



Fourth Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

**Official Report
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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Member	Constituency	Political Affiliation
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert	Steinbach	P.C.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FAURSCHOU, David	Portage la Prairie	P.C.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
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McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David, Hon.	Riel	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank, Hon.	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike, Hon.	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
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SALE, Tim	Crescentwood	N.D.P.
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STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 26, 1998

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mining Reserve Fund

Mr. Gerard Jennissen (Flin Flon): Madam Speaker, I beg to present the petition of S. Beskorowayny, S. Lengyel, K. Lloyd and others praying that the Legislative Assembly of Manitoba may be pleased to request the Minister of Energy and Mines (Mr. Newman) to consider transferring the account of the Mining Reserve Fund to a banking service in Lynn Lake, should such a facility meet provincial standards.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

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

I move, seconded by the honourable member for Emerson (Mr. Penner), that the report of the committee be received.

Motion agreed to.

TABLING OF REPORTS

Hon. Eric Stefanson (Minister of Finance): I am pleased to table the Department of Finance 1998-99 Revenue Estimates.

INTRODUCTION OF BILLS

Bill 301—An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation

Mr. Stan Struthers (Dauphin): Madam Speaker, I move, seconded by the member for Crescentwood (Mr.

Sale), that leave be given to introduce Bill 301, An Act to Amend an Act to Incorporate the Dauphin General Hospital Foundation; Loi modifiant la Loi constituant la Fondation de l'Hôpital général de Dauphin, and that the same be now received and read a first time.

Motion presented.

Mr. Struthers: Just a couple of words on the intent of this amendment. The act allows for representation to be provided for the Town of Dauphin, the R.M. of Dauphin, the Health Care Auxiliary at the Dauphin General Hospital, a representative of the medical staff and the Parkland Regional Health Authority, along with six members who would be elected at their annual meeting.

The bill also establishes one-year terms for appointed members and three-year terms for elected members. The amendment would also set out the rules for filling a vacancy for both elected and the appointed members of this foundation.

Lastly, Madam Speaker, in a two-thirds majority vote, it provides for the dissolution of the corporation. So I am pleased to be able to announce that to the House today.

Motion agreed to.

Introduction of Guests

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the Speaker's Gallery where we have with us today two visitors from Melrose Park, Illinois: Mr. Lennart Johnson, the Most Worthy Grand Patron of the General Grand Chapter, Order of the Eastern Star, and Ms. Dawn Wilson, Most Worthy Grand Esther of the General Grand Chapter, Order of the Eastern Star.

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

Also, seated in the public gallery, we have twenty-five Grades 7 to 9 students from Prairie View School under the direction of Mr. Bernie Friesen. This school is located in the constituency of the honourable Minister of Government Services (Mr. Pitura).

Also, we have thirteen Grades 1 to 8 students from Sunflower Valley Christian School under the direction of Mr. Walter Ziegler. This school is located in the constituency of the honourable member for Emerson (Mr. Penner).

We also have sixteen Grade 9 students from West Kildonan Collegiate under the direction of Mr. Tom Schmidt. This school is located in the constituency of the honourable member for Kildonan (Mr. Chomiak).

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

* (1335)

ORAL QUESTION PERIOD

Manitoba Medical Association Negotiations

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, over 500 people attended a meeting last night in Brandon where many people expressed their view that for the last 18 months to two years this government has been warned about the issues of retaining and recruiting doctors to their community and particularly dealing with the pediatric situation in Brandon.

Of course, last night, Madam Speaker, the minister took a conciliatory approach with the doctors and the MMA. The people were angry at him, so he took a conciliatory approach at that meeting and said: whenever we have taken a co-operative approach to matters with the MMA, good things happen.

Of course, this is in marked contrast to the position the minister took on May 15 where he said that, quote, the MMA was irrelevant. On May 22 he said it was run by people who were, quote, old dogs. He further continued to insult the organization that ultimately is to work with him in a co-operative way.

I would like to ask the Premier: will he take control of the negotiations with the doctors and other health care providers, and will he provide some maturity to these negotiations on behalf of patients here in Manitoba?

Hon. Darren Praznik (Minister of Health): Madam Speaker, there is an irony in the fact today that a former Minister of Health joins us in the gallery. I think if one were to review the clippings from his tenure in office as Minister of Health, he might find that many of the issues do not change in reality, that tactics and strategies in negotiations repeat themselves over and over again.

Madam Speaker, as I indicated last night and as I have said publicly on other occasions, we were embarked on a very different style, an interest-arbitration process, and it got off the rails this spring. The MMA and I will probably disagree on how it got off the rails. From our perspective, it got off the rails when they asked for \$7 million on the old contract, whether they were entitled to it or not. They chose to get into the old method of bargaining. That forced us, as they saw withdrawals of services and patient care, to react in the best interests of maintaining patient care. Did we like that? Not necessarily. If there is a willingness to find a new way to resolve this, we are certainly open to it.

Mr. Doer: Madam Speaker, the former Minister of Health always dealt with very tough issues, and I would grant the minister there are always tough issues to be dealt with in that ministry, but he always dealt with them with dignity, with maturity and integrity, unlike the member opposite.

Binding Arbitration

Mr. Gary Doer (Leader of the Opposition): The minister said again last evening that he was not closing any door to deal with the negotiations with the doctors and provisions of services ultimately to patients, which, of course, is the crucial part to all of us in this Chamber. The doctors are willing to return services to patients if the government is willing to agree to

arbitration. The people at the meeting last evening believe that arbitration is the best way to resolve this issue.

Will the Premier (Mr. Filmon) have the Minister of Health agree to put all items in dispute before an independent binding arbitration process so that patients can be well served by this process?

Hon. Darren Praznik (Minister of Health): Madam Speaker, I have to say to the Leader of the Opposition: was there dignity and maturity when rural doctors withdrew emergency services when we did have a contract in place on fee for service last year? Was there maturity and dignity when we almost had a withdrawal of services on urban emergencies? Was there dignity and maturity when—I believe it was intensivists threatened to withdraw service during this period? Did the same apply in each and every case that Manitobans have seen services withdrawn as part of a strategy that the MMA clearly said to us they were going to do? Is there dignity and maturity in that? Well, I leave that to the public to decide.

* (1340)

Last night I indicated that we would look at all methods of settling this issue. But if one goes to arbitration, it is important that the high-priority issues within the fee structure, those areas that, through allocation, the MMA had a very big responsibility in, Madam Speaker, that were left on the low end—and we have seen physicians leave—those would have to be addressed on a priority basis. We would also have to have assurances that, during the process of arbitration, physicians would not unilaterally withdraw services to Manitoba patients.

Mr. Doer: Madam Speaker, the government was warned some four years ago about the inadequacies of their last contract with the doctors in terms of the inadequacies for specialists, the inadequacies to recruit and retain doctors in rural and northern areas, in fact, facts we made with the previous Minister of Health some four years ago. The government has been warned for the last two years about some of these situations, and the contract has expired on March 31. People in

Brandon talked about the closing of their practices and leaving the province and leaving the communities that so vitally need them, and today we are informed that on June 1, in Flin Flon, Manitoba, physicians at the Flin Flon Hospital will not be available for on-call surgical services in that community.

Will the government today commit itself to putting all items in dispute before a third party binding arbitration process so the patients in Flin Flon and patients in Brandon or patients now in Winnipeg—or who knows where the next flare-up will take place or the next temper tantrum for this minister will take place—so that people and patients can get services that they have in their health care system and they need under their health care system?

Mr. Praznik: It has not been this minister who has been withdrawing services to the patients of Manitoba. It has been the choice of physicians and the Manitoba Medical Association, and they have to bear that responsibility.

The member talks about many of these issues being flagged four and five years ago, and he is right. But let us remember that the power for allocation within that contract, the choices that the Manitoba Medical Association made as to who would benefit and who would not under the last allotment—[interjection] Yes, it was negotiated; yes, it was given, but it was negotiated. The member talks about the MMA in such glowing terms. Well, they had that responsibility of allocation, and many of the problems we have today that they are now using to bargain for the resources of the people of Manitoba stem from the decisions that they themselves made, yet the member for Concordia gives no responsibility to the MMA for decisions they have made.

If the member wants to talk about what was given away, I reviewed some of the material from when they were in power. I remember giving away extra billings, rights to opt out, Madam Speaker, as part of previous contracts. The fact remains that the real critical issue is to deal with those physician groups that are most under the gun, and any way that allows that to happen we are going to be supportive of.

**Victorian Order of Nurses
Home Care Services**

Mr. Dave Chomiak (Kildonan): Madam Speaker, most Manitobans are probably not aware, but the portion of home care done by VON services is probably the most crucial to the entire home care system. That is not to say that the other home care is not important, but without the VON services, home care would collapse as we know it. There are some serious shortcomings that are occurring in the home care situation as a result of the difficulties at VON. The minister has a letter that talks about massive disorganization, missed nursing visits, missed treatments, missed insulin injections, insulin administered late, et cetera.

My question to the Minister of Health is: will the Minister of Health investigate the management and the situation at VON with respect to the difficulties in service so that the patients who are receiving home care in Manitoba can be assured that they are going to get the best quality home care, Madam Speaker?

* (1345)

Hon. Darren Praznik (Minister of Health): Madam Speaker, the observations of the member for Kildonan with respect to the current situation at VON, where in fact there is a labour dispute going on currently, are, from the reports I have, accurate. I would share the same concerns with him.

I can tell you today that in discussions my executive and I had with the Winnipeg long-term community care authority, they are very well aware of that. One would hope that, through the regular processes in the Department of Labour, those matters could be resolved, and obviously attempts should be made to do that. They may be far greater problems than normal salary and bargaining negotiations, and that is where I have concurrence with the member.

Ultimately, the long-term care authority will have to take whatever steps are necessary to ensure service to home care clients in Winnipeg, and we hope the issues can be resolved at the VON. If not, then other options

will have to be pursued to ensure good-quality service in the city of Winnipeg.

Mr. Chomiak: Madam Speaker, I thank the minister for that response, and I want a clarification from the minister to determine whether he in fact is saying what I think he says.

The minister is aware that, despite the labour dispute, there are major problems at VON, including the fact that the long-term care directors quit, the short-term care directors quit, the office manager has quit, the nurses have sent a unanimous letter to management showing lack of respect in the management. There are some major problems at VON, and the department is going to take steps to ensure that those deficiencies are looked after.

Mr. Praznik: Madam Speaker, those are the issues that I have been briefed on by our staff in the Winnipeg long-term community care. As the member is aware, responsibility for home care in the province has been transferred to that organization, a public body.

But let us not forget that the VON is a private, nonprofit organization. It has a board, and it has its management responsibilities. If they are not able to provide the quality of service that we expect in this Legislature that they will provide, then other steps will have to be taken within the regular home care service to ensure the service is provided to Manitobans.

So what I am saying very clearly to the VON today is they better get in and improve their situation or they cannot be relied on to continue to provide service in the city of Winnipeg.

Mr. Chomiak: Madam Speaker, I thank the minister for that clarification. A final supplementary for further clarification: is the minister saying today that the government is prepared to take steps to ensure that the patient care is looked after today, not just in the future in terms of review by a long-term care association, but the care is going to be looked after today to ensure that the patients will receive the care that they require today and tomorrow, but more particularly today, because there are problems in that organization today?

Mr. Praznik: Madam Speaker, the member for Kildonan and I share, I would believe, exactly the same concerns. We do not have the power to necessarily go in and change how the VON manages, but they have a contract to provide service. If they are unable to provide that service, then we would have to find other ways of providing it, because ultimately I think we share the belief that the patients and clients in home care come first, that any loyalty either of us may share to an organization like the VON, which has a long and very excellent history, cannot be put above patient care, and that is a message I have no problem delivering publicly in this House today.

Health Care System Rural Manitoba

Mr. Steve Ashton (Thompson): If there is any doubt that there is a health care crisis in this province, Madam Speaker, one only has to talk to the residents of Brandon. I thought one of the most telling comments was from one of the participants in the meeting yesterday where I asked the government what they are doing for rural Manitoba in its position of crisis right now. Coming from a constituency in Thompson—yesterday the minister said that he hoped the funding formula, which is being opposed by the health authority, would evolve over a number of years—I am wondering when this government, and I want to ask this to the Premier (Mr. Filmon), when the Premier will understand that the people of rural and northern Manitoba cannot wait a number of years if there is a crisis, and when will he step in and deal with the health care crisis in rural Manitoba that we are seeing throughout the province, respond to the people of Brandon and other communities who see no physician care and a crisis in their own community?

Hon. Darren Praznik (Minister of Health): Just, again, to put into perspective somewhat: in the clippings I was going through last night from other days, I recall, during the tenure when his party was in power, again, a crisis in the emergency room. I think there was a strike in the emergency room with withdrawal of services, and an individual in fact died being transported to Winnipeg. So I tell you these issues do come up from time to time and over and over again, Madam Speaker.

With respect to the specific question of the member for Thompson and funding formulas, with the comments I made yesterday, just to repeat to him: our difficulty with the model that was originally proposed is that literally we would provide a total block of funding in which those RHAs would then purchase service in other areas on behalf of their citizens. We wanted to ensure there was more control over those dollars to ensure a consistent level of service across the province.

With respect to RHAs currently, as they work through their problems and take over their operations, we are keenly aware of some of their shortcomings and deficiencies in funding in areas, and we are going to have to address those in the not-too-distant future.

Mr. Ashton: I am wondering, Madam Speaker, when this minister will stop reading clippings and start looking at the reality of what is going on in health care in this province. I specifically want to ask the minister whether he will recognize that in rural and northern Manitoba it is not even like in the city where you get put in hallways; in many cases you cannot even access medical care. When is the minister going to take action to deal with the crisis in rural and northern health care?

Mr. Praznik: Madam Speaker, if you are going to address issues or problems, I think you have to address them in the context in which they occur, and you have to see where you are going in the long term, and you want to try to resolve issues in the long term and not just band-aid them. When you look back over the history of the last 10, 15, 20-plus years in health care in this province, all across the country, you see huge changes and huge issues and regrettably so many people like the member for Thompson calling every problem and difficulty a crisis, when in fact there are changes going on, and they are there for the long period.

Madam Speaker, what we are attempting to do with regionalization is have a better and more directed use of resources, and we recognize that there are different levels of funding, different levels of service across the province, and that was part of the band-aid approach that occurred for 20-plus years in this province by the nature of health care. We are attempting to resolve

that. You have to work them through issue by issue, problem by problem, and the resources, as they are identified, will be put in place to resolve many of those issues.

* (1350)

Mr. Ashton: Well, I am wondering, Madam Speaker, when this minister will recognize that if you are a pregnant woman and you cannot get an obstetrician, or if you live in Flin Flon and you do not have on-call surgery, it is not context, it is not history, it is not solved by reading clippings from 10, 15, 20 years ago. Those people are facing a crisis in rural and northern Manitoba. When are we going to get action from this minister?

Mr. Praznik: Madam Speaker, I know the member for Thompson may not wish to recall previous questions and answers in this House, but last November, under the direction of my legislative assistant, the member for Turtle Mountain (Mr. Tweed), we launched a major recruitment drive for physicians that resulted in 25 or 30 physicians. We still have 10 physicians in the pool available should we need them. That plugged many of the holes that were there in the system that all members wanted plugged.

One of the issues that came up and came up again in Brandon last night was that until recently the prime responsibility for recruitment often rested in a community with the physician clinics, as we saw in Winkler, where two physicians were recruited, were not comfortable with their working relationship, left, went to Deloraine and are now quite happy there. Those are the kinds of issues one cannot always control. The difference now, of course, with regionalization is regions have a responsibility to recruit and to position physicians. We have been working very closely and setting up those contract positions as they are required, and we will continue to do so, including in Flin Flon.

Winnipeg Child and Family Services Caseloads

Mr. Doug Martindale (Burrows): Yesterday in this House the Minister of Family Services refused to agree to review the caseloads of Child and Family Services

workers and supervisors, in spite of the fact that report after report after report shows that this is very necessary, and the fact that this government has contributed to the highest caseloads not only in Manitoba but the highest per capita number of children in care in Canada. I am wondering if this minister realizes that it is her responsibility, that Winnipeg Child and Family Services was created by this government and that The Child and Family Services Act is the responsibility of this minister. When is she going to act to initiate a review of the workloads of workers and supervisors?

Hon. Bonnie Mitchelson (Minister of Family Services): I thank my honourable friend for that question. It again allows me to tell Manitobans about the significant increase in resources that we have given year after year to our Winnipeg Child and Family Services agency. Madam Speaker, we have never denied them money to serve and protect children. I indicated quite clearly that there is new leadership at the Winnipeg agency yesterday in my answer and that they are going through a strategic planning process that will be looking at all aspects of the delivery of child welfare in the city of Winnipeg.

Madam Speaker, we have indicated clearly and will continue to indicate that protection of children is our prime responsibility and that the resources are available in the city of Winnipeg for them to do that job.

Mr. Martindale: I would like to ask the Minister of Family Services, since she did not answer yesterday and she did not answer today—and I will repeat the question: will she now undertake a workload review, since the 1994 Children's Advocate report recommended a review of staffing resources; 1996, workers recommended a workload review; 1997, the Mason Report stated that workers cannot meet reporting requirements; and yesterday a Child and Family Services supervisor, giving testimony at an inquest, said that the workers cannot meet the requirements? When will this minister institute a workload review?

* (1355)

Mrs. Mitchelson: I have answered that question, although my honourable friend—

Some Honourable Members: Oh, oh.

* * *

Madam Speaker: Order, please.

Point of Order

Mrs. Mitchelson: On a point of order, Madam Speaker, I hear the member for Wellington (Ms. Barrett) again today chirping from her seat in a very rude manner. I listened—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable Minister of Family Services, on a point of order.

Mrs. Mitchelson: Thank you, Madam Speaker. I listened very intently to the very serious question that was asked by my honourable friend. I think it is very disrespectful of the member for Wellington, again, as she does on a daily basis, to chirp from her seat in a very rude manner to disrupt my ability to answer the question that was put to me.

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

Mr. Ashton: On the same point of order, I must say that we are probably half a dozen or a dozen members on this side who are expressing dissatisfaction with the minister's lack of response. I am wondering, Madam Speaker, how come the Minister of Family Services is singling out one member, and I heard exactly what the member was saying. She was pointing to the inadequacy of the response of the minister. That is not rude; that is part of freedom of speech in this Assembly, and I would like to ask you to rule this as being not a point of order.

Madam Speaker: Order, please. On the point of order raised by the honourable Minister of Family Services, I would once again ask for the co-operation of all members in quietly listening to the response. Most members—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. Every member in this Chamber deserves common courtesy.

Madam Speaker: The honourable Minister of Family Services, to complete her response.

Mrs. Mitchelson: Thank you very much, Madam Speaker. I have answered that question yesterday, and I have answered it again today.

Mr. Martindale: Madam Speaker, I would like to ask the Minister of Family Services: what is it that she is waiting for before she takes action on the issue of workloads which is leaving children at risk, something which certainly violates the legislation? Is she waiting for the inquest report perhaps a year from now? Is she waiting for more tragedies, for more children to die? How long is she going to wait before she takes action?

* (1400)

Mrs. Mitchelson: I think our government's action speaks for itself. When you look at the budget for Winnipeg Child and Family Services of \$38 million in 1990-91 to a budget of \$63 million today, I think our government has taken action to provide the resources to try to ensure that children are protected. I know that the Winnipeg agency, through its strategic planning, will develop a plan of action that will address the issue of caseloads and protection of children.

Manitoba Medical Association Essential Services

Mr. Kevin Lamoureux (Inkster): Madam Speaker, my question is for the Minister of Health. The Minister of Health prior to the current minister would often say he wants to put patients first. Today in Question Period, the Minister of Health says he wants to put patients first along with clients, which are in essence the same thing. My question to the Minister of Health: consistent with his remarks and the remarks of his predecessor, does he not recognize that there is a need in certain areas of health care in deeming it as essential services and not allowing strike situations?

Hon. Darren Praznik (Minister of Health): Madam Speaker, absolutely, and that is why in fact this government brought in essential services legislation.

Regrettably, there were a great deal of difficulties in applying that to fee-for-service physicians who were in essence independent operators who receive a fee. I imagine in the planning for that act that that was part of the difficulty why they could not be included.

Mr. Lamoureux: Madam Speaker, then, for clarification: is the Minister of Health saying that there is absolutely no option for the government to take with respect to situations, whether it was the emergency services strike or the threat of obstetricians pulling out services? Is there nothing government can actually do?

Mr. Praznik: Madam Speaker, I know last fall when we faced a strike of emergency doctors in the city of Winnipeg, those who were under collective agreements in the community hospitals would have been covered by the emergency essential services legislation, those who were independent practitioners practising on fee for service would not have been. Part of the difficulty in applying that to fee-for-service independent practitioners is they are not your employee; they are not on a formal contract with you that can require them to work or not. The arrangement is simply they do the work, they get paid; they choose not to do the work, they do not get paid for that particular piece of work they would have done.

Mr. Lamoureux: Madam Speaker, I think the Minister of Health is being somewhat modest in what his abilities actually are, whether it is billing numbers or whatever it might be—

Madam Speaker: Question.

Mr. Lamoureux: Will the Minister of Health acknowledge that in fact there are things which this Minister of Health can do? Maybe what he should be doing is looking at those so that in the future, Madam Speaker, we do not have Manitobans facing a potential crisis situation, which is not fair to the patients of the province?

Mr. Praznik: Madam Speaker, on that point the member and I find total agreement. That is obviously something that should be explored. The time, of course, not to do it is when you are in the midst of a dispute and trying to find a means of settling a contract. Obviously, he has flagged billing numbers.

One of the current difficulties, because a fee-for-service contract—and I have said it many times and I have been accused of many things by the opposition as a result. But one of the realities of it, of course, is that you do not have a real strike situation. In a real strike when people withdraw services, they lose their pay cheque, the employer loses the services, and it forces each party ultimately to resolve the issue. In this situation, when obstetricians say we do not take new patients, it takes months and months and months, maybe even a year, before that has any financial effect on those individuals. They can threaten patients in essence without really causing any financial loss to themselves. That is an incredible power. I think many have flagged that in calls and letters to the editor, et cetera, but to create a legislative scheme that changes that is rather complex. Should we explore it? Absolutely, Madam Speaker.

Northern Airports Runway Markers

Mr. Eric Robinson (Rupert's Land): Madam Speaker, my questions are for the Minister of Highways. This is further to a report that was read this morning in one of the Winnipeg newspapers. I would like to ask the minister if he could tell this House who recommended that the northern airstrips, the runways, be marked with trees as opposed to orange cones that would make it more visible in almost any weather condition.

Hon. Glen Findlay (Minister of Highways and Transportation): Madam Speaker, airports in Manitoba are operated according to Transport Canada guidelines.

Mr. Robinson: Madam Speaker, it has been reported that—of course, contrary to what the minister said.

Safety

Mr. Eric Robinson (Rupert's Land): The northern airports task force is currently meeting in Thompson today. I understand that. I would like to ask the minister to explain what commitments he has made to the current Highways budget to improve airport safety in northern Manitoba.

Hon. Glen Findlay (Minister of Highways and Transportation): Madam Speaker, in an ongoing fashion, we try to maximize safety at all airports in Manitoba. The task force working group was formed to see if there are other issues that need to be attended to with regard to improving safety in Manitoba airports in the North and elsewhere. I am committed to following through whatever way we can, in conjunction with Transport Canada, to achieve those objectives.

Winter Roads State of Emergency

Mr. Gerard Jennissen (Flin Flon): My questions are for the Minister of Highways, as well. The unseasonably mild winter this year resulted in early closure of winter roads or incomplete construction of winter roads, thus forcing isolated communities and the two levels of government into taking extraordinary steps to ensure that critically necessary supplies could be shipped in. Could the minister explain why his government refused to declare a state of emergency over the entire winter road system?

Hon. Glen Findlay (Minister of Highways and Transportation): Madam Speaker, there certainly was a state of urgency with regard to moving supplies to communities for which winter roads could not be constructed under the normal process because of weather. This government, and particularly this department, responded to be sure that we got the goods in through an emergency process. That process was followed, and the goods were delivered to northern Manitoba.

Mr. Jennissen: Since the cost of bulk foods, shipping housing materials and other supplies that would have gone on the winter roads and now must be shipped by air to the Dene communities at Tadoule Lake and Lac Brochet—this cost has been estimated to be as much as \$800,000—I still want to ask the minister why this situation was not clearly labelled an emergency.

Mr. Findlay: Well, Madam Speaker, I have a hard time understanding why the member wants to have it called an emergency. We understood the problem, and we responded by being sure that facilities and

operations were set in motion that delivered the goods there. Plus, we signed a memorandum of understanding with the federal government with a process included in it for paying for those extra costs. The job was done. Is he not satisfied with that?

Chief Judge Gag Order

Mr. Gord Mackintosh (St. Johns): To the Minister of Justice, Madam Speaker. Over the past few sittings in the Justice Estimates, the minister has outright refused to answer important and specific questions about his meetings with the Chief Judge where he was rigging the appointment process for provincial judges. Yesterday, for example, he would not even answer with a simple yes or no whether anyone else was present at that meeting.

So my question to the minister is: given this contempt for the Legislature, would the minister confirm—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. I am experiencing great difficulty hearing the question being posed by the honourable member for St. Johns.

The honourable member for St. Johns, to pose his question, please.

