, that we are putting some of these people in prison, we are then subjecting our guards to the possibility of being murdered again. We had a couple of maniacs in Manitoba a few years ago, these axe murderers, who in cold blood butchered a couple of people on north Main. I always remember that case because one guy survived and was pleading for his life with these fellows who were taking him away with an axe. These guys got into Vancouver prison, somewhere into a federal penitentiary or in Okalla, and they were involved in something else and some other people got killed in there. I don't know if I have the right name, but I think somebody named Mary Steinhauer, or something like that, was killed in one of these things and one of the people involved in the break out and a subsequent murder was one of these people who was a vicious killer.

I also talked to people at the Law Courts and the guards and the sheriffs, who normally accompany these people - boy, this was one time they were really scared. They had these guys manacled and in chains and they were still shaking in their boots because they knew vicious killers when they saw them.

So, Mr. Speaker, a life sentence in Canadian society sometimes means 10 years. People commit murder and they wind up getting a so-called life sentence and, depending on the circumstances, they're out in 10 years, dancing around in the streets, drinking in the same old pubs, talking to their buddies about what they learned in prison or what they were able to do while they were in prison.

Mr. Speaker, I say that if a person commits a crime in Canada and is given a life sentence, then it should mean life. It should mean natural life or 99 years, whichever comes first. There will be many arguments put in this debate. It will be interesting to see shortly when the House of Commons gets around to dealing with this question what will happen because the public expects the members of Parliament to debate this question and to vote in favour of the restoration of capital punishment. The Conservatives are in power, this has been the general position of the Conservative Party for a long time, and the people of Canada expect Conservative MPs, supported by some of the other members, to put that resolution through. My suggestion is that we encourage that that resolution be debated and passed.

I will say this in closing, Mr. Speaker, my position can be very simply put, and that is that a person who commits first degree murder, in my judgment, deserves to die. I believe, Mr. Speaker, that is the appropriate punishment for the crime. It is not early release, early parole, university courses, federal funding and a vacation in Bermuda. I believe that we must restore the death penalty in this country as a signal to the criminal elements and as a warning to people in case they get out of hand. Mr. Speaker, I believe that this is simply a matter of justice.

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Member for River Heights.



**MR. W. STEEN:** Thank you, Mr. Speaker. As a seconder of this resolution, I would like to make a few comments regarding the subject matter and the Member for Elmwood, in his resolution, where he says first degree murder deserves the death penalty.

Mr. Speaker, first degree murder, according to the Criminal Code of Canada, consists of one of four things: Planned or deliberate murder; example, paying someone to kill a person. Second, murder of police or custodial officers killed in the line of duty; murder committed in the course of certain criminal acts; examples, hijacking, kidnapping and sexual offences. Murder committed by a person previously convicted of first or second degree murder. That's what first degree murder is, Mr. Speaker.

Second degree murder there is defined as all other murders that don't fit into the first degree category; then there is manslaughter. If any of the persons present were watching the television show on Sunday night last, that CBC show called "The Lawyers," they had a production that was on for two 60-minute periods where a girl in the Kingston area was attempting to steal credit cards from a middle-aged man and ended up being attacked by the man and stabbing the man who went on to pass away as a result of the stab wounds. Of course, the Crown attempted to lay a charge of first degree murder. When the court hearings were concluded, it was reduced to a manslaughter charge and the person was given a six year sentence for her actions.

What I have said, Mr. Speaker, which is in the Canadian Homicide Statistics from 1972 to 1982, is there hasn't been a great deal of percentage differences. In 1972 there were 521 reported homicides in Canada and it goes up to 670 in 1982. The big area of doubt, Mr. Speaker, is the numbers of murder incidents in Canada in 1978 were 555, the number of first degree murder convictions was only 53; so it was less than 10 percent. In 1979 there were 537 murder incidents and only 32 first degree convictions. In 1980 there were 459 and yet only 18 convictions. In 1981, the last year that I have statistics for, there were 570 murder incidents and only 40 convictions.

