



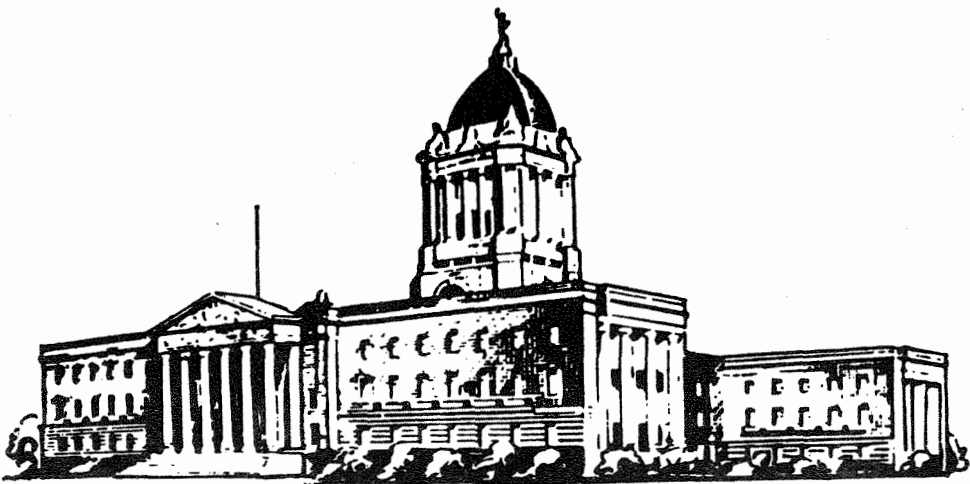
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Second Session - Thirty-Fifth Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(HANSARD)**

40 Elizabeth II

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The Honourable Denis C. Rocan
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Fifth Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, April 11, 1991

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, may I direct the attention of honourable members to the gallery, where we have with us this afternoon from the Sargent Park School forty-three Grade 9 students. They are under the direction of Mr. Bob Forester. This school is located in the constituency of the honourable member for Wellington (Ms. Barrett).

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

ORAL QUESTION PERIOD

Civil Service Hiring Freeze

Mr. Gary Doer (Leader of the Opposition): Mr. Speaker, the province of Manitoba, as everyone knows, is in a recession that is now predicted that we will be a province last out of the recession. We are seeing private sector per capita investment down dramatically, in fact down equal to the levels of 1981. Of course, we know who was in government then. We also know that 54,000 people are unemployed and looking for work.

My question to the Minister of Finance is: In light of the upcoming decisions that the government has talked about in terms of the public service of Manitoba, will the government implement a hiring freeze of Civil Service positions for nonessential functions in government rather than proceeding with layoffs in the public service and, therefore, compounding the problems in the recession and the problems for all Manitobans?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, seeing the Leader of the Opposition is wanting to use comparative statistics, I thought it might be important to put on the record part of the reason, no doubt, as to why private sector capital investment maybe is lagging in a fashion that we would not like to see.

From 1982 to 1987, the former government increased the retail sales tax from 5 percent to 7 percent at a cost of \$195 million; introduced the payroll tax, a \$230 million draw from the economy; introduced personal net income tax and surtax, a \$230 million draw from the economy; increased corporation income tax from 15 percent to 17 percent, \$16 million draw from the economy; increased corporation capital tax from .2 percent to .3 percent, \$35 million draw from the economy; increased gasoline from 6.4 cents to 8 cents, Mr. Speaker.

The member, in his preamble, drew note to the fact that the private sector investment might not be what we wish. With respect to his question, let me say to him those types of announcements will be coming forward in the budget on Tuesday, next week.

* (1335)

Mr. Doer: Mr. Speaker, his federal Tory cousins pale in comparison in terms of the amount of money taken out of the Manitoba and Canadian economy just in the last couple of weeks with the Conservative economic agenda of Canada supported by the members opposite.

It seems to us to make much more sense to freeze nonessential jobs in the public service rather than laying people off. Of course we watched this government bumble around the decentralization program, and now we watch bulletins daily coming out for the public service from the government of the day—media specialist and Family Services, internal audit supervisor, senior planning analyst at \$53,000 a year, Rural Development on Portage Avenue, information centre consultants, another information centre consultant, senior analyst of program evaluation in Health, another analyst in Health, another position and on and on and on.

My question to the government is: Does the right hand know what the other right is doing in terms of the public service? Are we going to have a situation where people are going to be laid off, adding to the unemployment while the government is hiring high priced help weekly in terms of the public service of Manitoba?

Mr. Manness: Mr. Speaker, thank goodness there are right hands on the teller and not left hands, because indeed if there were left hands what would happen is that no doubt there would be some type of a program, accompanied with many, many types of green signs—or whatever coloured signs—that for a short period of time would employ people. The \$250-million debt legacy of that type of program would have to be dealt with by a government about six or eight years hence.

In Treasury Board and in cabinet exactly a month ago we had to write off the last vestiges of a \$250-million jobs program put into place by this government of which not one dollar has been paid back, Mr. Speaker. That is the difference in views, and that is why our approach is better.

Mr. Doer: That is right, Mr. Speaker. You could have paid it back with the Fiscal Stabilization Fund that we left you when we left you a surplus—when we see the deficit you bring in next week.

Again, the Minister of Finance did not answer the question. We asked the minister whether there would be any co-ordination between the hiring arm of government and the firing arm of government, because we found before in decentralization that there has not been co-ordination. It has been a shambles.

Therefore, our question was a very valid one. Are you going to look at the freezing of nonessential jobs in the public service rather than adding to the unemployment in this province? The minister did not answer that question.

A further question is: In light of the fact that according to the superannuation participants the number of public employees has gone up in the direct Civil Service by close to 500 since this government took office, will the government use an attrition program to reduce the size of the Civil Service rather than compounding the situation in the private sector in terms of lost investment and in the public service adding to the unemployment lines in this province?

Mr. Manness: The Leader of the NDP is too cute by half. He says, public service, Civil Service. Let me indicate to you, Mr. Speaker, that the government and Treasury bench is in charge of the Civil Service, and I would like him to show me and prove to me how it is that 500 additional jobs have been added in our three budgets.

Mr. Speaker, I appealed to all members of this House on January 21 to help us with a very real dilemma, the legacy which of course comes from a different time and, as I laid out to members of the Legislature at that time, the deficit in this province would be shooting for \$600 million, \$700 million, \$800 million in the context of the next two years if we did not try to change internally and do some internal reform.

What the Leader of the NDP seems to be asking is maintain the status quo; if there are inefficiencies and redundancies, keep them locked into place, that the taxpayers of the province therefore should be expected to pay for the situation that we inherited.

* (1340)

Mr. Speaker, we are taking a different approach. The taxpayers in the province want us to remove inefficiency where it exists, and we will.

Open Sky Policy Impact Manitoba

Mr. Daryl Reid (Transcona): Mr. Speaker, we have witnessed the decline of competition in the U.S. and Canadian airline industry, with many bankruptcies, defaults and takeover mergers. The two largest remaining Canadian airlines have expressed concerns at Canada being in an open skies dialogue, while the small regional carriers have been left out of the process.

Given that the federal Conservative Transport minister insists on concluding an agreement with the U.S. by year end, despite warnings from labour and the airline industry, what assurances does the Minister of Highways and Transportation have from the federal minister that Manitoba will not lose employment and service in the airline industry of this province as a result of his federal counterpart's intransigence?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, a joint statement was made by the U.S. Secretary of Transportation, Sam Skinner, and the Canadian Minister of Transport, Doug Lewis, on October 3 indicating that bilateral air negotiations will be starting.

On November 30, I appeared before the House of Commons Special Committee for Canada and the United States Airport Transportation Services, and at that time indicated that we would follow a process whereby we would consult with the industry here in the province, the smaller operators, the main

carriers as well, as well as with interested parties throughout the North, which we did. Subsequent to that, Mr. Speaker, I personally delivered our position to the federal Minister of Transportation on December 19 of last year indicating Manitoba's position.