Mr. Mackintosh: Thank you, Madam Speaker. My question for the minister is this. Given this contempt for this Legislature, would the minister confirm that he has arranged with a person outside of this Legislature, namely the Chief Judge, not to account to Manitobans for what took place and to now remain silent on the specifics of this issue?

Hon. Vic Toews (Minister of Justice and Attorney General): Madam Speaker, I have answered these questions extensively, both in the House and at committee. What I find the member doing over and over again is asking the same questions over and over again, and indeed—

An Honourable Member: And you do not answer it.

Madam Speaker: Order, please.

* (1410)

Mr. Toews: The suggestion that was made to me by the member for Thompson (Mr. Ashton) is that I should simply refuse to answer. Now I did not take that suggestion. I will answer questions that I believe are relevant to the Estimates of my department, and if the member has any questions to ask that are relevant to the Estimates of my department, I will respond in an appropriate fashion.

Mr. Mackintosh: Well, there is the proof, Madam Speaker.

My question to the minister: did the minister not make a secret deal with the Chief Judge of Manitoba that neither would again speak publicly on this very public issue, there is a gag order on the Chief Judge in order to have damage control for the government and on the minister so he has an excuse not to give conflicting and unbelievable accounts even further of what he did?

Mr. Toews: Well, Madam Speaker, you can see again how he has asked a number of questions, and so I want to be very careful how I answer any one of these questions.

What I can say in respect of this question—if the member is asking whether there are any legal consequences flowing by the statement made by me on May 13, all I can indicate is that if the Chief Justice, or Judge, I should say, decides to make any further statements or comments, she is entitled to do so. The member keeps on referring to some kind of a gag order. I have no control over a Chief Judge in the way he suggests that I do.

Mr. Mackintosh: Would the minister explain, after he told this House that it was his understanding as a result of discussion she would not speak further, since when does the minister believe that he is accountable to a back-room deal rather than to Manitobans? I mean, is this not sure proof of a government in office too long?

Mr. Toews: Madam Speaker, I am not presumptuous enough to assume that I know what the people of

Manitoba want on a day-to-day basis. I believe that this government has provided good government over the past 10 years, and I am very proud to be associated with this particular government. So if that is the answer that the member wants in respect of his last question, that is my answer.

Prospectors Assistance Program Funding

Ms. MaryAnn Mihychuk (St. James): My question is to the Minister of Mines. Ore reserves and deposits are depleting at a fast rate in Manitoba, and a number of mines have closed down operations which has adversely affected the welfare and employment of persons in the North and in mining communities. It is therefore essential to provide financial assistance to small, independent Manitoba prospectors in an effort to discover new ore bodies, particularly in traditional mining community areas. Can the minister explain why this government and he have decided to cut the Prospectors Program by more than 50 percent?

Hon. David Newman (Minister of Energy and Mines): Madam Speaker, I do not know what she is talking about. That has not been done.

Ms. Mihychuk: Madam Speaker, perhaps the minister can read his own Orders-in-Council. Last year, in 1997-98, the prospectors' fund received \$300,000. Is he aware that his own department is cutting that program to \$125,000, cut by more than 50 percent this coming year?

Mr. Newman: Madam Speaker, the Prospectors Assistance Program is currently under review, and recommendations are in the process of being developed.

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please.

Ms. Mihychuk: Madam Speaker, in all seriousness, the situation in mining is urgent. Will the minister agree to reinstate the funding for the Prospectors Assistance Program? Will he expand it, and will he include First Nations people in this needed program?

Mr. Newman: Madam Speaker, the solution to the challenge on mining in the province of Manitoba goes beyond political solutions and beyond rhetoric in this Legislature and certainly even beyond modest efforts on our part to make sure that we are competitive in attracting investment to the province. The kinds of things that we as a government are doing are reflected by a meeting that is going on this morning, with the full knowledge of the honourable member for St. James (Ms. Mihychuk), and that is a development through a workshopping process this morning in the presence of aboriginal elders and other members of the aboriginal community from the North and elsewhere in one of the local hotels.

The mining industry is well represented there. They are attempting to establish a relationship based on standards. Hopefully, what might emerge from that is content in the relationship which will allow the ninth point of our mining strategy to be put into practice in northern Manitoba. Once we establish a positive relationship between aboriginal people and mining explorationists and mining companies, then it will be even more attractive for investment. That will make the difference.

Madam Speaker: Time for Oral Questions has expired.

Speaker's Ruling

Madam Speaker: I have a ruling for the House.

On May 4, 1998, during Question Period, I took under advisement in order to review Hansard a point of order raised by the opposition House leader.

The point of order concerned an answer given by the honourable First Minister (Mr. Filmon) to a question asked by the honourable member for Osborne (Ms. McGifford). The point of order raised by the House leader for the official opposition alleged that the First Minister imputed unworthy motives to the honourable member for Osborne and that the comment should be withdrawn.

In the response to the question, the Premier said, "You see this leads to the confusion and the raw

attempts for people to get involved for political purpose in this thing" and "We cannot just go running around and tilting at every possible new avenue in hopes that it will bring some positive political benefit to us."

I am ruling that there was not a point of order. However, I would caution the First Minister to choose his words with care, as in this instance they did create disorder.

MEMBERS' STATEMENTS

St. James-Assiniboia Kiwanis Club

Mr. Gerry McAlpine (Sturgeon Creek): Today is a special day for the Kiwanis Club of St. James-Assiniboia as they are celebrating 40 years of providing independent living accommodation for seniors in our community. I have the honour of attending this evening's ceremony and a barbecue on behalf of the Minister responsible for Seniors and Housing (Mr. Reimer). Tonight's celebration will feature entertainment by young people who have been sponsored and helped by the Kiwanis over the years.

Seniors today value their independence. They are very active members of their communities and harbour a strong desire to remain close to the family, friends and the social amenities that they have grown accustomed to. That is why residential development like the Kiwanis Courts and Lodge are so valuable. They provide affordable, quality living accommodation in a seniors-style community that provides an alternative lifestyle for older adults who have been used to living in their own homes.

For 40 years, the Kiwanis Club of St. James has been providing seniors with exceptional housing by providing seniors with cleaning, meals and social programs. They have been allowed to live comfortably while giving them independence and dignity, security with freedom, and community with privacy.

So, on behalf of all honourable members, I ask that you join myself and the honourable Minister of Seniors and Housing (Mr. Reimer) in congratulating the Kiwanis Club of St. James and wishing them continued success in the future, Madam Speaker. Thank you.

* (1420)

Winnipeg Police Service Charity Ball

Mr. Gary Kowalski (The Maples): I would like to rise and say a few words about an event I attended on Saturday night and that is the annual Winnipeg Police Service charity ball. This is an annual event, and once again it was a very successful event. A number of MLAs attended, representing their various parties. It once again raised a large number of funds for the Children's Hospital Foundation along with other charities. Of course, it is always a pleasure for me to go because to be recognized by your peers is always an honour and a pleasure, and I think members of this Chamber should be aware next year is the 75th anniversary of the Winnipeg Police charity ball. It is also the last one of the millennium. So I hope that a number of members will take advantage and attend the police charity ball next year so that they could have a sell-out crowd and raise more money to help children. Thank you.

Partners with Youth Program

Mr. Ben Sveinson (La Verendrye): Madam Speaker, it is a pleasure to rise in the House today to comment on yet another initiative the Filmon government has undertaken to benefit young Manitobans.

Our government believes in offering young Manitobans the opportunity to pursue their goals and careers. As part of their commitment I am proud to comment on the 1998 Partners with Youth program which was launched today. This program will assist employers in hiring over 250 young Manitobans. Madam Speaker, it is a program that will do more than help young people gain experience and find fulfilling employment; it will assist employers who are looking for quality workers in Manitoba's robust economy. The Partners with Youth program will also operate as the Young Entrepreneurs program which will help young Manitobans enter businesses for themselves.

I think all members of this House will agree that there is no better place in all of Canada to be an entrepreneur than in Manitoba. Today, as our province reaps the benefits of 10 years of solid fiscal manage-

ment, we have an economy that fosters small- and medium-sized businesses and gives them confidence for a stable future.

Our government has invested \$625,000 in this program. It is an investment in our young people, it is an investment in our future, and it is an investment that will pay dividends for years to come. This program is part of building a strong community and a strong future for our young people in a strong province. Indeed, Madam Speaker, Manitoba is the best place in the world to live, to work, to invest and to raise a family. Thank you.

Health Care System—Rural Manitoba

Mr. Gerard Jennissen (Flin Flon): Madam Speaker, the bungled health care reform policies of the provincial government, which include the loss of valuable programs at Misericordia Hospital, along with numerous other cuts and reductions across Winnipeg, are also having severe effects in rural and northern Manitoba.

As early as June 1, the Flin Flon Hospital may lose emergency surgeries and other services at night. Baby deliveries and other cases are being affected as well. Now many more Flin Flon residents will have to travel to Winnipeg for services that should be provided locally. Of course the government will expect them to pay the special Filmon transportation tax of \$50 that only applies to northerners.

For three years I have sat in this Chamber as two successive Health ministers have claimed that they have a plan. Just wait, and in a month or two everything will be publicly revealed. Never happens. Instead, what Manitobans see is a government and a series of Health ministers who after 10 years in office have no overall plan. Instead, they lurch from one crisis to another. The band-aid approach to delivering health care is simply not working. The minister tries to use the regional health authorities to divert attention from the basic issue of accountability. Northern Manitoba has taken far more than its share of the questionable health care cuts that this government has used to balance its budget.

Patients, their families and the general public are being forced to pay the costs. This government is unsympathetic and uncaring. We say to this government: start providing the health services your own press releases claim are there for all Manitobans.

Graduation Powwow

Ms. Jean Friesen (Wolseley): I would like to draw attention of all members of the Legislature to the graduation powwow at the University of Manitoba held on May 9 of this year. This is an annual ceremony to recognize the aboriginal graduates of both the University of Manitoba and the University of Winnipeg. This year the event was held at the new gymnasium. Indeed it is the first public event to be held in that important facility. This was a time for hundreds of First Nations people, families and communities to gather to celebrate the achievement of these young people, and we congratulate them, too.

Madam Speaker, I have taught some of those graduates, and I know that, for many, theirs has been a long journey, and they are and should be justifiably proud of what they have accomplished. But, as we look back at the history of this period in Manitoba, it will be one of the tragedies for our province that both the federal government and the Filmon government withdrew their support of the Access programs.

Madam Speaker, Access programs began under the government of Mr. Schreyer, and they were one of the most innovative programs in Canada's post-secondary education system. They brought First Nations into universities and colleges, provided professional training in medicine, dentistry, social work, science and education. The Access programs gave Manitoba's First Nations opportunities in post-secondary education at a time when they were closed elsewhere in this country.

Madam Speaker, the Access program has received international acclaim, but the hope and promise that it represented for First Nations have been betrayed by this Filmon government.

* (1430)

ORDERS OF THE DAY

Hon. James McCrae (Government House Leader): Madam Speaker, I move, seconded by the honourable

Minister of Family Services (Mrs. Mitchelson), that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

Motion agreed to.

COMMITTEE OF SUPPLY (Concurrent Sections)

JUSTICE

MATTER OF PRIVILEGE (Continued)

Mr. Chairperson (Gerry McAlpine): Order, please. Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply meeting in Room 254 will resume the consideration of the Estimates of the Department of Justice.

When the committee last sat, the honourable member for Inkster had 29 minutes remaining in speaking to the motion by the member for St. Johns (Mr. Mackintosh), that the alleged matter be reported to the House. Does the honourable member for Inkster wish to continue?

Mr. Kevin Lamoureux (Inkster): Yes. Mr. Chairperson, the advantage of being able to continue is I was able to peruse Hansard from yesterday.

I just wanted to pick up on the point on which I had left off yesterday and that was the whole idea of the Chief Judge wanting to see I guess that consistency. I believe that if, in fact, the member for St. Johns (Mr. Mackintosh) is able to demonstrate guilt, let us say, for the Minister of Justice (Mr. Toews), then the same would then apply for the Chief Judge, and a number of allegations were, in fact, raised.

I think what I wanted to do was to quote specifically from the member for St. Johns which I think clearly demonstrates the point, and I quote right from Hansard: "The minister has been putting the interests of power of the Conservative Party ahead of the repute of the justice system and the confidence that Manitobans must have in it, because right now we are looking at a system whereby the Chief Judge of Manitoba is making a back-room deal with a politician for the sake of a political

party, a Chief Judge making a deal with a politician to protect a politician's rear end and protect the Conservative Party."

Well, Mr. Chairperson, I would suggest to you that indeed that is a very serious allegation. I guess we all try to do what we can to ensure some sense of accountability in wherever we can have some sort of a positive impact in which there is a benefit to all Manitobans. Wanting to at least be open-minded to the points that the official opposition is bringing to the table, I am still finding it difficult to be able to censure the minister or to request that the minister resign.

When we talk about questions and answers, I have sat through many hours, likely just as many as anyone else inside the Chamber over the last 10 years and listening to debates, questions and answers. I can recall some of the more lengthy speeches were likely given during the Don Orchard and Judy Wasylycia-Leis era or Jay Cowan and Don Orchard, where they would go at each other and one could question the relevancy or whether or not there was even a question or whether or not there was even an answer being provided.

I think there has been a great deal of latitude in providing answers or so-called answers, and equally the same is applied for questions. At times, there has been a question of relevancy in trying to get a minister to answer a specific question. As a member of an opposition, Mr. Chairperson, I can sympathize with that, because when we do our work and we want to be able to do the best job we can, quite often it requires a minister to be straightforward and tell us a very specific answer to a question that is being posed. At the best of times, it can still be difficult.

If a minister chooses to answer a question in such a way which is not satisfactory to a member of the opposition, as a member of an opposition party you can continue to ask the question indefinitely. There are, in fact, no time limits. I can recall having discussions, for example, when we had a larger caucus where—and this would involve House leaders—in a larger caucus we would say, look, if a minister is not going to answer the question, what we would do is we would plan on bringing that minister before a concurrence motion where it is in fact unlimited time. There is a little bit more pressure on the minister then to answer the

question. This way, we can move on to different lines and so forth. Ultimately, that is a lever that any member of the opposition can use.

I would suggest, because it has happened to me where you do get a sense of frustration, that you pose your questions during concurrence and make it known to the government House leader and the minister that you are not satisfied and you will continue on. But the quality of the answer itself and that is, in essence, the matter of privilege that is being raised, is really questionable. I think there is just so much discretion, especially if you look at past practices, that I do not believe that this minister has done any worse than some of the other answers or nonanswers that I have heard in the past, especially in the whole area of health care, as I indicated some names of previous members where it just seemed endless, and you quite often wonder, well, where are they both coming from. Is there, in fact, a question or is there, in fact, any sort of an answer to it?

Dealing with the specific issue that has been raised—and the member for Thompson (Mr. Ashton) really focused his attention on the issue. I guess when I look at the issue of rigging, where it is a very serious allegation, I have already commented on the fact of the Chief Judge, and I think that the opposition should be consistent. If, in fact, they believe what they say, the Chief Judge should also be—they should be arguing that the Chief Judge should be resigning. I do not say that lightly. I say that after giving a great deal of thought to it and, as I say, rereading the Hansard from yesterday and thinking of comments that were made previously.

But with respect to the minister, what I did is I had risen after the minister. The minister made a ministerial statement where there was dialogue that occurred in one form or another in which there was supposedly concurrence that that ministerial statement that was being made was shared, at least in part, with the Chief Judge. Well, I can say that in that statement, nowhere does it say that the Minister of Justice (Mr. Toews) was wrong. There was miscommunication; that is very obvious. She does not directly contradict what the minister has said.

Yet there is concern in terms of, well, this whole silencing effect that the minister has had over the Chief

Judge. I am sensitive to that. That is why later that day I had stood and used my grievance. Every MLA is entitled to one grievance a year. I chose on that day to express my concerns. I went over, from what I could recollect offhand, a number of sequences of events that took place. Then after speaking to it I even indicated it in my grievance that I would be forwarding my speech to the Chief Judge's office.

* (1450)

The following day when Hansard was produced, I did, in fact, send it to the Chief Judge's office. I have not received anything back. In that speech that I gave I emphasized, at least I believe I emphasized, the importance to get something if there is anything of contradiction. If, in fact, the Minister of Justice is not speaking in sync with what the Chief Judge was saying, I would expect that I would at least be notified by it. I have to date received nothing with respect to what I faxed over. That was my speech verbatim from the Chief Judge.

So, Mr. Chairperson, again, when I review what I know to be the facts and discussions that I have had, I do not believe, No. 1, that there is a need to see this motion go to the Chamber; and No. 2, I do not necessarily believe that the Minister of Justice (Mr. Toews), at least at this time, should have to step down.

Now, I say at this time, Mr. Chairperson, because maybe there is something else that might be out there that would cause me to reconsider it, but to date there has not been anything. My suggestion to the official opposition would be, if they want to continue on in this line, to do two things. If they believe what they are saying, then it is time that they demand for the Chief Judge to resign. Secondly, if they feel that the minister is continuing to filibuster, if you like, that they give the minister notice that they will bring it up during concurrence along with the government House leader. Hopefully that will then put whatever pressure necessary in order to bring the matter to rest so that we can start dealing with other issues facing Justice.

On that point, one of the sad things of this whole ordeal has been the need for that bilingual judge. If in fact there is a need for a bilingual judge, well, what is

going to become of it? What would happen if there was a need for some other minority judge in the future and no list is provided? Is there any responsibility?

I think that what we have done is we have gone from the two extremes. We have gone from an extreme where it was strictly a political appointment to a situation where there is no acceptable, allowable modification of a list. I am not convinced that that is in fact the best way to do it. If you make reference to the bilingual requirement, for example, and the minister knew that there was only one person who was bilingual, what the minister could not have controlled would have been the committee from going out requiring other bilingual candidates. There is no physical way the minister could have suggested that a particular individual be put on that list. If in fact that was clearly demonstrated, again, I think that the opposition would have something more to go on. I look at the need for judicial independence. I try as much as possible to respect that, but I would like to see us move on to the whole idea of the need for a judicial review.

I have a resolution inside the Chamber regarding it, Mr. Chairperson. I would like to see that debated. I would like to see a number of issues discussed. I think maybe what we should do is possibly move on, if, in fact, the member for St. Johns (Mr. Mackintosh) is feeling frustrated on this one point, but I would definitely not suggest that it go to the Chamber. Therefore, I would be voting against the recommendation. Thank you.

Mr. Chairperson: I have a list. The honourable member for The Maples (Mr. Kowalski) had indicated that he wished to speak on this matter.

Mr. Tim Sale (Crescentwood): Mr. Chairperson, I want to speak in favour of the motion to bring this matter to the House. This is a procedural motion to censure the minister. In order for it to be voted upon by all members, it must be brought to the House because this committee does not have confidence to judge the matter of privilege under our rules.

So contrary to what the previous speaker may have thought, this is a motion of censure to the minister's conduct in this matter, and it is not at this point a call

for his resignation. That has already been made and certainly should be complied with, but that is not the substance of this motion.

Point of Order

Mr. Lamoureux: It is just sort of a point of order, Mr. Chairperson, because I think it is important from what I understand of the motion. Please correct the committee if I am wrong, but this motion is asking for the motion of censure to go to the Chamber, to the full House, so that is, in fact, what we would be debating? [interjection] Correct?

An Honourable Member: Say it again.

Mr. Lamoureux: That the motion is actually asking that the previous motion of censure be brought to the Chamber, so what we are actually debating is the motion to send the other motion to committee.

Mr. Chairperson: The honourable member does not have a point of order, but just for the clarification of the committee—and I am making some interpretations on the honourable member for Inkster (Mr. Lamoureux)—the honourable member for Inkster was, I considered, relevant. With respect to the motion that is on the—and he was speaking to the issue that was there, so for the benefit of the committee members, if that were the situation otherwise, then I would have brought that matter to his attention.

* * *

Mr. Chairperson: The honourable member for Crescentwood, to continue with your comments.

Mr. Sale: Mr. Chairperson, I was not challenging what the member said in terms of relevance or appropriateness. I was clarifying the point of the motion which you have also done.

The substance of the motion is that the minister has failed to be forthright with the committee and to answer questions that go to the heart of his duties in regard to the appointment of judges. I want to, first of all, review for the matter of the substance what he has refused to answer.

He, first of all, has refused to answer the conflicting accounts that he gave to the House, three different accounts, in regard to issues of bilingualism. He has not been prepared to indicate to the committee when he discovered that there was not a bilingual candidate in the list of seven names. He is not prepared to indicate whether the Chief Judge, acting as chair of the committee, told him on the weekend previous or in the week previous that there was not a bilingual candidate. He has not been willing to be forthright with the committee about that very important matter.

He has not been willing to be forthright with the committee about the question of who proposed taking the list back in clear contravention of the act. He has not been prepared to be forthright with the committee about the matter of the knowledge of whether Mr. Joyal's name was or was not on the list, and when he knew that. He has not been prepared to be forthright with the committee about the question of whether he directed that the list be taken back, or whether the Chief Judge suggested that she might take the list back and see if the committee would be agreeable to adding names, in clear contravention of the act.

* (1500)

He has not been willing to be forthright about the question of the process of the committee in terms of further adding of names, whether he believed that was lawful or not. If he did believe it was lawful, then he clearly did not understand the act, not been prepared to be forthright about that, not been prepared to be forthright about his lack of understanding of his own statute, which was clearly breached.

He has not been forthright with the committee about the gag order that he has apparently saddled himself with. It has been clear to the committee that he is not prepared to answer questions about what happened in the meeting, so there must be a gag order. Otherwise, it is hard to understand why he would not be forthright with the committee about that. He has not been prepared to answer questions of who was present at the meeting for part or all of that meeting, in spite of our request to know whether there were other parties present. He has not been prepared to tell us whose idea it was to hire lawyers and go into a room and negotiate the truth. He has not been prepared to tell us whether

he called the Chief Judge and asked the Chief Judge to get a lawyer or whether he did that through an intermediary or whether it was some third party's idea in the first place. He has just indicated that contacts were made. He has not told us what instructions he gave his counsel, his private sector counsel that he hired, to negotiate the truth with the private sector counsel of the judge. He has refused on many, many occasions to answer those questions.

I want to quote from a recent speech by President Bill Clinton at the WTO meetings which our Minister of Industry, Trade and Tourism (Mr. Downey) attended. He says, and I quote: We have learned through a long trial and error that governments work best when their operations are open to those who are affected by their actions, that as American Supreme Court Justice Louis Brandeis said famously, sunshine is the best of disinfectants.

The opposition has simply asked that the sun be allowed to shine on some very cloudy and troubling conversations which resulted in a clear breach of the statutes of this province. At least the minister has never tried to suggest that there is a section of the act which allowed the minister to send back a list he did not like. He knows and we know that there is only one time at which a list can be returned, and this certainly was not it. So we are asking for the opportunity to simply let some sunshine in, as probably the most famous of all American judges stated was the best of all disinfectants—and this is a situation that clearly needs disinfecting, because by his actions he has tainted his own office. He has tainted the office of the Chief Judge of this province. He has brought into contempt the process of the House by failing to be accountable. He has brought into contempt the process of the committee by failing to be straightforward with the committee.

So we have very few options but to bring the minister to a situation where the court of the Legislature has an opportunity to judge whether indeed he is in contempt of the Legislature or not. That is the purpose of this motion and it is a worthy purpose, because this committee has gotten nowhere with its inquiries as to what actually happened in that closed room either between the minister and the Chief Judge or between the two counsels for the minister and the Chief Judge.

As the minister knows full well, he might as well have been present in that room with his counsel, that there is no difference when you hire legal counsel to negotiate something for you whether you are present or not. All it does is put in place an apparent mechanism of separation, but there is no separation because, in fact, the parties are negotiating what their employers wish them to negotiate, and that is what was going on in that closed room. Two parties hired counsel to negotiate a suitable climb-down for the minister, it is alleged—and that is what we would like to find out about, whether it is true or not—in return for the Chief Judge agreeing not to table a statement she had written and put to file earlier that week.

So the minister has a lot of questions that ought to be answered. We called for an inquiry; we called for him to do the honourable thing. He will not do that. He will not follow Mr. Runciman's example or the example of countless ministers before, including Wilson Parasiuk who stepped aside for an inquiry which completely exonerated him. Mr. Runciman may or may not be exonerated, but he nevertheless did the right thing.

This minister will not do that, so we are now serving notice that we believe that he holds this committee in contempt and that the House should have a chance to vote on that, and I believe we should do that, Mr. Chairperson. Thank you.

Mr. Doug Martindale (Burrows): Mr. Chairperson, often when people rise in the Chamber to speak in debate, they say that it is with pleasure that they rise to speak on a bill. In this committee, I must say that I feel sad to be debating this motion because we are talking about the reputation of a minister here, a reputation that I think is in tatters, certainly in the legal community and I think in the broader community in Manitoba as well, and I think that is cause for sadness because it does not happen very often. It has not happened very often with this government. Maybe it should have happened more often with individuals, but I cannot think of another example where a minister has been asked to resign because he is not following the law. In this case, the Attorney General is in a unique position in that it is his responsibility to uphold all the laws of Manitoba and the laws of Canada, that it is his department's responsibility to administer.

I think not only has he broken the law, particularly the act that we are talking about here, The Provincial Court Act, but probably his oath of office. He has certainly abrogated some of his responsibilities and duties as a minister. Now, I think we are dealing with a piece of legislation that was improved by this government. We know that the Law Reform Commission, for example, brought in a report called the Independence of Provincial Judges dated 1989 and that in 1990 when the current Minister of Environment (Mr. McCrae) was the Attorney General, that the amendments were brought forward.