So, Mr. Speaker, what the previous speaker has said and what I have tried to say is that I support the death sentence for first degree murder, but I am also showing that less than 10 percent of the cases that come before the courts ever end up with a murder conviction. There are many persons that for various reasons have these sentences reduced; persons who have been apprehended for homicides from time to time commit suicide and therefore the trial is never concluded; many of them, through trial lawyers, are able to get the court system to find them insane. Therefore, the homicide case cannot be drawn to a conclusion. There are many plea bargain sessions between the Crown and the defence counsels where the first degree murder has been changed to a second degree murder or to manslaughter and therefore the person is taken out of this death penalty area.

So, Mr. Speaker, I believe that I can support the resolution whereas a person who commits murder in the first degree deserves the death penalty because as I have indicated from statistics that have been supplied to me by the Canadian Police Chiefs Association where less than 10 percent of the homicide cases end up with a conviction of first degree murder.

The president of the Canadian Police Chiefs Association, Mr. Robert F. Lunney, who happens to be the police chief in the City of Edmonton, I saw him last September 26th on the CBC television show entitled "The Journal," in which he was debating with a university professor, sociologists and so on, where he was trying to particularly get his case forward for first degree murder of police officers and people working in the court system and in the penal reform system. At that time he made the reference that a well-known director of public opinion polls had said that they had done a sample across Canada where better than 70 percent of the Canadian public favoured the reinstatement of capital punishment on first degree murder cases.

He went on to mention about the number of policemen that in the last couple years have been killed in the line of duty, and I believe that the last time I read an article on that there had been seven policemen in Canada who had been killed in less than a 12-month period. So, naturally, we are all concerned about the safety on our streets within our constituencies, and having competent, good policemen working for the police department is something that I am sure that members on all sides of the House favour. One of the problems the police departments now face in the recruiting of policemen is that the danger that policemen face because the court systems are reducing the charges in so many cases to get them out of the first degree murder category and putting them into much softer areas where penalties are far more lenient.

So, Mr. Speaker, I certainly would agree with the definition of what a first degree murder is and support the concept of passing a resolution in this Legislature saying that first degree murder deserves the death penalty.

**MR. SPEAKER:** The Honourable Member for Thompson.

**MR. S. ASHTON:** Thank you, Mr. Speaker. The issue that the Member for Elmwood has put forward today is certainly one of the great political and moral issues of our time. It's been an issue that's been discussed for many years at the federal level and discussed in many countries throughout the world. Canada, of course, I believe there hasn't been an execution since the 1960s, and the death penalty has formally been abolished since the 1970s.

There are a number of arguments on both sides of the issue, Mr. Speaker. I note that the two previous speakers did raise some of them. In fact, I would like to commend the Member for Elmwood for raising what I think is essentially the general argument that one hears in regard to capital punishment, and avoiding the other which one often hears, and that being the argument that it is a deterrent because if you look at the evidence, Mr. Speaker, - and evidence has been gathered in the United States and it has been gathered throughout many countries - there has been no evidence that the death penalty has ever acted as a deterrent, no scientific evidence whatsoever.

You can look at any comparison between the states in the United States, between those that have had the death penalty and those that haven't. You can compare

countries, Mr. Speaker, and can find the same sort of lack of a connection. It's in fact something that you can observe throughout history. I remember reading, as I'm sure many members opposite do, of cases several hundred years ago when thieves were executed, of people acting as pickpockets in the crowds while the very executions themselves were taking place. The death penalty has never acted as a deterrent, nor will it ever act, Mr. Speaker.

That is not to say that there aren't other arguments to put forward, and I think the Member for Elmwood put forward perhaps what I think is the normal argument, that being basically one of revenge, of punishment. I think, Mr. Speaker, in that sense we should perhaps concentrate on that and the implications of what is being suggested by the members such as the Member for Elmwood, and is being suggested by various Members of Parliament at the present time.

In doing so, I must say that I have given this matter a great deal of thought. In speaking today, I speak from the results of my own personal analysis of that issue. It's not — (Interjection) — well one member says, what do my constituents think, Mr. Speaker? It was hardly an issue the last provincial election.