Manitoba Representation

Mr. Daryl Reid (Transcona): The same question to the same minister, Mr. Speaker.

Will this minister tell the House if Manitoba has sent representatives to sit in at the open skies hearings due to start today so that we can be assured that Manitoba's interests are protected?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, first of all, in our submission, which involved the concept of our position, we indicated we could not support the concept of open skies without the installation of adequate safeguards. The other part of the submission was that we, as a province, would have an input in terms of the negotiations.

I would like to inform the House here that my staff participated in one of the initial staff meetings and negotiations last week and that we have a role to play in there. We will try our utmost to bring our position forward and keep it in front of the federal government.

Mr. Reid: Mr. Speaker, it is very clear from that response that we do not have anyone sitting in there to protect our interests, and we have 3,600 jobs at stake.

Cabotage Negotiations

Mr. Daryl Reid (Transcona): Given that the Mulroney government said that social programs were a sacred trust and that no wheat would be imported from the U.S.A. under free trade, what assurances does this minister have from his federal counterpart that full cabotage will not be on the bargaining table?

Hon. Albert Driedger (Minister of Highways and Transportation): Mr. Speaker, one of the strongest recommendations that we put forward and other provinces followed our suit in doing that, is that cabotage should not be one of the items that would be under negotiations with the United States.

Cartwright, Manitoba High School Closure

Mrs. Sharon Carstairs (Leader of the Second Opposition): Mr. Speaker, my question is to the Minister of Education.

On Monday of this week, the minister in the House, in response to a question from a member, indicated that the school closure guidelines had the complete support of his government. One would assume from that, that he supports the spirit of those guidelines as well as the letter of those guidelines.

Well, Mr. Speaker, to all intents and purposes, the Cartwright senior high school was closed on Tuesday night, closed not by fulfilling the guidelines but by transferring out all of the students. This clearly violates the spirit of the guidelines and the people of Cartwright and this House wants to know what this minister is going to do about it.

Hon. Leonard Derkach (Minister of Education and Training): Mr. Speaker, I would like to indicate to the member of the third party that, indeed, we do support the guidelines and that the guidelines we would endorse be followed by school divisions that want to close schools. There is a difference between closing a school and transferring a portion of that school or certain grades from that school, which has been done for a number of years by transferring certain grades out of one school into another school.

* (1345)

In the Cartwright situation, Mr. Speaker, the board made a decision and it was, indeed, in their purview to make that decision to transfer Grade 9 to Grade 12 to a larger school. That does not constitute the closure of that school.

Mrs. Carstairs: Mr. Speaker, this school has a tradition of a senior high school. That senior high school is no longer going to exist in that community because the students are being transferred out.

Mr. Speaker, why does this minister not consider a complete transfer of all students in Grades 9, 10, 11, and 12 which comprise a complete senior high school, not a school closure?

Mr. Derkach: Mr. Speaker, there is a very clear definition about what constitutes a school, and indeed that definition is being followed by all school boards throughout the province. When you transfer a certain portion of that school—and let us keep in mind that the Cartwright school is under the

jurisdiction of one principal, right from Kindergarten through Grade 12. The school board, in their wisdom, chose to transfer the high school portion of that school to a larger school.

That is a decision that is really in the realm of responsibility of that school division, and it is not very appropriate for any minister to interfere in those kinds of decisions which are the jurisdiction of a local school division. I do not intend to interfere in the matter since it is a matter of local jurisdiction.

Mrs. Carstairs: Mr. Speaker, it is also not the responsibility of the minister to turn a blind eye to the contravention of guidelines.

Mr. Speaker, we know that school closures have become a fact of life, tragically, because of the inability of this government to appropriately fund, but surely it is a responsibility of the school board to show that there are financial constraints which make this closure necessary.

Will the Minister of Education explain why a school division does not have to tell the taxpayers of that school division what cost-savings will be made by the closure of this school and why in fact this school division will now have a surplus as a result of the closure of this school?

Mr. Derkach: Mr. Speaker, once again, there are matters within the jurisdiction of school boards that have to be left with those jurisdictions. In this case I have encouraged the school division to meet with the parents from the Cartwright area to indeed explore other possibilities and other alternatives that might be sought to try and resolve the situation that is before them.

I have offered the services of my department to the school board to help them work out perhaps some of the logistic details that they are going through. Those services are available from the department, but when you get down to the decision making in terms of where that decision making lies, in this particular instance those responsibilities are of the school division and not of the Province of Manitoba.

Child Abuse Cost-Sharing Programs

Ms. Becky Barrett (Wellington): Mr. Speaker, we are all aware of the growing problem of childhood sexual abuse in our province, our cities, our communities and across this country. There has been almost a 300-percent increase in reported

childhood sexual abuse cases in the last four years, and that does not take into account the many that go unreported.

In June of 1990, the federal government released this report, *Reaching for Solutions*, a report on childhood sexual abuse. Many of the recommendations in this report talk about joint federal-provincial cost-shared programs to help finance comprehensive services for the victims of childhood sexual abuse.

Will the Minister of Family Services tell this House today what actions his government have undertaken to begin negotiations or what ongoing negotiations are taking place between his government and the federal government to institute these necessary cost-sharing arrangements so the children of Manitoba can be further protected?

Hon. Harold Gilleshammer (Minister of Family Services): The member of course references a problem that is before a number of departments of government when she speaks of child abuse.

I can tell you, in my experience in the education system it became a growing issue as reporting procedures and protocols were put in place. It is an issue that comes before this department, the Department of Health, the Department of Justice, and I can tell you that this is an issue - (interjection) - well, I thank the Finance critic from the Liberal Party for his support and always appreciate his comments. I know he has an extensive background in consulting with the agencies and consulting with a number of the social work deliverers in the system and appreciate his support.

* (1350)

The issue that the member speaks of, of course, is something that crosses all political lines and is something that is a problem that exists nationwide. We are currently, as I am sure the member is aware, involved in concerns with the federal government over cost-sharing and the ability to deliver many programs across government in departments that I have referenced. Our ability to deliver those will be extremely limited without federal support. I can tell you that we are very interested in the agencies and the treatment centres that exist in Manitoba, and a number of them have been able to access federal funding to develop programs.

Ms. Barrett: Mr. Speaker, I take it from that response not much has been done in beginning negotiations.

Prevention Programs

Ms. Becky Barrett (Wellington): Mr. Speaker, other recommendations in this report talk about the need for support for preventive and education awareness programs in order to help all citizens of the province and the country to help alleviate this dreadful problem.

I would like to ask the Minister of Family Services, in the light of this report and other professional indicators that we have had daily over the last several years, why his government has chosen—it would appear—to completely ignore these kinds of recommendations for prevention and public education programs by not allowing the Child and Family Services agencies of the province of Manitoba to undertake and complete their mandated preventive and public education issues that the legislation requires them to have?

Hon. Harold Gilleshammer (Minister of Family Services): Mr. Speaker, I have had the opportunity over the last six months to meet with a number of the service deliveries, particularly the treatment centres, and have taken the occasion to visit at Marymount, Children's Home, the Knowles Centre and others that are in the private treatment facilities.

I can tell you that while funding is an issue across government and we are working very hard to provide funding to these agencies and to the treatment centres—and we are pleased that there is some interest at the federal level—I would caution the member though that a lot of the federal funding as we have seen—and this member and others have made requests for us to pick up funding that first came from the federal level of government, that came as seed money for different agencies and different programs—and we just do not have the ability to pick up all of the programs that were started by the—

Mr. Speaker: Order, please.

Ms. Barrett: Mr. Speaker, the government does not appear to have the ability nor the political will to act in this regard.