I went to the Legislative Library and I got out the speeches that people made on Bill 70, The Provincial Court Amendment Act, in November 1989. We know that not only did the government who introduced it support it but also the official opposition, the Liberal Party at the time. The critic was one Paul Edwards. He supported the bill, and the critic for the NDP who spoke on the bill was the current Leader of the official opposition, and all three parties supported the amendments to The Provincial Court Act. We think that those amendments were an improvement over the previous process, which was one totally of political patronage. It is really interesting to look back on that old process and see how it worked.

A couple of weekends ago, I read a book called *A Majority of One: the Life and Times of Lewis St. George Stubbs*, who was a judge and later a member of the Legislature. He talks about judicial appointments. It is quite interesting to read some of the quotes, especially the ones about himself. In fact, the Law Society of Manitoba was not happy with his appointment, and they said it was a clear case of political patronage. Judge Stubbs replied: Was it not ever thus; tell me something new. He was appointed by Prime Minister Mackenzie King. Now, would there be a reason why a Liberal Prime Minister would appoint a Liberal as a judge? Well, had he ever been a candidate in a federal election? Yes, he was. He was a candidate in Marquette in a federal election, and so it would be no surprise that he was appointed as a judge.

* (1510)

So it used to be that political patronage was the order of the day, not only federally as it still is but

provincially in every province. For example, in Ontario there was a royal commission of inquiry into civil rights by Chief Justice James McCrewar [phonetic], and one of the interesting quotes that I found was this: There have been isolated cases where one who has not been a supporter of the party in power has been selected for the office, but such cases are not usual. This would have applied to all provinces at that time.

When I was in Toronto at Christmas, we were guests in the home of my wife's relatives, and one of them is a judge appointed by the federal government. He had been nominated by an organization in Manitoba to be appointed to the Supreme Court of Canada. So there was great excitement and anticipation about his chances of being appointed to the Supreme Court of Canada. I listened to some of the conversation which was really quite speculative in nature, and when it was finished my comment was: wrong party. He was a Conservative and appointed by a Conservative government, and he knew that his chances of being appointed to the Supreme Court of Canada were zero. He agreed with me. He knew that he did not have a chance.

So we know that the federal appointment process is still very much of a political process, but the fact that provinces have changed the process is a good sign, and the federal government could institute reforms based on what has happened in the various provinces.

Mr. Chairperson: Order, please. I will remind members of the committee that we are debating the motion, that the alleged matter be reported to the House, and I would ask all honourable members to remain relevant to the motion before us. I would ask the honourable member for Burrows to continue.

Mr. Martindale: Thank you, Mr. Chairperson, for that advice. I think it would be fair to say that whenever we have asked questions of this Minister of Justice (Mr. Toews) about The Provincial Court Act or about the appointment process, we have been stonewalled, that this minister has refused to answer questions. That is why we have introduced this motion.

It seems that there was a gag order. It would be interesting to know—perhaps this minister will write his memoirs sometime and then we will know, but I think there was probably a sense of crisis in the Premier's

Office and the minister's office, and probably this minister got called into the Premier's Office and the Premier's (Mr. Filmon) staff were there. I do not know if the minister had any staff there. He probably felt quite naked standing in front of the Premier, and the Premier said: This has to stop. We have to do some damage control here. We have got to stop this as soon as possible because this cannot go on. We have an idea, and the idea is a ministerial statement, and we will get the Chief Judge to negotiate—we do not know how—and we will get the minister to negotiate. Well, maybe what we will do is we will hire lawyers and we will get them to negotiate an agreement. Then we will read this agreement in the Legislature, and we will call it a ministerial statement. Then we will refuse to answer questions about the ministerial statement. We will refuse to answer questions about how it was negotiated, who hired the lawyers and who paid for them. That way it will stop. There will be nothing new coming out of this.

And what did this minister do? Well, he agreed to it, of course. That is not what he should have done. He should have said: Mr. Premier, it is my reputation that is on the line here, and I am not going to let this drag on for weeks or months. I am going to step aside. We do not even need to call it a resignation; I will step aside. You appoint a judge such as Judge Hughes from Alberta to conduct an inquiry, and we will get to the truth of the matter. We will find out what actually happened, and the judge can decide whether I did anything improper or not. Since this minister and this Premier must believe that their minister did not do anything improper, of course his name will be cleared and then he is back in cabinet or back in as Minister of Justice.

But, no, this minister, I am sure, had the opportunity to say to the Premier (Mr. Filmon) that he was going to step aside, but he chose not to. Instead, he chose the route of damage control. He chose the route of a ministerial statement, and then subsequently refused to answer questions in this committee, refused to answer questions in the House. We can only conclude that there must have been an agreement negotiated by legal counsel for both parties that there would be no further answers to questions about the ministerial statement. We are very disappointed that this minister chose that

route, because we think that the process of having a list of judges to choose from is an improvement.

Now, maybe the minister does not think it is an improvement. Maybe the minister thinks that it took power away from him, that he, as a democratically elected person representing his constituency, representing the people of Manitoba, for some reason it gives more power to judges and lawyers and less power to an elected person. But if the minister believes that, then he should amend the legislation. He should change it. If he is unhappy with the way it works now, if he cannot get the person that he wants now, if that is his main problem, they have a majority government, they can introduce amendments. They could amend the legislation and give the power back to the minister. But to try and rig the list and to not follow the act is a very improper way to go—[interjection]

This minister has—well, the Minister of Justice (Mr. Toews) can correct me on a point of order. He can answer the questions of our critic. He can rebut what I am saying. He can also step aside.

Point of Order

Hon. Vic Toews (Minister of Justice and Attorney General): I just want to clarify something, because I certainly did not believe that I had a point of order even though the member is not putting accurate facts on the record. I know that it is the practice of their party to interrupt every time someone says something. I do not do that, because I understand from a number of rulings that that is not a point of order.

So the suggestion here is made that somehow, by my silence, I am agreeing with what the member is saying. Now, if that, in fact, is a point of order, then I will say I do not agree with what the member is saying.

Mr. Chairperson: The honourable minister does not have a point of order. It is a dispute over the facts.

* * *

Mr. Martindale: Mr. Chairperson, if the minister likes, when I am finished, he can have the floor and he is free to correct anything that I have said on the record that he thinks is erroneous. I would be happy to be

corrected. If he feels that I should withdraw something or apologize for something I have said, I would be happy to do that.

In fact, we would be happy to have the minister put any information on the record. We would be happy to have the minister answer questions. We would be happy to have the minister clarify what we have been saying and, in fact, to clarify some of his answers because, as we know, in Question Period we have had version one, we have had version two, we have had version three. The minister's answers seem to change over time, depending on what scenario of damage control he is following on a particular day in Question Period and which way the wind is blowing. His version of events seems to change, so it would be quite refreshing to have the minister rebut some of the things that I am saying or other people are saying.

To get back to the point I was making, the minister had an act that he had to follow, and it seems that he did not follow it, but that was not the proper way to go. If the minister thought that the process of selecting judges from a list was not the right way, then it is up to him to propose a different way of doing it.

* (1520)

You know, the Law Reform Commission did a lot of research, issued this publication. We followed the trend in other provinces. In fact, my research suggests that we were one of the last provinces to change the process. When the amendments came in, all parties supported it. We think that the minister has a legal obligation to follow the act, and if he does not like the act, then it is up to him to do something about it.

When we sit in the Chamber, we sit under statues of two famous lawgivers. One is Moses, for people who are part of the Judeo-Christian tradition, one of the great leaders of our tradition. We give Moses the credit for the Ten Commandments, one of the most famous documents in the Hebrew Bible, and along with monotheism, one of the Bible's most important contributions to western civilization.

Now, can you imagine Moses saying to Aaron, after he encouraged people to build the golden calf, less than two months after the Commandments were given:

Well, it is okay; regardless of the Second Commandment, I do not want to criticize you because, after all, you are my brother, so it is okay what you have done. I think we can get around that—[interjection] Well, I am glad that the Minister of Agriculture (Mr. Enns) asked that question because—

Mr. Chairperson: Order, please. I am having difficulty being patient with the committee with regard to this issue that is before us. This is a very serious matter, and I would ask the committee members to use their time and comments relating to the motion with considerable thought as far as staying relevant. So I just caution the honourable members of the committee and ask the honourable member for Burrows to continue.

Mr. Martindale: Thank you, Mr. Chairperson, for that cautionary note. I was just halfway through my analogy, and I do think it is relevant to talk about the statue in the Chamber of the Manitoba Legislature, the statue of Moses. You know, it is as if this minister said: we have this act—to continue the parallel of the Ten Commandments—we have this act; we have this piece of legislation, but, I think there was just a misunderstanding and, besides, I might need you in the next election. So we will not worry about the act. We will get our appointment on the bench regardless of what the act says, in spite of the fact that this minister has the responsibility to uphold the act and to make sure that the act is followed, including in this instance, by him, because he is the crucial part of the appointment of new judges.

It is up to him to follow those provisions of the act. He cannot rationalize his behaviour or the act and say: we are going to do it some other way. He has to follow the act. He has no choice in this matter.

An Honourable Member: Sort of like the Commandments.

Mr. Martindale: As the government House leader says, sort of like the Ten Commandments. I am glad that you picked up on my analogy there—[interjection]

Mr. Chairperson: Order, please. I would also remind all members of the committee that all comments will be made through the Chair.

Mr. Martindale: I thought that the language in the ministerial statement, which now this minister does not want to answer any questions about since he seems to have a self-imposed gag or maybe a negotiated gag on himself as well as the Chief Judge, that the most interesting word in it for me was recollection, because in the order of service for funerals in the United Church, we have changed it from a sermon to recollection. It makes me think, well, what died here or who died here? The only answer I can come up with is that the truth died here, that respect for judicial independence died, respect for the laws of Manitoba died, and respect for and faith in the Minister of Justice (Mr. Toews) died here.

We had a column recently in the Free Press, the title of which was Moral Standards in Doubt; the Filmon government prides itself on having had no resignations. I would think that the Premier of Ontario has been a much better example of accepting the resignation of a minister because he broke the law and there is going to be an independent inquiry. But this government has chosen damage control. They have chosen not to answer questions, and this minister goes along with it.

We are disappointed that he is not answering questions regarding the ministerial statement. He will not say when he found out about the fact there were no bilingual candidates. He will not say when the Chief Judge found out there were no bilingual candidates. There are many, many things that the member for Crescentwood (Mr. Sale) just put on the record that this minister is not forthcoming about.

Therefore I also support this resolution that we censure this minister for refusing to answer questions related to meetings held between representatives of the judge and the Minister of Justice (Mr. Toews). Thank you, Mr. Chairperson.

Mr. Gary Kowalski (The Maples): I would like to put a few words on the record in regard to this matter. I do not know, sometimes I think I do not fit in here because of my background, but basically I always believe the person is innocent until proven guilty. You could have strong suspicions a number of times. There are many times in my career as a police officer that I knew someone was guilty of a crime, but if I could not

prove it, I did not put him in jail. I did not arrest him. I wanted to.

I believe what we have here is a situation where there are strong suspicions, but that is not enough. There are so many important items in the field of justice right now that we should be getting to. We have debated this issue. It has been brought forward.

I look at the real allegation here, that the Minister of Justice (Mr. Toews) favoured one candidate and tried to use the fact that that candidate was bilingual to get that person on the bench. But that is just an allegation. We have no definite information that the minister knew that was the only bilingual candidate during any point in the process. [interjection] If the member for St. Johns (Mr. Mackintosh) wants to speak—he speaks a lot on this issue, and I would like a few moments to speak for a change. I have been the critic for Justice as long as he has here. He has always used—whether it was the previous Minister of Justice—the sledgehammer of tactics, whether it is the minister's salary or anything, procedural tactics to make his issues the most important in this Chamber, and make all other issues insignificant in comparison. I think he has a little bit too much respect for his own importance here and his issues. There are many other issues in—

Mr. Chairperson: Order; order, please. I would like to remind all committee members of the relevance to speak to the motion that is before us here, and also I would like the co-operation of all members, when a member has been recognized to speak, that he be allowed that opportunity to speak freely, and I believe that in the last few minutes that privilege has been maybe tested somewhat, so I would ask all honourable members to bear that in mind, and the honourable member for The Maples (Mr. Kowalski) has the floor.

Mr. Kowalski: I look at the two people who ended up being appointed judges; could not have two finer people appointed, two former Crown attorneys of high quality. It shows that the process did work.

What sometimes is not given enough attention is the fact that there is a need for bilingual judges in the Province of Manitoba, and the official opposition is trying to discount that and say that was only a tactic to get someone with Conservative ties on the bench.

Well, that may or may not be true, but how long are we going to talk about that issue?

Like I said, there are many other things that are going on in the Department of Justice that—I was waiting for Justice Estimates to talk about these issues, whether it is family group conferencing, restorative justice, so many other issues. We voted on it, we debated it, and if you do not have the proof, we should go on. I believe there is now another process starting up to get another bilingual judge.

Talking amongst my constituents, asking them what should I be doing as your MLA—I just sent out a survey—raking the Justice minister over an appointment that has already occurred was not at the top of their priorities. There are many other issues that they would like us to be dealing with, whether it is child poverty, whether it is youth crime, whether it is the changes in the Young Offenders Act. There are so many other things we could be talking about, but we go on and on.

My colleague from Inkster has made a very good point. If we are pointing a finger at the Minister of Justice (Mr. Toews) as being involved in negotiations that were illegal or morally incorrect, then the Chief Judge would have to resign also, but I do not hear the official opposition calling for the resignation of the Chief Judge of Manitoba, and it takes two people to negotiate a deal. If they are saying that the Minister of Justice should resign, that the Minister of Justice did something wrong, then they are saying that the Chief Judge of Manitoba is party to that.

Sometimes it is hard for me to understand why we are going on when I look at how federally appointed judges are appointed. Are we saying there is no patronage in federally appointed judges? Yet our federal court system is carrying on. There are many rulings where you would agree or disagree, but the point is there are allegations, there are suspicions, but that is not enough for us to spend so much of our time as legislators, as people who have been elected for Manitoba to deal with the things that are going on in Manitoba, in Justice issues, on just this one issue.

* (1530)

So let us get on with it. Let us get on with some other issues. If there is hard evidence, bring it forward; put

up or be quiet. So let us get on with the issue. We have dealt with it. There have been a number of votes on this. There have been a number of questions in Question Period, but the evidence has not been produced. Did the Minister of Justice (Mr. Toews) know there was only one bilingual candidate at any point? Did the Minister of Justice know who was on that list? We could suspect, and suspicion is not enough, so let us get on and deal with some other issues.

Mr. Gord Mackintosh (St. Johns): I agree with the member for The Maples (Mr. Kowalski) that there is an inordinate amount of time being spent on this issue, and that, of course, is because the minister has not answered very simple questions posed by this side, some of which deserve only a yes or no answer. It is important that we do move to the other issues that are ahead of us in the Department of Justice Estimates, so it is the purpose of this motion to get the attention of the minister to the seriousness of this matter and to illicit from him co-operation, respect for the process, and engagement in the question and answers.

The issue really here is the discrepancy between what we know the Chief Judge told Mr. Guy Joubert and Colleen Suche and what is in the ministerial statement purporting to be the recollection of the Chief Judge. From what Ms. Suche and Mr. Joubert say, there is no resemblance to their recollection found in the ministerial statement. This raises a very serious issue as to who is not telling the truth. Manitobans can only conclude that someone is not telling the truth.

Now, these are not allegations raised by the opposition. These are allegations raised by representatives of the legal community. We have a responsibility here in this Assembly, because this is where the minister is to be accountable to, to untangle the discrepancy, because it is untenable to leave it as it is. Right now there is a serious cloud over the minister and the Chief Judge.

Now, I recognize and again I agree with the member for The Maples (Mr. Kowalski) that we have to move on to other important issues of public safety and so on, but the minister's veracity in ensuring that and finding out what took place is surely a precondition to the believability of his answers on other issues.

Now, the basis of the matter of privilege was not simply that the minister was refusing to answer a question here or answer a question there. The minister was taking the position that he would not answer any questions with respect to the conversations that took place between himself and the Chief Judge on May 4 or the negotiations that followed with the Chief Judge through counsel. That kind of a blanket refusal to answer questions on those occurrences and given the apparent agreement that he had entered into with a third party outside of this Legislature, which he uses as an excuse to refuse to answer questions, is certainly not acceptable in this Assembly, an Assembly which requires his accountability for what took place.

So the basis of what we are seeking is, first of all, accountability as a matter of principle, and second of all, information so that indeed we can get on with the other business of this province. I might want to add, however, that the business of this province in no small way does depend on the confidence that Manitobans have, not just in the Minister of Justice, but in the Chief Judge certainly.

It is our intention to try and reinstall that confidence. We believe that is our responsibility here and we do so through the avenues of questions and answers and accountability. So with those final comments, we are prepared to see the question called.

Mr. Lamoureux: Just before we do that, I did have a question. We ask questions and answers during the Estimates because, in essence, the minister is putting forward a number of motions through the Supplementary Information. We have to vote on it, we have questions we pose to the minister. Sometimes the minister will answer it in whatever way he or she feels is appropriate. Sometimes we are content, sometimes we are not content.

Right now, we have a different type of a motion that is before us. I recognize that the member for St. Johns (Mr. Mackintosh) does not have any obligation to answer a specific question, but I do have a question for him. It would definitely be helpful for me in terms of trying to get a better understanding of where it is that he is coming from. If the member for St. Johns could answer it, I would appreciate it.

Given the context of what he has said over the last number of days, would he then argue that the Chief Judge should also have to resign as the Chief Judge? I would appreciate if he could just share that concern. It is relevant because I would argue that the Chief Judge and Minister of Justice (Mr. Toews) could be put in the same boat on this particular issue. I would appreciate if the member for St. Johns would answer that.

Mr. Chairperson: Order, please. This is somewhat unusual. The honourable member for St. Johns (Mr. Mackintosh) does not have the authority to speak on behalf of this issue with regard to what the honourable member is asking for. If the honourable member wishes to offer comments or remarks on his own volition which are pertaining to your query, the Chair will recognize that.

Point of Order

Mr. Steve Ashton (Opposition House Leader): A point of order, if I might be of some assistance, since you were in debate on this motion, the member can put forth comments in the form of a question on the record. Then it is up to other members to respond or not to respond. I think that was the spirit that the member for Inkster (Mr. Lamoureux) put it forward in, and since this is debate in committee, we are also not limited in terms of number of times we can speak.

So I think the member for Inkster was in order. You know, whether or not those questions are responded to by any member is really their choice in debate. I would suggest we treat the member for Inkster's comments as being in order and allow him to continue, and then other members can respond, whether it be from our side or the government's side in debate as well.

* (1540)

Mr. Chairperson: Order, please. The honourable member for Thompson does not have a point of order. What he has indicated is what I basically have just said in terms of clarification.

The honourable member for St. Johns (Mr. Mackintosh), if he wishes to make comments on what the honourable member for Inkster (Mr. Lamoureux)

has raised in his comments, then he is free to do that, but he has no authority to speak other than his own comments as far as this committee is concerned. If he wishes to speak, the Chair will recognize him for that.

Point of Order

Mr. Ashton: On a point of order, what I am suggesting is your role as Chair is merely to recognize people in this case. If you recognized the member for Inkster, you should allow him to speak. Then at the end of that you should recognize other members who wish to be recognized. I do not think there is a normal process whereby the Chair jumps in on the content of items here. What I am saying is that it is not in order for the Chair in this case to start treating the member for Inkster's comments as anything more than they were, which were comments that were in order as comments in debate. In debate, then, other members can be recognized afterwards. It really does not require the Chair to make any comments whatsoever. Your role, with respect, is to allow the member for Inkster to speak to the end of his comments and then recognize other members in debate.

If you start getting into the content of the member's comments and starting to focus in on any other members, what you are doing is becoming part of the debate, I would suggest. I would not want to see you in that position. So what I would suggest is why do we not just do what we normally do, which is continue to allow the member for Inkster to speak. If he has completed his comments, we can see if other members wish to speak as well.

Mr. Chairperson: The honourable member for Thompson does not have a point of order. Basically, what the honourable member for Thompson has said is basically what I have said. The honourable member for St. Johns (Mr. Mackintosh), if he wishes to respond to the honourable member for Inkster (Mr. Lamoureux), then he can do so. I will recognize all honourable members, and that is basically all I have said.

Mr. Ashton: Mr. Chairperson, Chairs in this committee should not be involved in the debate. Your only role should be to recognize the member for Inkster and then to recognize the member for St. Johns afterwards. The member was in order.

I am just saying, Mr. Chairperson, this has been standard procedure in this House for decades. It is a real difficulty, and I was trying to be helpful. But if you are going to suggest that it is not in order and then suggest it is standard procedure—it is not standard procedure here where you recognize the member for Inkster to debate. He asked a question. I can ask questions during debate. They are called rhetorical questions. When we are in debate on a motion, it is substantially different than when we are involved with normal process in Estimates where we do indeed question the minister.

So, if you are suggesting that I did not have a point of order, I challenge your ruling.

Hon. James McCrae (Government House Leader): What we have here just right now seems to be approaching an absurdity because, my respectful opinion to the honourable member for Thompson, there is nothing to challenge, because the honourable member for Thompson just said exactly the same thing as you did, Mr. Chairman. There is really nothing to challenge here.

If the honourable member for St. Johns (Mr. Mackintosh) is next on the list, let us hear from the honourable member for St. Johns. I know the minister does have a comment, and then we will get on with the vote on the matter that we are presently dealing with.

The honourable member for Thompson (Mr. Ashton), what is the deal here? We simply have two members, the Chairman on the one hand and the member for Thompson agreeing with each other, and one wants to challenge the other one. That is absurd.

Point of Order

Mr. Chairperson: The honourable member for Thompson, on a further point of order?

Mr. Ashton: On a point of order, first of all, I challenged your ruling. Once your ruling is challenged, Mr. Chairperson, you should test the will of the committee. You should not recognize other individuals to debate whether I was challenging the ruling.

I want to make it very clear that I was challenging your ruling on the basis that you, Mr. Chairperson, felt that you could take comments that were made in debate on a motion by the member for Inkster (Mr. Lamoureux) and then put them to any member of the committee.

I am saying in debate on motions in committees, that is not the proper process, and in no way, shape or form were your comments reflective of what I or anyone else in our caucus or anyone who follows the procedures we have followed in this House for decades have done. I really caution you, Mr. Chairperson—that is why I am challenging it—because I believe that the chairing of this committee functions best when Chairs observe the rules and practices and do not insert themselves into the content of debate. That is why I think it is important enough to challenge.

The only appropriate thing, Mr. Chairperson, to do when a challenge is put forward is to immediately test the will of the committee, not to then recognize the government House leader or anyone else afterward.

An Honourable Member: Carry on. Have your vote. That is what you really want anyway.

Mr. Ashton: Well, I want the Chair to stay out of substantive debate.

Mr. Chairperson: Order, please; order, please. I am asking the honourable member for Thompson to please come to order.

Mr. Ashton: I am asking you to follow the rules and put the challenge to the Chair.

Mr. Chairperson: Order, please. The ruling of the Chair has been challenged.

Voice Vote

Mr. Chairperson: All those in favour of upholding the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

* * *

Mr. Chairperson: Is the committee ready for the question?

Mr. Lamoureux: Mr. Chairperson, I was just making my general observation. If the member for St. Johns (Mr. Mackintosh) wanted to comment on that part of the vote, I would appreciate that.

The essence I do not really want to repeat, because I think I have already made reference to it, Mr. Chairperson. So I am prepared to vote, if the member for St. Johns does not have any comment on it.

Mr. Toews: I do have a few comments to make before the matter goes to a vote. I understand from the member for St. Johns (Mr. Mackintosh) that he wants the matter to go to a vote, and I want to be relatively quick. I have some observations though.

I noted, with interest, the comments of the member for Crescentwood (Mr. Sale) and, again, he began his statement by indicating that I as the minister presented three different accounts on this in respect of this issue. Again, he does not refer to what accounts they are. He simply repeats that statement over and over again. Again, I would note, as others in public have noted, that the member for Crescentwood is notorious for twisting facts and using them for his own partisan advantage without any observation of context or sustainability of that interpretation. So I would just like to make those comments in respect of his entire speech.

The other points that he raised—[interjection]

Mr. Chairperson: Order, please. The Chair has recognized many members of the committee to speak to this issue, and I would hope that all the members will be given that opportunity without interference from other discussion around the table while the member has been recognized. I have recognized the honourable minister to speak to this issue, and I would ask the honourable minister to continue.

Mr. Toews: Just in respect of that issue, generally speaking, that I have given three different accounts, I take issue with that. I would note that the general practice of members of the New Democratic opposition during the course of Question Period is to ask a number of questions and pretend, contrary to the rules, that it is, in fact, one question.

I would, for example, just give one example of that to illustrate my point on that. On the May 11 Question Period, the member for St. Johns (Mr. Mackintosh) said this, and this is supposedly one question. I quote: "Does the minister not understand that last week he said he agreed with the Chief Judge's suggestion—and we will take that just for a moment, as if there was some validity to what he said last Thursday, Madam Speaker."

But he continues on: "Does he not understand that the legislation does not allow for the list to go back even if the Chief Judge thinks she has the power to bring it back, even if the minister thinks the committee can consent to reconsidering?"

Then he continues. He states: "They did their work. They worked over months. They finished their job. They brought the list to the minister. How can he say they wanted to take it back?"

Then he says: "Would he resign?"