It's not a provincial issue per se but given the fact that it has been raised today, I thought it was important that I get up and speak, Mr. Speaker, on this issue, that I state my opinion and I stand by my opinion. I'll certainly discuss it with any of my constituents, not actually really related I think to my role as a member of the Legislature, because I don't feel that issue is a provincial issue per se but how I perceive my role as a politician. I always feel it's important to be honest and straightforward with people, certainly with my constituents on whatever issues of concern to them, Mr. Speaker.

Now I've listed some of the arguments that are normally put forward in favour of capital punishment, Mr. Speaker. I think we also have to look at the arguments which are normally put against it. One, I have already mentioned, that is, it's not a deterrent. Another, Mr. Speaker, is the moral question, whether in the words of the Bible, whether two wrongs make a right; whether the taking of a life by the State does anything to correct the initial wrong . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**MR. S. ASHTON:** As the Member for St. Johns said, there are other quotations, Mr. Speaker, that relate to the moral aspect, the moral argument against the issue which I think certainly have to be considered.

There are other arguments that have been used in the United States in particular. There's been evidence that those that are executed normally come from minority groups, Mr. Speaker. A **disproportionate** number of people who have been executed in the United States have been blacks. In fact for many years blacks in the United States would be executed for certain crimes such as rape which was a capital offence, whereas white Americans were not. So there **has** been evidence in the United States of the fact that **the** death penalty as it is applied by the legal system is often far from equally fair on all members of society.

But I feel there is one particular matter which has to be raised, which I think is of major importance when anyone considers their view on this issue, and that is the question of how infallible our justice system is. There are many examples, historically and in recent years, of cases where innocent people have been convicted for crimes that they did not commit.

In Britain in the 1950s, one such case - I believe it was the Christie case - actually led to the abolition of the death penalty. What happened, Mr. Speaker, was that that individual in that particular situation was executed for a crime they did not commit. If anyone thinks that's only the legal system in Britain, consider some other recent examples.

Consider in the United States the case that recently came to light of an individual who was jailed for seven years based on the evidence of a woman that he had committed a violent rape. When that woman after six-and-a-half or seven years finally came forward and said that she had fabricated the evidence and that individual was not guilty. That man, Mr. Speaker, spent seven years in jail for a crime he did not commit.

Consider the case in B.C. of a similar crime which came to light in recent years, of an individual who was jailed, I believe, for eight years for a crime that he did not commit. Now lest anyone think that it is only for the crimes, Mr. Speaker, of rape which have resulted in this situation in Canada or the United States, consider the case of the individual in the Maritimes who was recently freed after it was proven close to a decade after he'd been imprisoned for murder, that he did not commit the offence when the real murderer came forward and confessed to that crime. There are many cases, Mr. Speaker, as I said historically of this happening, they've happened in many many recent cases. There are other cases which are often subject to popular discussion as to whether people are innocent or guilty which I think prove that our justice system is unfortunately very relative and is subject to error.

There are many people in Saskatchewan for example, Mr. Speaker, who feel that Colin Thatcher is not guilty of the crime that he was convicted of, and he was convicted of murder. I'm not making a judgment on that one way or the other, but certainly that should be considered. I know a member of this Legislature, a former member, one Bob Wilson, has claimed his innocence on a number of occasions, and I'm not saying again either way whether he is accurate or not accurate in that statement. But there are many cases today where people claim that they are innocent and are attempting to prove that, Mr. Speaker. — (Interjection) — Richard Hatfield is another one. Thank you, Mr. Speaker.

**MR. SPEAKER:** Order please, order please. I should caution the honourable member and any other members who might enter the debate that a reference should not be made to a case which is still before the courts or an appeal court. I would ask the honourable member to bear that in mind.

The Honourable Member for Thompson.

**MR. S. ASHTON:** Thank you, Mr. Speaker. The basic point is that our justice **system** is not infallible, that innocent people have **been convicted** of crimes; and innocent people have **been hanged** for crimes that they did **not** commit.