Children's Rights United Nations Convention

Ms. Becky Barrett (Wellington): Mr. Speaker, my final question is to the Minister of Justice.

At the end of November, I asked the Minister of Justice when his department would be moving on

the ratification of the U.N. children's rights resolution that the federal government agreed to ratify at the end of September. It is now the middle of April, almost six months later. I wonder if the Minister of Justice can give us an update on his government's—I would hope—ongoing work towards the ratification of the U.N. Rights of the Child resolution.

Hon. James McCrae (Minister of Justice and Attorney General): I will provide the honourable member with the information she seeks after consulting my department to see at what stage my department's considerations are at.

* (1355)

Bill 5 Public Consultations

Ms. Judy Wasylcia-Lels (St. Johns): Mr. Speaker, over the last couple of days, members of the government have been accusing members on this side of the House of needlessly holding up Bill 5, amendments to The Mental Health Act.

Mr. Speaker, we are doing so because we have some real concerns about that bill as do many community groups in Manitoba, and as the Minister of Health should now be aware of, some very serious concerns pertaining to the rights of mental health patients.

I simply want to ask the Minister of Health if he is prepared to meet immediately with groups concerned about the proposed amendments, and if he will convince his House leader to let the bill stand in my name until that consultation has been done?

Hon. Donald Orchard (Minister of Health): I very much appreciate this question from my honourable friend. The background to the bill presented under Bill 5, amendments to The Mental Health Act, went through quite an extensive consultation process involving many groups.

Now, Mr. Speaker, having presented that bill to the House I simply want to remind my honourable friend that what she is doing by standing the debate is delaying its introduction to committee where those groups can come and express those concerns. Why does she not want those individuals, if they have concerns, to present them in committee where the process of public input and public presentation to legislation is still alive and well in the province of Manitoba? Why does she not want that to happen?

Ms. Wasylycia-Lels: Mr. Speaker, the minister will now know it is concerned groups in the community who have asked this government to pause for a moment and consult before this bill goes to committee, so that they can have an opportunity to present their serious concerns and to see if this government is willing to move on amendments.

I would simply ask the Minister of Health if he is prepared to consult with those groups and consider bringing forward amendments if they raise very serious concerns about the rights of mental health patients?

Mr. Orchard: Mr. Speaker, I have to tell my honourable friend that without her debating this bill and presenting those concerns to me—and I have been sitting in this House now since I introduced the bill Tuesday a week ago. I had the bill in my honourable friend's hands before the break and she said to me, oh, I did not even know you had tabled the bill. That was her interest at that time.

If my honourable friend wishes to bring concerns to the House she has that opportunity as critic to express those at second reading and let me know what those concerns are. To date I have received at approximately eleven o'clock this morning one letter from one organization indicating, I believe, concerns over some of the minor amendments, that the major amendments' principles are fine. If my honourable friend knows of other groups and has concerns to represent on behalf of the NDP, debate it in the House; let us know so we can deal with her concerns and know whether they are valid.

Ms. Wasylycia-Lels: Mr. Speaker, the minor amendments have turned out to be major amendments, and they are areas where he did not consult with community activists in this area.

I want to ask the minister if he is prepared to consult seriously, before advancing with this bill, with those groups concerned about such provisions that allow for individuals to be committed and perhaps medicated for up to 21 days on a wrongful basis. Is he prepared to consult with groups in terms of the powers given to the Public Trustee to place that person in an institution or a facility or a hospital without the right of appeal, without the right to consult, without any due democratic process?

Mr. Orchard: Mr. Speaker, I guess that is as close to debate as we will ever get on this bill, if it stays in my honourable friend's name and she stands it day

in and day out without having the ability to debate the bill at second reading.

If my honourable friend has these kinds of concerns, express them at second reading, advance the bill as quickly as possible to committee so we can get around the issues. That is what committee is for. If my honourable friends are afraid of having those groups coming to the Legislature to present their concerns, to have them addressed, not in a one-sided rather rhetorical fashion as is wont by my honourable friend the NDP critic for Health, just allow those citizens the opportunity to come here and exercise their democratic right.

* (1400)

Mental Health Facility - Winnipeg Program Planning

Mr. Gulzar Cheema (The Maples): Mr. Speaker, on Friday, March 22, in this House, the Minister of Health, with reference to the \$43-million psych building stated, "there was no program design approved. That is still the case." Now he is quoted as saying he will not review the project.

Mr. Speaker, my question is to the Minister of Health. Is the Minister of Health telling the people of Manitoba that he will not review the project with the \$43 million without any specific program? How can he justify that statement?

Hon. Donald Orchard (Minister of Health): Mr. Speaker, what I indicated when interviewed on the matter yesterday, and I presume what my honourable friend is referring to is an article in today's newspaper. I said very directly that, as is often the case, rumours abound as to what is going to happen at some future time with some future program yet to be approved by government.

I simply say to my honourable friend that in every aspect of the ministry of Health there are groups, organizations, institutions, professional groups who want more of the health care pie to spend in their respective fields. That is not always approved because governments today, in the past and in the future always try to meet program needs with available resources.

What I indicated clearly yesterday to the reporter who interviewed me is that there are many rumours abounding about program expansion. None of those programs have been given approval in an expanded form, because the process has not even been broached to government.

Mental Health Care Government Policy

Mr. Gulzar Cheema (The Maples): Is the minister saying that he is dealing with the \$43 million and with the rumours? Is he going to make decisions on the basis of rumours or his own conviction or his own policy? His own advisory council has given him recommendations.

Can he tell us whether he is going to follow his own policy, which is community-based mental health care, or is he going to go back again, 10 years back, and deceive the people of Manitoba?

Hon. Donald Orchard (Minister of Health): Here I thought my honourable friend and I were getting along quite well.

Mr. Speaker, I am going to be as gentle in my response as I can. I indicate clearly to my honourable friend that the reform of the mental health care system is clearly on track with this government, hopefully supported by both opposition parties. I sometimes question that commitment to reform, but I will wait for them to do as they say.

Now, Mr. Speaker, in terms of the programs for the new psych building at the Health Sciences Centre, there are four separate approaches on program. One of them is the renewal of the teaching facilities for the Faculty of Psychiatry, something that has been demanded for 20 years. There is the replacement of current beds used for acute psychiatric care, again requested for 20 years. There are the additional beds, which is the issue my honourable friend talks about, of approximately 20 beds which are designed for forensic patients. That is a demand that has existed for 10 years and we are acting upon.

In addition, we hope to be able to provide some additional services to youth and adolescent psychiatric treatment, all of those programs needed, not enhancing in any way, shape or form the direction of this government other than to build a solid foundation for the reform of the mental health system.

Budget Community-Based Health Care

Mr. Gulzar Cheema (The Maples): Mr. Speaker, this minister is sending very conflicting messages. He is contradicting his own policy, which is against the institutions. He is contradicting his own council.

Can he tell us: In next week's budget, how much money will be allocated for the community-based mental health care?

Hon. Donald Orchard (Minister of Health): I may just have the answer for my honourable friend right here. No, I do not.

I cannot seriously entertain my honourable friend's question. He full well knows first of all the process in this House of the budget and of the distribution of the Estimates. I want to tell my honourable friend that the reform process, the move from institutional-based care to community-based care is one that we have embarked on over two years ago. We are at the threshold of a major expansion of the reform of the mental health system in the province of Manitoba, a process my honourable friend has said in the past he will support.

I can assure you he will get the opportunity to support that this year.

Harvey Pollock Case Investigation

Mr. Dave Chomiak (Kildonan): On April 3 in this House I asked the Minister of Justice, as chief law enforcement officer in the province, to consider a review of the recent controversy involving the Pollock affair. At that time I advised the minister that the matter would not go away. Well, it has not gone away.