Now, my counting of that points out at least five or four, at least, question marks. So he puts four or five different questions to me and then says answer the question. So this is the kind of activity that both the member for Crescentwood (Mr. Sale) and St. Johns (Mr. Mackintosh) continually engage in. It clearly breaches the rule of the House, this for a member who says let us follow the rules, let us follow the law, and yet we know he does not.

* (1550)

Just in respect of the issues raised by the member for Crescentwood—and he raised all these issues and said I have not answered them. In fact, I went through a number of Hansards, and I have dealt with these issues very, very specifically. I went through the Hansard of May 7, the Hansard of May 11, Hansard of May 12,

Hansard of May 13, Hansard of May 14, and those just relate to Question Period. In my opinion, I answered each and every one of the issues that was raised by the member for Crescentwood in respect of bringing these matters forward.

Again, when you listen to the questions he put on the record today—again, very different. There are words that are different. They are not the same words. They do not have the same intent, nor are they intended to have the same intent. Their intention is they are deliberately to confuse so that he can then stand up and say, not that there are three accounts which he cannot demonstrate because he never refers to them, but, in fact, now he can say, if I continued to try and answer four or five questions at the same time, he says, well, now there is a new account. What he tries to do cleverly is to assign an answer to the question that he suggests is the question that he has called.

So I reject the allegations that the member has been precise in his questions. He strings questions together and then indicates that I am being less than frank in respect of my responses. I believe that the process in our House does not tolerate that kind of questioning, and yet I know the Speaker and the Chairs of committees tolerate it because they do not want to get into the kind of argument that we just saw between the member for Thompson (Mr. Ashton) and the Chair, where I was sitting here, I heard what the member for Thompson said, I heard what the Chair said. In my opinion they agreed with each other.

Now, in order to make an issue out of nothing, the member for Thompson brings it to a vote. Now, that is continuously the kind of activity that he is involved in.

Point of Order

Mr. Ashton: On a point of order, Mr. Chairperson, I was trying to do it without interrupting the flow of the debate, but for the minister now to reference a decision that was made by the committee a few minutes ago is out of order.

He could have at that point in time spoken on the point of order, but once a decision has been made by the committee on a point of order, it is not to be

revisited. That is a clear element of Beauchesne. I would ask that you bring the minister to order.

Mr. Chairperson: Honourable minister, on the same point of order?

Mr. Toews: On the same point of order, well, now the member for Thompson says this is a point of order, and he realizes it is not a point of order because I am not revisiting the decision. I am not questioning the decision.

Mr. Ashton: You are debating it.

Mr. Toews: I am not debating the decision.

Mr. Chairperson: Order, please. I would remind all honourable members that any comments that are to be made in this committee are to be made through the Chair. I would ask all members to respect that procedure.

The honourable minister, to continue on your point of order.

Mr. Toews: To suggest that one cannot refer to past decisions of a Chair or a Speaker is ludicrous. We do it all the time in terms of our discussion, so I would leave that point of order.

Mr. Chairperson: The honourable member for Thompson (Mr. Ashton) does have a point of order. I would remind all members of the committee that we have a motion here before us, and I would remind that the speeches on this motion must be relevant to the motion.

* * *

Mr. Chairperson: So, in saying that, I would ask the honourable minister to continue.

Mr. Toews: I listened with interest to the comments of the member for Inkster (Mr. Lamoureux) and the member for The Maples (Mr. Kowalski). I found that they were, in fact, very helpful to the discussion. I appreciate their advice in respect of this particular debate.

I simply, Mr. Chair, want to refute the allegation that I have not answered the questions. I think a review of Hansard, in fact, indicates that I have answered the questions. Again, members opposite will not refer to any specific thing. They will simply say I have not done it, as is their practice. So, with those few words then, I would ask, along with the member for St. Johns (Mr. Mackintosh), bring this matter to a vote.

Mr. Chairperson: Is the committee ready for the question? The question is as follows: that the alleged matter be reported to the House. Is it the will of the committee to adopt the motion?

Some Honourable Members: No.

Voice Vote

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

Some Honourable Members: Yea.

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

Some Honourable Members: Nay.

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

Formal Vote

Mr. Ashton: I request a recorded vote.

Mr. Chairperson: A formal vote has been requested by two members. This section of the committee will now proceed to the Chamber for a formal vote.

CULTURE, HERITAGE AND CITIZENSHIP

Mr. Chairperson (Ben Sveinson): Good afternoon. Will the Committee of Supply please come to order. This afternoon, this section of the Committee of Supply meeting in Room 255 will resume consideration of the Estimates of the Department of Culture, Heritage and Citizenship.

When the committee last sat, the minister had commenced her opening remarks but had been interrupted by the committee rising for private

members' hour. I will now recognize the minister to complete her opening remarks. She has approximately 40 minutes remaining, if necessary.

Point of Order

Ms. Diane McGifford (Osborne): Mr. Chair, on a point of order, did you say 40 minutes?

Mr. Chairperson: That is what I said. The honourable minister I believe has 60 minutes, and opening remarks for opposition critics is 30 minutes, I believe.

Ms. McGifford: Mr. Chair, I did not realize that the opening statement could go as long as 60 minutes. It was merely to check that I had heard you correctly.

Mr. Chairperson: What I had originally stipulated is correct. Rule No. 72(2) quite clearly stipulates that.

* * *

Hon. Rosemary Vodrey (Minister of Culture, Heritage and Citizenship): I am pleased to continue with opening remarks for the Department of Culture. I was speaking about heritage, historical resources, and to carry on, this summer our archaeologists will commence field work for the third year of the current five-year agreement with Manitoba Hydro in this region. Members of First Nations communities are participating in this field work. Just to refresh for today, we are looking at archaeological sites in the Churchill River diversion area. Members of First Nations communities are participating in this field work, learning archaeological techniques of surveying, site testing and excavation, learning how to curate and analyze artifacts and to write archaeological field reports with the assistance of the Manitoba museum.

Educational displays are also being constructed to convey the new knowledge that we are gaining about Manitoba's rich aboriginal heritage, especially for northern schools. Improved public access to heritage information generated by historic resources has been proceeding by computerizing all of the branch's resource centre holdings, provincial and municipal site registers and interpretive plaque databases. In the

coming months, we will upgrade the branch's 12,000 heritage site files by applying geographic information systems technology.

We have also recently published 22 info bulletins on various commonly asked questions about heritage. These single-sheet information bulletins are available on request and have been distributed to heritage organizations and libraries.

My department has taken the initiative to produce a series of brochures which promote heritage resources and their contribution to Manitoba tourism. We have partnered with Industry, Trade and Tourism in the production of a brochure on the Norman Region in '97-98 and plan to complete the series this year with a brochure on the Eastman Region.

* (1440)

Culture, Heritage and Citizenship is also partnering with Industry, Trade and Tourism to assist in the funding for the City of Brandon to undertake a comprehensive study called the Brandon Regional Heritage Plan. This cost-shared study with the City of Brandon will assess the heritage resources of Brandon and area, review potentially complementary developments such as the Assiniboine River corridor plan, and identify sustainable economic and tourism development for heritage resources, thereby ensuring their continued preservation and integration into community life.

Throughout Manitoba there are many special but little known collections in local museums which showcase our historical development. I am very pleased to announce a special Theme Museums initiative which is directed at assisting selected museums that showcase special collections related to Manitoba's unique historical development. Three museums have been selected which have the potential to be significantly enhanced heritage attractions for their communities and for the many visitors to our province. These include the Dugald Costume Museum in Dugald, the Commonwealth Air Training Plan Museum in Brandon, and the Heritage Museum of Gimli. Staff are currently working with these museums in preparation of their business plans.

The Dugald Costume Museum is unique in North America, and its collection of more than 30,000 artifacts spans 400 years of our history. The Commonwealth Air Training Plan Museum in Brandon houses and interprets aircraft and artifacts used in what has been called Canada's greatest single contribution to the allied victory in World War II. The Heritage Museum of Gimli depicts the long and distinguished heritage of our province's Icelandic peoples as settlers and neighbours interacting with other cultures of the Interlake area.

As we head into the millennium, we have a most special opportunity to celebrate our cultural link with Iceland which will be celebrating the one thousandth year of Scandinavian exploration and contact with North America in the year 2000. It is very timely that the Gimli museum will be developed as a special theme museum celebrating, in part, the significant contribution of Icelandic-Canadians to Manitoba development. Such initiatives not only expand knowledge and pride in ourselves as Manitobans, but offer visitors a fresh perspective on Manitoba's enterprising spirit, both past and present.

My department is concerned about the health and well-being of Manitobans and recognizes that individual and community well-being make a significant contribution to our province. To encourage wellness, my department is working with other related departments and agencies in the recreation and physical activity delivery system to develop a provincial wellness promotion strategy. The strategy will be designed to create public awareness, develop inter-sectoral partnerships and agreements and to strengthen the existing delivery systems to provide opportunities to enhance personal and community well-being.

Manitobans engaged in a more healthy and active lifestyle will assist greatly in the development of healthy, vibrant communities making Manitoba a very positive environment in which to live, to work and to invest. Physical inactivity seriously affects the health and well-being of thousands of Manitobans. National research has shown that almost one-third of our population engages in so little activity they are classified as inactive, and another one-third is classified as only moderately active. As a direct result of their

lack of physical activity, these Manitobans are vulnerable to a lower level of health, a diminished quality of life, and a shortened lifespan, while increasing demand and costs for health care.

The physical inactivity issue was discussed by my federal, provincial and territorial colleagues responsible for fitness, recreation and sport at a provincially hosted conference in Clear Lake, Manitoba, in August 1997. We endorsed the Physical Inactivity: A Framework for Action and agreed to set as a joint target a 10 percent reduction in the number of inactive Canadians over the five-year period from 1998 to 2003. We are consulting province-wide to identify meaningful solutions. These solutions will form the basis of Manitoba's physical activity strategy which I plan to release in the 1998-99 fiscal year.

My department will also play a significant role in promoting and distributing Canada's physical activity guide by facilitating training opportunities for people in recreation, physical activity and wellness promotion delivery systems in the use of the guide. In the last few years, the harassment and abuse of sport and recreation participants has gained major media attention. While attention has focused on incidents involving high-profile figures, we know that abuse and harassment may exist in many levels of Canadian society today. Recently, my federal, provincial and territorial colleagues and I agreed to regard harassment and abuse in recreation and sport as totally unacceptable and to renew our efforts to eliminate it. We further agreed to share resources and examples of successful practices as we work toward effective co-ordinated strategies to eliminate harassment and abuse.

Our officials were also directed to work with partners in the delivery system to identify risk factors and to develop strategies to address those risks. Manitoba has been actively involved in this issue for a number of years. In 1996, my department published and distributed a booklet entitled *You Can Help Stop Child Abuse and Neglect: Guidelines for Recreation and Sport Leaders*.

In addition, the Recreation and Wellness Promotion Branch has consulted with the Women's Directorate on initiatives such as distribution of *On the Move*

handbook to encourage safe recreation and physical activity environments for women and girls in our recreation delivery system.

Through our membership on the Interprovincial Sport and Recreation Council, we have monitored the work of a national collective addressing the harassment and abuse issue, and staff have been actively participating in a provincial collective headed by Sport Manitoba.

In 1998-99, my department will conduct our work in the identification of risk factors and strategies to eliminate this serious problem. My department's Manitoba Framework on Youth-at-Risk: Strategies for Collaboration has been developed to provide guidelines and strategies related to recreation and physical activity in respect to youth at risk. In 1998-99, we are looking forward to working with our partners in the recreation and physical activity delivery system on initiatives designed to minimize or remove risk factors on the part of our young people.

The Regional Services branch of the department supports rural, remote and northern communities in stimulating positive change and encouraging sustainable growth and improved quality of life. Staff deliver programs for many provincial agencies or departments and are a central part of government's efforts to establish on-line regional access points for rural, remote and northern clients. Culture, Heritage and Citizenship is pleased to have implemented the government's active offer concept, which enables province-wide Francophone access to my department. The Francophone regional consultants have also successfully implemented virtual office locations through the use of modern technologies. Equipped with laptop computers, consultants are able to meet with Francophone clients and access resources via the Internet, thereby providing immediate information and results. This virtual office initiative will soon be extended to all regions in my department.

The Information Resources Division provides centralized communication and advertising services for government departments. Through the use of central resources and specialized teams of communicators, the

division has reduced the cost of providing government communication services by approximately \$2 million annually.

Last spring the division played a key role in Manitoba's emergency response to the flood. The division was responsible for managing the government's entire public and media information response on the local, national and international levels. For the first time in a Canadian emergency, a government Internet website was created to provide detailed information, such as water levels, highway condition reports, flood prevention information and media releases. The website has more than 750,000 hits from 55 countries in just one two-month period. The use of this technology provided public access to very current information while saving government hundreds of hours of valuable staff time during the public emergency.

* (1450)

The division, in partnership with the Industrial Technology Centre, continues to co-ordinate the content of the overall Manitoba government Internet website; 24 provincial departments or agencies are now on the website, and additional departments are expected to go on-line in the coming months.

I am pleased to announce, as well, that The Freedom of Information and Protection of Privacy Act was proclaimed for government departments and agencies during this session. It will be extended in a year or so to educational, health care and other local public bodies. This act will assure Manitobans of balanced and up-to-date information access and privacy rights. My department is engaged in awareness training activities throughout the government to help departments and agencies meet the requirements of the legislation. We have also begun assisting local public bodies to prepare for the extension of the act to provide consistent standards throughout the province in information access and privacy rights.

Construction of the new \$2.5-million Hudson's Bay Company Archives vaults began in October 1997 and is expected to be completed in 1998. The construction funds are fully recoverable from the Hudson's Bay

History fund as a result of the 1994 donation of the Hudson's Bay Company Archives to Manitoba. Apart from providing the long-term preservation of this national treasure, the project will result in nearly \$5 million in gross benefits to the province's economy. According to an economic impact assessment from the Manitoba Bureau of Statistics, about 42 person years of jobs will result.

As part of the national initiative to build partnerships for improved delivery of French language services, Translation Services surveyed other government translation offices to identify common services and opportunities for best practices. This information was shared at a national meeting of officials responsible for translation and French language services held in Winnipeg, February 1998.

I would just like to speak about Citizenship and Multiculturalism now. The purpose of Citizenship and Multiculturalism's Division of promotion and recruitment campaign is to increase Manitoba's pool of skilled immigrants to meet current and future labour and economic development needs. The promotional campaigns highlight opportunities in Manitoba and are focused on the global market of individuals who are in the process of or contemplating a decision to immigrate to Canada.

The promotion strategy includes targeted print, advertising, Internet advertising, Internet communication and conducting informal seminars with posts abroad. This year, the division conducted another successful United Kingdom promotion and recruitment campaign as a follow-up to a 1996 initiative. It has resulted in regular contact with over 500 prospective clients from the United Kingdom and 37 exploratory visits to Manitoba in the past year from Great Britain clients.

The division continues to explore partnerships with other departments, including Agriculture, Education and Training, Industry, Trade and Tourism and Rural Development. A joint Netherlands campaign with the Department of Agriculture promoting the immigration of European hog farmers to Manitoba resulted in exploratory visits by several Dutch farmers.

Ongoing community partnerships include an initiative with the Winnipeg Jewish Community Council and the Jewish Immigrant Aid Services, a promotion and recruitment campaign to Argentina and Brazil followed up on an earlier visit in 1995. To date, over 10 Argentinian families have immigrated to Manitoba and another 23 families are involved in the preapplied and applied stages of immigration.

During the 1997 immigration levels consultations, Manitoba advised Citizenship and Immigration Canada that it recommended continued increases in annual immigration intake. Manitoba's goal is to receive approximately 3.8 percent of Canada's overall immigration, which is consistent with its proportional share of Canada's population.

In 1997, federal funding for settlement and integration programs was increased to reflect the increase in immigration arrivals. Manitoba received an additional \$730,000 which it distributed in exceptional one-time grants and increased provincial programs and services. The province was pleased to acknowledge its ongoing support and partnerships with the International Centre by directing the majority of this funding to them. The centre received a provincial grant of \$430,000 for a variety of projects, including private refugee sponsorship promotion initiative, including a fund to encourage private refugee sponsorship, a refugees claimant paralegal service, facility and computer equipment upgrading and the purchase of two new vehicles.

The Credentials Recognition Program continues to make a significant contribution to the Manitoba economy by assisting new immigrants and obtaining recognition for their international education credentials and Canadian work experience. In 1997-98 fiscal year, 27 new full-time positions were created by Manitoba employers with funding assistance through the program, and 39 clients accessed training assistance towards recognition of their foreign credentials. Program-monitoring initiatives indicate 99 percent of participating employers are extremely impressed with the clients and this initiative.

The branch's credential assessment service assisted 173 clients with completing documentation on their

international credentials in preparation for an assessment with the appropriate credentialing body. Through funding, co-ordination, teacher support, a full-service adult ESL system in Manitoba has been maintained. Continuous intake for generic English, ranging from ESL literacy to intermediate levels, is available during the day, evening, weekends and summer on a full- or part-time basis for up to 1,400 students at Winnipeg School Division No. 1.

Part-time adult ESL classes are offered in other school divisions across rural Manitoba as a need is identified. Red River Community College has delivered the bridge program for college entry and English for academic purposes to 37 students, and employment projects for women have delivered adult ESL to 30 students in conjunction with job search support for groups with occupational-specific language training requirements.

Community ESL programs for women were offered through nine organizations for 13 classes and 207 women who are isolated through family responsibilities. The programming for women was separated from the community ESL program for seniors, responding to the unique characteristics of each age group. The Age and Opportunity Centre was assisted in forming partnerships with various ethnic cultural organizations.

Almost 294 seniors now attend 19 classes at eight sites and are becoming involved in other community activities. Four more communities have expressed interest in participating during the new year. Expansion of ESL for seniors plans include three additional sites, and more activities to encourage interaction and integration among ESL seniors and Canadian-born English speakers. We anticipate that the benefits of this integration initiative for seniors will be evidenced by 1999, the United Nations International Year of Seniors.

Workplace language training was offered to 460 adult ESL learners to prepare newcomers to meet the language requirements in the labour market and in specific work locations. Instruction was provided to whole classes and as tutorials based upon the students' needs.

Emphasizing the goal of healthy families and safe communities, staff provided organizational training and administrative support and guidance on a number of new initiatives. These included the establishment of the Manitoba Cross-Cultural Coalition for the Prevention of Violence and Domestic Abuse and the establishment of the Coalition of Filipino-Canadians on Violence Prevention, as well as organizing their first conference.

* (1500)

Healthy Relationships, middle years curriculum, was introduced into two new community schools this year at Grades 7 and 8 levels. Evaluation research by the University of Manitoba Research Centre on Family Violence and Violence against Women includes information from both Grade 7 and Grade 8 students.

Through the Multiculturalism Secretariat, the government of Manitoba continues to foster pride in our diversity and strives to achieve equality of opportunity for all Manitobans and to encourage partnerships at all levels to achieve shared goals. With Manitoba's increased focus on immigration promotion and recruitment plans and citizenship development, the close ties between the Multiculturalism Secretariat and our ethnocultural community now plays a greater role in Manitoba's economic growth than before. Through numerous activities such as preparing community profiles, assisting citizens from ethnocultural communities to accessing government services and participating in anti-racism, human rights, and multicultural initiatives, the secretariat is providing valuable support to our community and its growing immigrant population.

In closing, Mr. Chair, Manitoba Culture, Heritage and Citizenship is proud of the role it plays in the growth, development, and the enrichment of the quality of life enjoyed by Manitobans.

I have provided only a brief overview of the programs and services of my department, and I believe that the true measure or demonstration of my department's success is to be found in the daily life of Manitobans. All we have to do is look across our great province. Our arts and cultural communities are among

the most accomplished and economically sound in North America. Heritage resources across the province are drawing tourists and film producers in ever larger numbers. The continuous development of recreation opportunities is adding significant and energetic dimension to our communities.

Each year our numerous festivals showcase the talents, ethnic diversity, and the exuberance of Manitobans for visitors from around the world. We are integrating the latest technologies into the mainstream of community life through our library automation and Internet access programs. We are working in partnership with many other departments to strategically position Manitoba as a significant competitor in the global marketplace of the 21st Century.

The people of Manitoba are proud of our cultural achievements, our diverse heritages, our growing communities, our expanding opportunities, our contributions to society and our ability to work together to build a positive and progressive future. The role of Manitoba Culture, Heritage and Citizenship, in working with our partners across the province to realize our fullest potential, continues to evolve as the province itself evolves. We have created a strong and dynamic foundation on which we can and will maintain and expand Manitoba's reputation as a great place to live, work, invest, and to raise a family.

With the assistance of the fiscal strategies presented in this budget, I am confident that my department and the people of Manitoba will continue to do what we do best, and that is to work together for the benefit of our communities, our families, and our future. Thank you very much, Mr. Chair.

Mr. Chairperson: We thank the honourable Minister of Culture, Heritage and Citizenship for those comments. Does the official opposition critic, the honourable member for Osborne, have an opening statement?

Ms. McGifford: Well, I have a few words that I would like to say, Mr. Chair. I would like to take the opportunity, first of all, to congratulate on the record the winners of the Prix Manitoba awards. The

ceremony was held on Manitoba Day, May 12, which, of course, was a very appropriate time. I thought the note struck that night was the perfect tone and combination of recognizing tradition and the individual talents of the award winners, although two of them were group winners.

Those receiving awards were Marcia Rowat for Distinguished Service, Volunteer-Individual; the Manitoba Historical Society, Distinguished Service, Volunteer-Organizational, and it was received by Dr. John Lehr. I would also like to take this opportunity on the record to congratulate Ms. Céline Kear for her work as the president of the Historical Society. I know that she has been very dedicated and continues to be very dedicated and has done much to further the interests of the Historical Society in Manitoba; also Dr. Lawrence Klippenstein, a Distinguished Service Award winner, Vocational; and Virginia Petch, Educational and Communication. I am sure the minister joins me in congratulating these individuals and, once again, thanking them for their dedicated work to Manitoba.

Perhaps the minister would find it helpful if I outlined the various areas in which I will be asking questions so that she might make the arrangements that are necessary with her staff. I would like to begin with a few general questions, and then I would like to ask questions on Freedom of Information and Protection of Privacy legislation; the Manitoba Film Classification Board; I want to ask questions in Culture, Heritage and Recreation, including and specifically some questions on the Manitoba Arts Council; the Arts Branch, questions on libraries and historical resources. Then if the minister agrees, I would like to move on and ask some questions about capital appropriations, after which my colleague from Point Douglas would like to join the minister and ask questions about Citizenship and Multiculturalism.

I note that the estimated expenditures in Culture, Heritage and Citizenship are once again lower than they were in 1997-98. I indicate that there is a definite pattern here. Each year it seems that the actual expenditures are lower than the estimated ones. Then it seems the actual expenditure becomes the estimated expenditure for the next year. So gradually the department budget is whittled away.

In 1990-91, the actual expenditure was \$59,614,200, and in 1996-97 the actual expenditure was \$51,762,000. That is \$8 million or a 13 percent decrease in budget. When inflation, rated at approximately 2 percent, is thrown into the mix, then it becomes apparent that decreases in budget are closer to 23 percent. To rephrase it, 30 percent less was spent in real terms in 1996-97 than it was in 1990-91. I would like to know—perhaps the minister can tell me later—if there is a table or if one can be prepared which traces the figures, the expenditures and salaries and other expenses in grant assistance for the entire department for the years cited. I am really interested in seeing where the decrease exists. Is it in salaries? Is it in other expenditures from the department? Then, I could see exactly, as I said, what the cost to program has been.

I note here that both the Royal Winnipeg Ballet and the Manitoba Theatre Centre have recently announced plans to lay off staff. I wonder if the minister has any plans to help either of these long-established, proven companies which do contribute so much to the economic aspects of our province and, even more, to the cultural life and development of our city.

As I said last year and I say it again, this is especially true with small arts groups. When I speak to artists and arts groups, many of them speak very glowingly of the halcyon years when Eugene Kostyra and, then, Judy Wasylycia-Leis were alternately the ministers of Culture. This is said with no disrespect to this minister, because I realize and I think most Manitobans realize that financial decisions are made in the Premier's Office by the Premier (Mr. Filmon), the Minister of Finance (Mr. Stefanson) and by the rather ubiquitous Jules Benson.

Again, as we said last year, corporate sponsorship is not always possible. Larger performing groups are in vastly superior positions to obtain corporate support than our writers and visual artists. Some solutions just are not solutions. I note, too, at this time with federal legislation—and federal legislation specifically in connection with the tobacco industry—the Winnipeg Symphony has been hard hit especially when it comes to its New Music Festival. While I am not a proponent

of the tobacco industry and do not smoke, and do not—well, never mind. My personal habits probably are not important. I think the minister and I both realize that arts groups have been hurt.

* (1510)

I notice that in the department's Role and Mission Statement, the department has identified five long-term goals. While I and my colleagues would argue that the five goals are too limited and that the phrasing is bureaucratic, generally we agree with the department's goals. However, I do indicate that if this government is sincerely dedicated to sustainable economic development, culture and creativity, wellness, quality of life, information, communication, and legacy, then it would do well to stop whittling away at the department's budget.

Certainly the signs of fractures in our creative and heritage communities are apparent. Despite the article published, I think it was January or February of 1996, in *The Globe and Mail*, an article praising our cultural groups and cultural life, it was an old favourite of the former Minister of Culture, one to which he often alluded, despite this article, the ballet and MTC are laying off workers as I said earlier. Small magazines are working overtime. Primus Theatre has just closed in the core of the largest city in our province; that is, Winnipeg. The largest city in a province which would usually be the site of cultural life and vibrancy is more or less like a war zone. So I am worried. Like many Manitobans, I am worried and look to the minister and government for leadership.