Some other arguments were put forward, Mr. Speaker, by the Member for Elmwood, some other comments put forward on our justice system today. I must say I actually agree with a number of those comments. I just feel there are some problems with the justice system. I for one, felt that the handling of the Olson case with the provision of that \$100,000 trust fund for the family of the murderer, I thought that was absolutely reprehensible, Mr. Speaker.

I find it reprehensible that we still do have problems in our sentencing system, and we have very little justice for the victims. We have very little in the way of compensation, although I know Manitoba has led the way with at least some compensation in this regard. I think there are some very real imbalances in our system between the concern, as between the criminal and the victim. I accept those comments from the Member for Elmwood and others, and I think we should act on that, Mr. Speaker, but I think those issues stand on their own. They are not directly related to this issue. So as I said, Mr. Speaker, I see these as the two sides of the argument.

For me, for me the basic concern that I have is the question of the justice system itself. Mr. Speaker, as much as I find the actions of many convicted criminals absolutely reprehensible, I think I'm perhaps even more horrified by the prospect of an innocent person being executed for a crime that they did not commit.

For that reason, Mr. Speaker, I rise today to say that I cannot support the resolution from the Member for Elmwood and that I will oppose it. Whatever situation, Mr. Speaker, whenever this item is discussed I will state my own view, and I say it as a private citizen. I think I tried to make that clear earlier, Mr. Speaker, because I don't think it's fair on this particular item, particularly as provincial legislators, for us to stand up and claim to speak for our constituents, on either side of the issue. We could make claims on that regard, Mr. Speaker, but it's not a provincial issue. But, as an individual, Mr. Speaker, personally I cannot support this resolution. I am opposed to the reimposition of the death penalty, and I would encourage others throughout this debate to consider some of those arguments, to really say, Mr. Speaker, that is it fair to hang that one innocent person, to hang the many guilty. Perhaps there are different views on it, Mr. Speaker, but I would ask all members to consider that because I personally am horrified more by the hanging, the killing of an innocent person by the state; I'm as horrified by that as I am by the actions of the criminal.

When I speak in opposition to the death penalty, it is not to protect the criminal, Mr. Speaker, I think actually, as the Member for Elmwood pointed out, there are some serious problems in the justice system and the victims rights perhaps have been concerned about a lot more than the victims rights and the public's rights in general. But I do not see how we as a society gain when we risk hanging an innocent individual. To me, Mr. Speaker, that is as horrifying as the killings of the many innocent people who are killed by the justifiably convicted murderers.

For that reason, Mr. Speaker, as I stated before, I oppose this motion, and I hope throughout debate that members will discuss some of these issues, will respond to that, I look forward to their contributions in the debate because I don't think it's a black and white issue. But

I would hope that they would try and define the issue, rather than simply use it for whatever political purposes they might have, because that's really what we should be discussing in this issue, not the politics of it. In fact, we have unique opportunities, provincial legislators, to perhaps put aside some of the politics of it and discuss the real issue itself.

Thank you, Mr. Speaker.

**MR. SPEAKER:** The Honourable Member for Minnedosa.

**MR. D. BLAKE:** I wonder if the member would permit a question?

**MR. SPEAKER:** The Honourable Member for Thompson.

**MR. S. ASHTON:** Mr. Speaker, I would rather save the time for the honourable member opposite to state his views.

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Member for Morris.

**MR. C. MANNES:** Thank you very much, Mr. Speaker. This is a very somber subject and, of course, it's one I'm sure that each of us, when we address bring somewhat of a heavy heart to the topic.

Mr. Speaker, when one reads the resolution you're either on one side of the issue or the other on this one, and quite often resolutions are debated, indeed, other legislation is debated in this House, where members at times tend to be on more than one side of the issue. But, of course, this issue doesn't allow for any of that latitude.

Mr. Speaker, I guess I could begin by saying I honestly believe my constituents would support this resolution; I support them and I support the resolution also.