Will the minister, because he has the authority, now launch an investigation into the matter to ensure that public confidence in the justice system is not further eroded.

Hon. James McCrae (Minister of Justice and Attorney General): The honourable member must be reading the newspapers, and if he is, which I suspect he is, he will know that the members of the City Council of Winnipeg are today discussing matters related to the issue he raises.

I have made it clear to city officials that, should my department's or our government's assistance be required, my door is open. That policy remains.

The honourable member and the honourable member for St. James (Mr. Edwards) ought to recognize that matters relating to Winnipeg City Police are matters properly before the council of the City of Winnipeg. Very often, we find honourable members wanting us to substitute our judgment and

our policies for those of the federal government and those of the city.

While it may be true that very often our policies differ from city or federal policies, they are nonetheless their policies. So the honourable member for Kildonan appears to want me to be a city councillor. I like working as an MLA. Maybe the honourable member would rather be a city council—

Mr. Speaker: Order, please.

Mr. Chomlak: Mr. Speaker, the minister knows full well all matters relating to the justice system should be dealt with publicly, not behind closed doors.

Regarding the actions of his department and the relationship with the City of Winnipeg Police, can this minister categorically state the matter was handled appropriately?

Mr. McCrae: The honourable member is entitled to have his opinion about the manner in which the duly elected civic authority in the City of Winnipeg is handling certain matters. The honourable member is also correct when he says that my office is responsible for the administration of justice in this province. Those two things are not mutually exclusive, and I do have an interest in these matters.

I have expressed to the top elected representative in the City of Winnipeg, the fact that my door is open to the City of Winnipeg should my department's assistance be required. That offer was there then, that offer is there today. While City Council is in the process of—

An Honourable Member: The mayor is blaming you.

Mr. McCrae: The honourable Leader of the Opposition (Mr. Doer) suggests that the Mayor of the City of Winnipeg blames me for this, and if he has some allegation to make before—

Mr. Speaker: Order, please.

Mr. Chomlak: My final supplementary is to the same minister. If the minister would only act, perhaps the controversy would go away. The buck stops there, Mr. Minister.

Given this controversy and others relating to the chief of police such as the J. J. Harper matter, affirmative action implementation and others, which have dogged this chief, is this minister, as the chief law enforcement officer of the province, confident that the Chief of Police of the City of Winnipeg has acted appropriately? If not, will this minister launch an investigation?

Point of Order

Mr. McCrae: On a point of order, Mr. Speaker. It is a well-known rule in parliamentary circles that Question Period is a time to ask government members for information. It is not a time where it is appropriate to place questions which have to do with matters which lie outside the administrative competence of the government of the day.

The honourable member—while we know that the duly elected representatives of the City of Winnipeg are doing what they can, whether the honourable member agrees with their approach or not is another matter, but they are dealing with this. Should there be—

Mr. Speaker: Order, please. The honourable minister did not have a point of order.

I am sure the honourable minister was aware of the fact that I was already on my feet, and I was about to tell the honourable member for Kildonan that the honourable member's question was seeking opinion and, therefore, out of order.

I would ask the honourable member for Kildonan to rephrase his question, please.

* * *

Mr. Chomlak: Given the minister has the authority under the police commission act to launch an investigation, will he launch an investigation into the way this matter was handled?

* (1410)

Mr. McCrae: The question has been asked before.

During the NDP days when the so-called ticketgate matter arose, and there appeared to be certain problems apparent, nothing of the kind happened under that particular government, but it did not take very long after this government took office that the Dewar review was put into place. That matter was appropriately looked into, and appropriate measures have been taken since that time.

The honourable member ought to remember that the history in regard to the administration of justice in the last few years, the performance of the Department of Justice, has really improved an awful lot as a result of Dewar, but you know there are a lot of things that should have been done before I came along that never were, unfortunately, for the perception of the administration of justice in this province.

MDS Divestiture STM Systems Corp. Headquarters

Mr. Reg Alcock (Osborne): Mr. Speaker, prior to the last election we heard an awful lot of promises out of the government about their economic plans for this province, and since the election we have seen the Minister of Finance backing away from most of them.

I would like to ask the minister today about the sale of MDS, the transfer of STM, the change in ownership, and ask him why this organization is backing away from its commitment to spend \$22.5 million building a new headquarters here in the city?

Hon. Clayton Manness (Minister of Finance): I welcome the Finance critic's first question on economic matters to me in this session, and I thank him very much for that.

Mr. Speaker, I would like to—

An Honourable Member: That was a real zinger, Clayton.

Mr. Manness: It was not meant to be a zinger, Mr. Doer.

Mr. Speaker, the member asks a question dealing with the building of a new facility by STM. I want to assure the member that it is the government's expectation that that building will proceed as specified in the contract. I have not had a briefing with respect to that facility now for the last three weeks, but at that time I was told it was on course.

Mr. Alcock: I am sure the minister will excuse me if I am not comforted by that remark, because we had the same assurances about the developments in Swan River not too long ago.

Job Creation

Mr. Reg Alcock (Osborne): The deal also included a commitment to create 220 jobs, 70 of them in the first year. Can the minister tell us how many of those jobs have been created?

Hon. Clayton Manness (Minister of Finance): Mr. Speaker, at this particular time I cannot. I will take the question as notice and respond fully to the member, but I want to assure all members of this House and the people in the province that when we look back on our legacy of many, many accomplishments over three years of government, I want to assure you that certainly the divestiture of Manitoba Data Services to STM ranks amongst the highest of accomplishments.

When the members opposite talk about plans for economic development, there is no question in our minds that the model represented in the divestiture of MDS to STM will certainly show all that that is the model to follow.

Mr. Speaker: The time for Oral Questions has expired.

Nonpolitical Statement

Hon. Bonnie Mitchelson (Minister of Culture, Heritage and Citizenship): Mr. Speaker, might I have leave to make a nonpolitical statement?

Mr. Speaker: Does the honourable minister have leave to make a nonpolitical statement? Leave.

Mrs. Mitchelson: Thank you, Mr. Speaker. I want to indicate to you that I had the pleasure this afternoon of pouring tea at noon at the 75th anniversary spring coffee party for the University of Winnipeg Women's Auxilliary with the first woman president of the University of Winnipeg. I would hope all members of the House would join me in commending the University of Winnipeg Women's Auxilliary for their many, many years of dedication and commitment, Mr. Speaker, to education in the province, not only when they first started out as the Women's Auxilliary of United College to sew curtains for the residences when in fact they first started to fund raise. Today the funds are going toward very needed scholarships in aid of those students who have the need throughout the province for education.

I would ask all members of the House to join me to commend the volunteers who worked so tirelessly on behalf of the youth in our province of Manitoba.

ORDERS OF THE DAY

Hon. Darren Praznik (Deputy Government House Leader): Mr. Speaker, the government would like to call bills in the following order: Bills 3, 6, 8, 12 and 5.

DEBATE ON SECOND READINGS

Bill 3—The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Culture, Heritage and Citizenship (Mrs. Mitchelson), Bill 3, The Coat of Arms, Emblems and The Manitoba Tartan

Amendment Act; Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba.

Is the House ready for the question? The question before the House is second reading of Bill 3, The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act; Loi modifiant la Loi sur les armoiries, les emblèmes et le tartan du Manitoba. Is it the pleasure of the House to adopt the motion?

Some Honourable Members: Agreed.

Mr. Speaker: Agreed and so ordered.

Bill 6—The Mines and Minerals and Consequential Amendments Act

Mr. Speaker: On the proposed motion of the honourable Minister of Energy and Mines (Mr. Neufeld), Bill 6, The Mines and Minerals and Consequential Amendments Act; Loi sur les mines et les minéraux et modifiant diverses dispositions législatives, standing in the name of the honourable member for Point Douglas (Mr. Hickes).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? Leave? Agreed.