I just wanted to mention to the minister that this morning I had an interesting experience stumbling quite accidentally, led by the dog I walk every morning, into the filming of the Jane Seymour movie. So I had quite an interesting conversation with the film crew. They were right at the corner of Oakwood and Hay, so I welcomed them to the Osborne constituency, and they are filming in one of our larger, beautiful and well-established homes. So people seem to be enjoying themselves.

With those very few remarks, I will turn it back to the minister.

Mr. Chairperson: We thank the critic from the official opposition for those remarks.

Under Manitoba practice, debate of the minister's salary is traditionally the last item considered for the Estimates of a department. Accordingly, we shall defer consideration of this item and now proceed with consideration of the next line.

Before we do that, we invite the minister's staff to join us at the table. We invite the minister to introduce her staff.

Mrs. Vodrey: Mr. Chair, I would just like to take a moment then to introduce the staff. I think most are known to the members around the table: the deputy minister, Roxy Freedman; the executive director of Administration and Finance, Dave Paton; the assistant deputy minister of Programs Division, Lou-Anne Buhr; and the Agency Relations Manager, Ann Ryan.

Mr. Chairperson: We thank the minister. We will now proceed to line 14.1.(b) Executive Support (1) Salaries and Employee Benefits \$452,800, on page 30 of the main Estimates book.

Ms. McGifford: I wonder if I could just clear up a couple of housekeeping matters before we proceed.

Mr. Chairperson: Proceed.

Ms. McGifford: I wonder if the minister agrees to the plan I outlined with regard to the member for Point Douglas (Mr. Hickes).

Mr. Chairperson: We are talking basically general questioning, and then at the end of that time, to pass the Estimates. The honourable member for Osborne, go ahead.

Ms. McGifford: No, Mr. Chair, I just wanted, first of all, to ask the minister if she agreed to the plan I outlined with regard to the member for Point Douglas, and then I have a couple of questions which I am not sure where to ask them. So I wanted to ask the minister for advice as to where they could best be asked. I could ask them now or elsewhere.

Mrs. Vodrey: Yes, that is how we have operated in the past. I think it has worked fairly well, so I am happy to answer the member's questions and then when she is finished, to have the member for Point Douglas come in to deal with the citizenship issues. If the member would like to ask some questions now, and if I have the information, I will provide it. If not, I will fit it in when we get to that line.

Ms. McGifford: Mr. Chair, I recently read the Provincial Auditor's Report, Volume 1, for 1995-96, and in that book there was a section entitled Nature of Accountability Information to be Reported. In that book, the Provincial Auditor says—the book describes what is expected in accountability and then what was found, and what was expected, if I might quote from that: “we expected that planning information would include a description of what the department or service appropriation is all about and what it plans to achieve.”

Now, I believe the department does that in the Estimates book. We also expected that performance information would include a description of what the department or service appropriation had achieved in relationship to its plans. It would seem to me that work is done at least to some degree in the annual report, or annual reports.

Further on, the Auditor says: We note that the Department of Finance instructions were developed several years ago—the instructions from the Department of Finance—and at that time reflected the levels of accountability reporting that was considered the most appropriate. Demands on limited public resources have resulted in an increased interest in accountability reporting and for more transparency. We believe that contemporary public expectations of accountability are more comprehensive than current practices. As a result, in our view the stated purpose of the Estimates Supplement and annual report documents do not adequately address the information needs of today's governing bodies including the Legislative Assembly to ensure the effective governance of public resources.

Now, I know that this government values accountability and measurability. I know there has been an increased emphasis put in other institutions and in private corporations on the use of measurable

objectives and performance indicators, wherever this is possible. With that in mind there is a section, and this may be very difficult to follow, I am aware, there is a section entitled Accountability Information Not Currently Required by the Department of Finance Instructions.

* (1520)

I would like to ask the minister, although these are not currently required, if her department has developed any policies or has any plans to do so. The first one is: Government policies to be complied with. Presumably then, the auditors are suggesting that a department outline which government policies it has to comply with. I wonder if the minister could inform me as to what they might be.

Mr. Chairperson: If I might, just while we are waiting here, if I might just add, to confirm, if you will, in fact we have agreed to the line of questioning in the order that the member for Osborne wished; also, that the member for Point Douglas (Mr. Hickes) will be asking questions on Citizenship and Multiculturalism. Agreed? [agreed]

Mrs. Vodrey: Mr. Chair, I understand that this has been an important issue across government. I can speak for my department in terms of where we are in the process. That is, again, with the full knowledge of the Auditor. We have had an emphasis at this point on planning, so that is what the member has seen in terms of both my speech that I have recently given and also what was in the Estimates book. Then we will be continuing to work with the Auditor and other government departments.

I would say, though, however, that we were one of three departments who actually were the pilots in terms of beginning this process, and that is the point we are at now and we will be making every effort to continue working towards what is required.

Ms. McGifford: Mr. Chair, the second line from the table from which I recently quoted is the department's long-term objectives, and I see those represented in the Estimates book. I wonder if there are performance indicators for each long-term objective and, if they are not in the book, are they available?

Mrs. Vodrey: Mr. Chair, as part of the pilot we are in the process of developing those.

Ms. McGifford: So they may, for example, be available before the next time the minister and I meet and, if that is the case, would the minister provide me with a copy?

Mrs. Vodrey: No, they will not be ready that soon, as I assume we will meet within a day or so, but if the member means maybe before next year, it is hard to assess. It is, I would think, very possible that that would be the case and that we are reviewing and trying to work them out. So if the member is speaking about next year and should she expect to see the next step next year, I am hopeful that you will be able to.

Ms. McGifford: Just to continue, it would seem to me that some of these lines do not apply to this department. But I wonder if there are outcome measures for program services and administrative functions and if they are available.

Mrs. Vodrey: As in the last question, this is an area that we are working on. There is not a document or anything that I am able to provide for the member today, but I think in the overall sense of her questioning she wants to know, is there in fact an effort to work towards what has been articulated? I can say, yes, there is.

Ms. McGifford: I also have some questions on Freedom of Information, and I wonder if the minister would like me to ask those now or to do that later.

Mrs. Vodrey: We could answer those now. It would require my bringing another staff member to the table, and the staff member is available. If that is agreeable to the member then we will do that.

Ms. McGifford: If that is agreeable to the minister, it certainly is to me.

Mrs. Vodrey: Just for this line of questioning I would like to introduce Sue Bishop, who is the executive director of provincial services, to the member.

Ms. McGifford: In the minister's opening remarks, she spoke about The Freedom of Information and

Protection of Privacy Act, at least parts of it having been recently proclaimed, and she also talked about awareness training. I wonder if she could provide some details of this awareness training, such as who is doing it, what it includes, who is being trained, that sort of thing.

Mrs. Vodrey: I can just tell the member that at the moment more than 1,500 provincial and local government officials at executive and staff levels have participated in briefing and workshop sessions concerning the provisions of both FIFA and the companion statute. That training has been done by our own staff.

Ms. McGifford: Mr. Chair, is the point of the training to familiarize these people with the act or to help them deal with the public or both? What exactly are the goals of the training?

Mrs. Vodrey: The goals actually are both. They are to have a direct familiarity with the act and also then in working with the act to deal with the public.

Ms. McGifford: I wonder what the cost of the training is.

Mrs. Vodrey: There has been one staffperson who has been dedicated to this process, and the costs have been absorbed within my department.

Ms. McGifford: I wonder if the minister could tell me what portion of that staff member's time has been devoted to the training and from that proportion perhaps put a figure to the cost of the training.

Mrs. Vodrey: I am informed that for that staffperson it is virtually 100 percent of her time, so it would be the full salary of that staffperson.

Ms. McGifford: Could the minister tell me the amount of that full salary?

Mrs. Vodrey: I am struggling a bit in wanting to answer the member's question, but in having identified a single staffperson and then naming that person's specific salary, I am trying to figure out where the line in terms of personnel issues is, but I can tell the

member that for a person in and around that person's category, it would be in the low 40s.

Ms. McGifford: I wanted to make reference to the annual report for 1996-1997, and particularly the letter from the deputy minister. In the last paragraph, the deputy minister writes: During 1996-97, the department developed plans to introduce The Freedom of Information and Protection of Privacy Act to replace The Freedom of Information Act. The new legislation will balance the right to information, the right to privacy for all Manitobans. Public consultations supported the extension of the new act to local government and other public bodies, so that Manitobans benefit from consistent handling of their access and privacy rights.

I wonder if the minister could provide me some details of these public consultations, because I am certainly not aware that there were public consultations.

Mrs. Vodrey: I think the member is understanding this refers to a discussion that we had last year in Estimates around the consultation in the development of the act and that the consultations that occur were that there were a wide number of letters sent out which, in fact, encouraged people to respond and to provide points of view.

* (1530)

In fact, people could either respond in writing or they could come and meet with the staff and to also discuss in person those issues, so this is sort of the same issue which we did discuss last year. There was a wide distribution of discussion papers. All libraries held this discussion paper. I understand it was also on the Internet and then people were asked to respond to this discussion paper.

Ms. McGifford: Well, Mr. Chair, I think I would like to put on the record that I think the words "public consultations" in this context is a little misleading. I think there is quite a difference between a letter sent out inviting discussion or a discussion paper inviting a written response and a public consultation which gives the impression at least of public meetings where individuals from any and every walk of life can present

themselves and provide their points of view on freedom of information and privacy protection. I may be nitpicking, but I think there is an important distinction here and I want to make it.

Mrs. Vodrey: I know the member and I have had this discussion before on the process of consultation, and it certainly was open to anyone to give a response who had an interest in doing so. There was an attempt to stimulate response by virtue of the letter, by virtue of the circulation of the paper, by having the paper widely available in places that people could easily access it, that being libraries, that being on the Internet. I am informed that all requests for meetings were also met, so where an individual had a point of view that they wanted to make in the development of the act, that point of view was recognized. The person could either write it down and send it in so there was a formal record or the person could ask for a meeting. I understand all of those meetings were met.

Ms. McGifford: Well, the minister is right. We have had this discussion before and perhaps we will not have it again, but just for today I do want to make the point that I see something like the national unity task force, which travelled around the province, which advertised very widely its coming as a public consultation or providing the opportunity for a public consultation. When a discussion paper is sent out to a limited number of people, even if it is widely circulated the number of people who receive it, who actually know something is happening is limited and yet, the freedom of information and privacy protection affects the lives and rights of all Manitobans, and I think the process was narrow. I am sure the minister and I are not going to agree on this and perhaps we should leave it at that.

I do want to ask some questions on the Manitoba Genealogical Society or from their perspective, so I do not know if the minister wants to respond to what I just said before I move on.

Mrs. Vodrey: Mr. Chair, my response is that the member has put forward her position and would have preferred another process. The process that we followed we believed was one which did provide a wide opportunity for response. It is one of these points where we will have to agree to disagree. However, I

understand it is strongly felt by the member. That is why it is raised again. I appreciate her comments.

Ms. McGifford: I wanted to ask the minister some questions put to me by the Manitoba Genealogical Society. I do not know if the Manitoba Genealogical Society has contacted the minister or her staff, but my understanding is that they are disturbed because the new freedom of information privacy protection legislation has made or will make their research quite challenging and, in some cases, almost impossible. First of all, they wondered, and perhaps I can ask the minister if this kind of complexity was foreseen when the legislation was introduced, that is, was the intention to prevent the kind of research they do?

I understand that one of their largest problems is in accessing the voters list and Vital Statistics. I know they are having problems with census information, but I am assuming that would be part of the federal jurisdiction. So perhaps I could leave it. I know that with the voters list, I know that we recently in this Legislature, I think it was three years ago, took steps to protect voters.

Mrs. Vodrey: I am informed that to my knowledge and the knowledge of the people at this table, who likely would have received a communication, to our knowledge no communication has been received. So obviously where there is a communication, we try and assist groups to clarify if there is any misunderstanding.

I would also say, in terms of The Elections Act, that The Elections Act Manitoba takes precedence over The Freedom of Information Act. As the member rightly remembers, following the last election there was a concern about the public availability of that list with names and addresses. Therefore, changes were made in that act.

Ms. McGifford: Yes, and this side of the House was very pleased to support the changes to The Elections Act.

The individuals from the Manitoba Genealogical Society do assure me that they agree with protection and that they believe too in reasonable accommodation, which they cite as being around 25 to 50 years, but they

said they believed that this legislation would not allow—that the reasonable accommodation was, I think, a hundred years.

Now, I do not know whether all this information is correct or not; I really have just quickly perused the regulations. I wonder if the best line of action for the group might be to make an appointment with the minister or with staff, and maybe the minister could give me some advice which I could pass along to them.

Mrs. Vodrey: It would be best, I think, and most productive for the association to meet with staff who have a very good knowledge of the working and could deal with the technicalities that may be raised. The person that I would suggest that the member recommend to the Genealogical Society is Sue Bishop, who is with me at the table today.

Ms. McGifford: I wonder, Mr. Chair, if this group was invited to respond to the initial paper that was circulated by the former minister, and I sent out, I believe, in spring 1996.

Mrs. Vodrey: We would have to check.

Ms. McGifford: I would appreciate that. I would appreciate if the minister would check.

The other thing I wanted to mention about Freedom of Information was that I noticed in the annual Freedom of Information report for 1996, which was before the new legislation, of course, that the number of applications received and processed has increased. I wonder if the minister or her staff have considered why this might be the case. I wonder if they have any information as to whether this is a pattern in other jurisdictions.

Mrs. Vodrey: I am informed that the request rate or application rate simply varies from year to year, that there is not an analysis of why there could have been a rise in applications one year and perhaps a lowering of applications in another year. It seems to simply be a rhythm of issues. However, I can tell the member that I am informed that our response rate, even though the numbers were up, was very good, and in fact 90 percent were cleared within 30 days.

* (1540)

Ms. McGifford: I thank the minister for her answer. I am concerned about the impact of the new legislation and what it will be on fees collected. Indeed, I have been hearing more and more from individuals and groups who are really staggered at the cost of freedom of information. I just note in the legislation, note from the regulation, the fees. For example, the fee payable for search and preparation is \$15 for each half hour in excess of the two hours. Then copying fees, I do not need to read them. I am sure that everybody is very familiar with the fees.

I wonder if the minister might tell me how the fees in Manitoba compare to other jurisdictions.

Mrs. Vodrey: In the setting of the fees, we looked at other jurisdictions, and we believe that our fees put us in an approximately middle-of-the-road position and that our fees before this had not had any change or variation in some time. So there has been some variation, but again that variation puts us in a middle-of-the-road position in relation to other jurisdictions in the country.

Ms. McGifford: It does concern me that Freedom of Information—well, it certainly is not free when we are talking about it from a cash point of view. I notice that regulation 9(1) Waiver of Fees reads: At the applicant's request, the head of a public body may waive all or part of the fees payable under this regulation if the head is satisfied that (a) payment would impose an unreasonable financial hardship on the applicant.

I wonder how that decision would be made.

Mrs. Vodrey: The decision would be made on a case-by-case basis.

Ms. McGifford: So there is no policy or guideline. It is simply at the discretion of the head of the public body.

Mrs. Vodrey: Well, this is new legislation, and so at this moment it is probably best to describe that discretion or that ability to waive as being on a case-by-

case basis. As we have more experience with the legislation, as we then look at where case by case there have been waivers, there will be an opportunity then to look with reference and some further development in terms of reference points.

Ms. McGifford: Then I would like to voice my concern at this point. That is, there are, of course, many heads of public bodies; and, presumably, people being very different, heads of public bodies will make different decisions about unreasonable financial hardships on applicants. So my concern is that there will not be consistency, and in a case where there is no policy or guideline I would be very concerned. It concerns me.

Mrs. Vodrey: Well, I would just say to the member that having the waiver is, in fact, new. It is an improvement in this act, whereas in the past there was not the opportunity or the option to have that waiver. So, with this new provision—and we believe a new and improved provision in this act—we do have to deal with it case by case.

When the member asks to have it done perhaps in a centralized way then, I could just say that by centralizing it would probably provide a significant delay if it was not done by the individuals within each department.

Ms. McGifford: Actually, Mr. Chair, I am not questioning the wisdom of having a waiver-of-fee clause at all. I agree with the minister that it is probably an excellent idea. Nor am I suggesting a centralized way of doing this work either. What I am suggesting is perhaps it would be important to have some guideline or policy so that individuals are treated equally in different offices.

Mrs. Vodrey: Mr. Chair, well, again, this is, as I said, a new part of the act that we do want to see. We have tried not to be limited. We have placed the issue of a waiver in. We believe it is an improvement. We were not restrictive on how that waiver should apply. We have provided a couple of principles that would guide the person making the decision; and now with the act, which, we believe, is overall an improvement, not only

this particular clause, we will just have to watch it unfold on a case-by-case basis.

Ms. McGifford: I wonder if the minister could tell me where the access and privacy directories are housed; that is, how available are they?

Mrs. Vodrey: Mr. Chair, they are housed in every public library. All libraries have them.

Ms. McGifford: Formerly, I believe that all members of the Legislature had one.

Mrs. Vodrey: Mr. Chair, we were just having a short discussion and saying, I believe, caucuses would have had them. If by chance the member's caucus does not have one, we can certainly make that available.

Ms. McGifford: Well, actually my caucus has one, but I would like to have one too.

Mrs. Vodrey: The answer is yes.

Ms. McGifford: Thank you. Just to move on with general questions.

I am slightly unclear about something, and that is that I understand, and perhaps my understanding is misplaced, that the minister is required to table several reports annually in accordance with legislated acts. Perhaps I could ask the minister, because I appear not to have had all these reports. For example, I do not have the annual report of the Manitoba Film Classification Board.

Mrs. Vodrey: Mr. Chair, I am informed that is contained within our annual report.

Ms. McGifford: Is that true, then, of the Manitoba Heritage Foundation, the report of the Legislative Library, and the report as designated in The Public Printing Act?

* (1550)

Mrs. Vodrey: Mr. Chair, I am informed that the first act the member spoke about, the Heritage—I beg your pardon? Diane, sorry, I could not hear you.

Ms. McGifford: It is called the Report of the Manitoba Heritage Foundation.

Mrs. Vodrey: I understand that the Report of the Manitoba Heritage Foundation is not tabled simply because it is an act which I am informed allows us to acquire property. We simply do not use it; therefore, there is no activity.

The other two reports, The Public Printing Act and The Legislative Library Act are both contained within the annual report of Culture, Heritage and Citizenship.

Ms. McGifford: I wonder if I could ask the minister about Systemhouse desktop project. I would like to ask the minister if Culture, Heritage and Citizenship is part of the Systemhouse desktop project?

Mrs. Vodrey: Yes, we are.

Ms. McGifford: Could the minister tell me whether Culture, Heritage and Citizenship will be losing any jobs as a result of contracting out?

Mrs. Vodrey: The answer is no.

Ms. McGifford: Could the minister tell me, please, the cost of this Systemhouse desktop project?

Mrs. Vodrey: The cost for us this year is approximately \$92.2 thousand, which we have been able to accommodate within our budget.

Ms. McGifford: Will the department be requiring new computers as a result of this Systemhouse desktop project, and, if so, how many?

Mrs. Vodrey: Yes, we will require new computers and the total number within my department are 313.

Ms. McGifford: The minister in her introductory remarks talked about, I believe, chairing the Millennium Celebrations Committee, and I wonder if the minister could provide any details about her work as chair of that committee, such as what is planned.

Mrs. Vodrey: Yes, I am the minister who has responsibility for the millennium planning, but I am

still in the process of actually finalizing what I will be announcing. I guess that is sort of an awkward way to put it, but I will be making an announcement very shortly about how our government will be approaching the millennium. I am not quite ready to make that announcement yet.

Ms. McGifford: I will look forward to that announcement with great pleasure. I understand, then, Mr. Chair, that we are on line 14 (1)(b). I wonder if it would be here that I might ask the minister about her travels on behalf of Culture, Heritage and Citizenship.

Mrs. Vodrey: Yes, this is fine.

Ms. McGifford: I understand that in October the minister and the deputy minister travelled to England, or to Britain I should perhaps more correctly say, on October 12 and returned from Britain on October 20. Is that correct?

Mrs. Vodrey: No, Mr. Chair. Those are not the correct dates.

Ms. McGifford: I wonder then if the minister could provide me with the correct dates. These are the dates that I obtained under Freedom of Information.

Mrs. Vodrey: I am sorry, I am embarrassed to tell the member I do not have the exact dates in front of me. I have lots of information and not those exact dates, so I would rather get a calendar to give her the exact dates. But from what I understand, the dates that she had us leaving, I can tell her we left on the Sunday of the Thanksgiving weekend, and I would have to check if that was October 12.

I am also trying to be clear, but I would have to check. October 20 was very likely the day that we left London and went to Edinburgh, and then there were working days in Edinburgh following four or five more working days in Edinburgh. So I would have to clarify the end date for you, but, for myself, I returned home on the Saturday which made it approximately 14 full days.

Ms. McGifford: I would appreciate the dates both of the time in London and the time in Edinburgh. The

dates of October 12 through October 20 were the dates sent to me through Freedom of Information.

Mr. Chairperson: The members are being summoned to the Chamber for a vote. We shall now recess and proceed to the Chamber.

CONSUMER AND CORPORATE AFFAIRS

Mr. Chairperson (Marcel Laurendeau): Will the Committee of Supply please come to order. This section of the Committee of Supply has been dealing with the Estimates of the Department of Consumer and Corporate Affairs.

Would the minister's staff please enter the Chamber at this time. We are on Resolution 5.1 Administration and Finance (b) Executive Support (1) Salaries and Employee Benefits.

Mr. Jim Maloway (Elmwood): Mr. Chair, I left off yesterday with the minister defending the oil companies and making suggestions that, at least, he was convinced that there was no price fixing in the retail oil industry, gas industry. I guess, it just demonstrates the effective power of the gas companies' lobbying efforts that they have so easily convinced him of this. Unfortunately, the public, for him anyway, the public certainly do not believe a word of what he is saying. So I do not think that he would want to test his theories too much farther than this House.

I would like to ask the minister to elaborate further on his assertion that there is real and true competition in the retail gasoline business in this province.

Hon. Mike Radcliffe (Minister of Consumer and Corporate Affairs): Mr. Chairman, I would like to advise my honourable colleague that our research department has for some considerable length of time done, not an exhaustive study, but a very thorough and complete study of gasoline prices across Manitoba in the rural centres, in the city of Winnipeg, comparing the gasoline prices with Toronto, with Vancouver, with Grand Forks. I have had these charts explained to me, and I am quite impressed with the assiduity of our researcher in this case. Because, as I stated yesterday,

when you take 50 percent of the bulk of the cost out of the price of petrochemical, you are left with one-half, which is what goes to the oil company.

Out of 52 cents a litre you get 26 cents a litre going to the oil company at the pump here in Manitoba. When you analyze that further, you look at the cost of production. Gasoline is just like any other commodity, whether it is soybean or whether it is any sort of fertilizer or any bulk commodity that are bought in bulk from the wellhead, so world price plays a significant role in the price of petrochemical.

On top of that, you get the throughput price which I recounted to my honourable colleague yesterday that there is the cost of the transmission. Then, as I explained yesterday, there is the impact of the market itself so that, say, in the case of Toronto, you can have a lower price per litre cost because there is larger consumption there. So the oil companies can afford to present their product at a lower cost partially because they get distribution by sea, up the St. Lawrence, and partially because they have a larger market. Therefore, they are selling more commodity, and, therefore, they can sell it at a lower per-unit price than they can in someplace like, say, Russell, Manitoba, or Dauphin or even Winnipeg.

So these are some of the criteria that I think one has to consider if one is going to intelligently look at the petrochemical industry. Now my learned friend said that I was not going to get much sympathy for the oil companies. In fact, I am not looking for any sympathy for the oil companies. I am only seeking to rationally understand what the drivers are in this industry, what the drivers are of these prices. I think if one were to review the suggestions of individuals, like Mr. Costas Nicolaou, who is advocating that the government wants more—and how many times do we have to get into this silly experiment? If the government wants more, gets into the commercial fray and starts trying to compete or trying to regulate the price of petrochemical, then the results, I am convinced, will be an unmitigated disaster. Therefore, with the greatest of respect because I think Mr. Nicolaou is a very erudite economist, but on this particular case, I think that he is off base.

* (1440)

I would suggest that this market is best left to the forces of private enterprise and free market flow. I think that when my honourable colleague sees—and the proof of the pudding is one of the very attributes of his question that he was asking yesterday. When one sees the price wars and sees how quickly retail merchants reduce the price of gasoline when there is a price war—and the human species is a very emotional and very spontaneous creature, so it can take any chance, opportune event, to trigger a price war; perhaps somebody is being ambitious and mischievous, whatever. In any event, when there is a price war, spontaneously, immediately, there is a reduction in price, or an increase in price, in all the pumps up and down any given street. That shows you how the oil companies are all competing for the motoring public and how they are aggressive at seeking the motoring public.

One drives into a retail gasoline outlet, and you look at all the opportunities that one has there. You can go to a self serve. You can go to a full service. You can go and get bottles of Pepsi-Cola or coupons for same. You can go and get added attributes. You can get your car washed. You can get an oil change. These are all the added extras that the oil companies are throwing in in order to compete for business. I do not think my learned friend or my honourable colleague opposite would quarrel that it is a highly competitive industry in that the gas companies are competing each with the other for more toys, more add-ons, and more frills in the marketing of their product.