Mr. Speaker, I would like to tell you that most people in this province, and certainly my constituents, are not vengeful people. Many came here, of course, to escape persecution in their own right, and I'm sure many of them consider themselves to be peace loving in the highest order. Also, I can say that many of them are deeply religious.

Obviously, Mr. Speaker, the Member for Inkster sees no seriousness in this particular topic. He can seem to find something humorous in almost every subject under discussion.

But, Mr. Speaker, I feel my constituents would want me to support this resolution, even though many of them, again, are antiwar and antideath in many respects. But we see today before us a great nation - Canada. A great nation, so free in so many respects and so prepared to guarantee rights and protect rights to all individuals that, in their opinion, and my constituents' opinion and mine, our nation is moving into an area of great difficulty because, on one hand, we'll do everything and anything to protect the rights of somebody who has supposedly done something wrong, and guarantee that individual total redress under the law, and so it should be. We're so concerned about the term "element of a doubt." - and I'll speak a little bit further to that point later on - that we're just afraid in many respects to make a hard wrong decision.

Mr. Speaker, in my view, our nation is really no more caring, no more respectful to each other than we ever were, the way we treated individuals. I know there are those in the midst who will disagree with me totally. But, Mr. Speaker, respect for one another cannot be legislated, and loving for one another cannot be taught in schools. The way we treat each other, whether it's in the back lanes of our cities, or on the side streets of our rural communities, that cannot be legislated either.

Mr. Speaker, I know that the liberal minded in our community, in our society as a whole, believe that man is perfectable, that through rehabilitation and through education you can take the very worst and make that person a very good individual. There is always a reason for why that person is as he or she is and the reasons, of course, are either economic background or societal pressures, either within the home or within the community, there is always a reason. And you have people in our midst that will tell us that, under the right set of circumstances and under the right teachings and forms of education, the right rehabilitation, that an individual can be made a near perfect person. I don't believe that. I believe that all of us have a little wrong in us; that all of us will do wrong deeds from time to time, and that there are a certain percentage of our midst in our community who, no matter what attention is given to them, will always be evil. So, Mr. Speaker, when I consider the resolution, it is to those that I address my remarks.

So, who is correct in this great argument, Mr. Speaker? The Member for Thompson says statistically we are shown that those nations that have capital punishment do not undergo a decrease in homicides. We have others that say, yes, but premeditated killing can have no forgiveness; and the Member for River Heights, of course, moved into the various descriptions of killing. But a premeditated killer can be shown no forgiveness in the minds of a great many.

Mr. Speaker, I was a juror on a murder case. Of course, part of the decision of how to react to a resolution like this is based upon our own experiences. I can tell you, over a murder trial that lasted some two-and-a-half, three weeks and one who was very conscious of that word, "doubt," and the removal of an element of a doubt, Mr. Speaker, if you're a juror, that rests very heavily on your heart. Because how do you define that? What is a reasonable doubt? I'm sure there isn't a case under the sun as a juror, when you're in that jury room and you're deliberating, that there isn't some degree of doubt.

So for the Member for Thompson or for any member of this House who has sat in a jury room deliberating about what will happen to an individual, if they think that it's completely black or completely white and the decision is that easy, well, they can forget it, because that's why the defendant of course is represented by legal counsel, so as to put into the minds of a juror some degree of doubt. I can tell you, having acted as a juror, there is always some degree of doubt.

But now we come to the word "reasonable." If you have 45 - to use a number - different pieces of evidence, circumstantial or otherwise, many of them hard, that direct or would indicate that the individual in question is guilty and you only have one or two, well, has all the reasonable doubt been removed? You can't even weigh it on that kind of a consideration.

The point I'm trying to make, Mr. Speaker, until you have been on a jury and had the various arguments put before you, no one will ever be able to, in their own minds sitting in a forum like this, be fully cognizant of the true meaning of the words, "reasonable doubt," as applied within a first degree murder trial.

What happens, Mr. Speaker - and I suppose I could change my mind, having been through it - when the person is judged to be guilty, and that person shows absolutely no remorse at all? That person's energies over the next days or months or weeks are directed only to finding a technicality or to finding some way out, another way out - no remorse whatsoever. How do you assess that? Again I say, I could be a little bit more flexible of the situation if I could see where so many of the people today judged by their peers to be killers, if indeed there was some element of remorse.