Bill 8—The Vital Statistics Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Family Services (Mr. Gilleshammer), Bill 8, The Vital Statistics Amendment Act; Loi modifiant la Loi sur les statistiques de l'état civil, standing in the name of the honourable member for Wellington (Ms. Barrett).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? Leave? Agreed.

Bill 12—The Court of Queen's Bench Small Claims Practices Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Justice (Mr. McCrae), Bill 12, The Court of Queen's Bench Small Claims Practices Amendment Act; Loi modifiant la Loi sur le recouvrement des petites créances à la Cour du Banc de la Reine, standing in the name of the honourable member for Kildonan (Mr. Chomiak).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? Leave? Agreed.

Bill 5—The Mental Health Amendment Act

Mr. Speaker: On the proposed motion of the honourable Minister of Health (Mr. Orchard), Bill 5, The Mental Health Amendment Act; Loi modifiant la Loi sur la santé mentale, standing in the name of the honourable member for St. Johns (Ms. Wasylcia-Leis).

An Honourable Member: Stand.

Mr. Speaker: Stand. Is there leave that this matter remain standing? (Agreed)

* (1420)

Mr. John Plohman (Dauphin): Mr. Speaker, it is my pleasure to speak today on Bill 5, The Mental Health Amendment Act, and to put some of my concerns and those of my constituents on the record as to the issue of mental health and some of the actions that must be taken by government to improve the situation for people suffering from mental illness throughout this province.

I do so, Mr. Speaker, realizing that this is an extremely important area of health care that has been, I believe over the years, neglected to a great degree in our society. Misunderstood and neglected, I would say, would characterize the treatment of mental health patients and mental illnesses, not only in our province but throughout our country and many countries of the world.

We hear from time to time horror stories of people who have spent their entire lifetimes in an institution with no recourse and in many cases having been placed there by others and then forgotten about—literally forgotten. Instead of being able to live productive, long lives, they have in fact wasted away in a facility, in an institution behind closed doors, out of sight and out of mind to many people. I think that kind of horror story is something that must be stopped in society.

We, in this Legislature in the province of Manitoba, can do a great deal to ensure that the rights of patients are protected and, indeed, enhanced so that these kinds of things do not happen with the same degree of frequency in the future. There will undoubtedly be mistakes from time to time, but we certainly want to ensure that they are kept to a minimum in our society.

Mr. Speaker, I appreciate that the minister has brought forward this act at this time. However, I regret the fact that he has not consulted with the mental health associations, the community mental health groups throughout the province to the degree that is necessary. I believe, perhaps, that he has not had any meaningful consultation. I do not find this surprising, because in fact his colleagues have fallen into that same trap this very early in their mandate, as limited as it might be. They have fallen into the trap of not consulting on major bills.

They will, no doubt, if they survive that long, realize that in order to be successful and to remain in government for any length of time at all that they are going to have to consult before, in fact, they bring in major legislative changes. They would have to consult through position papers, like white papers. They would have to consult through extensive communication with groups, through meetings being held, so they find the true requirements and needs out there, identify them and then address them through changes in major acts such as The Mental Health Act. They have failed to do this in this case.

We have seen letters and received calls from various organizations who are asking and pleading with the government to have this bill delayed going into committee so that they can have an opportunity to meet with the minister and express their concerns, identify those areas that they would like changed.

That is what my colleague asked for today in the House, as a matter of fact, Mr. Speaker. She rose in her place and asked the minister if he would indeed do that. Unfortunately, he has chosen in his reply—at least I would characterize it—to indeed treat her request with some degree of contempt and not give it the seriousness that it deserves, because it is indeed a legitimate request being made by my colleague, the critic for the New Democratic Party in this House.

I say, Mr. Speaker, that when I rise to speak on this bill, I rise to put forward concerns of my constituents that have become increasingly urgent in terms of being addressed by government in this province. I have, since I have had the privilege of serving as the MLA for Dauphin, had many opportunities to discuss with people formally, in organizations, at meetings and with individuals, their experiences with the current mental health delivery system in this province.

In many cases those experiences have been extremely negative and have in fact, I believe, caused further damage both to the individual who is allegedly suffering from mental illness and the family that surrounds that individual and their friends. In many cases it has resulted in a tragic ending.

Suicide in our communities, suicide in our province is a major cause of death, particularly among young people, but among all ages. Very often it is as a result of the hopelessness and despair that people feel when they are facing a great deal of stress, indeed, some degree of mental illness and are not able to locate help, to find assistance that they require on a timely basis, so they end up tragically taking their own lives.

In many other cases, they suffer on for years and, when I speak of this from the point of view of the rural community and the experience in Dauphin and in the Parkland, in my experience in talking to people there.

I realize that there is an urgent need to deal with the treatment of mental illness in a humane and open way. As I said at the beginning, I believe that treatment of the mentally ill in our society has been one of the most misunderstood and neglected of all areas of health care over the years. I believe there is a crying need to expand mental health services throughout the province through a community-based delivery system, one that is not being implemented to the extent possible, I say at this time.

The reason being given, I believe, is not that the government does not believe in a community-based mental health delivery system, but that the government is finding itself in a squeeze for dollars and is determined that this is not the kind of priority that should result in major expenditure enhancements in this area. So the mentally ill will continue to suffer, and their families throughout rural Manitoba, with improper treatment and certainly treatment that is not adequate and timely. That is regrettable.

I say, Mr. Speaker, over the years many individuals in our communities have been incarcerated, shut behind closed doors and forgotten, and I believe that this is an absolutely deplorable way to treat human beings, any human being, and I mentioned at the beginning the horror stories that we have all heard about, where people have been incarcerated for many years, have been locked up. We even see the kind of experiments

that mental patients have been subjected to, and we can cite the case of Velma Orlikow, the late wife of the member of Parliament for Winnipeg North, David Orlikow, who has been seen in this building I am sure by many of us on many occasions since his retirement, offering his wisdom to members on this side of the House.

She went through a lifetime of anguish and suffering as a result of what happened by the CIA undertaking experiments with her mind, and this kind of thing is not an isolated case, I believe. It was very encouraging for me, and I think many other people, to find that in fact the government is willing to address some of the issues that were prominent during that particular time that Mrs. Orlikow was being subjected to experiments.

* (1430)

I was pleased that the members of that experimental group, if we can call them, those who were subjected to mental experimentation, were able to win an out-of-court settlement with the CIA to receive a payment and I believe an admission that in fact they had wrongly used these people as guinea pigs in experiments in a deplorable way.

I believe that it was an admission that took place when the CIA was forced to make a payment, however inadequate it was. Of course they would have fought it right to the Supreme Court, and who knows what would have happened with their political influence in the United States? Perhaps the court case would have been lost. At this point in time it is encouraging to know that the individuals who were involved did receive some semblance of recognition by their perpetrator of this suffering and anguish on them, this crime that I am sure we would all agree is a crime, some admission by that perpetrator. I think that was a very important development in our history.

The whole issue of protecting individual rights—suffering from mental illness is a major issue in the mental health field, one that I am sure ministers, governments, individuals have struggled with over the years. The balancing of the public—(interjection)—well, the member for Lakeside (Mr. Enns) wants to know if the Speaker—the Speaker has been listening intently, contrary to what I can say for most of the members of the government side while I have been speaking.

I am very encouraged that I find the nodding of the head in recognition of the words that I am speaking falling on sensitive and sympathetic ears.

It is always encouraging for one who is speaking on a subject of deep concern to him that in fact others in the Chamber also share that concern and they understand the words that are being spoken.

I say, Mr. Speaker, that the rights of the individual who is to be committed, if we can call it, in an involuntary way, and there are voluntary mental patients and there are involuntary, in the case of involuntary patients, very often it is the guardians if the person is under the age of 18 or it is the family or the Public Trustee or a review board that in fact makes a decision to have that individual placed in a hospital involuntarily. In fact they are incarcerated there. They are kept there. The reason for it is of course the public good, to protect the public and to protect the individual in many cases, allegedly. There is all kinds of latitude there and a lot of room for abusing the rights of that individual when that takes place.