Have I seen the books of the oil companies? No. Have I done a forensic audit of the oil companies? No. Am I wearing a hair shirt for the oil companies? Absolutely not. What I can tell my honourable colleague, though, is that at the behest of the ministers of Consumer and Corporate Affairs, we charged the oil companies last fall in Regina to launch a communication campaign themselves to explain the intricacies of the pricing in their markets.

An Honourable Member: It worked with you.

Mr. Radcliffe: It worked with me. Well, no, I knew beforehand because, you see, in the course of my practice as a legal practitioner, I have had an

opportunity to study such things as hedging, forward averaging, pricing of commodities, because I worked for some fundamentalist farmers in the province of Manitoba who, basically, would often try to average their losses by operating on the futures market.

So I know and I understand how one operates with hog purchasing or selling hog bellies, how one makes future contracts for cocoa or for rape or any of these sort of commodities. It does not matter the commodity. The principles are the same. You have a wholesale world exchange which is the prices are driven by world events, whether there is war in the Middle East, whether there are strikes at the docks, whether there is a mild winter.

Ironically, a mild winter and a decrease in demand can drive up the unit price, because there is not the flow through to the consumer, and the consumer has not the gross need that one would in a colder winter. So, therefore, next winter, if the prognosticators are accurate and we experience an El Nino, it could be a very cold winter, and our gross consumption of fuel could rise. But we would then quite conceivably enjoy a smaller per unit price of the commodity in question.

So these are some of the complexities. In effect, once you sit down and rationally, logically study and read about the industry, it is not a complex issue. I must urge my honourable colleague that I think it was one of my colleague ministers from Ontario who was convinced that there was a cartel, there was price fixing, and that there was nefarious activity. He was pushing the federal combines group to research this matter—I think this was Mr. Tsubouchi from Ontario. After thorough research, the unanimous conclusion which this federal tax force came back with was that there was no price fixing, nor cartel, and that it was a market driven by free enterprise.

Are there misapprehensions? Absolutely. Do people think that Big Brother drives the market? Absolutely. Do the consumers as a whole think that they are being victimized? Absolutely. Does my honourable colleague opposite think that he is being victimized? Absolutely. But I would urge my honourable colleague to do a thorough, analytical, logical research on the

topic and come back and discuss the matter with me further.

I have significant amount of written material in my office which I have gleaned from various sources, be it the federal task force, be it the society of oil companies, be it presentations from different oil companies who have come to Winnipeg to make their case to me. I would be more than delighted to copy and produce and share this information with my honourable colleague so that he can get a very thorough and complete understanding of the market, because, in fact, once you study it, you do gain another perspective.

Now, I am not getting the crying towel out for the oil companies. They do a very handsome job for themselves. Their stocks are well sold on the market, and their employees are well paid. Their executives are well paid, and they produce a product at a very good rate here in Manitoba. So I do not think we need to feel sorry for them; on the other hand, one must address what the real drivers are of the pricing in the market.

Mr. Maloway: Once the Chairman has been able to regain his composure after listening to that speech from the minister, I would like to make a few further comments. I think that, as a strong believer in free enterprise, the minister would understand that the real problem here is the supply of the product. The focus is normally at the retail level. That is where most of the questions are asked by people. The members of the public, our voters, see it at the retail level, and, as long as the supply is constrained and controlled by two or three refineries through pipelines that run east and west essentially, as long as that is in place, then you are not going to have the real competition that he thinks there is out there.

I do not think that it is a great leap for him to understand, I think, that if you were to allow another method of distribution, if you were allowed to allow tankers to bring oil in through the Port of Churchill, you would have a separate source of supply, and that, in fact, would bring the prices down at the wholesale level. That would have a better effect than what we have right now.

So what we have been doing and Costas Nicolaou certainly has—his concentration has been at that level as

well. They have simply looked at the existing supply system, the pipelines and the refineries which we do not have here in Manitoba, and they have said: well, how can we bring the price down here? So they looked at it in terms of a retail problem. They have made the retailer squeeze his or her margins, right, and not looked at the supplier. This is what is happening. The suppliers are laughing all the way to the bank. They provide the product. You can go down to the bulk depot here and gas up, and you will see there are Domo trucks in there and there are trucks for each of the oil companies. They are all forced to buy from that one place. They take that product which they pay for; they go back to their little stations; and they beat each other's brains out competing on a very small margin, right? And that is what is driving them.

* (1450)

But the fundamental problem is the original supply source. That is the fundamental problem, and I am saying the way to attack that is to simply look at alternative forms of supply, alternative ways of getting the product here in the first place. You know, forget concentrating on the refineries that are not here in Manitoba and forget about chasing the retail gasoline operator.

Look at the question of supply. If it were not for that big nest of tanks, the tank farm, up in Churchill and the willingness and the interest that the people have up there to see something being done about it, even if it were nothing more than just supplying gasoline to the North, which, in fact, is happening right now—as I had indicated yesterday to the minister, the tank farm, I believe, is being refurbished right now, but it, in fact, has been used for years, and they do bring gasoline—if this were just a simple matter of the idea being brought forth with no tank farm up in Churchill, with its never having been done, then it could be regarded as an idea that does not have merit.

But we have a tank farm there; we have ships bringing in the product every year. They have been doing it for years. The only difference is they do not bring it south; they bring it north. As a matter of fact, there is some concern that they may, in fact, lose the

supply line north, and that is this big area of concern right now, because there is competition further up North that want to cut Churchill out of the mix. Right?

So I do not see why we should not be writing letters, which I have done months ago, to OmniTRAX and asking OmniTRAX. OmniTRAX have been straight-forward about this. They have said: We want to bring more products; we are bringing grain up North for shipment, and we want to bring something south. So why can we not have oil cars and have OmniTRAX bringing the oil south? Why can that not be done?

Nobody has given me any reason why it cannot. I have had nobody say this is a bad idea. In fact, Costas Nicolaou thought it was a pretty good idea. So I do not know why we do not work a little bit more on that idea and see whether we can.

We have no vested interest here other than the little bit of lobbying efforts that have convinced the minister. We have no vested interest in promoting high oil prices. I was in Saskatchewan. The Saskatchewan budget came down, and there was a lot of grief and concern about the fact that low oil prices were going to cost the Treasury \$36 million. There was great concern in that room, let me tell you, among the elected officials that I was with about how low these prices were and how low could they possibly go. I know there was no concern on my part about how low they would go. The lower they go, the happier I will be and the happier Manitobans will be. So we are all in this together. We have an interest here in promoting as low oil prices as possible, but we are not going to get them by bleeding retailers that may or may not already be on the edge.

The retail industry here, as far as I know, has had to resort to—you know, they talk about cookies and bake sales to raise money. I mean that is evidently the essence of the gas business today. The retailer is forced to sell all sorts of additional services in these little—you know, hot dogs and whatnot that you can buy at the gas station these days, cigarettes and so on. They do that to keep their heads above water. So I think that is probably what we should be looking a little bit more intently at.

I would ask the minister to get that Research department—I am never really sure what that department really does, accomplishes at the end of the year. I keep asking about it. I never really know who it is, what it is, and what it is doing. I know that when Ed Connery was the minister, he claimed they were out monitoring the oil prices. He claimed that he was doing it himself, that he was the Research department. Nothing ever got accomplished when he was the minister.

So I would like the minister to make a commitment right now that he is going to get that Research department up to Churchill; he will go up to Churchill himself and take a look at this tank farm and start seeing why, meeting with OmniTRAX and finding out why this thing cannot start to develop.

Mr. Radcliffe: Mr. Chairman, I would like to respond to the challenge so graciously extended to me by my honourable colleague opposite, because I would concur with him that I have been to Churchill. In fact, it was a very pleasant trip that I took to Churchill a number of years ago in the company with the Natural Resources Institute. There were about 44 of us who drove to Gillam by bus.

Across northern Manitoba, I had occasion to visit Thompson as a guest of Inco. We were, in fact, a mile down into the earth. I can advise my honourable colleague that when you get that far into the earth's crust, it starts to warm up. A number of the miners grow tomatoes at the bottom of the shafts in the mines under grow lamps, winter and summer, with no additional artificial heat, because of the heat that is coming up from the core of the earth.

In any event, we did have occasion then to fly on to Churchill. I was delighted with what I saw in Churchill. I think it is a vibrant community. I am a strong proponent for the future economic security of Churchill, because I think not only is it a historical space for Manitoba, it represents the outlet for one of the traditional Hudson Bay routes, which goes back to the beginning of the fur trade in Manitoba, was in competition with the St. Lawrence route, where goods were brought in and taken out of Red River.

I think that not much has changed in the competition, whether it is grain we are moving or whether it is, in this case, gasoline we are moving. I would actively encourage oil companies to get into a distribution system out of Churchill. I was instrumental in alerting an associate of mine to travel with a party with the Minister of Rural Development (Mr. Derkach), who went north to talk to the new jurisdiction of Nunavut in order that Manitoba be truly competitive with Montreal, which was, I guess, our major competitor in offering government services to the people of Nunavut.

I am told by my colleague that it was a very successful trip. Very positive results were achieved on that, and I am sure if you were to ask the Minister of Rural Development he would concur with that opinion, that, in fact, his trade mission to Nunavut was a very successful enterprise.

There is nothing wrong with fuel companies or even co-ops, because I can tell my honourable colleague that I had the delight to be the minister responsible for co-ops for individuals in the North to establish a co-op base and a distribution base with the tank farm in Churchill and to be a distribution system. The only way that that will occur, Mr. Chair, is if it becomes economically feasible.

I am delighted to hear my honourable colleague opposite say that the retailers are not the culprits that many folks think they are, and I am delighted to see that he has studied the issue and concurs with me on that opinion.

Just in the ongoing debate, I would point to the independent wholesale jobbers who were functioning in the natural gas market here in Winnipeg in the last number of years. That is a function again of the free market, where individuals would go out and buy I think it is gigajoules of natural gas. It would be transmitted down the same pipe that Centra Gas or any other gas company sends the fuel. There is no monopoly of ownership of gas that comes down the pipe. These entrepreneurs would operate in the differential between what Centra Gas was operating for and what it was wholesaling for at the wellhead in Alberta where the gas was being produced.

So I would suggest to my honourable colleague opposite that there is, in fact, the opportunity and there is the price leveller that does occur right now with free enterprise in the market. These individuals are then able to buy in advance on the futures market with quantities of the petrochemical and any other commodity, and then they offer a rebate at the end of the year according to how they have managed with the purchase and sale of product over the course of the year.

What this does is have the effect of levelling out the price and taking out the spikes and the peaks and valleys on the price. I do concur that there are only two main wholesalers in town in Winnipeg. That is regrettable, because down in centres like Montreal and Toronto and even in New Brunswick there are a number of independent purveyors of gasoline. In fact, I do believe that it is often a more vigorous market where you have other individual suppliers.

* (1500)

With the cost of infrastructure, with the risk of doing business, individuals have been loath to get into the petrochemical business here in Manitoba because of the thin population. We are only a population of a million-one. Saskatchewan comparable, so that the market, the consumer market is not that vigorous a market out here to justify more than the suppliers we have at the present time. I know that the Canadian west, the framers of postwar Canada anticipated that, when they built a lot of our social infrastructure, we would be a country of 60 million today; but, unfortunately, governments past have limited the amount of immigration to our country so that Canada has not been able to enjoy the rate of growth that we would have had if we had had a more liberal immigration policy. As my honourable colleague knows, today Manitobans are desperate to have skilled immigrants come to our country to fulfill the jobs that are now going unanswered.

So there are a few reflections, but I do concur with my honourable colleague that it is a very reasonable and exciting opportunity for some enterprising entrepreneur to open up a fuel distribution system in the North. I know that the people in Churchill do distribute fuel to points further north, to Rankin, and I

am not sure of the new name for Rankin, but the communities up the coast, and there is nothing wrong with them distributing further south down the OmniTRAX line. [interjection] Thank you, Mr. Chairman. I am done.

Mr. Maloway: Well, I really did not get an answer to the question asked, and the question asked was whether he would—he had indicated he was to Churchill some years ago, but if he would endeavour to go back there again, take this phantom research capability of his up there. I mean, whoever this Research department is, take it up there and get them working on it, I would appreciate it if he would. I suspect the research department is himself, but I would suggest that he go up to Churchill, take whatever researcher he wants, meet with the mayor of Churchill, meet with OmniTRAX and seriously show some hands-on management here and some hands-on concern and try to put something together.

Now, if all he is going to do, after his work is done, is to turn this over to these two regular suppliers, right, that simply gives the cat another mouse, and you will still have two suppliers. So what you have to do is you have to get a third option here, and I do not really believe that there is a whole lot of competition among the two wholesalers we have right now. Let us go a little further in this. You talk about the combines. I do not have it here, but I have read some information that indicates that in a technical sense there is no price fixing in the oil industry because of nothing more than the wording of the combines legislation. I mean, what is required is a tightening up perhaps or looking at tightening up the combines legislation to make it a little easier to prove and discover what we already know is happening.

What is, in fact, happening, and the minister may not be aware of this, but in an effort to circumvent the combines legislation, to circumvent its intents, what companies do or have been doing is that they conspire to price-fix in an informal way. Without giving the minister any details as to where he should go at ten o'clock in the morning on Thursdays to find price fixing occurring, there are businesses and industries in this province where the players who are quite aware of what the combines legislation allows and does not

allow make certain that they discuss this at one of the old boys' clubs in town, that they will get together at one of the old boys' clubs to play squash and get together and say: well, you know, are you going to increase your rates or fees by 10 percent? If you do that, I will do this.

That is how it is done. It is done in a careful way as to make certain that there are no tape recorders there, that there is no possibility of catching them in the act of doing it, but do not ever think that it is not being done. Do not sit there and think that you are operating in this ideal world where this kind of activity does not take place. It does take place.

Sometimes I can tell you that people are inadvertent about it. I have had people tell me that they have agreed with such and such a competitor to charge the same price for a certain service, and this is by agreement. They know that they are the two players in a certain niche market, and they have agreed not to compete with one another because they have been losing their shirts before on this market and it was not advantageous for them to do it. They tell me this information, and I know that that violates the Combines Act. That is what it does.

But, you see, they are not as sophisticated as the big boys. The big boys have the lawyers, the high-priced lawyers such as the one—one of them sitting opposite me, in a past life. These lawyers are quite aware that they can be retained by the big companies to give advice on the combines rules and requirements, whereas the little companies cannot. So the little companies are doing it more overtly and without knowledge that they are doing it; the bigger companies are a little more subtle. They are doing it in the old boys' clubs. But the fact of the matter is, Mr. Chairman, that it is being done.

So what happens is the combines people do a lengthy investigation, and they come up with the conclusion that in a technical sense there is no price fixing going on because, well, they could not prove it. They were not there. Yet my constituents, when they drive up to the pumps, see the prices changing as they drive up. Then they drive across the street to the other gas station, and, before they can get across the traffic, the

other one has moved up. Anybody that has been in the business for any length of time knows these things happen, knows that the phone call comes, and when I talk to the operators, they are not prepared to tell me anything more than what they will tell me privately. They will not put anything in writing. They are very fearful—this is a very fearful industry. They are afraid of what the company will do to them because they are simply operators and they have to rely on the oil company, in many cases, for the supply of their product. In fact, they can, and some do, buy their gasoline from independents.

Mr. Denis Rocan, Acting Chairperson, in the Chair

There was an independent in town here that flourished for a while during the war in Iraq. Today he has gone from one truck to a dozen trucks, and he is not interested in competition anymore. He has got his share of the pie, and he likes it just the way it is. When he was approached within the last year to supply gasoline from the United States to a gas station, he was not prepared anymore. His entrepreneurial spirit had died. He has now got a dozen trucks. He is happy. He is happy not doing the undercutting he was, and he does not want to shake things up in the business, right? I could not even get a gas station to rent, and, as a matter of fact, I was directed to the proposition that, if I wanted to put up a couple hundred thousand dollars, I could buy a little station and simply sign on the gravy train with the rest of them and get into the gas business and compete like everybody else and price-fix like everybody else, and do what I was told.

* (1510)

Of course, that was not the point of my exercise in the first place. The point of my exercise was to simply sell gas at a much lower price, and I know it is just an exercise that can be done. I know some Tory M.P.s a few years ago did that. The minister will recall when metric was brought into Canada, a few Tory M.P.s got into the gas business outside of Ottawa. I do not know whatever happened to that gas station they set up. I assume they ran it into the ground over time; nevertheless, their reason for it was to fight metric. I believe they were going to sell gasoline in the old gallons, rather than litres. I believe that was their fight

as opposed to our fight, which is simply nothing more than to try to sell gas at a low price and see if we can create a gas war.

We found that that was possible to do back during the Gulf War. I was able to get the tanker. I was able to get a gas station that would co-operate, and I was on the verge of buying my first tanker of gas when I found out that the gas station in question had leaky tanks and decided that that probably was not politically a very smart thing, to be trying to sell low-cost gas out of leaky tanks. At that point I was unable to find another gas station that would give me the tanks. That is the problem. They are not prepared to alienate Esso or Shell or whoever it is, the Co-op, whoever they are buying their product from.

So in answer to the question as to do I believe that it is a free market out there, the answer clearly is, no, that there is a certain amount of collusion. Let me tell the minister, and he knows this too, that without proper combines legislation, without proper enforcement of the act, there is just a natural inclination for organizations and people to take the avenue of least resistance. It is just natural. So if you can simply get into a business and make a healthy product and you have only one or two competitors, why would you want to start a big price war and drive down the prices and make less money? You would not want to do it. So you have basically quasi-monopolies operating in a number of businesses where it is sort of almost done by mental telepathy, but there is a general understanding that you do not go beyond certain guidelines.

You know, the oil industry will spend all this effort to chase you around to try to convince you that they are right. As a matter of fact, they came into town, met with the minister, I believe—I think it was Petro Canada—and they met with us. They are still having troubles getting such simple things as their mailing system operating right, because they sent us the kit that was supposed to go to the B.C. MLAs. I do not know whether the minister noticed that, but we ended up getting the wrong information in a couple of their mailings. The wrong kits were sent out, but, nevertheless, their propaganda package is, you know, it is their point of view, and they are trying to get it out

and disseminate it wherever they can. But that is still not what I feel is the reality of the situation.

Mr. Chairperson in the Chair

It can be, I think, partly alleviated by doing what I have suggested. That is to look at increasing the supply sources, doing what Costas Nicolaou suggested. Setting up government-run gas stations in Winnipeg and stuff like that is really not going to solve the problem if you cannot get the gas in the first place at any less than the other guy can. You know, if you are buying the gasoline from the same wholesaler and all your competition is at the retail level, you are not going to really prove the point. You have to prove the point by getting down to the supply level.

So I will stop there for a moment. I have a whole bunch more to say about this, but I ask the minister to try to get back to the point about when, when, when he is going to do something about the Churchill situation and bringing gas through there.

Mr. Radcliffe: Mr. Chair, I want to dispel the illusion that may be pervading this Chamber amongst members opposite with regard to the research capacity in our department. Albeit it is very modest, we have two staffers headed by an individual by the name of Mr. Ian Anderson, who is a very capable individual.

I must say on the record, and again I will flaunt his praises far and wide, that Mr. Anderson this year has spent a good part of his time working on the life-leases legislation, which is a bill pending before this Legislature right now. We owe a real debt of gratitude to this individual for the hard work and tireless activity that he has conducted himself with. But Mr. Anderson does do research and contacts various outlets around the province on a regular, weekly basis to determine what their price levels are. So I must tell my honourable colleague opposite that I am very chary as to conducting travel junkets about Manitoba on public money.

In fact, I can tell my honourable colleague that any travel arrangements that are made in my department that are not budgeted for in the original Estimates have to clear my desk. I have asked all my staff if they will

tell me why they wish to travel, where they are going, what they are going to learn, and what they are going to do about it when they get back in order to educate their colleagues within their department, so that, in fact, we will be a better department or a better ministry because of the knowledge that they bring home, be it at the securities level because the Securities Commission people do a lot of travelling, or the Consumers' Bureau people who do some travelling as well.

I will go to national conferences because I feel it is important that Manitoba put in an appearance and hold up our end to represent our province, but, as a minister, I am loath to go junketing around the province on a lick and a promise just to be able to say: I have been to Churchill and I have looked at a bunch of cylindrical gas tubes; to say that, yes, I know they are there. I know they are there. I have been to Churchill. I have seen them.

I have the information, and this is what I guess my honourable colleague must acknowledge is the fundamental difference between the NDP and the Conservatives, that what we want to do is create a dynamic environment, economic environment, where people are prepared to come to Manitoba to risk their capital themselves to do business, to involve themselves in these enterprises, be they wholesale jobbers of fuel, be they independent retailers, be they integrated gas companies like Esso and Shell who want to come here because it is prosperous and they are making a buck. That is the difference.

The NDP, I perceive—and I look to my honourable colleague for correction, if, in fact, I had misapprehended his economic perspective, but they want to become involved themselves, integrate themselves as the hand of government, the violence of the Crown, to compete with their own citizens. Albeit, they think they may do it well meaningly, but, in fact, it ends up that it becomes bureaucratized; it becomes inefficient; it becomes unmotivated; it becomes aimless. When we took over, when the Filmon government took over the administration of this province, they found that we were beset with innumerable numbers of, caches of individuals who were inefficient, who were not directed.

There is a role for government. A government does a regulatory role. Government provides fundamental services that the private sector cannot. But one must not compete with one's citizens with their tax dollars, and this I believe is the fundamental philosophical difference.

So am I prepared to go to Churchill? Well, I want to know why I would want to go to Churchill first. I mean I think it is a wonderful exciting adventure to go to Churchill. But on public dollars, I would want to have a case proven to me first that my government was going to be better off, that I was going to have more knowledge I could not get sitting upstairs on the third floor from my employees who were in constant communication with people across the province.

Yes, I enjoy a junket just the same as somebody else, but if I am going to have it paid for by the public purse, I want it justified to me first. I guess I can tell my honourable colleague that the hardest threshold that my employees—and I try to apply the same rules to myself. The hardest contest that any of my department have is the contest where they have to come to me and justify to me why there should be a trip taken. And I would apply that to Mr. Anderson as well, that I cannot justify sending him across the country.

I can assure my honourable colleague that last year when the deputy and Mr. Anderson and I went to Regina to the ministers' conference, instead of travelling by airplane, we chose to drive. We had a leisurely drive to Regina. We saved the good people of Manitoba, I believe, over \$4,000, which would have been the accumulated air fare. We were able to obtain the knowledge, the information. But there is a more practical way of getting about and not flinging about public money.

* (1520)

So am I going to rush off to Churchill? No, I do not think so. Would I study the market further? Absolutely. Am I questing for information and knowledge about the matter because I do not believe that I have the definitive total body of information to commend the subject? Absolutely not. I believe there is always more to learn, but do I want to fling public

money about establishing a Crown enterprise to compete with our citizens who are struggling with a small profit margin? Absolutely not. Have I seen where other government enterprises have tried to get into the marketplace and compete? I have.

My conclusion to date has been that these have been abysmal failures. We look at the economic experiments that are going on right now with the CN Railway. The CN Railway was plagued with debt. Now that they are being sold off and becoming a private enterprise, it is a brand new world. It is an exciting new world. So rather than going back to the old days of centralized control, government-dominated enterprise, government entering into the marketplace, I say government should tax, government should regulate, government should provide fundamental services that the private enterprise cannot, but I am not about to commit the Province of Manitoba to running a tank farm in Churchill or a distribution system up the shores of Churchill or down into the southland, into the hinterland of northern Manitoba.

Mr. Maloway: Well, I will take that as a no, that neither this minister nor this government plan to do anything about trying to reduce gas prices for people in Manitoba by looking at alternative forms of supplying the product through Churchill because clearly, to me anyway, that is something that he is not prepared to look at.

Earlier on, the minister talked about the cost of production. Let me make some comments about that. The minister is aware that when you develop an oil well or any type of mining operation, there is a certain cost associated with developing the mine or the oil well, but the oil coming from a well that was drilled 20 years ago, you know that well has totally been paid for already. So, certainly, the cost of production is not the same for oil coming from Alberta as it would be from other places in the world.

The price of oil coming from Hibernia, there would be a different cost of production there than there would be in Alberta, but it levels out when you go to the world oil prices. I mean, that is what we are dealing

with. So we have this arbitrary figure that we are dealing with, world pricing, which I guess can be hurtful in some instances. If your cost of production is too high and you have a relatively new well and oil prices plummet, you could be in serious trouble. If the oil prices are high and you have oil wells that have been long since paid for, then you are in the gravy. So, I mean, cost of production is really not a good justification here in Manitoba because the gas that we are getting right now, the oil we are getting right now, is from Alberta. It is refined in Saskatchewan, and it is refined I think in Alberta, but this oil is not coming from the Middle East, it is not coming from Hibernia.

I mean, when the price of gasoline went up last summer, you know, I looked but I did not see any war in Alberta. I do not see any insurrection in Alberta, but yet the price shoots up with the world market. So the minister can apologize for the oil companies only once, but at the end of the day there is a certain point at which competition gives way to monopoly.

You know, I thought that he, as a Conservative, was supposed to believe in competition, but instead he simply sits with the status quo and happens to favour monopoly situations. That is what he is really saying by not being an activist on the issue and trying to bust up the truss, bust up the monopoly.