Mr. Speaker, I also know very well, like the Member for Elmwood and I know a different one, but I know a very good friend of mine who is a guard at Headingley. I've heard members opposite talk about stressful occupations in life. I've had, as all of us have had, many representations made to us by the Teachers' Society, talking about the stress that comes after you have been in the occupation for 25 or 30 years, and indeed all walks of life, but I wonder what the stress factor in these occupations would be like compared to those individuals who we, in my view, don't support terribly well, those individuals who act as our guardians, society's guardians in attempting to incarcerate these people.

Mr. Speaker, that is a jungle in itself. The least we could do as a society is afford to them some type of protection to look after that share or that proportion of our society who, in my view, are evil and most always will be. To me, it's very essential that we, as a nation, show them some support, or otherwise find the magical key to rehabilitation that dwells in the minds and in the hearts of so many liberal-minded people.

So, Mr. Speaker, if we could find that, I probably could change my mind on this issue. But over many years of watching society, I haven't seen yet where we treat each other any better, and I haven't seen where through all the social programs that we've had to rehabilitate that we're turning out a better person because of all our efforts.

Mr. Speaker, the Member for Thompson talks about how he would have difficulty living with himself if he were in a position to judge a person guilty if that person was innocent. I can certainly sympathize with that type of statement. Something struck me though, and I don't ever pretend to say that these juries are all infallible and will never make a mistake, because I'm sure in the odd case that might occur.

Mr. Speaker, just something struck my mind when I looked into some of the education material, some of the curriculum material we have in schools. You talk about situation ethics. Our children, our young children are taught in an early grade in some courses where, if they're in a lifeboat somewhere and there is food for five and one has to go, that somebody has to be thrown over - situation ethics. Where today - it may be removed from the curriculum that the Minister of Education and I will have some deeper discussion over through the Estimates procedure - situation ethics today where our children are taught that under some circumstances it's fine to go and steal, and obviously also to take a life.

Thursday, 11 April, 1985

---

Well, Mr. Speaker, something isn't right here. On the one hand, there is an element in our society that is prepared to teach our children that it's okay to make decisions on that basis, yet we have members standing in this House and saying, I could never allow capital punishment to come back because a situation might occur where one who was innocent was found guilty. So what is the meaning of life if in our schools we are prepared to say doing away with life is okay, but in a courtroom scene it isn't? Well, I don't have the answer to that, Mr. Speaker, but neither does the Member for Thompson.

Mr. Speaker, some say that if you really want to gain vengeance on a killer, the best thing to do is to leave the person in jail all his life or her life - the Member for Elmwood, 99 years or life, whatever comes first. Mr. Speaker, I guess I could support that view, but again I know very well that the liberal minded in our group would call that the height of cruelty, and that there be no animal on the face of the earth that should be subjected to that type of torture. So where would that bring us? It would bring us right to where we are today, exactly where we are today.

I don't see any hard arguments on the other side. I respect the argument, but I don't see anybody

prepared to answer these types of questions. I still support those that say individuals who are prepared to kill in advance through a thinking process, then should in my view realize the consequences of that before they take someone's life, and realize that if they are found guilty that they in turn will lose their own.

So, Mr. Speaker, I certainly don't admit to having all the answers, or any of the answers, but I can tell you I've done a lot of thinking about this particular subject. One philosophically can try and find the answer to a lot of these and really won't. I suppose one reaches a conclusion on the basis of one's experiences, and one's calling in life, and one's interaction with all people in all places.

So, Mr. Speaker, with those few words - I don't think I have an awful lot more to add to the discussion of this particular resolution other than to say that I support it.

**MR. SPEAKER:** Are you ready for the question?

The time being 5:30, when this subject is next before the House, the Honourable Member for Fort Garry will have 20 minutes remaining.

I am leaving the Chair and the House will reconvene this evening in committee at 8:00 p.m.