As a matter of fact, many people would argue that people behind those hospital doors should not in fact be there at all, but they have been put there by perhaps some influential family member or friend who had a dispute with that individual or felt that individual was an embarrassment of some kind and they just want them put away. To me that is not a sufficient reason. Through influence of one kind or another, they have been able to do that. We have heard stories like that.

I have not had the first-hand experience, so I cannot speak with that kind of first-hand experience of having seen that in my community, of a friend or a family member, but I certainly have heard of that taking place. I believe it is true. I believe it must be limited to the greatest degree possible by governments, governments that are progressive and caring and sensitive to the needs of all of us in society, not just those who are rich and powerful and able to control the events of their lives, but those who are unable to control the events of their lives to the extent that they would like to do.

In this regard, Mr. Speaker, the Winnipeg Chapter of the Mental Health Association has published a number of information pamphlets, and they are very informative. I want to refer to some of them, some of the questions they ask and answers in some of the areas that I believe must be dealt with.

I think there has been a stigma attached to mental health. It is something like abuse in society. Very often it was not spoken about, ignored by families and people in society, even though they knew they

should do something about it when they knew abuse was taking place. Many times they turned away and, perhaps because they did not want to get involved, they let things continue. In a way, we are just as guilty as those who were involved in that.

I think that now, as we speak about abuse in society, more and more people are coming forward and saying, we do not have to tolerate this; we do not have to put up with this. As more and more services are available for abused people, whether they be elderly people who are being abused by family members or spouses and children, they are coming forward because there is some help there.

In a similar way, we have to unmask the whole issue of the mentally ill and mental illnesses. We have to talk about it and we have to feel comfortable with discussing an issue that has many times been taboo in society. We have to speak openly and debate ways to treat the mentally ill and to ensure that those who are suffering from various degrees of mental illness are able to receive the kind of sensitive support that they require in order to get well again. That has been missing, as I mentioned earlier, many times throughout society.

I think there is a tremendous need then to take away the mystique, the haze, the confusion, to open up the doors, the communities, to bring the mentally ill home, as governments have been attempting to do over the last number of years, and to assist those who are mentally handicapped in a way in society that is sympathetic and empathic with their overall development and needs as a human being.

The Welcome Home initiative that was initiated by our government was one effort in this regard to bring people out of institutions. I am not saying that institutions are not required and there is not a role for institutions. I believe that there always will be some role for mental health institutions in society. However, the vast majority of patients who were kept there in the past and those suffering from mental illness now and in the future should not be placed in institutions. They should be cared for in their communities, in close proximity to their loved ones, so that they have the kind of support mechanism and system around them, so that they can get well and lead productive and normal lives in the future. That is missing; the resources to accomplish that are missing throughout our province at the present time.

The government has a tremendous challenge. The minister has a tremendous challenge to expand

the community-based support systems for the mentally ill in society. I hear in Dauphin that people are distraught at the fact that they do not have timely access to psychiatrists, to counselling services, and there are limitations, because we do not have the number of trained psychiatrists that are required.

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

* (1440)

There is a real shortage throughout our province and through many provinces in our country and the world. In fact, that is a limitation on expanding the services that should be made available to our people in the communities, but we must by policy and by definition say that is a goal, a commitment that we are making.

So when the minister asked what we did about it when we were in government, it is an area that I feel was not addressed to the extent that it should have been. It is one that over the six years that we were in government that we did make some progress on, the Pascoe Report, and some of the recommendations that were contained in it.

The minister now has an opportunity after three years in government to, in fact, make some significant movement and steps toward dealing with this very real problem. You know every problem has its time to be dealt with. Many problems go unnoticed for years and years and then suddenly there is something that happens that brings it to the forefront and requires that it be addressed, and then when governments want to do that, and then when governments want to take action to allocate the resources, then something takes place.

Hon. Donald Orchard (Minister of Health): A change in government in this case.

Mr. Plohman: Now, the Minister of Health (Mr. Orchard) says, well, a change in government in this case. The minister says a change in government. Now he should reflect on the fact that he has been in government for three years and has not done anything on this issue. That is what he has to reflect on. So when he talks about what the previous government did he should also—

Madam Deputy Speaker: Order, please; order, please.

Mr. Plohman: Madam Deputy Speaker, when this minister now says that a change in government was the catalyst to actually see some progress and movement in the area of the treatment of the

mentally ill in society in Manitoba, he is not speaking with a great deal of concern and reference to the facts because he has had three years to deal with this issue, and he has ignored the issue over the first three years.

So now we see a Mental Health Amendment Act which again does not deal with the rights of the patients and the concern that I expressed earlier on about how patients have been, in an involuntary way, treated over the years. He is not addressing with the required resources the community-based mental health treatment that is widely accepted and required in this province. As a matter of fact, what he is doing is -(interjection)- Well, this minister is building a \$43 million Taj Mahal at the Health Sciences Centre, and he is putting all of his resources into that, \$43 million, and he is not taking any of that money to provide the support services for operations throughout the province while he builds his Taj Mahal.

I think the member for Lakeside (Mr. Enns) agrees that there is an excellent point to be made about his colleague in this regard. He likes monuments, bricks and mortar. Monuments and bricks and mortar so that they can say, there is the pyramid that the Minister of Health built, the member for Pembina, when he was Minister of Health; but Madam Deputy Speaker, he is neglecting in that priority. I am saying that the facility was needed, but to the extent that he has allocated resources one has to question whether in fact \$10 million of that should not have been allocated for the delivery system of mental health services throughout this province.

One has to question the priorities of this minister, if indeed he has any, or whether he is just groping along through the dark hoping to in fact come up with some—stumble upon a program sometime in the next two or three years that the people of Manitoba will look back on and say, boy, that Minister of Health knew what he was doing. I think he is going to try and do it by accident. I do not think he has a plan, and that is the most unfortunate thing.

I want to get back to the whole issue, Madam Deputy Speaker, of the mistake in the need to open up the discussion around mental health care in this province.

There has been a societal neglect of the abused in society over the years, and there is also a societal neglect of the mentally ill. I do not see any initiative by this minister and this government, as was done

with the whole issue, as I mentioned earlier, of child abuse, elder abuse and other forms of abuse in society, to lift the haze, the curtain and mystique from it and have it talked about openly. There does not seem to be that same initiative by this minister and by this government in the area of mental health care.

I say that he must make an effort to openly communicate, to hear the cries of the mentally ill, and to deal in a forthright manner with the problems confronting the mentally ill in society. I find it regrettable that to this point in time the minister has not found his way to in fact do that.

We have to bring this to his attention at every opportunity, to draw to his attention that there are people who are locked up, who are not being able to live productive lives because they do not have the support services and care that is required. We have to encourage this minister—as his colleagues and as I have been trying to do with the Minister of Agriculture (Mr. Findlay), who has neglected the consultation process that is so fundamental to successful implementation of programs—to consult with those experts throughout this province before he blindly brings in amendments to bills that have not had the screening and input from interest groups who know what they are talking about and deal with the issues day in and day out.

I say to the minister that he should listen to my colleague when she asks her to put a hold on going to committee on this issue to do some homework first, to do some consultation prior to getting to the committee stage so that he will come forward in an educated way to bring much needed amendments to the bill that will, in fact, address the concerns that were identified by the mental health groups throughout this province.

I urge this minister to allocate the necessary resources. I know those decisions are made in the budget that will be brought down next Tuesday. He probably cannot change a line in it now. It has all gone to print, and he has missed his opportunity here at this time to address the priorities in mental health and community-based mental health delivery system at this point in time. He can at least say that and use that as an excuse.