He has indicated which side of the fence he is on. He is with the establishment, the people who have been paying the bills all these years, and he does not want to upset the status quo. Manitoba does not have a huge interest in the status quo. That is what is so interesting about this whole question. It is not as if we are sitting on a pile of oil wells here in Manitoba. We are not. The control of the issue and the pricing really has nothing to do with Manitoba. It has to do with world oil prices; it has to do with oil wells in Alberta.

Here you have a compliant minister and a compliant government simply going with the flow and defending the status quo, defending monopolies, defending monopoly situations and not interested in breaking that monopoly, so I kind of feel bad for this government and this minister, because another year or so down the line we are going to have to come in there and replace this government and develop a more activist approach.

By the way, we will be taking trips to Churchill when that happens. We will go up there and we will meet with OmniTRAX. We will go up there because we believe in developing business in this province and we want to see more business in this province, not just two suppliers of gasoline. We want to have more than two and we will have to work with OmniTRAX to see that something is done in that regard, because there is certainly a future and I think it is a rosy future, a good future in dealing with that option.

So I would like to ask some questions. I asked the minister yesterday as to when we should expect to receive the new annual report which he is currently sitting on. I have the report for '96-97 here, but I am wondering just when this is going to happen. I do not think I can delay Estimates long enough to get this new annual report.

Mr. Radcliffe: Mr. Chairman, I will not dignify with an answer the aspersions to my philosophical basis coming from my honourable colleague opposite, but, in fact, I would only invite him to look at the administration that is being conducted right now in our neighbour province to the west, which I believe is as like-minded philosophical comrades to himself. I do not see anybody riding around with torches and bed sheets on white horses inciting the public to attack gas companies in Saskatchewan, nor in British Columbia.

With the greatest of respect, it is perhaps a little bit of wind and water, which is really what the issue is, and I think that one must address oneself to the real verities of what are the drivers of a commodity market.

I would leave this topic with my last remark, I guess, which is that probably, if you were to analyze the books of the oil companies, one would probably find that they are no different from any other human enterprise in our country and that 80 percent or more of the costs of doing business today are payroll and payment of wages to their employees, be they the muckers that stand at the top of the wellhead or be they people that calibrate the force of the fuel going through the pipelines or the people that work in the offices. I think that is the same the world around. I do not think there is any magic to that, that the majority of the overhead of any corporation is consumed by the wage

levels to their employees that they pay. So I would invite my honourable colleague if he has not already, analyze the financial statements, the annual statements that are published by the oil companies.

* (1530)

That leaves me, of course, to his last question, which was: when is the annual report for Consumer and Corporate Affairs going to be published for the current year? I am advised that we can look forward to such a publication in and during either the month of August or September of this year. I believe that it has to be six months after the year-end, and staff are very busy right now. They have some drafts. I had the opportunity to sit and discuss some of these issues with staff to date, but, because Consumer and Corporate Affairs is such a multifaceted department and it touches the people of Manitoba in so many different fashions. It is a reasonably complex and sophisticated department. While there is not a lot of staff involved, and we do not get much headlines, that is because everybody is doing their job and doing their job very, very well.

Nonetheless, the annual report is not something that we just dash off unadvisedly and carelessly. Great care goes into it. When my honourable colleague did ask me yesterday, I inquired of my deputy, and the best advice we have is it is coming soon. We can look forward to it probably in August or September.

Mr. Maloway: I wanted to go back to the whole year 2000, Y2K area and ask the minister a few more questions in that regard.

The estimate, at least in the Royal Bank promotion material that they have sent out on the Y2K problem, indicates that the nationwide cost could be upwards of \$45 billion. Now, I am not sure of the methodology that they use to arrive at that level, especially when they themselves indicate, at least the task force indicates that as certain percentages of businesses are not even aware, 9 percent or 10 percent are not even aware that there is a problem with Y2K. So I am not sure how you can come up with that.

I simply use that figure that they used, quote that figure just to indicate how enormous an amount of

money that is. I mean the Manitoba budget is \$5 billion a year. That is nine times, it is the equivalent of nine years of Manitoba government spending that this country is going to spend just in the next year and a half on getting ready for this Y2K problem.

I got the impression that the minister is getting more understanding and more up to date of this problem, but I just get the impression that he is not taking it as seriously as the literature out there would want us to take it. I would like to see something more concrete in terms of his plans on this matter. I know he said he would talk to the Premier (Mr. Filmon) about it. The Premier is rushed and so on. I am sure he is not spending a whole lot of time thinking about this either. But they go on in the article to indicate that the problem is so large that it will consume 25 percent of the IT, the information technology budgets of large corporations from now up to the deadline. Obviously, there is a major concern. This is the Royal Bank now. This is the Royal Bank who is saying this, but clearly we have a huge other area of the Manitoba economy that is not being dealt with, not only profit-making enterprises, but nonprofit enterprises throughout the entire system.

So I would like the minister to just make any further comments he has about those figures as to whether he disputes them, or whether he agrees with them.

Mr. Radcliffe: I want to assure my honourable colleague that I have no means of measuring the statements, and I too join him in saying I do not know the methodology involved. I do acknowledge and accept the seriousness and the extent of the problem.

In fact, I want to share with my honourable colleague that last night I had the occasion to go to dinner with the Consumers' Association of Canada, Manitoba Division. This was a group of about 30 people who are activists, active researchers, advocates for consumers here in Manitoba. They have links right across the country. I brought up this very point with them at the dinner table last night, and, in fact, there was significant interest and uptake around the table. I think that is how this message is to be shared and to be passed on. It is at meeting to meeting, face to face. It is sensitive groups, representative groups, that then can

fan out across the province and bring this information to their own groups within which they operate, to advise and mitigate or to advocate with manufacturers and producers as to the nature and extent of the problem, and invite them, challenge them to upgrade the equipment. We can only look at the extent of the computerization of our society to date.

I acknowledge that it is pervasive. I just sort of reflect a little bit on some of the intrusions into our world. Would it be so terrible if we all had to climb a few stairs instead of taking an elevator? I can share with my honourable colleague that both the deputy and I, although our offices are on the third floor of this building, try to avoid taking the elevators in this building just because we want to challenge our physical systems and have a little bit of aerobic activity every morning of climbing to the top of the building. Oh, yes, we are huffing and puffing by the time we get there, or at least I am speaking for myself. I work up a bit of a sweat, but you know that is good for us because the human species is built for hard manual labour. Too much we are sitting in the lap of luxury these days, albeit working for the good of the public of Manitoba. I think if we were to reflect on how our life could be made a little simpler, that we do not really need a lot of the gadgetry that we enjoy so that we could go back to basics, that, in fact, might be a beneficial exercise that many of us could profit from.

I can only look back to the days of my upbringing, and I am not that much older, I would not think, than honourable member opposite, and I can remember in my parents' household that very little ever got thrown out. The used socks, the castoff socks and underwear were thrown into a bag, and they were taken up to Selkirk every fall to the Fairfield knitting mills. We would turn in the washed and used wool and pick up a blanket in exchange. My mother, when the bed sheets would wear out in the middle of the sheet, she would turn the sheets and you slept on a ridge, but you got used to it. Then those same sheets got turned into pillowcases, and then they got turned into dusters. Then the lint got thrown out the door.

So we have come a long way from that, but these were Depression-minded people who knew how to make things last and how to get the best possible use

out of everything. I think that too often we are consumed in our secular quest for wealth and materiality, that we could be benefited by looking at things more simply and perhaps not being dominated by the computer culture.

Mr. Maloway: I have news for the minister. I mean, if he is planing to drive his car to Selkirk, he might not be able to get it out of the driveway, because the embedded chips in the vehicle might make the car not work. He may not be able to reuse the VCRs and all the other equipment he has in the house, because it is just not going to work. Simple as that. His credit cards may not work. Hospital equipment may not work properly. Airplanes may not fly properly. We are talking about an enormous problem here. You know, I appreciate that since we were here 24 hours ago he at least went out and met with the Consumers' Association, and at least made a pitch to them and informed them as to what is going on so they can start spending that \$45,000 grant that he gives them—44,600—more wisely, and not buy noncompliant products with it. So maybe there is some hope here for the minister. If he could just get a focus and a desire to spread this message, maybe he will be able to accomplish something in this area.

I did say that the reason I am appealing to him is because of the hopelessness of dealing with the Minister of Industry, Trade and commerce. You know, the Minister of I, T and T should be doing something about this issue, but you know he was in Geneva last week, and he is probably going somewhere else next week. You know, it is kind of hopeless to try to explain this to him.

What I wanted to ask the minister now is—as further questions on the Y2K problem. For example, the Royal Bank—I have had people that I know as late as last year tell me that their system would be compliant, and I asked them: well, how do you know they will be compliant? And they said: well, you know, we simply took the date 2000 and we put it in the computer program, and it seemed to run okay. It did not crash yet; therefore, my system should be compliant. They have forgotten about the issue and walked away from it. It was not until January of this year when I saw three- and four-page regimes that have to be gone

through, testing regimes that have to be gone through, that I realized that it was not as simple as simply plugging in the date and finding the computer not crashing and thinking that you are okay.

* (1540)

In the Royal Bank promotion, they say right clearly in here, they say: the bad news is that even some new computers may have hardware that is not Y2K ready, and this is a brand-new publication by the Royal Bank. The main problem, they say, is the real time clock, which is programmed into the computer's basic input-output system, the bias. The RTC, which is the real time clock, resides on a chip and is part of the computer's hardware. Unlike the computer clock which you can set on your screen, the RTC cannot be reprogrammed. This means that advancing the date beyond January 1, 2000, to test your software will not properly test the RTC, that is to say, the real time clock or the bias. In order for your computer hardware to be year 2000 ready, both the real time clock and the bias must also be ready. So, in other words, it is not just enough to move the time ahead on the computer.

So, then, Mr. Chairman, I received today a copy of—and I am sure other manufacturers had this. I had mentioned to the minister yesterday that a lot of the computer companies, while they will tell you verbally that their computer is Y2K compliant, in reality they will not put it in writing. Even when you ask them directly for it and they say yes, they manage to omit it in the final statement. In fact, I had to write it in myself last year on a computer purchase, because they just would not do it. I wrote it on the invoice, and I assume that from their acceptance of my money that they were accepting what I had written on it, but the minister rolls his eyes at that one.

But Gateway Computers, one of the top five, I believe, manufacturers in the world, and Dell is up there, of course, as well, but I happen to have Gateway's Gateway 2000 statement on the issue of the year 2000 date change, and this is the page that they faxed this morning. But among other things, in this statement they say: because there is not an established standard as to what "being compliant" means, Gateway presently defines that term through the use of the

Microsoft test suite. However, even after testing, there could still be an issue caused by non-Gateway or Gateway recommend products that you could add to our system.

So these are the manufacturers, folks. These are the guys who know. These are the guys who stand to make all the money out of the year 2000 problem. They stand to cash in big time on this \$45 billion that consumers are going to have to pay through products that they buy, because the companies are going to have to spend that kind of money, this huge \$45 billion. These are the people who are in charge of the solution who understand the problem, and even they are saying, well, you know, maybe, maybe it is not going to be a hundred percent.

So I tell the minister, when things start falling out of the sky, you know, when planes start falling out of the sky and satellites come crashing down and elevators drop 30 storeys and all sorts of other cataclysmic things happen January 1, then even people like Gateway 2000 are going to not admit responsibility for it. Even they are saying, well, we can never be sure, because it is a seamless web, evidently. It involves all the computers. You could have the most up-to-date computer system, but if you hook up with somebody who is not compliant or somebody who puts an old program on your computer, it can bring the whole thing down. That is the scary part.

The minister is suggesting that somehow legislation is just too onerous. That is the heavy hand of government, he is suggesting he would not want to do that. Requirements from the government as far as obtaining government grants and loans, well, those are too onerous too. But yet this year 2000 committee is, in fact, suggesting that the governments be interventionists. I know that kind of gets in the craw of the member opposite and is maybe contrary to Tory philosophy, whatever it happens to be today, but certainly a more activist approach rather than just a defensive approach has to be taken. I would like to see the Minister of Industry, Trade and commerce, and I know we have checked on this minister. We know he is not doing a whole lot of travelling. We know that. We have asked those questions before, and we know who is doing the travelling though. Maybe he

could take it up with more than just the Premier. Maybe he could talk to the Minister of Industry, Trade and commerce when he is on one of his next junkets, if he can stop long enough in one place, if he can take it up with people.

The task force people tell me that the problem is more pronounced in other areas of the world, places where neither myself nor the minister opposite are going, have been going or are going to, but certainly in all probability a place where the Industry, Trade and Tourism minister will be going very soon, I am sure. So maybe we could educate him on this whole issue and he might be able to carry the ball a little more, but what we need is more promotion in this area. I would like the minister to expand a little more on just what he sees the problem being and what he sees as some solutions to it. I am looking for more concrete solutions.

I am looking for him to tell me that, you know, by the end of August he is going to go and talk to 10 more consumer groups; he is going to write to all the nonprofits; he is going to start putting conditions on government grants; he is going to start looking at ways to bring in some legislation to effect some of these changes; and he is going to meet with the task force. He is going to do all these things to help solve the problem, be part of the solution, you know, not part of the problem.

Mr. Radcliffe: Mr. Chairman, I guess, I would like to respond firstly by saying that I really am enthused and bucked up by the fact that my honourable colleague opposite, who usually is the champion of big government and intrusive behaviour and the mortmain of the state, is actually looking to private enterprise for scholarship, for rectitude, for the answers to this problem. I do not denigrate for a moment the extent and nature and seriousness of the problem, but of whom is he quoting? What authority does he resort to at this point in time? Well, the Royal Bank. In fact, the Royal Bank is one of our premier institutions in this country and they—[interjection] I am sorry?

An Honourable Member: I am quoting Denise.

Mr. Radcliffe: Ah, Denise. My honourable colleague opposite is quoting a very prominent member of our community, Mrs. Denise Leahey, who is the current, I

guess, western Canadian vice-president of the Royal Bank here in Winnipeg. A very competent and thorough and outstanding member of our community and somebody who is personally known to me and, matter of fact, a constituent of River Heights. I cannot say enough nice things about Mrs. Leahey.

Nonetheless, I think it is a sign of the times that even our NDP comrades in this House are turning for leadership and direction and learning and solutions to some of the bastions of private enterprise, the enterprises that have made this country the great place it is. The fact that the United Nations acknowledges on a regular basis that Canada is a great place, a wonderful place, and I think the second in the world in their grading system of superior places to live.

So I think that is something that we must congratulate members opposite on, because they are probably slowly, at long last, by dint of good, hard advocacy on the part of members on this side of the House, beginning to realize the benefit and attributes of some of the major private corporations, or publicly held corporations perhaps in our country, such as the Royal Bank and other members of this task force that my honourable colleague has very kindly presented me with: Canadian Tire, Domtar, Petro-Canada, Canadian Federation of Independent Business, Cargill, et cetera. These are leading intellectual authorities in our country.

More specifically, I guess, my honourable colleague is saying: Well, Radcliffe, what are you specifically going to do? In fact, I guess that leads me to another level of address which is: what is the role of the minister in a ministry? What does the minister do?

* (1550)

The minister is not the deputy minister. The deputy minister is the operational officer, the person to whom the directors liaise. The deputy minister does not herself run around and answer the telephone or open the doors or press the buttons, although sometimes this deputy minister does because we are quite short-staffed at times, and she is a very competent and obliging member of the bureaucracy. Nonetheless, on a conceptual basis, I guess what a minister does is provide overall policy direction.

I liken the cabinet to a board of directors of a corporation. The board of directors on a private corporation or a public corporation provides policy. They provide the outer rim of activity, the limits of activity of the particular operation, the direction that we should be going.

But do the ministers and members of cabinet get involved on a day-to-day operational basis? Absolutely not. In fact, I could imagine nothing worse than the mayhem I would cause if I showed up at Vital Statistics some morning and insisted that I be allowed to turn on the computers or to greet customers at the front desk—[interjection] I think that I would be a butt of significant opprobrium from my director. It is not appropriate. It is just not appropriate.

So do I motivate? Yes. Am I going to ask questions? Absolutely. Is this the matter of which I am concerned? Absolutely. I do not want to leave my honourable colleague opposite with the idea that I am brushing him off or disregarding this or treating this lightly, because I am not. I will use every opportunity I have. I must inform and share with my honourable colleague that I meet with my deputy on almost practically a daily basis. I meet with members of different departments on a weekly basis. I make it a point to travel about all the different departments—14 different departments in Consumer and Corporate Affairs—on an annual basis to make sure that I have touched everybody in every department at least once during the course of a year.

When I am going out into the field per se, it is not to tell them how to do their job better, but rather to set direction, to set goals, to set standards for them, to share their mission, to implement government policy in the broad picture.

So can I say specifically that I am going to have 22 meetings before September 13? No, I am not prepared to say that. Am I going to talk about it? Yes. Am I going to go out and proselytize about the problem? Absolutely. Am I going to ask for an accounting from the different department heads as to their assessment from their experts? Absolutely.

Now, I can assure my honourable colleague that I do not have the technical knowledge and, in fact, I only

learned from him a couple of days ago what an embedded chip was. One of my colleagues asked me if this was a new brand of cookie—[interjection] That is right, we can talk about cookies. In fact, I make no pretence that I have any technical ability. I know how to turn a computer on. I know how to browse the Internet. I know how to draft a memo, answer my e-mail, and to transmit jokes on the Internet. But much beyond that, I am a rank novice. Probably my children, who do their university reports and papers, are far more equipped and adept at working computerese than I am.

Nonetheless, am I going to ask my department people whether they have done the appropriate consulting and in their opinion, in their professional opinion, in their expert opinion, are they satisfied that they have done all that is reasonable to ensure that government records, government database are secure? Absolutely. For sure. Am I going to consult with our Better Systems people, our Manitoba Measures people, our desktop publishing people? Absolutely. These are things—

Report

Mr. Gerry McAlpine (Chairperson of the section of the Committee of Supply meeting in Room 254): Mr. Chairman, a motion has been moved in the section of Committee of Supply meeting in Room 254 by the member for St. Johns (Mr. Mackintosh), and the motion reads that the alleged matter be referred, reported to the House. This motion was defeated on a voice vote, and subsequently two members requested that a formal vote on the matter be taken.

Formal Vote

Mr. Chairperson: A formal vote has been requested. Call in the members.

All sections in Chamber for formal vote.

Mr. Chairperson: One hour having expired, I am requesting that the Sergeant-at-Arms shut off the bells in accordance with the rules.

In the section of Committee of Supply meeting in Room 254 considering the Estimates of the Department of Justice, a motion was moved by the honourable

member for St. Johns (Mr. Mackintosh). The motion reads that the alleged matter be reported to the House. This motion was defeated on a voice vote, and subsequently two members requested that a formal vote on this matter be taken.

The question before the committee is the motion of the honourable member for St. Johns.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 16, Nays 29.

Mr. Chairperson: The motion is accordingly defeated.

* * *

Mr. Chairperson: This section of Committee of Supply will now continue with consideration of the departmental Estimates.

Hon. James McCrae (Government House Leader): There might be agreement to call in the Speaker and call it five o'clock.

Mr. Chairperson: Is it the will of the committee to call it five o'clock? [agreed]

The hour now being five o'clock, time for private members' hour. Call in the Speaker.

* (1700)

IN SESSION

PRIVATE MEMBERS' BUSINESS

Madam Speaker: Order, please. The hour being 5 p.m., time for Private Members' Business.

House Business

Hon. James McCrae (Government House Leader): We had discussions, Madam Speaker, with members of the parties here, and we have tentatively agreed that we should debate Resolution 55 today and Resolution 34 should be placed on the Order Paper between Resolutions 54 and 56. Are we okay so far? Then the

expectation would be that tomorrow we would discuss Resolution 35, and the next day we would discuss Resolution 33. That is the direction of our discussions thus far. In other words, 34 and 55 virtually change places, but that we discuss Resolution 55 today.

Madam Speaker: Is there unanimous consent of the House to deal with private member's Resolution 55 today and replace private member's Resolution 34 as No. 55 on the Order Paper? Agreed? [agreed]

SECOND READINGS—PUBLIC BILLS

Madam Speaker: Second Readings, public bills, Bill 201, The Crime Victims' Bill of Rights and Consequential Amendments Act.

Bill 203, The Legislative Assembly Amendment Act (2).

PROPOSED RESOLUTIONS

Res. 55—All-Party Justice Task Force

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I would move, seconded by the member for Thompson (Mr. Ashton), that

“WHEREAS the citizens of the Manitoba expect a process of judicial reform that reflects the commonly held belief that Manitobans who break the law should shoulder the consequences of their actions; and

“WHEREAS children under the age of twelve that break the law must also be held responsible for their actions; and

“WHEREAS alternative forms of sentencing, such as, Youth Justice Committees, are becoming increasingly popular in dealing with offenders under the age of twelve; and

“WHEREAS the Winnipeg Police Service has begun an important move toward community policing; and

“WHEREAS there is an urgent need for this government to work with local communities in order to

establish, expand and strengthen different ways of dealing with individuals who break the law.

“THEREFORE BE IT RESOLVED THAT this Assembly urge the Minister of Justice to consider the formation of an all-party justice task force to examine the issue of justice in Manitoba, holding at least 10 public meetings across the province, in an effort to solicit advice and comment regarding justice in Manitoba.”

Motion presented.

Mr. Lamoureux: Madam Speaker, it is with pleasure that I introduce this motion today. It is, in fact, a very important resolution, especially if you put in the context of what has been happening over the last little while. When I actually submitted this resolution, it was a number of months ago. Since then, to a certain degree, my opinions have changed with respect to the BE IT RESOLVED, even though I think that there could be a great potential merit in seeing an all-party task force, if you like, having these public meetings.

What I have been asking the government to do is the need to have some sort of an independent review of our judiciary system. I have always acknowledged, whether it was in Estimates on Justice or Question Period inside the Legislature or other opportunities where I have had the chance to say a few words, the importance of the need for an independent judiciary or judiciary independence, and respect that as much as possible.

Having said that, what I believe has happened is we have seen a growing gap, if you like, because of the lack of any sort of a public accountability between what the public expect of our judicial system, and, in reality, what is actually happening. It is one of those issues that bridges all different socioeconomic demographics in each and every one of our ridings. In certain areas, you will find many constituents might say that health care is the issue. In other areas, you might hear education is the issue or it is jobs that are the issue.

The issue that everyone will concur on in terms of its importance is the whole issue of crime. I think that is fair to say virtually for every Manitoban and I think

that this resolution is indeed very timely. There are a number of things that happen that cause great concern. One that has always been a concern for me personally has been the whole idea of break-ins. I have always thought break-in is a very serious crime, and I am disappointed in terms of the inability to get the type of statistical information that I believe are required in order to give a better assessment of actually what is a consequence of that particular crime. But it is a personal crime for me; it is not a property crime when someone has a break-in as far as I am concerned, because every break-in could turn into a home invasion. We have seen a number of armed home invasions. Most recently in the last few days, I believe, there has been three of them.

I can recall, Madam Speaker, and one of the reasons why I felt it was necessary to bring in this resolution was because of the by-election out at Portage la Prairie. I had knocked on an individual's door, a senior lady. It was three o'clock in the afternoon, I knocked on the door, and I was just about to walk away when the door opened up a little bit of a crack, and it was this senior lady who then saw me. I said hi, I introduced myself, and then she invited me in. I was amazed on how she had her place, her door, secured with bars and everything. Right away she went into the incident that had occurred a week prior, where she had a couple of thugs break into her home, pushed her down to the ground, harassed her, robbed her, stripped her of her dignity, if you like, and then walked away. Now she prefers to sleep during the daytime as a result of this particular incident.

Well, this is not a story that is all that unusual or all that unique. Things of this nature happen far too often. I have attempted in the past to try to get, as I say, some sort of a statistical breakdown of consequences, of actions of this nature, and I have found it extremely difficult to get the type of results. I am hoping through the Justice Estimates, whether it is this time round or next time round, that I will be able to get further clarification. I trust that the Minister of Justice (Mr. Toews) will address the comments that I am putting on the record today if, by chance, I do not get the opportunity during the Estimates to get those consequences.

What I can recall—and this happened a number of months ago—was that generally speaking, no one really spends more than three months if it is your second, third offence, in our jails. One of the questions that I put out in my last questionnaire was some sort of a minimum sentence for break-ins. It was overwhelming in terms of the response in the affirmative for that sort of an action.

I really believe, and I cite the break-ins as an example, that there are many different crimes, whether it is one of personal nature or property nature, in which because of the perceived disposition or consequence that there has been a lack of confidence from the public towards the whole judicial system.

That is the reason why what I would like to see is us talk about alternatives. What can we be doing as legislators to try to fill that gap between that public accountability in the whole need of judicial independence? At the same time, one has got to be very careful not to come across as too much of a hypocrite on this issue respecting judicial independence.

* (1710)

That is the reason why today, when I stand in my place, I think that there is probably more of a need—not probably, there is more of a need to have this independent review put into place, whether it means going abroad outside of the province in order to get individuals brought in, looking at individuals that have the expertise, that there may be in retirement, but there needs to be something that occurs that gets the public feedback, to lessen, to bridge that gap so we can restore more confidence into our judicial system.