The fact is, he would be able to reprioritize expenditures, allocate dollars in this area if the government believed it was a priority. So we say that he must plan for next year. If he cannot do it in this fiscal year, he must plan to put the kind of priority

on community mental health delivery systems in this province.

I think he also has to look at the extensive powers that are given in the act to such people, even police officers. For example, if a voluntary patient were to leave, the kind of decisions that can be made by a police officer, the kind of decisions that can be made by the Public Trustee, the kind of decisions that can be made by the review board and the recourse that is made available.

* (1450)

I know that in most cases—the member for The Maples (Mr. Cheema) realizes and he is an expert in this area—there is a balancing act there and there is the protection of others in the family and friends and society, that has to be considered when these decisions are made. At the same time though, there have been many examples where individuals have suffered years and years because of the actions of other people without consideration for those individuals. In fact, their capacities to function in society in a normal way are much greater than they were given credit for, they were analyzed for, and diagnosed for by medical doctors and psychiatrists and so on.

Unfortunately, that has taken place. That balance is one that we have not struck in this province, one that this minister has not struck, and one that this minister must address. He should not shy away from this challenge. He should meet with these groups, and he should address the issues that they are dealing with. Then he can come forward in closing debate and saying that he has educated himself to the degree that was necessary to put in place amendments that will be responsive to the needs of those who are suffering and who need help, and who are crying out for help in our society.

I think the minister owes it to those people, to those groups, to the individuals and their families who are suffering from mental illness to take the time to do it right, just as we have said to his colleagues, the Minister of Agriculture (Mr. Findlay) and other ministers, to do the consultation before they take action, not like the former Minister of Housing did with the Housing authority, just doing away with things, springing it on them without any consultation.

You know, that kind of action, Madam Deputy Speaker, is something that will not serve this government well over any length of time at all. As a matter of fact, what they will find out is that if they are going to stay in government, they must in fact

consult prior to taking action. They may think it shows leadership, but that kind of leadership is not needed by the people of this province. They need leadership that is responsive, not a display of arrogance by the minister.

So I make that plea to the Minister of Health (Mr. Orchard) not to fall into the same trap as his colleagues, not to lead the way with an arrogance and disregard for the concerns of the public of this province and to put in place a system of care for the mentally ill and recourse for those who are suffering mental illness and who are committed without their consent so that they do have an alternative and they do have recourse when that kind of thing takes place.

So, Madam Deputy Speaker, I will with those remarks urge the minister to go back to the drawing board to do his consultation and then come forward with the kind of amendments to this act that will deal with the concerns that the groups are presenting to him, rather than ignoring them and saying, oh, you can come at committee. He should be an educated minister before he brings his bills in, not after, because we have seen a mess by this minister on many occasions in the past where he has blindly brought forward bureaucratic amendments without knowing what they mean. We see these things happening, and we do not want that to happen again, Madam Deputy Speaker. Thank you very much.

Mr. Orchard: I wonder if my honourable friend might accede to a question. Madam Deputy Speaker, I will ask the member for Dauphin, will he agree to a question? He has time left in his speech, or is he afraid to answer any questions?

Mr. Plohman: Madam Deputy Speaker, I would agree to answer any questions when this minister starts answering the questions that my colleague the Health critic has put before him in this House. He has refused to answer those questions. He is the minister and he better start answering the questions and responding in—

Madam Deputy Speaker: Order, please.

Mr. Orchard: Madam Deputy Speaker, I appreciate my honourable friend agreeing to answer a question.

Mr. Plohman: You have not answered one.

Mr. Orchard: Oh, Madam Deputy Speaker, the member for Dauphin—

Madam Deputy Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Deputy Speaker, the tradition in this House of members asking other members if they would accede to a question is a courtesy. The minister made a number of comments that clearly exceed the normal bounds of simply asking for leave and is currently continuing to do so. I would suggest that the member for Dauphin (Mr. Plohman) be able to continue his remarks. I believe that he was coming to a conclusion and that the Minister of Health (Mr. Orchard) not abuse our tradition in this House of asking for leave for questions by adding editorial comments or attempting to debate the bill because that is out of order.

Madam Deputy Speaker: The honourable member for Thompson does not have a point of order. It was my understanding that the honourable member for Dauphin had concluded debate and sat down in his seat prior to my recognizing the honourable Minister of Health.

* * *

Madam Deputy Speaker: The honourable member for Dauphin has six minutes and 30 seconds remaining in his debate time. No?

Point of Order

Mr. Plohman: On a point of order, Madam Deputy Speaker, I concluded my remarks at the same time that the minister was rising. I have made clear the position of myself and my constituents about the needs that have to be undertaken in this bill. We ask this minister to start dealing with the questions that are posed to him in this House.

Hon. Darren Praznik (Deputy Government House Leader): The member for Dauphin informed the House . . . ; the member for Pembina, the Minister of Health, rose to ask if the member would ask a question, tried to get the eye of the Chair in which to do that. The Chair, when they recognized the member for Pembina, asked, as is the custom and practice of this House, if the member for Dauphin would accept a question. The member for Dauphin indicated that he would accept a question. I see, Madam Deputy Speaker, the member for Pembina, the Minister of Health, should now have the opportunity, we would suggest, to put his question, the member for Dauphin to answer it.

Madam Deputy Speaker: The honourable deputy House leader did not have a point of order.

* * *

Mr. Orchard: Madam Deputy Speaker, I will now pose my question to the member for Dauphin (Mr. Plohman).

Would the member for Dauphin—

Madam Deputy Speaker: Order, please. The honourable member for Dauphin has concluded his remarks. In order for you to proceed to ask the honourable member questions at this point, we must establish leave. Is there leave?

Some Honourable Members: No.

Madam Deputy Speaker: Leave has been denied.

Hon. Clayton Manness (Minister of Finance): Madam Deputy Speaker, I would like to speak to the bill.

Madam Deputy Speaker, I feel badly I was unable to hear certain remarks made by the member for Dauphin (Mr. Plohman) on this particular bill of great import to the citizens of Manitoba, a bill that I really suspected the opposition would want to marshal their troops to fully discuss. The NDP continue to remind us, indeed all Manitobans, that they are the champions, supposedly in their minds, of those who are disadvantaged in society.

I would think that when a bill of this import is provided to the House for consideration, members opposite would just jump to attention to debate it, but instead, Madam Deputy Speaker, we have had a spectacle over the last few days where members opposite have chosen to put their focus on yet another important bill—that being Bill 3—telling me that the NDP particularly has no direction, does not know what it is they want to debate, does not know what it is they want to say when they do debate, and are completely lost.

* (1500)

Now, Madam Deputy Speaker, we are debating Bill 5. This is a major bill coming in dealing with a major act, providing for greater patient rights, providing for greater family involvement and treatment. Yet we have the spectacle where we have the member for Dauphin (Mr. Plohman) mention that he has met with groups who have concerns and that is good, that is what should happen. If we take our collective responsibilities seriously when a bill of this importance comes

before us, it is wise that all of us, to the extent that we can, try and review its tenets with those in society upon whom it will impact.

The member for Dauphin says he has met with those groups—and I say to him, well done—who have concerns, but yet I notice he refuses to accept a question from the Minister of Health (Mr. Orchard) as to who the groups are and what their concerns are.

Can you imagine, Madam Deputy Speaker, a situation where an individual, representative of the people, would meet with those who are affected and yet refuse to bring their concerns forward in debate? I would say that good legislation does not come from that method of seeking consultation and advice.

The opposition House leader (Mr. Ashton) says to me he is critical of the government because we have at this point five bills on the Order Paper, and of course he does not indicate that a couple of bills already have passed through all of their steps. He does not want to indicate, particularly, that this government takes a different approach to legislation.