I have felt quite frustrated in the sense that it seems that no matter what one attempts to do, it is very difficult to make any sort of significant headway in addressing this problem directly. That is one of the reasons why wanting to be able to contribute in a very positive way, I and I know other members of this Chamber, the member for St. Johns (Mr. Mackintosh), I believe, the member for River Heights (Mr. Radcliffe), from all political parties have gotten involved in the whole youth justice committees. I think

that is a very strong, positive thing, because it is not just to be critical, but it is also to be able to contribute where we can. In fact, our justice committee now is looking at dealing with young offenders under the age of 12. It is on an experimental-type basis today. There has not been any sort of financial assistance at all from the government, but at least the government has been very receptive and open to the idea to the degree that there has been some significant improvement.

This is an area which I have been attempting to address on behalf of my constituents for the last few years. Over the number of months we have seen significant progress, even though at the beginning a couple of years ago it was getting to be a little bit frustrated.

Well, Madam Speaker, that is one example of what it is that we can do. There are other things. I am very pleased with Chief Cassels' public appearance that we need to expand the whole concept of community policing. I have had the opportunity to meet with Chief Cassels, shared my concerns with him with respect to the concept of community policing, and I was really pleased with what I heard him say. The idea of these police service stations where you have set hours in the districts in the city of Winnipeg and then you expand on that through community police patrols I think is very positive. I know that we have a local constable, Craig Waterman, who is just so well received in the areas in which he patrols, and the contribution has been very significant. There has been a high sense of co-operation from in particular the City of Winnipeg, the Province of Manitoba, in making this work. I like to believe that there has not been any sort of political interference. I think that Chief Cassels and the Winnipeg Police Service are the ones that deserve full credit for this idea, and I just stand and applaud their actions thus far in trust that they will continue to move forward, Madam Speaker.

I do believe there is a higher sense of need for the community to get more involved in safety-related issues. I would suggest that as elected officials, if there are things which we can do to promote more of that community involvement, we should be doing that, whether it is in the format of ad hoc safety groups or Neighborhood Watch programs, whatever can be done

in terms of getting more people involved, ultimately, I believe is a positive thing.

A very strong personal opinion that I have is that there are, in particular in some areas of property crime, especially first-time offences—we need to take a look at alternatives to what is currently there today by again getting communities more involved. I would like to see more progressive action taken on that whole area, but when I look at the very first WHEREAS, where I talk about the citizens of Manitoba expect a process of judicial reform that reflects the commonly held belief that Manitobans who break the law should shoulder the consequences of their actions, I really do believe that Manitobans are, in fact, dissatisfied with what they are seeing today. My fear is that we, as legislators, do not use as an excuse judicial independence as a reason for not getting involved in making the changes that are necessary within our justice system.

We should respect it and go out of our way, perception-wise and in reality, to make sure that it is not unduly brought into a political realm, but there is a responsibility for us to make that bridge so that we can make the justice system more reflective to what the public as a whole want to see.

I would suggest to the government, because this resolution is just here to ensure that there is discussion about our justice system, that we will get some very positive feedback this afternoon on what it is that we can do, because I think there is a lot of work that needs to be done, and all communities in Manitoba would be better off if we did everything we could. Thank you.

Hon. James McCrae (Minister of Environment): Madam Speaker, I appreciate the sentiments which actuate the honourable member for Inkster this afternoon in placing before us Resolution 55 dealing with those issues that it does, which are so important to Manitobans and to all Canadians in this day and age. All throughout our history, I think, we have had a high regard for the concept of living safely and living peaceful lives free of the results of crime and wrongdoing.

The honourable member's main reason for wanting this placed before us today is that there could be a discussion about the issues, and I certainly appreciate

that. As a former Minister of Justice in Manitoba, I had the privilege of discussing this on many, many occasions for a number of years and not just in this place but in church basements and community halls throughout the province of Manitoba. One thing I found on all of those occasions was that people attended meetings like that in large numbers because they care very much not only for their own safety and security and that of their property but also that of their children and their communities. So it is never a bad day to discuss the issues being raised today by the honourable member for Inkster (Mr. Lamoureux).

I notice in the resolution a reference to children under the age of 12, and, now, I know this resolution was put together—this is a little bit of scolding for the honourable member, but the resolution was put together before the more recent discussions in Ottawa, and it appears that even the very, very significant influence of the honourable member for Inkster could not be brought to bear on his federal colleagues.

* (1720)

He says he tried, and, you know, I have tried, too, for a long time in this area, and it is not that I have anything against children under the age of 12, because, obviously, I have fathered five of them and I understand about children, but some children, unfortunately, are used by people older than themselves. Knowing this law exists, protecting children under the age of 12, it is used by some people to further their own criminal aims, and, indeed, there are somewhat incorrigible youngsters who simply run out of resources that are available under Child and Family Services and those other things.

I suggest, as I am sure the honourable member for Inkster (Mr. Lamoureux) would, that if children younger than the age of 12 were included in the Young Offenders Act, it would be a fairly unusual or rare occurrence that the law might have to be used, but, nonetheless, are we going to tell those people in our society that we are totally powerless to do anything about their bad behaviour?

I do not think so, Madam Speaker, and I remember lobbying long and hard with federal authorities, to no

avail unfortunately, but there were some improvements to the Young Offenders Act which beginning in 1989, shortly after '88, I guess it was, and my very first federal-provincial territorial meeting—it was held in Prince Edward Island, and I remember Gordon Pilkey, a man for whom I have great respect, who joined me—no, this would have been '89—as deputy Justice minister to attend a meeting in Prince Edward Island, and Manitoba, with Gordon's help I think led the way in the discussions in 1989.

Perhaps the changes that have happened since, although we do not suggest they go anywhere near far enough, we may have had some role in that, and if that is the case, I am proud of the achievements of Mr. Pilkey, and to some extent my own efforts were a part of that as well.

Well, there have been a lot of things happen since those days. We have had the honourable Minister of Culture (Mrs. Vodrey) and the present Minister of Justice (Mr. Toews) occupying the ministerial position in the Justice department carrying on the tradition of respect for human life and property and safety, and I am proud of all the things that we have done.

I have been consistent over the years in making sure that we say that until all criminal activity is totally wiped out, we still have work to do. So nobody is being smug about this, Madam Speaker, because that is exactly what the criminals want to see, is smugness on the part of lawmakers, that, you know, we have done as much as we can do and there you have it, because we have not done as much as we can do, and my colleague, the Attorney General, would be the first to agree with me, as would all honourable members, I am sure, as long as there is any crime remaining.

But I think that more should be done. I think Ottawa should be listening to the honourable member for Inkster (Mr. Lamoureux) and to me and others with respect to that particular WHEREAS in the honourable member's resolution today.

While I see in the RESOLVED section that the honourable member wants to have public hearings once again or all-party task forces and these sorts of things, in my respectful opinion we know very, very well what

the opinions are of our neighbours and our fellow Manitobans with respect to crime. They have no time for it. They have simply seen too many headlines in the newspapers. Manitobans have seen too many examples of the laws that we have being flouted and too many examples where perhaps better enforcement might have made a difference.

Frankly, in the area I represent here, Manitoba Public Insurance, the Manitoba Public Insurance is partnered with police agencies to bring about safety on our streets and highways but, importantly, where we had an outright epidemic of car thefts going on, we have, through MPI, partnered with the City of Winnipeg Police to help in that particular area. Recent news coverage has pointed out that some success has been achieved. We want more success. As Minister responsible for MPI, I am quick to remind not only MPI but also the Winnipeg Police Service that we want more, more, more. We want more enforcement and we want to see some of these car-theft rings and gang activities brought under control. Little by little I think we are seeing that.

Now, the honourable Minister of Justice (Mr. Toews), if he were here, would probably—excuse me, Madam Speaker, I withdraw that comment. If the honourable Minister of Justice were able to do so, he would, I am sure, want today to be reminding honourable members that crime is one of the most pressing concerns of our country today, because this is something that he said recently in one of his many public statements. He said that crime is one of the most pressing concerns of our country today, but that does not mean that Manitobans are all just victims in waiting. We have taken steps to strengthen our crime prevention efforts, to increase community involvement in finding solutions, and we are making progress at many levels.

Perhaps the most important aspect of this progress is that the progress is measurable, Madam Speaker. Statistics Canada reports that break-ins have generally declined across the country since 1991. You know, some of the reasons for that is that people are doing something to make their communities safer. People are getting together with neighbours and community leaders to put together programs that make a difference.

I recall very vividly visiting high school auditoriums in the southern part of the city of Winnipeg in those days and seeing hundreds of people coming out for crime prevention meetings.

The honourable member for Inkster (Mr. Lamoureux) is right. Those crime prevention meetings were successful because Winnipeg Police in those days and today were able to have community police officers. Those community police officers helped to organize activities in neighbourhoods, and the statistics just went wild in the right direction, Madam Speaker, in terms of preventing property crimes. Of course, the insurance companies were really interested in those results too, and of course the insurance companies got involved in those activities because indeed what it did is have the effect of reducing the number of claims for them, also keeps rates for insurance premiums under control. Everybody wins.

I remember, how many times did I say—maybe the honourable Minister of Health (Mr. Praznik) will probably be able to tell you exactly how many times I said that a crime prevented is a crime you do not have to go to the expense of prosecuting. How many? The Minister of Health does not remember, it was that many times, but that is okay, because it is an important point. There were also suggestions that a dollar spent on crime prevention effectively can save \$7 in the justice system at the other end of it.

So, when I say we have got measurable progress, I mean that. Statistics Canada has reported that there has been a decline in break-ins. In Winnipeg, for example, we have seen a decrease of 26 percent in residential and 27 percent in business break-ins over this time. Why are we seeing this measurable decrease? Because Manitobans, like many other Canadians, are no longer willing to be complacent about crime, and they are getting involved.

Now, these things that the Minister of Justice (Mr. Toews) was saying was to an audience in Winnipeg, but he could have been saying it in an audience in Brandon or in Russell or in Souris or in any number of other areas where we have the activities of the youth justice committees, which the honourable member for Inkster (Mr. Lamoureux) has given his support to.

Well, why would he not? Those are community-driven, community-based programs and, really, it lends strength to the principle that we need to look after our own communities, and we are.

While the government can be a partner in these things, and is, the people is what make the difference. People caring makes such a significant difference in the quality of our lives and the security that we enjoy in our towns and cities.

Certainly my community of Brandon is obviously no exception. We have excellent leadership at the level of the city council and leadership at the level of the police department in terms of crime prevention. Over the years, the people at the Brandon police service, who have been assigned the job of community relations and crime prevention, have been doing an excellent job in getting people to work together and come together. For example, in the area of impaired driving and counter-measures, Brandon has joined Winnipeg and The Pas and now, I think, there is another community in Manitoba as well next year that will have Operation Red Nose in effect.

* (1730)

Well, I know some of the honourable members here were involved in Operation Red Nose this past year, and I mean on the volunteer end of that particular program. You meet the most interesting people when you are working out on Operation Red Nose. Actually, it is a little bit comical, but on the other hand it is also excellent, because people are able to enjoy themselves at their social functions, safe in the knowledge that they are going to be driven home by responsible people and their car is going to arrive home, too.

Now, these are the sorts of things that truly make a difference. Operation Red Nose can make statistics available, and have done so, about the success of their program. But it is people getting together to help out other people in making sure that our communities are safe.

Now, I could go on and on and on about the things that have been said by the Attorney General and done by him, his department, and all their partners over the

past number of years. It really amounts to a very significant effort on the part of virtually thousands of people in Manitoba. We support the concepts behind the honourable member's motion. We know very well what the current concerns of the people are. I would be bringing this resolution to the direct attention of the Attorney General for his consideration; would take the honourable member's resolution as a representation to the Minister of Justice, but there is certainly no argument on this side of the House about what it is that is driving the honourable member for Inkster (Mr. Lamoureux) in bringing this forward. I commend him for doing so.

Mr. Gord Mackintosh (St. Johns): It appears from the introductory remarks of the member for Inkster (Mr. Lamoureux) that he is not pursuing the idea of an all-party task force anymore, but he does call for an independent review of the legal system or the justice system, I understand. Therefore, I take the resolution as a matter for general discussion on the need to better address the threat of crime and violence in the Manitoba community.

I look at the RESOLVED clause, and I see in there two underlying assumptions. The first is that in Manitoba we are not doing well in dealing with crime. The second is that it is important that we embrace public views and that we involve the public in redesigning our justice system. Those are two assumptions that we certainly support and agree with.

Manitoba is not doing well in dealing with crime. As the members opposite know, Manitoba leads the provinces in having the unfortunate distinction of having the highest violent crime rate. Indeed, in every year since 1993, I believe that has been the case. Included in those years is the unfortunate distinction of having the worst violent crime rate in Canadian history right here in our province.

I know Manitobans feel that the friendly Manitoba they have come to know and love is slipping away on them. Anecdotes, as the member for Inkster (Mr. Lamoureux) has shared with us, of the woman in Portage la Prairie is not any more an uncommon result of not only crime itself but the fear of crime.

Manitobans are bunkering in. They are changing their patterns of behaviour because of this fear and this threat. I shared with the Legislature not long ago an anecdote from an inner city youth worker who said that families in her neighbourhood were now changing the way they were sitting and sleeping in their homes. They were positioning themselves away from their front window, for example. They were sitting up against walls and sleeping in different places because of the fear of gangs, in particular, in that neighbourhood.

No, we are not doing well in Manitoba, Madam Speaker. It has been our assertion that the current administration in Manitoba over the last 10 years has worsened the conditions that have bred this crime rate and this tragedy. You know, there is a cause and effect to government policy. We know full well the cause and effect of the shutting down of every nickel of funding to the friendship centres of Manitoba. Just last night, Madam Speaker, an individual came up to me to lament the loss of the youth workers at the Winnipeg Friendship Centre on Robinson as a result of the government's funding cut. That individual said there was a loss of nine youth workers. I would call them crime prevention workers; people who provided mentorship. After all, every youth must have a nurturing adult in their life, a mentor, hopefully a parent, but the friendship centre provided a mentor. The friendship centre provided organized programs, provided a safe place, provided some structure.

I, in my heart, know that the loss of the the recreational opportunities, the hope and the sense of place for inner city aboriginal youth as a result of the cuts to the friendship centre is one of many factors that have bred the crime rate that we are suffering particularly in the city of Winnipeg. But, Madam Speaker, it is much bigger than that. Justice Hughes, for example, in looking at the Headingley riot, talked about what he called the real solution. He said we must offer recreational opportunities, supports for families at risk and get serious about marketable skills and job prospects for those at risk of gang activity, and he urged that Manitoba take a lead in moving that to the national agenda. He said we have to put safety of persons on the same pedestal as health and education.

I have not seen any tangible result stemming from that recommendation. All I have seen are further cuts, and whether it is even the Minister of Justice (Mr. Toews) killing the Night Hoops program for inner city basketball, how they turned their back on the closing of the North Y, how they have reduced funding for foster parents, how they have made changes in the social allowances that have disproportionately affected children, changes to the daycare system a number of years ago, and, most significantly, even now the Premier (Mr. Filmon) makes vague reference how this government has seemed determined over the last 10 years to ensure that certain Manitobans—and they have been disproportionately aboriginal peoples—have been left out of the economy. There is a cause and effect, Madam Speaker.

Having created those conditions, the government that is currently in office has failed to take meaningful rear guard action then to deal with the crime that has been the fallout. That is where the second assumption in the RESOLVED clause comes in.

We all know how important it is to have public input. Some of the best ideas that I have heard and many that I have espoused come from kitchen tables in my constituency, come from persons sitting next to me on the bus in the morning; they come from public forums. People out there understand that we have a serious challenge that has to be dealt with and to deal with it we have to rejig the justice system.

Over the last number of years and in the course of the term of this government, there have been many, many studies done of how the justice system in Manitoba can better deal with the challenges of crime. I am not buoyed by the government's response to the recommendations. I could get into individual inquest reports, and I can think right now of several where the recommendations have gone unheard by this government.

* (1740)

I think back first of all to the War on Drugs report, a report that the government never even so much as released to the public. I am not aware of any recommendations that were acted on from that report.

I think back to the Pedlar report on domestic violence—and we all know what happened there—many of those recommendations remain outstanding. I think of the Aboriginal Justice Inquiry, reading that I would commend to all Manitobans not just for the recommendations but for the insights that it offers Manitobans into aboriginal culture and the challenges that they face, particularly in the justice system. I have often said that it is one of the darkest clouds over this government: that it has rejected the recommendations in the main in that report.

I think of the reports from the Child and Youth Secretariat, for example, the one dealing with gangs, the one dealing with prostitution that have fallen on deaf ears. Here are the government's own studies. I think of the Hughes report. I already mentioned that, and now the Lavoie report. While we still have hope that the essence of the Lavoie report recommendations will be implemented, we now are getting indications that some of the main ideas and urgings from Mr. Justice Schulman are being rejected by the government as we speak.

I know the member for Inkster (Mr. Lamoureux) urges consideration of an independent inquiry of the justice system, but we also recognize of course that the justice system has many, many aspects, and many aspects of the system have been studied. That is not to say that we are opposed to further study, but what we are saying is that to embark on further studies will require a commitment by the government that they will begin to take the safety of Manitobans as seriously as their tough talks suggest. We have seen time after time how this government has failed in its administration of justice.

Now, we have not just put forward criticisms and sat down. I think for every criticism that we have raised, we have put forward positive alternatives. I think, for example, of the Gang Action Plan, an 18-point plan, a comprehensive plan to deal with the threat of street gangs in Manitoba. We know that over the course of this government, street gang membership has grown in Winnipeg alone to about 1,400. We know that under this government how we have seen the new threat of home invasions arise. We have seen under this government the epidemic of auto thefts. We have seen

the horrendous increase of robberies in Manitoba, a statistic unfortunately and a happening that is driving the violent crime statistics in this province.

We have seen the increase in offensive weapons violations, and yet, even though Manitobans have said to this government in prebudget polling that one of their top priorities, in fact I believe it was the top priority, was a comprehensive, preventative program to deal with gangs. Yet this government ignored that, brought in a budget that did not so much as mention the word "gangs," throne speech after throne speech that does not even so much as mention the word "gangs."

This month in a national magazine Manitoba is embarrassed by again being reminded that this is the gang capital of Canada. Well, we have put forward positive alternatives, and it is not everything to everybody, but there is a good starting point there, but the reaction of the government was, well, we have done all that, this is nonsense. That was put forward in a positive way, not at an election time. It was put forward to plant the seeds for meaningful action to protect our safety, and it was scoffed at.

We have put forward alternatives to deal with graffiti. We have a victims' rights bill before the House that members have now been able to look at and compare to the government's bill, and the government's bill falls far, far short. We have put forward positive alternatives to deal with solvent abuse, to deal with a pattern of concerns and prosecutions.

With regard to judges, just before the minister was musing about accountability of judges, we were on open-line radio talking about that. I wonder where they got their ideas. We have put forward positive alternatives to deal more effectively with domestic violence. In fact, with community partnership, we demanded the Lavoie inquiry. We asked what ever happened to The Crime Prevention Foundation Act, why that legislation from the Pawley administration was never proclaimed by the government. We have put forward proposals. We have consulted the public. For example, on the Gang Action Plan we had about 10 meetings throughout Winnipeg, in particular, and elsewhere to get feedback. With the victims' bill of rights, we consulted victims far and wide. On the

graffiti legislation that we are developing, we are consulting still.

We would urge the government to get serious about our safety. Look at the options that have already been presented. Look for more. We urge the government to listen to Manitobans. Start listening to their plea for greater safety.

So, in essence, I support the underlying assumptions in the RESOLVED clause and in a positive way urge the government, please start paying attention, and when you get those poll results about preventing gang activity, take action. Do not ignore the problem. It hurts.

Mr. Mervin Tweed (Turtle Mountain): It certainly is a pleasure for me to rise and make some comments in regard to the resolution that has been put forward from the member for Inkster (Mr. Lamoureux). I have read the resolution. I listened to what he said, and, as is often the case, he certainly identified some of the concerns and many of the concerns that are facing, I think, all Manitobans and is a concern of all the people of the province.

It is different for me in the sense of having grown up in a small community. When we talk, particularly about youth crime and the ways that we deal with it, I am not that old that I cannot remember my childhood. I remember as a child doing some of the things that we considered to be very—I do not want to use the word—scallywag, I guess, or some of the troubles that we used to get into that we thought at the time would have been termed a major crime in a small community, and that might have been a very small potato. [interjection] Exactly, as the member stated, garden raids and things like that. I can also remember, Madam Speaker, that—

An Honourable Member: How much trouble did you get into in Medora?

Mr. Tweed: Well, it is a small community. I think probably one of the greatest things that I have as a memory of growing up was the fact that it was a small community. It was a small community where everybody looked out and took care of each other and each other's interests.

I think of how things have evolved today and some of the major, major crimes that I see young children committing today and how awful those things are. If kids of that age are committing those kind of crimes, just the thought of it upsets me to no end. Because, as I say, when I relate back to my own experiences, if you did something to hurt someone in your community, be it an act of carelessness or with intent or it got out of hand or got further than we expected it to, the community dealt with it. They dealt with you in a very serious manner.

* (1750)

I can remember as a young kid that I was not so afraid of the community as I was when I got home because I knew it was going to be worse than that. We were always taken back into the community to the people that we had offended in some way, and we were made to deal with it. The adults in our community, I often think that they used to have a plan that this is how they got us to become more responsible, because it only took a couple of lessons. We learned that respect and the responsibility that comes with growing up is not something that you should take lightly. The respect for other people in your community and the things you do are always going to be reflected.

I know when I go back to my old community of Medora, many people remind me of some of the things that I did as a child. Although by today's standards they would not even be considered crimes, it just reminds me of that. I think of my own children who are in their teens. We have moved to a larger centre, and we have really tried to emphasize in our particular neighbourhood that everybody will look out and be responsible for each other's children for their families. I often say to my son: I do not really have to know what time you got home, because somebody in the neighbourhood will tell me the next day. So it does create a little bit of a responsibility on him to maintain some responsibility.

Unfortunately, I think what is lacking in a lot of our young people today is—whether it is a single-parent family, I know a lot of the difficulties with two parents in the household—to be there all the time for your children, or to be there at the time that they particularly need you. I know with this job, it takes me away from

home a lot. In a short period of time of four or five days, you can lose touch with your children as to what they are doing and what they are involved in. If you do not take the time and make the time and the effort to sit down and try and catch up to what they are doing, you can fall out of the picture very quickly.

I get back to the idea of community and neighbourhoods and values that we all share or try and put out front so that our children can see. It gives me some reassurance that some of the things that are happening in the province of Manitoba in the justice system are heading the right way and, I think, will eventually bear the fruits that we hoped that it would, but I do believe that the community has that responsibility. I often think of my past few years. I coached kids' hockey and baseball and other things that they participated in, and I can remember hounding this one kid pretty well for the whole winter just to do up his jacket when he went outside. He would always give me that kind of a distant look, but by the end of year I think he understood that I was not doing it to embarrass him or do anything; it was just that I had a concern about him. He was a young guy that was always out roaming the streets, and I would pick him up and take him home. He always kind of looked at me, thinking, why are you doing this? It was just simply because his parents and I had communicated with each other and that was the nature of this guy. We just had an agreement that if I saw him out there, or if they saw my child on the street, we would pick him up and make sure that he got home, particularly late at night.

I think that this job has opened up the opportunity for me, particularly, to see—a lot of the communities that I represent are 300, 400, 500 people in the communities, and they have really taken and made the effort to take this upon themselves to become responsible for the justice that is in their communities. In a lot of cases, the RCMP are anywhere from a half hour to an hour away, and quite often when something takes place in these communities, if it is dealt with immediately and it is dealt with responsibly, I think our children have a tremendous opportunity to learn and learn without necessarily the intervention of law as such.

I think that is quite often how our young children get a bad impression of what police officers do and what

their purpose is because quite often in today's world they only see the police officer when they are in trouble. I know that in rural Manitoba, particularly in my area that I am speaking of, the police officers have made a real attempt, and I believe a very good success rate, of going to communities, communicating with our young people, talking to them about the laws, and I know that they feel very comfortable with our police and do not see them as the enemy or the opposition. They see them as maybe a partner or as a friend.

I think back in the community of Deloraine, they had a corporal there that had been there for about five years, Barry Dalrymple, and he got to be such good friends with the kids in the community, the parents. We all could sit down and discuss things together. In a lot of cases, crime came up in our discussions, how we would deal with it, what we would do. But he was transferred out in August of—I cannot remember the year, but I can remember the kids were graduating from high school that June, the Grade 12 class, and they asked him to be their guest speaker.

We had talked about it, and he gave a wonderful presentation on responsibility. He talked about his experiences with the kids, but the one thing that kind of struck me as odd, and he showed me a letter that he had received from the commanding officer, and it was one of the first times in the commanding officer's history, that he could remember, that an RCMP officer had been invited to speak at a graduation. I think that is

unfortunate, because, until our children become comfortable and understand that these people are out there to help us, to protect us, but also to be a part of our community and a part of our community's lives, that was not going to happen.

I often think very fondly of that because I remember sitting and listening to his presentation to these kids. They all sat and listened to every word that he had to say, and it was because they respected him and because he had taken the effort and time to be their friend, but also be the person that was respected for his job and the job that he had to do. There was no question about it, he would do his job when it was called upon, but he was also somebody that treated everybody fairly and with respect and in return earned that respect.

I think that the resolution that has been brought forward reflects that, and I think it is a good resolution. I really do. I do not think that anyone could disagree with the things that the member for Inkster (Mr. Lamoureux) has said, and I—

Madam Speaker: Order, please. When this matter is again before the House, the honourable member for Turtle Mountain will have five minutes remaining.

The hour being 6 p.m., this House is adjourned and stands adjourned until 1:30 p.m. tomorrow (Wednesday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, May 26, 1998

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