When the NDP were in government, they were not happy unless there were 100 bills on the Order Paper and some way debated, because of course their approach was, the more government control, the more social engineering, the more control of peoples' lives, the happier they were.

Of course, what goes with that type of activity and belief in government, state control, is hundreds of millions of dollars of additional expenditure and ultimately billions of dollars of additional debt. But I want to make the point, because the opposition has had a little bit of support trying to leave the impression that we are not well ordered in our affairs as far as managing the House.

An Honourable Member: You are filibustering your own bills.

Mr. Manness: Well, I think, as an emblem of the province that is going to be with us hopefully for generations to come, that draws and attracts two days of discussion is hardly filibustering. I think it is an important consideration that people should bring forward as to how they want to see—

An Honourable Member: You would speak differently if you heard some of the speeches.

Mr. Manness: Well, the opposition House leader attempts to pass judgment on the quality of the speeches on the pine tree. I wish I had heard them,

but the ones I heard, certainly emanating from this side, Madam Deputy Speaker—

Madam Deputy Speaker: The honourable member for Dauphin (Mr. Plohman) on a point of order. Order, please.

Point of Order

Mr. Plohman: Madam Deputy Speaker, I would ask you to consider bringing this member to order. He is not speaking about the content of the bill in any way, shape or form. I made an extensive effort during my remarks to in fact do that, and this minister is talking about whether we are debating or not, and not dealing with the content of the bill.

Madam Deputy Speaker: The honourable member for Dauphin does not have a point of order, but I would remind all honourable members that their remarks on debate on the second reading of a bill must be relevant to the bill being debated.

* * *

Mr. Manness: I certainly accept your admonishment. We are talking about greater patient rights, and we are talking about greater family involvement in the treatment of those who are suffering from this affliction, Madam Deputy Speaker, but let me say I have not. I wish I had. I wish I had met with outside groups like the member for Dauphin (Mr. Plohman), and I compliment him. I think I could do a better job of addressing Bill 5, if I had met with those groups like the member for Dauphin.

Madam Deputy Speaker, what I do not understand is why did the member for Dauphin not express the concerns of those people that he met with who told him that they had so many concerns about this bill? I envy him that he had the time to do that.

We have a situation where this important bill was considered in principle by all the parties even though the bill, I do not believe, was printed last session. Members had some strong insight as to what the government was contemplating, because indeed the Minister of Health (Mr. Orchard) had entered into discussions with members opposite and gave them the basic principles in this bill that we were bringing forward. -(interjection)-

As the member for St. Johns (Ms. Wasylycia-Leis) so rightly indicates it was very, very close as to whether or not this bill was introduced last session.

At that time I sensed there was some willingness by all members and parties in this House to look at this bill, but in an expeditious fashion because, of course, it provides greater patient rights.

It seems to me now that there has been a change. Certainly, I have only heard one—and I have not heard much of his presentation. There has only been one opposition speaker to this particular bill, that is the member for Dauphin. He has met with outside groups. He has met with opposite groups. Of course I say to them, as the Minister of Health said in Question Period today, the purpose of debate, Madam Deputy Speaker, is to bring forward those concerns to make the legislation better. What has struck me on Bill 5 and indeed a lot of the legislation that comes forward to this House is that the consideration of the principles and the amendments are always compressed into the last two weeks of the session and in my view bad legislation could come forward.

Now, the member for Inkster (Mr. Lamoureux) smiles at me. I do not know whether he smiles at me because he likes what I am saying, whether he agrees with what I am saying or for whatever reason. I do not know. The point being, Madam Deputy Speaker, we are afforded one of the few times that I have seen—since I have been in this House now for 10 years—whereby members can get into legislation without the pressure of the end of session, because indeed we are a long way—

An Honourable Member: There are not very many bills.

Mr. Manness: Well, the member said there are not many bills. He is right. Then why are they being stood? Why do we always have to, at the end of the session, compress all the activity into the last—

An Honourable Member: You stood bills for months.

Mr. Manness: A week and a half, -(interjection)- Well, I am glad I managed to get a little rise out of the member for Thompson (Mr. Ashton), but in reality, Madam Deputy Speaker, this is an important piece of legislation.

I would think that the members opposite would put forward their views in principle, because we are talking about the principle of the bill. We are talking about whether or not we should provide greater patient rights. We are talking about whether or not there should be greater family involvement in the rights of patients—the underlying principles of this

bill and yet the opposition, both parties, are saying we want to consult.

*(1510)

There is nothing wrong with consultation, but do you believe that the patients should have greater rights or not? I do not think that your views are going to change an awful lot after consultation on those basic principles. Now, what comes after that and what gives effect to those principles by way of the various clauses, naturally, there may be disagreement. You may want to bring that forward. To make good legislation, all of us should bring those types of changes forward.

Madam Deputy Speaker, I wonder why members opposite again want to compress, because there will be more substantive bills coming forward. I do not think really we give proper consideration to the legislation that comes forward. I do not point my finger of criticism anymore at the NDP than I do at ourselves when we were in opposition.

In reality, I have never seen a time where, basically, a week of free debate has been provided because of the timing around the laying of the budget before the people of the province. -(interjection)- Yes, naturally, it is free for debate. We are on Bill 5, The Mental Health Act. I would think that all members would like to probably stand in their place and provide greater insight, because we are talking about principle, and I think that the principles as espoused in this bill are certainly beyond criticism.

Madam Deputy Speaker, I just want to end, though, by saying that I find it difficult to accept some of the comments made by members opposite, when they were trying yesterday to desperately make the case that there was not work to be done. I think it is so unfair. We have two major bills right on the Order Paper right now, The Mines Act and certainly The Mental Health Act. I think it is unfortunate that members have chosen to be critical of the manner in which we have come forward at this point in time and brought our legislation. As I have assured them, I will make every effort as the House leader to make sure that our legislation is fully tabled before the end of May.

(Mr. Speaker in the Chair)

Mr. Speaker, I just wish the member for Dauphin (Mr. Plohman) had stood in his place and shared some of the greater concerns that he had. I ask members opposite to debate this important bill on a

matter of principle, and let us bring forward the consultations. -(interjection)- Well, I, too, have to share the concern of the Minister of Health (Mr. Orchard) and openly ask to what extent the member has met with groups, because I would think that any time we meet -(interjection)- Well, that is a good question. I wonder who is pulling the member for Dauphin's strings. I am wondering who is, because indeed when you do meet with a group, you usually have something to contribute with respect to a debate on a bill.

Thank you very much, Mr. Speaker.

Mr. Speaker: As previously agreed, this matter will remain standing in the name of the honourable member for St. Johns (Ms. Wasylycia-Leis).

Mr. Manness: Mr. Speaker, I move, seconded by the Minister of Health, that the House do now adjourn.

Mr. Speaker: It has been moved by the honourable government House leader (Mr. Manness), seconded by the honourable Minister of Health (Mr. Orchard), that this House do now adjourn. Agreed?

Mr. Kevin Lamoureux (Second Opposition House Leader): Mr. Speaker, I am wondering—was it agreed?

Mr. Speaker: Is it agreed?

An Honourable Member: Agreed.

Mr. Speaker: Agreed and so ordered. This House is now adjourned and stands adjourned until 10 a.m. tomorrow (Friday).

Erratum

On Wednesday, April 10, 1991, Hansard Vol. 19, Ms. Jean Friesen (Wolseley) in her comments to Bill 3, The Coat of Arms, Emblems and The Manitoba Tartan Amendment Act, on page 771, left-hand column, second paragraph, last sentence should read: "For many German-speaking peoples in Manitoba the celebration of their language, the celebration of their culture has been made very difficult, first of all, by the pacifism of many of German-speaking Manitobans, and, second, of all, of course by the imperial enemy in the First and Second World Wars."

Legislative Assembly of Manitoba

Thursday, April 11, 1991

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